

LEGISLATIVE COUNCIL. Tuesday, 30th July, 1901. Referendum Bill. The Hon. the SPEAKER took the chair at half- past two o'clock. PRAYERS. REFERENDUM BILL. ADJOURNED DEBATE. The Hon. Mr. TWOMEY .- Mr. Speaker, I did not intend to rise at so early a period in the debate to discuss this subject, and consequently, as it is a very important one, I have some hesi- tancy in speaking at the present moment. We all know that it is always a very serious matter to tamper with our Constitution. There is always great risk and great danger in doing so. For years past there are political terms which have been in the mouths of political women at women's conferences and others of that ilk, such as the elective Executive, the referendum, and the initiative, but have received no serious attention so far. With two of these we have nothing to do at present ; but the referendum comes to us now with the imprimatur of the Government on it, and, under these circum- stances, it is time, I think, that we began to look into it seriously, and ask ourselves what it means. We have the referendum at present in a limited form. We have it as regards the liquor question-a question that is referred to the people every three years. Then, we have it again in another form-as regards local loans. No local body can raise a loan with- out referring the question to the people. ] have taken some little trouble to go into the matter within the last few hours, and I find that the referendum is in operation in America in a restricted sense. It is chiefly used in the individual States, and not by the whole nation, and questions affecting changes in the Consti- tutions are the chief matters submitted to a referendum. Now, in America it is only right and proper that these questions affecting the VOL. CXVII .- 1. Constitution should be referred to the people, for the reason that in these States the people are the source of sovereign power, and they delegate to the Parliaments of the States those powers ; and wherever any changes take place in the Constitution it is only right and proper for the people to exercise a vote in the matter. There are some other occasions in which the referendum has been used, and in most of these cases the Supreme Court of America, which always plays a great part in the legislation of that country, has declared it to be illegal. I find that the Supreme Court of the

State of Ohio gave this decision :- "That the General Assembly cannot surrender any portion of the legislative authority with which it is invested, or authorise its exercise by any other person or body, is a proposition too clear for argument, and is denied by no one. The people in whom it resided have voluntarily relinquished its exercise, and have positively ordained that it shall be vested in the General Assembly. It can only be reclaimed by them, and by them by an amendment or abolition of the Constitution, for which they alone are competent." There are several of such decisions. Here is another from the State of New Jersey :- " Much as the authorities differ in their conclusions, they all concur in the great principles by which the question is to be settled. It is conceded as indisputable,-(1.) That, as well by the theory of a representative democracy as by the expressed provisions of the Constitution of the States of the Union, legislation cannot be exercised directly by the people. (2.) That the legislative power cannot be delegated ; that it can be exercised only by the functionaries, and in the mode designated and prescribed by the Constitution. (3.) That a law enacted by any other mode than that prescribed by the Constitution is void." I have looked through several other decisions, and that is practically the opinion of the Supreme Court of America. But, I may be asked, what has this to do with us-what bearing has it on the question before the Council ?

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Constitutions under which the American States are working. There are two classes of Constitutions-the written and the unwritten. The British Constitution is unwritten. It has no restrictions. It is a growth built up from precedent to precedent, and consequently knows no power that can restrict its operations. Our Constitution is different. It is a written Constitution, and under it the Parliament of New Zealand alone has the power to make laws, and it has no power, according to the decision of the Judges of the Supreme Court of America, to delegate its powers to the people. This, perhaps, is not so important as the fact that we have now what is practically a referendum, in the people's representatives having to go before the constituencies every three years. I do not see that the principles contained in the present Bill would, under these circumstances, expedite matters. A measure must be twice rejected in both Houses-that is, it would take two years to refer it to the people ; and, under these circumstances, I do not see how it could be referred to the people much sooner than it is under the existing system. Now I come to Switzerland, the home of the referendum. I find it is a country divided into twenty-five cantons, with three thousand communes. Several of these cantons are so small as to have only thirteen thousand inhabitants, and these small communities are subdivided into smaller communities again, until there are three thousand communes ; and, even then, there are smaller bodies, called parish meetings and school districts.

These small bodies have almost all the paraphernalia of government-their executive and all that-and for five hundred years these people have been trained in the exercise of the referendum, for in many of them every male citizen has a right to come and take a seat in the common council. So you see they have been educated up to this, and this makes a great difference as compared with people who have had no education in it. But after all this education the results are not what progressive people would deem satisfactory : Since 1875, when the national referendum was adopted, it has been exercised forty-one times, out of which the measures were accepted seventeen times and rejected twenty-four times, and a great authority on the question says that never yet has a measure been accepted by a majority. What happens is this : People who are indifferent neglect to vote, and consequently those who are rabid on the question vote, and carry or reject it. There have been tricks played in regard to it, for objectionable matters have been put into very popular measures, and these objectionable matters have passed under cover of the popular measure. As an instance of what they rejected, I might first say that there was a valley that wanted improvement. It was a splendid valley, and one to the advantage of the people to improve, but one set of people were pitted against the other, and consequently the measure was lost. This is what M. Deploige, in his great work on the subject, says about it :- Hon. Mr. Twomey to the canton. To improve a great valley, to protect it against periodical floods, to bring into cultivation some very important land at a relatively small cost, might have been expected to meet the approval of all men. But politics interfered, and the Radicals voted to a man against the proposal. They very cleverly exploited the jealousy which the sotto (Genève felt towards the sopra Genève, for whose advantage the improvement was undertaken. The result was the law was rejected, and the State Council resigned." An Hon. MEMBER. - What book are you reading from ? The Hon. Mr. TWOMEY .- Deploige's " Referendum in Switzerland." Here was a matter of great importance, and because the politicians worked the oracle it was not carried. Here is another instance : A State bank was proposed, and it was rejected. And in most instances the progressive measures almost invariably have been rejected by the referendum. Here is what the author of this book says :- "I came back from Switzerland with a large memorandum-book cram full of notes taken here, there, and everywhere, just as I happened to meet my informants-professors, deputies, journalists, public servants, popular leaders, Catholics, socialists, and Radicals. In this curious collection violent abuse and enthusiastic eulogies mingle on every page. The referendum is an excellent thing, an incomparable institution : you turn over a leaf and this wonder is suddenly termed a reactionary measure, a clog and a hindrance to progress." One of the people he consulted says, - "Those devoted to active politics are utilitarians. With them it is a matter of calculating the gains and advantages that their party or cause may hope to obtain from the referendum. It is not surprising, therefore, that the members of the Government and the majority should speak ill of the referendum, or that the chiefs of the Opposition should have no terms too flattering for it. The former owe nothing to the institution : quite the contrary." Thus the majority owed nothing to the institution of the referendum, but quite the contrary. Another extract says,- " All politicians do not regard the referendum in this light : there are some rare exceptions." Thus it will be seen from this that few politicians favour it. Then, there is the outstanding fact : that in many cantons it has been restricted in its operation, and some will not have it at all. One of these is Fribourg. and here is what is said of it :- " Fribourg is the most curious of all. The cantonal referendum is one of the planks of the Radical party, and the Government and the majority will not have it at any price. It has been said, therefore, that Fribourg is not a democratic canton. If, on the other hand, the eagerness with which the electors go to the ballot-box on voting-days is any criterion of the intensity of the democratic opinion in that country, then Fribourg is one of the most democratic in Switzerland."

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Another authority says, -- " As federalists we were in doubt in 1874 as to the result of the exclusion of the vote by cantons. We were all labouring under a wrong impression that time, and we have been taught

by experience that the Swiss people are more Conservative than their representatives." M. Carteret said,- " I should like to see the referendum completely suppressed, and, above all, I want no compulsory referendum. As to the popular initiative, I dread it as a sort of legislative dynamite. In a word, the so-called rights of the people seem to me to be nothing more than democratic claptrap. In the hands of the clerical party they are only used to impede progress." M. Ernest Naville says,- " Only the very unsophisticated could believe that each citizen, after mature consideration, forms a decided opinion of his own on every law. In order that all the shepherds of the mountains, all the farmers of the valleys, and all the dwellers in the towns of Switzerland might have an intelligent personal opinion on the often very complicated laws, they would require an amount of culture and leisure which is at present, and always will be, beyond the reach of the great majority of the population." " Be these your gods, oh Israel ?" These are a few of the facts collected by M. Deploige, who writes very impartially, and it will be seen that the Swiss people think very little of the referendum. Honourable members will see from this that the tendency of this measure is Conservative, and for these reasons I think it would not be safe to allow it to pass without very grave, long, and serious thought. When the measure came down my first impulse was to vote for the second reading, and try to amend it in Committee, so as to put it into a form that would make it of use and more to my liking ; but I do not think, under existing circumstances, any one would be very seriously hurt by putting it back for a time, with a view of giving it further consideration. It will be seen that in Switzerland the people are used as tools by sects and parties, and consequently the measure never goes to the people unhampered by other considerations. Now, if that is the case in Switzerland, where the system has been exercised for so many ages, what would it be if we introduce it here in our own system, and how would it work before the people are properly educated up to it ? We have at the present moment the freest Constitution on earth. We can do anything under it ; and my belief is that it would be a very dangerous thing to interfere with it too seriously. Coming now to the practical part of it, I find, as I said before, that a measure must be rejected twice before it can be referred to the people, and consequently it will take all the time, or as long a time as it does now with the three-year period of election. I do not see, therefore, that there is anything to be gained by it, even in respect to expediting legislation ; and I say, too, that it is impossible, as this authority points out also, for the general public to form a clear and intelligent idea of some of the large measures that are frequently put before this Parliament. I, for myself, would have no objection to submitting to the people abstract questions, such as Bible-reading in schools, and so on. That might be done with advantage, and it would relieve the representatives of the people of a great deal of anxiety and relieve the Government of a very irksome subject. But there is no provision in this Bill for this. There are only two conditions under which a question may be submitted. As it appears to me, it may be submitted if defeated on the second reading ; and, second, if the Bill is amended. Now, I think where a measure is amended the amendments should be pointed out to the people, but there is no provision in this Bill to do so. I see in the Bill also, in my opinion, a slur on the Legislative Council. There is here somewhere a provision by which a thing may be submitted to the people on a resolution of the House of Representatives ; and there is further provision whereby the House of Representatives may make the question a matter of urgency, and declare it to be a matter of urgency. Now, why should not the Legislative Council have equal powers with the House of Representatives ? There is also here a matter which I have heard discussed. I see the Premier in another place said that the Legislative Council could be abolished under this Bill. Well, Sir, whether that is desirable or not, I do not think it could. I have here the Constitution Act, where the position is stated. Section 32 says,- "There shall be within the Colony of New Zealand a General Assembly, to consist of the Governor, a Legislative Council, and a House of Representatives." The Legislative Council is part of the Constitution as well as the House of Representatives. And by a subsequent clause it is enacted :- " It shall be lawful for the said General Assembly of New Zealand, by any Act or Acts, from time to time to

alter or suspend all the provisions of the said Act, except such as are hereinafter specified." And one of them is section 32, which I have just read. So that the Parliament of New Zealand combined has not the power to abolish the Legislative Council. Only the Imperial Parliament can do that, and it could not be abolished except by an Imperial statute. Now, Sir, I am sorry to have kept honourable gentlemen so long. I was not well prepared, as I expected a great deal of discussion to go on before I spoke, and I hope honourable gentlemen will pardon me for having kept them so long. I now think that before this question should pass into law two things should be proved : The first thing that should be proved is that the present system is a failure, and that it has proved incapable of giving expression to the will of the people in legislative enactments. Can that be done ? I say No. The next thing that ought to be proved is that there are measures demanded by the people which have not received the sanction of Parliament. That cannot be proved. I think that, bearing in mind all that

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the splendid progressive legislation which has passed these Houses of Parliament, and which has won the admiration of the world and drawn to us the attention of politicians everywhere, neither of these propositions could be proved, and that consequently there is no necessity for making a demand for such a reform as this. We have, as I said before, the freest Constitution on earth. No republic could be freer than ourselves ; we can do anything we like under it ; and I think it is a great mistake for us to hamper that by such doubtful innovations as are proposed in this Bill. We have only to look back on the last few years and see how the political machine has been working. During the first period of the present Administration the Legislative Council kept in check the progressive legislation until such times as the people had exercised the referendum by returning to Parliament those who were in favour of and were promoting that legislation. Then, when the Legislative Council found that these expressed the wish of the people at large it gave in handsomely and passed the legislation. I do not think, Sir, there is any great loss to be suffered by delaying matters of this sort. I think, from what I know, that the result of the delay in the past was that great improvements were made in the measures, and that in consequence of this they came to stay, and became acceptable to the people, and not only acceptable, but useful. It is under the present Constitution that all this splendid law has been passed. It is under it that we are growing prosperous, and that we are attracting the attention of the world ; and, for my own part - and it is my honest advice to every one-I think we should be careful before we tamper with a Constitution that has worked so admirably. The Hon. Mr. T. KELLY .-- Sir, I quite agree with the honourable gentleman who has just sat down that it is indeed a serious matter to make such a change in our Constitution as is proposed in this Bill. The honourable gentleman has referred to the referendum in Switzerland, and I need not further refer to its operation there. I will deal with the referendum in the American States, in an English-speaking community like our own, from whom we may learn what the referendum properly means. Sir, in no part of the world that I know of is the referendum used by the General Government. It is not used by the General Government in Switzerland, but simply by the cantons, which are in the same position, I may say, as the provinces were in New Zealand before the abolition of provincial government. It is not used by the General Government in America : it is used by the States. What is the reason ? The reason is that in America the sovereignty is vested in the people of the States, and each State has its own primary law, as it is called-that is, it is declared in the State Constitution that certain subjects cannot be dealt with by the Legislature without the consent of the people as declared by the referendum vote. That is the primary Constitution. The people themselves enforce on Hon. M. Twomey shall be, and that primary law cannot be altered without the consent of the people. That is a very different state of things from what is proposed in this Bill. Why have matters been so arranged in America ? The people have actually found from time to time that they cannot trust the Legislature with legislation for their benefit. The legislators were so often bought over by wealthy syndicates and companies to pass laws that were not in the

interest of the public at large, but in the interests of these particular syndicates or companies, and it was therefore resolved by the people that the power should be taken out of the hands of the Legislature in various directions. That was mainly the cause of the referendum being so largely instituted in the United States. I will give a few of the instances of subjects that the American States Legislatures cannot deal with without the consent of the people. First of all, there is revenue and taxation. In providing revenue and imposing taxation the Legislature is restricted. If they propose to exceed certain limits the question must be submitted to the people. In regard to education, the people by the primary law have indicated that the Legislature cannot touch education in the public schools in certain directions without first submitting the question to them. Then, with regard to the organization of Militia the power of the Legislature is limited. As for dealing with railways, the same steps must be taken. In that matter the powers of the Legislature are very much curtailed. It was found that the Legislature was giving away the estate of the people, and giving privileges in all directions, and therefore their powers were limited. The people also deal with such a matter as the fixing of the rate of interest. With regard to the fixing of the salaries of State officers, and officers of the public departments, the people are also consulted. The establishment of banks and reformatories is also referred to the people in almost all the States. Defining the relations between husband and wife is also a matter that is dealt with by the people. They must also be consulted with regard to the law between debtor and creditor. The State also insists that if the Legislature wishes to fix the length of a day's work the people must be consulted by referendum. The people also have a voice in the length of the session. The primary law fixes the length of the session - the members are evidently paid according to the length of the session - and if the Legislature wish to exceed the usual length, and therefore exceed the expense allocated for the carrying-on of the work, the permission of the people must be given to any extension. The same principle is applied to the counties and the towns. They have their own Constitution, as we have in New Zealand under the County Councils Act and the Municipal Corporations Act. It is truly astonishing to one to find the number of things that must be submitted to the people in these counties and towns. The power is limited in every direction. In fact, the Legislature is

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subjects unless they first submit the question to the people to give their voices on it. This Bill we now have before us does not propose anything of that sort. It does not propose to have any primary law or any constitutional law defining what subjects shall be referred to the people. In fact, the measure is one that should be called a Bill to settle differences between the Houses of Parliament. It is not a primary Bill at all. Just lately I read what was said in another branch of the Legislature with regard to this Bill. I find the subject was dealt with in such a light manner that the debate occupies only nine pages of Hansard. Now, what reasons were given for the Bill? The first is that a Bill called the Deceased Husband's Brother Bill was rejected by the Council, and therefore, it is said, it is necessary to bring in the referendum to settle that important matter. That measure has been dealt with, however, and is now out of the way; it has become the law, having been assented to by the Home authorities. Another reason is that the Old-age Pensions Bill would have been passed at an earlier date. Well, my opinion is that if, in the first instance, that question had gone to the people it would have been rejected. There is another question mentioned - the sale of liquor in the King-country. Is that a question for a colonial referendum? It may be a question under the liquor law, as licensing matters are generally dealt with, but a constitutional law cannot deal with it. Another reason was as to the question that is now perplexing the people in regard to Bible-reading in schools, which, it is said, might be dealt with by the referendum. I think that to submit that question to the public vote would be most unwise. It would raise all sorts of rancour in the minds of the people, just as the liquor question now raises between prohibition people and temperance people throughout the colony. I know of instances of men refusing to do business with others who try to enforce

prohibition, and I am sure that if this question of Bible-reading in schools was referred to the people it would do more harm than good. Then, it was said the question of federating with Australia would be one to go to the people : but the answer to that is that, if both branches of the Legislature were so unwise as to pass a Federation Bill, a clause could be put in such Bill to refer it to the people for final decision. Another reason was that the single-tax could be referred to the people. Well, that could be done if both Houses agreed to put in a clause to that effect, without a general law. Then, in regard to the elective Executive, that might be dealt with in the same way. Then, there was the abolition of the Legislative Council ; but that could not be dealt with even by a Bill passed by both Houses; it would require an Imperial Act. Then, there is the Removal of Women's Disabilities Bill. An Hon. MEMBER. - What are they ? The Hon. Mr. T. KELLY .- I am sure I do not know. Probably they have some disabilities, just as men have; but they enjoy do not see any reason whatever for this Bill being passed, because it is not the referendum : it simply deals with disagreements between the two Houses. I think we have had an experience lately of methods of dealing with that question in the Commonwealth Bill. It deals with it in a direct way. It is admirably drafted, and is a pattern to our Legislature with regard to drafting Bills in general ; it is concise in its clauses, and any one can understand it. The Act deals with two classes of Bills, one which proposes to alter the Commonwealth Constitution, and the other dealing with other Bills on which the Houses disagree. With regard to the first class, if there is an absolute majority of both Houses in favour of the proposed law it may be referred to the electors in each State, and if carried by a majority of electors and States it shall be presented to the Governor-General for the assent of the King. If the Houses disagree, and it is again passed by the approving House and again rejected, it may be submitted by the Governor-General to the electors. And there must be a majority, not only in each State but in all the States, before anything can be done. Another question arises : The question may be submitted by the Governor-General, and as we know he only acts on the advice of Ministers, it rests with the Ministry whether a proposal shall be submitted or not to the electors when the Houses disagree. In the Bill before us the taking of the referendum is to be dealt with under our electoral law, and by regulations made by the Governor in Council. I think the matter is of too great importance to be so dealt with. We should follow the example of the Commonwealth Act, which provides that the vote shall be taken in such manner as Parliament prescribes. These are my chief objections to the Bill. It is not a Referendum Bill at all, and it does not comply with what is ordinarily known as a referendum ; it is simply to solve difficulties arising between the Council and the House, and that can be done in a much more simple and effective manner. The Hon. Mr. LOUISSON .- Sir, as a new member I feel some diffidence in addressing the Council on so important a question, and in the few remarks I have to offer I trust if I transgress in any way the rules or Standing Orders of the Council you will attribute it to my inexperience, and not to want of respect to yourself or my fellow-members. I regret very much that, on almost the first occasion I have to address the Council, I have to take exception to a measure introduced by my honourable friend the Minister of Education, because generally I have very great admiration for the legislation of that honourable gentleman and his colleagues. My serious objections to this Bill I will endeavour to state as shortly as possible. My principal objection to the Bill is that it is unnecessary and uncalled-for ; when I say "uncalled-for " I mean it is not demanded by any large body of the electors of the country. My own opinion is that 90 per cent. of the people generally do not care

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never considered it, take no interest in it, and care very little whether it is passed or not. I admit that there is a demand for the Bill, and a great deal has been spoken about it, and a great deal has been written about it, by a small but active section of the community who have probably Utopian ideas on the subject. We all know that there is in every country a certain section of people who have what we might term ideal ideas on legislation, and who think that if certain measures are enacted they will confer happiness and

prosperity on their fellow-beings for evermore. But, Sir, I think that a great many measures proposed by this section of the community will be found, if carried, to be unworkable and unpractical. admit that the motives of that section of the community are of the very highest and purest description, but I think most of their ideas are theoretical, and that their ideas in practice will be found to be unworkable ; so that I think I may fairly say that the Bill is not demanded by any large number of electors in this country. And, when I say that it is unnecessary, I fail to find where the necessity has arisen for this Bill. The first part of the Bill deals with rejected Bills, and I would like to point out to honourable members that that part of the Bill is intended to prevent a measure being rejected three times, because honourable members will see that the Bill does not come into operation until after a Bill has been rejected twice. Consequently, it is only to prevent a Bill being rejected three times. Now, there are some honourable members present who have a much larger experience than I have of political matters, but I certainly cannot remember any occasion on which a Bill has been rejected three times by this Council ; and this measure proposes to prevent a Bill being rejected three times -- it is really providing a cure for some complaint which has never existed. At any rate, that is my experience. The Hon. Mr. McLean the other day, in speaking of this Bill, instanced the woman's suffrage Bill. Well, Sir, that is a case in point. I believe there was a very large demand for that Bill. or apparently there was a very large number of people who wanted that Bill passed. It was passed by one branch of the Legislature, and when it came before this Council it was rejected. I think, Sir, if my memory serves me correctly, that in the interim there was a general election, and then also apparently there was a very great demand for the Bill. I believe a great many petitions were presented to both Houses in favour of the Bill. Some of them were very long petitions, measuring miles, and requiring some very stalwart men to carry them into this House or the other Chamber. Well, Sir, what was the result ? On Parliament reassembling the Bill was passed again, and this Council, seeing, probably, that it was the general wish, or the wish of a very large proportion of the electors, that this Bill should be passed, bowed to public opinion as they understood it and passed the Bill. An Hon. MEMBER .- By one vote. Hon. Mr. Louison friend says " By one vote." Probably it was ; but had it been rejected by one vote and brought up again at a later period it would probably have been passed by ten votes, which would have been better still, because it would have shown that the Council was educating itself on public matters. I think we can say that in New Zealand the people have the very greatest facilities for expressing their opinions on public matters ; and where do they express them more forcibly than they do in New Zealand ? And I think that their opinions are very much attended to by both branches of the Legislature. I do not think that this Council is likely at any time to place itself directly in opposition to a public opinion very strongly expressed. I think the good sense of this Council will always go in the direction of waiving their own opinions in favour of a very strongly expressed public opinion, providing there is nothing very exceptional in the matter at issue. So that, Sir, I really do not see that there is any necessity for the Bill. If at some time in the history of New Zealand some occasion had arisen where the Council or other branch of the Legislature had stood in opposition the one to the other and had rejected a Bill several times, and a deadlock of some description had occurred, then, I say, it would have been very necessary to pass a Bill of this sort to prevent the recurrence of such a deadlock ; but I think it is very well known that such a thing has never occurred, and therefore, seeing our present free institutions and the facilities we have for expressing public opinion, I do not think that any such thing is ever likely to arise, and, if the Bill is not necessary, I really think it would be bad policy to place it on the statute-book. I think we have a great many laws on our statute-book. Some of them are very good and excellent laws, but I do not think there is any great reason why we should place on that book any unnecessary laws. There is another danger I perceive in this Bill, and that is that a great number of people who would not be interested in any particular question which was put to the referendum would not vote, and therefore there would probably be a very small vote, and a very small minority of the people might be the means of enacting something very



much to the detriment of the large body of the community. Sir, there is no safeguard against that in the Bill, and I think if the Bill gets into Committee there should be some safeguard enacted in this direction : that no decision arrived at under a referendum should be valid unless a certain number of the electors of the colony record their votes. I think that it should be a very large proportion. I think that no question decided in that way should be valid unless a very large number of the electors vote on the subject. An Hon. MEMBER .- How many ? The Hon. Mr. LOUISSON .- Two-thirds, or something like that. There is another danger which, I think, might arise if there was a Referendum Act, and it is this: that the pre-  
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sent easy and practical mode of arranging between the two branches of the Legislature when any difficulty occurs would probably not work so smoothly. At the present time, as I understand, if there are any amendments passed in a Bill which one branch of the Legislature objects to, there is generally a Conference arranged, and, as a rule, things are amicably settled. But, to my mind, if there was a Referendum Act that arrangement would not so very frequently be carried out. Either House might be obstinate, and might say, " Oh, well, we shall not give way ; make it a rejected Bill, and let it go to the referendum." The consequence would be that wherever any difference of opinion occurred the Bill would Now, probably be sent to the referendum. Sir. I have been devoting my remarks so far to the first portion of the Bill. But when I turn to the second part of the Bill-namely, subsections (2) and (3) of clause 4 - which set out what questions are to be referred to the vote of the people, I think it is even more objectionable. This clause provides for legislation not by Parliament, but by the people. Subsection (2) is as follows : " If a Bill passed by both Houses contains a provision that such Bill shall be reserved for the referendum." Now, what does that mean ? It means that the Bill is not a Bill as we enact it, but a proposition from Parliament that such-and-such a thing may be done ; but it leaves it for the referendum to decide. Subsection (3) is even worse : it says, " If a resolution is passed by both Houses in favour of submitting to the referendum any legislative proposal (other than a Bill) set forth in such resolution." Now, what does that mean ? It means that whenever any difficult question comes up for Parliament to decide they will simply say, "We will not decide it ; we will let it go to the referendum." It seems to me that this is actually abrogating the powers and duties of Parliament. It seems to me to be. Sir, if I am not disrespectful in using the term, rather cowardly on the part of Parliament, which is elected by the people. Because, Sir. I contend that both Houses are practically elected by the people. Although this House is nominative, still members are nominated by representatives elected by the people, so that to a certain extent both the Houses are elective. And it seems to me rather cowardly for a Parliament elected by the people and called together to legislate for the people to say when any difficult question comes before them, "We are not prepared to decide this ; we are not prepared to legislate on this question ; we shall leave it to the people to decide for themselves." It seems to me that this is an undignified position for Parliament to take up. I think, Sir, if Parliament is worthy of the country it should be able to deal with any question that comes before it for the good of the people of New Zealand. I think, Sir, it is their proper duty, and if they cannot vote or enact what the great majority of the electors want, then, Sir, I think they should stand aside and make room for others who would do so. But I do think, Sir, this is absolutely handing over the very serious and responsible powers that are given to Parliament to the people. It would be simply a confession of inability to deal with those very subjects they are elected to deal with. Sir, there is another thing: If one branch of the Legislature had the Referendum Act hanging over it at all times it would result in this : They would either, as I said before, have to make nearly every Bill a rejected Bill or they would simply become a copying-machine. If this Council were bound either to pass the Bills enacted by the other branch of the Legislature or let them become rejected Bills, I say we would simply become a copying-machine of the other branch of the Legislature, and I do not think, Sir, that was ever intended. Former speakers have referred to Switzerland and to the state of things there, so that there is no need for

me to go over that ground, except to say that the position of affairs there is very different from what they are in New Zealand. I understand that the referendum is in force in South Australia ; but I would ask honourable members how many times it has been put in force, because I do not remember, myself - I trust some member will correct me if I am wrong-but I do not remember any case in which the South Australian Referendum Act has been put in force. The Hon. Mr. W. C. WALKER .- Oh, yes. The Hon. Mr. LOUISSON .- Well, I did not know of the cases. However, we do not hear much about it. I think in South Australia they manage to settle their legislation between the two Houses pretty well as we do here. Now, Sir, I have travelled a great deal from time to time, and a little lately, and I must say that wherever the legislation of New Zealand has been mentioned I have always heard it spoken of in terms of very high praise. In fact, I have been very proud to hear people in other countries speaking in the very high manner in which they do of New Zealand legislation, and I think, Sir, that is one of the chief reasons why we do not want the Referendum Bill. I think, Sir, if we had been enacting legislation which was inimical to the interests of the people of New Zealand, and which brought ridicule and contempt upon us from other nations, we would require some drastic enactment to prevent such legislation. But, Sir, our legislation has not only been beneficial to the inhabitants of this country, but also has gained us the high commendation of other countries, and is being admired and discussed in all its bearings in most countries at the present moment, and that, I think, is one of the strongest reasons why we should not wish to interfere with our present mode. Our present mode has proved ample up to the present time, and until some such deadlock as I have described arises in New Zealand politics to call for such a drastic cure I think we should not pass this Bill. The Hon. Mr. SCOTLAND .- Sir, if any one had told me a few weeks back that a Referendum Bill would form part of the Government programme for this session I would have been tempted to say "Impossible." Of course, in

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common with others, I have heard a great deal talked for some years past of the referendum, but I could not believe it possible that any Government would have taken it up with any expectation that a Bill embodying the provisions of a referendum would have the slightest chance of passing this Parliament. When the honourable gentleman who introduced the Bill stood up in his place the other day and said, or tried to say, all he could in its favour, I looked at him and said to myself, "I do not envy him." Sir, I thought I saw on the honourable gentleman's countenance an expression as if he had been swallowing something very disagreeable, and I really cannot remember at this moment anything the honourable gentleman said which amounted to more than this : that he thought it ought to be referred to the people-that under certain circumstances, if the two Houses did not agree on a certain measure, the question ought to be put to the people whether such measure should or should not become law. That struck me as about the sum of all the honourable gentleman said. Of course, Sir. I appreciate the difficulty he laboured under, and I very much doubt whether any honourable member of this Council in charge of such a Bill could have said more than he did on the subject. Of course, it was not his business to deal with the cons, but only with the pros. Sir, it certainly appears to me a most extraordinary thing, as one honourable gentleman has already pointed out, that if the two Houses-one elected directly by the people and the other indirectly - are unable to agree on a certain measure it should be submitted to the people to say whether it should be adopted or not. Sir, the very name of referendum is strange to the majority of the people of New Zealand. I venture to say that more than 90 per cent. of the people would be inquiring of each other, " Referendum ! referendum ! What is the meaning of the word ? What sort of an animal is it ? I never heard of it before." I could not catch all the Hon. Mr. Twomey said about Switzerland, but I rather think he spoke somewhat disparagingly of the Swiss people, and of the success of the referendum there. Sir, there is no comparison between the Swiss and ourselves. We are, no doubt, a greater people in some senses of the word ; but the Swiss are a very thoughtful and frugal

people, and they expect a satisfactory account from their representatives of all the moneys expended in the public service. I cannot remember distinctly whether it prevails in every canton in Switzerland, I almost think it is general throughout Switzerland, that no vote to the amount of 10,000 francs-\$400 sterling-or upwards shall have the force of law until it has been submitted to the people. I sometimes wish there was a similar law in New Zealand. It would mean more control over our expenditure; but I am afraid it is hardly practicable. We are not like the Swiss. They are a frugal people, and we, I am sorry to say, are more like a race of gamblers and plungers of the neck-or-nothing style - reckless wasters of money. However, such as we are, we must make the best of our- Hon. Mr. Scotland selves. We cannot do impossibilities with the referendum, which, I am sure, would turn out a miserable failure. Could any one suppose for a moment that the people, in the event of a case being submitted to them for their consideration, would be allowed to judge of the matter quietly and by themselves? Sir, it would not be the people but the Press who would decide whether a particular matter should become law or not. Yes, it would be the Press that would decide; and possibly there would be some power behind the Press. All sorts of means would be resorted to to influence the people. Sir, the majority of the people are not fit to decide these questions for themselves which we are unable to decide for them. I will not go so far as to use the language of Carlyle, and say that they are mostly fools, but I will say that the majority of the people of this colony are not competent to decide abstract and difficult questions of law, or finance, or anything else. Sir, I listened with great pleasure to what the Hon. Mr. Twomey said about the amount of liberty we enjoy in this colony. I heartily agree with all he said on that subject, and I think that, considering we have representatives elected by the people, and that every member of this Council is supposed to individually represent the whole people, we should be content with the provisions of our Constitution, and not call in a third party to decide anything for us. If the two Houses cannot agree about a Bill, what does common-sense point out? That the measure should be dropped. "Who shall decide when doctors disagree," a certain poet inquires. Certainly if doctors disagree no sensible man would think of referring a question of medicine or anything else of a difficult nature to the first man they met in the street; and, since there can be no higher authority on political matters than Parliament, I think it would be the height of folly to refer any dispute which might arise between the two branches of the Legislature to the people-the hydra-headed monster, as the people have been termed. Sir, the opinion of the people is not always to be trusted. I have a certain amount of respect for the poor populi, but I can never forget the lines of Shakespeare, the greatest interpreter of nature, in which he sums up the average of mankind. He says,- 1 Who deserves greatness Deserves your hate; He that depends Upon your favours swims with fins of lead And hews down oaks with rushes. Hang ye! Trust ye? With every minute you do change a mind. And call him noble that was now your hate, Him vile that was your garland. I will say no more except this: I know that every Government has to meet Parliament with a certain box of what may be called figuratively fireworks. Some of these fireworks go up brilliantly and make a fine display, others turn out to be mere squibs and crackers, and some hang fire altogether. This Bill appears to be one of the last-mentioned sort. I do not for a moment believe it was ever intended to be passed; I trust it never will be passed, and I

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ferendum upon the parliamentary stage. The Hon. Mr. ARKWRIGHT. - After the very able and exhaustive speech we have heard from the Hon. Mr. Louissou, I feel I cannot add much to the arguments brought against the Bill. But I think I ought not to give a stent vote, because I find myself in the same position as that honourable gentleman. I generally approve of the measures brought in by the Government, and vote for them with pleasure. On this occasion I feel it my duty to vote against the second reading of the Bill. Whatever may be said for or against it, there is no doubt it introduces a most important constitutional change, and I never heard of a Bill which introduced a change of this kind being brought in in what I may call so perfunctory a manner. Before I can be induced to vote for a measure of this kind I must hear some

much better arguments than I have heard either in this Council or by the right honourable gentleman in another place. Anybody who did not know the state of affairs in New Zealand would imagine there was a constant state of friction between the two Houses, and that this Bill was a remedy that must be brought in to put an end to it. The honourable gentleman who introduced the Bill has not attempted to show that there is anything of the kind—in fact, he knows there is not; there never has been, and it is not at all likely, under present circumstances, to arise in future. I can imagine a state of things in which there might be considerable friction between the two Houses. If we had a Council elected by the people, as some of my honourable friends wish, I believe very serious difficulties would arise—difficulties that could only be decided by some measure of this kind. But so long as the Council is constituted as at present there is no danger of anything of the sort. We know we cannot reject a measure on which the other House insists—that is, we may show our disapproval of it by rejecting it once or twice; but if they insist on the measure, especially if a general election intervenes and they still insist upon it, we know it is our duty to give way. The Council has always done so, and, I believe, always will have sufficient sense to give way. Then, what is the necessity for such a Bill? If one speaks to honourable members or any one else who advocate the Bill, all they can say is, "Oh, you must trust the people." Well, of course, we do to a certain extent; we trust them as we must, to send proper representatives to Parliament. To that extent we trust them, and I suppose the proper thing to say is that the people fulfil the trust admirably. I suppose we may take it that the honourable gentlemen they send to represent them in another place are the best they can find, and we may be sure they never by any chance send a foolish person, or a windbag, or a drunkard, or anybody they ought not to send. But when it comes to trusting the people to exercise a vote on a Bill they have had very little opportunity of seeing, and still less of understanding. A Bill of many clauses perhaps, which may bear upon many VOL. CXVII. 2. first sight—I do not think that is the sort of trust we can put in them. For instance, there is a Bill on the Order Paper called the Mortgages Bill. Suppose the Council thinks fit to reject it, what sort of vote would the people give on it if submitted to a referendum? Of course, I say nothing of the Bill; I know nothing about it. I believe it has the almost unanimous disapproval of the legal profession, and I suppose that is to a certain extent in its favour; but I ask any man to say what sort of judgment would the people pass on it who have had no opportunity of seeing it, except, perhaps, stuck up in a post-office. I think this Bill ought not to be allowed to go into Committee, and I move. That it be read the second time this day six months. The Hon. Mr. REEVES. -- It is not my intention to vote for the amendment. I think we ought to have the Bill more fully discussed. So far as I am myself concerned, I must confess I am not inclined to vote for it at present, but I think the Council should have a little more time to consider the matter. The Bill is a very old friend. I have known it come up at different times for the last twenty odd years in another place, when I had the honour of being a member, under different foster-fathers. ] regret very much the Right Hon. the Premier has seen fit to put his name at the head of it, because I quite agree with most honourable gentlemen who have spoken that it is not required. I was very pleased at the very lucid way in which the Hon. Mr. Louison spoke about the Bill. He is a gentleman who has travelled a great deal and knows what he is talking about. Now, we have in New Zealand the freest Constitution in the world -- nothing could be freer: no referendum we could have enacted could give us greater freedom than we have at present. After looking in a cursory manner through this Bill, I can see well enough that if it were tried in law the cost to the colony would be something enormous. It would be "a referendum here" and "a referendum there"; every little place that liked to send in a requisition to have a referendum could have it, and as a general election costs a lot of money, the taking of a referendum would cost infinitely more. Therefore, on that ground alone, I think we should pause before passing this Bill. But, Sir, I do not think we require it. We are a people with government by the people and of the people: the other House is elected by the people, they go before the people every three years, and that is the best referendum you can possibly have. Another objection I

have is that I think an important measure like this should not be brought up just now. The time to bring up a measure like this is at a general election on the hustings, and I am quite confident in my own mind that the good-sense of the people throughout New Zealand would scout the idea of a referendum. Switzerland has been instanced as a country where the principle of the referendum is in force, and also South Australia ; but both of these countries are very slow places. Switzerland particularly

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the world. They are satisfied with very small things there ; and the South Australian people are also satisfied with very small things. South Australia is a fine country, but it is the least progressive colony of all the Australian States. That we all know. At the same time, while making these remarks, I do not approve of the motion to put the Bill off for six months. I think, as we have not got a very full Council to-day, it would be better simply to adjourn the debate for a day. An Hon. MEMBER .- That will simply be the means of killing it. The Hon. Mr. REEVES .- Well, if you want to kill it I cannot help it, but I certainly would give it a reprieve for a little time. The Hon. Mr. A. LEE SMITH .- I think this Bill would have had a much better chance of success had it itself been the subject of the principle which it seeks to enact- that is, had it gone through the process of obtaining from the people of New Zealand a vote at some general election as to whether they desired us to divest ourselves of our constitutional functions. Until that takes place I do not believe that this Council will pass such a measure. Sir, what is the leading feature of our parliamentary system? It is that the people of this and other British-governed countries look upon their representatives as having a position of supreme responsibility. If you take away that responsibility, in my opinion, you destroy the great value of your parliamentary institutions. If you pass this Bill, it would be the means of leading to a great deal of division and discord between the two Houses, and it would place legislation on an incomparably lower plane. We can foresee any number of Bills that might be brought in here, and which it might be convenient for the Government or for either House to reject, simply for the purpose of getting rid of the responsibility of passing them ; and, in my opinion, such action would weaken our position as legislators. I think, Sir, also, that there might be many hurried decisions arrived at under the referendum. In this Legislature we might divide upon a Bill, refuse to pass it, and then refer it to the country, and the country in times of fickle excitement might pass some measure which would very likely be quite against the well-being of the country itself, and which might not have been approved of under normal conditions. Then, Sir, how have all great reforms been obtained ? Let us look at some of the celebrated reforms which have taken place in Great Britain. No doubt, in some cases there have been long and unfortunate delays before certain measures were passed, but in the long-run we have always succeeded in getting what we wanted ; and if we compare the legislative machinery here with that of Great Britain we see much difference. The House of Lords, by virtue of its Constitution, can go on almost as long as ever it likes refusing to pass a Bill, but in this country it is not so. An honourable gentleman, in the course of this debate, showed that this Council must in the course of time, after Hon. Mr. Reeves sent up to it. But the House of Lords, on the contrary, has gone on in the past for many years refusing to pass legislation which has been through the Lower House. That has occurred within recent times ; but here the Legislative Council adopts the views of the country, and, with the exception of delaying a Bill for perhaps one or two sessions, it always passes it without much delay. So that I think there is no necessity for this Bill, and I am very sorry indeed to find the Government has brought it in. I do not agree with the Hon. Mr. Kelly that it is better to put the Bill into Committee and amend it there. I think the Hon. Mr. Arkwright's suggestion is the best- to kill it at once, and throw the Bill out. triennial Parliaments, our widely extended franchise, and a healthy public opinion in regard to all measures brought before us, this Parliament is powerful and effective enough to pass legislation which is in harmony with the desire of the people, and it only requires the intelligent guidance and direction of able public men. This you will always have. Why, then, should we put aside a system so full of historic renown in favour of one that

would weaken the authority, and destroy the supremacy and prestige of an institution that for ages has been one of the greatest glories of our country ? The Hon. Mr. JENNINGS .- Sir, I have very little to say in reference to this Bill beyond this : that I intend to support the amendment moved by the Hon. Mr. Arkwright. I wish to point out to honourable members what would be the effect of clause 7. It reads :- "The day so appointed shall be not sooner than twenty-eight nor later than ninety days after the close of such session, and if between the dates hereinbefore mentioned there shall be a general election for members of the House of Representatives, then in such case the referendum poll shall be taken on such general election day." What is the position at the present time in regard to a general election ? There is a vote required for the election of members of Parliament. There may be eight or ten candidates before the electors for a choice of three. There is also the question of voting on the issue of alcoholic licenses, when three points are submitted for consideration by electors. This Bill would mean another or more issues placed before the people. I venture to say that even a great number of intelligent people would be confused as to the issues placed before them. If that is so, what must be the position of the non-intelligent voter ? Then, again, as has been said, there will be a very great expense incurred in this experiment. These reasons make me think the Bill should not pass in its present form. I do not think it is wise that the democratic spirit should be always on its knees adoring the proletariat. While not afraid of the people or alarmed at their demands, I think this Bill has not been asked for. In fact, most people would like a little rest from statute-making. We have during the past

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looked upon with the greatest disfavour and suspicion by many people in this country ; and those measures which are asked for by the people have been passed in this Council. The legislation, which was experimental to a great extent, is spoken of in the highest terms all over the world. Sir, I again think that a measure such as this is not demanded by the country at all. If any such wish should be expressed, the Council, I believe, will be fully equal to recognising it. With the Hon. Mr. Scotland, I think the word "referendum" will be one of those choice expressions to roll about the tongue somewhat similar to that comfortable word " Mesopotamia," which gave so great a relief to that respected old dame mentioned in one of Dickens's novels. I shall support the amendment moved by the Hon. Mr. Arkwright, that the Bill be read this day six months. The Hon. Mr. RIGG .- Sir, I should be sorry to allow this measure to go to a vote without saying a word or two about it. I intend to support the amendment of the Hon. Mr. Arkwright. At the same time I disagree with the length of time given in his amendment- that is, six months. I think it would have been sufficient for the purpose I have in view if the honourable gentleman had moved that the Bill be read this day three months, and then we would have saved a certain amount of time. The honourable gentleman who represents the Government, in introducing the Bill, told us in all seriousness that it introduced a new principle. I think the honourable gentleman would have been much more correct and accurate had he said it contained a bit of a principle. That is where I have some fault to find with it, because when you speak to a person of ordinary intelligence regarding the referendum he understands at once that it is a great principle belonging to a great country-great, at any rate, in this respect : that it is one of the purest and greatest of democracies in existence, and one also that has existed for many centuries. Therefore I regard the statement that this Bill introduces the principle of the referendum as known in Switzerland as an insult to that great democracy. Sir, the Hon. Mr. T. Kelly told us that the referendum was not applied by the Federal Parliament in Switzerland. Well, I think the honourable gentleman's memory is at fault in that respect. In Switzerland they have the optional referendum and also a compulsory referendum, and the compulsory referendum takes place when any matter affecting the Constitution of the country is dealt with. Such questions must then be referred to the referendum. The optional referendum is brought into force sometimes on what is known as the initiative- that is, by a petition of fifty thousand voters and a majority of the cantons. But the most important point in regard to

the referendum is this : that laws, after having been passed by the Parliament, may be annulled by the vote of the people, and the people may demand a referendum in regard to them. So when we look at what "referendum " really means, and then compare it with the apology for a referendum, it becomes difficult to identify it in any sense of the word as being a referendum. There are two clauses in the Bill which might be used under certain circumstances, and, I think, without any great danger. These are the clauses which provide that the two Houses may by resolution submit a question to the electors. Well, I can understand that before a resolution of that kind is passed by both Houses the question must have been very fully discussed, not only in Parliament but throughout the country, and the people would be educated enough in regard to the proposition to give an intelligent vote upon it. Therefore I think it might be possible to retain these clauses with advantage. It has been my fortune to have had an opportunity of seeing a practical test of a modified referendum. It was introduced into the Typographical Society of which I was a member, and all matters of importance were referred to the members for a direct vote. It was found in a very short time that the intelligence of the members of the union was not shown in the result of the voting-that in most cases the members voted without thorough knowledge of the merits or demerits of the question, and very often voted at the instigation of a person who opposed the proposal, and who did not take the trouble to enlighten them as to the true merits of the question they had to consider. Another thing we found was that, in many instances, where members had voted on a question of great importance to the union, and voted against the proposal, they would have been very glad afterwards if they could have had an opportunity of reversing their vote. Then, another matter which has been alluded to in taking these votes is the question of expense. Well, it was found in the Typographical Society that that was another great disadvantage. We could not vote #1 to a charity without making use of the referendum, and the result was that it cost us \$1 5s. to issue the voting-papers. Now, having seen it at work in a practical way amongst a body of men who are considered, amongst artisans at any rate, as those possessing the highest intelligence, and, seeing the dissatisfaction which existed in its working there, I cannot see how it would be possible to apply it to a great country like New Zealand, with its scattered population, with anything like advantage. or with any hope of obtaining the true intelligence of the people on any question. If we look at Switzerland we shall see there certain conditions which might make it possible to carry out the referendum satisfactorily, but which do not obtain in New Zealand. Switzerland has an area of 16,000 square miles, and it has a population of about two hundred persons to the square mile. We have six times that area-that is, without counting our out-lying islands, we have over 100,000 square miles, and we have a population of eight persons to the square mile ; so honourable gentlemen can see that, where you have a population drawn together so closely and intimately as in Switzerland, it might be possible to put a question before them and get a satisfactory

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scattered population? It has been said that this Bill is a Bill intended to adjust disputes between the two Houses. Well, I regard it simply as a whip hung up to keep the Council in order. I agree with those who said there is no necessity to adjust differences as between the Council and the other Chamber. We have a method of doing that at the present time. But I remember perfectly well a few years ago, and when a majority of the Council were somewhat obstructive and very much more stiff-necked than they have ever been since, that even in those days they always gave way to the verdict of the people when ascertained at the general elections. Had a measure such as this been brought forward at that time I might have been one who would have advocated it. But I can say that conditions are so changed that there is now no necessity for the introduction of such a measure. I do not believe in changing simply for the sake of change. Everything that is material changes, and changes are going on all the time; but before we change things we should consider as to what the ultimate result may be. I have noticed that the letters "S.P.Q.R.," which used to adorn the standards of the Roman legions, are now found gracing the front of a

grocer's shop, and they signify " Small profits : Quick returns." I mention that simply as a change time may bring about; but I repeat that in making any change we should be very careful in considering our first steps with a view as to what the ultimate result may be. Had a good strong speech been made in favour of the Bill it might have led to a debate worthy of the Council ; but, apart from the Minister, not a single honourable gentleman who has spoken has said a word in favour of it. This naturally causes one to ask why such a measure is introduced at all. If a measure which is supposed to have the importance of this one is brought before the Council, and out of the varied opinions that exist here on political questions there is not a single person who will speak in favour of it, surely we may therefore assume that the same indifference and the same want of regard for it must exist throughout the country. It is impossible that a question of this kind could have been discussed and understood by the people of New Zealand without that opinion finding a reflex in this Council, and yet such is the fact. Sir, as I have already said, I intend to vote for the amendment. I may say, further, that I look at a measure of this kind from the point of view of a party man. I admit, and I think we all recognise, that our political machinery is not perfect. It might even be cumbersome in some respects : but so long as it is good enough for our purpose~ why change it ? Machinery of this description is only a means to an end, and, if you can achieve your end with the machinery at your disposal, why change it merely for the sake of changing it ? If we adopt a measure of this kind, we would next have the elective Executive, and I say to all those who think like myself in regard to this kind of thing until their opponents are in power. Debate adjourned. The Council adjourned at thirty-five minutes past four o'clock p.m. HOUSE OF REPRESENTATIVES. Tuesday, 30th July, 1901. First Readings-Third Reading; - Statutes Revision Committee- Waihi Miners' Dispute -Importation of Saddlery -Passenger Steamers between Australia and New Zealand -Liquor-selling in King-country - Imperial Trade Zollverein - Workers Compensation for Accidenters' Act- Breveles for Civil Service - Mangatoro Estate- Mackenzie and Duntroon Rifles-Ride Clubs- Law Consolidation -- Silverstream Public Road- Midland Railway Debenture holders -Kaikoura Mounted Rifles - Public Servants and Local Bodies - Inebriates Institutions - Volunteer Regulations Submarine-mining Boat -Garrison Artillery Officer -- Immigration of Domestic Servant --- Compensation to Troopers for Loss of Horses-Municipal Markets-Ashburton Drill- Wellington - Mana wai shed - Mortgage tax . Railway-Michael O'Connor -East Coast Land Settlements Estates -Close Settlement in Tūmāpeka District - Answers to Questions - Woodville Refreshment-Tea -Coronation of His Majesty - - " The Imprisonment for Debt Limitation Act. 1900" - Removal of Licenses - Bonus for Preserved Milk -- Distress for Rent Bill -- Payment of Members -- Wellington Harbour Board - Workers' Compensation for Accidents - Passages to Great Britain for New Zealand Troopers - Wellington Harbour Board Act 1879 Amendment Bill - Patea Harbour Bill-Dunedin City and Suburban Tramways Bill. Mr. SPEAKER took the chair at half past ten o'clock. PRAYERS. FIRST READINGS. Promissory Oaths Bill, Criminal Code Bill, Trading stamps Abolition and Discount-stamps Issue Bill. THIRD READINGS. Woodville County Bill, Invercargill Reserve Leasing Bill. STATUTES REVISION COMMITTEE. On the motion of Mr. SEDDON (Premier), it was ordered, That Standing Order No. 211 be suspended, and that the names of Mr. Arnold, Mr. Fowlds, Mr. Gilfedder, Mr. Hardy, and Mr. J. W. Thomson be added to the Statutes Revision Committee. WAIHI MINERS' DISPUTE. Mr. PALMER (Ohinemuri) asked the Premier, If he is aware that the Waihi miners' dispute is still pending before the Arbitration Court, and that the company, it is alleged, have dismissed the witnesses who gave evidence for the union before the Conciliation Board, together with 150 others of the Miners' Union, many of whom have left for Australia : and will

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Railway in hand at the Waihi end, so as to provide work and prevent many of our population leaving the colony ? In putting this question to the Premier he need not say much in support of it : it was plain, and explained itself. A number of people were going from the district, as they were unable to get work, and, as



the Waihi-Paeroa Railway was now being pushed on, they might be employed on the other end of it, and so kept in the country. The work had to be done, and the sooner it was done the sooner it would pay the Government. He would therefore urge on the Premier that, in order to stop these people from leaving the colony, this particular work should be started at the Waihi end and continued on. It was a pity the company had dismissed the men. They had no chance of going into the other mines, and, while many had had to go without work, others had had to leave the district and the colony. Some of the mines had to pay 437 10s. a day for coal because there was no railway to bring it to Waihi. This was crippling the mining industry. They had decided in this House that the railway was to be completed to Waihi, therefore why not put on enough men and complete it at once. The cost would be just the same, and the Government would get a quicker return for the money they had already spent and were spending upon the line. Mr. SEDDON (Premier) said, If what the honourable member had stated was true no one regretted it more than he did -that the company had vented its feeling on those of its employés who had given evidence in the Court. Such action could only bring about a state of things that any employer would regret. That was his honest conviction. At the same time, while the Government could not much further increase expenditure on public works, he would discuss the matter with the Minister for Public Works, and, if it was found that men could be employed with advantage at the Waihi end, they would probably be taken on to push the railway to a completion. Of course, it was the desire of the Government to meet difficulties of the kind as far as possible. If any attempt was made by employers or by employees to intimidate, he would be found taking the part of those who were intimidated. It seemed very wrong to punish men for giving evidence. He only hoped it was not true. At all events, the Government would do their best to keep the men in the colony, and, under authorised expenditure, to give them employment.

**IMPORTATION OF SADDLERY.** Mr. MONK (Waitemata) asked the Minister of Defence, Why the Government have imported saddlery from England, and whether the importation is being continued ? He was informed that the Government had imported saddlery for military purposes to a much larger extent than public requirements would warrant, and some of it, it was asserted, was being used for ordinary trade purposes. The Government professed a desire to help those who made the action of the Government in importing had diminished the means by which a large number of persons were fully employed. Mr. SEDDON (Premier) said, in the first place, it was a moral impossibility for anything introduced by the Government in this way to find its way into ordinary trade. Secondly, he, as Defence Minister, although power had been given to import uniforms under the Defence Act, had been very careful, and had given the necessary certificate in very few cases. He had made up his mind that these would only be given in cases where the same could not with advantage be procured in the colony, as was the case in regard to certain officers' uniforms. As regards saddlery, he had made up his mind - after the way in which our own saddlers had come to the assistance of the Government in respect of saddlery for the contingents, and as our saddlery was, in his opinion, equal to much of the English-made saddlery-to do nothing to injure our trade, but, on the contrary, he would do his best to further it.

**PASSENGER STEAMERS BETWEEN AUSTRALIA AND NEW ZEALAND.** Mr. NAPIER (Auckland City) asked the Government, If they will, at an early date, consider the advisability of purchasing or building three steamers of 10,000 tons, or thereabouts, to develop the passenger trade between New Zealand and Australia ? The question of passenger traffic between New Zealand and the Australian Continent was one of supreme importance, and it was generally considered that the passenger traffic could be largely developed by the introduction of passenger steamers of large size, and if the rates were made more reasonable than they were at present. It was well known that there were hundreds of people who declined to come to New Zealand owing to the poor class of vessels at present in the trade. One of the most prolific sources of wealth to this colony would be the tourist traffic, which might be made to do the same for New Zealand as it had for Switzerland. The question was now engaging the attention of Australian

states- men, and a motion had been passed by the Federal Senate appointing a Committee to in- quire into the question of the Commonwealth undertaking the construction of large passenger steamers to ply between Australia and Tas- mania. He understood that the Premier had had some communication on this subject while in Australia with the Commonwealth authori- ties, but at that time they seemed to be indis- posed to consider the question of uniting with New Zealand in establishing a passenger service by means of large steamers ; but now that a ser- vice to Tasmania had been mooted the Common- wealth Government might co-operate with New Zealand in the direction he had indicated. He trusted the Premier would take the matter into serious consideration, and see whether something could not be done in the matter. Mr. SEDDON (Premier) said this was a very large question, and a very important one. It was necessary that something should be done

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was by having an improved steam service. The matter was under the consideration of the Go- vernment, and he might say that for a long time he had not been able to see why the P. and O., the Orient, and other boats did not come down to New Zealand and make it their terminus and point of departure. Mr. HUTCHESON .- And bring their Lascar crews along with them. Mr. SEDDON said, Let them get the steamers here first ; and when they got them here he supposed the captains would prefer white men as their crews. LIQUOR-SELLING IN KING-COUNTRY. Mr. LAWRY (Parnell) asked the Govern- ment, If they will supply each member of the Legislature with fifty copies of the evidence and report presented to the House last session by the Public Petitions A to L Committee on the question of licensing the sale of alcoholic liquor in the King-country (Rohe-Potac) ? He might explain, in order to remove any misapprehen- sion that might otherwise exist in the minds of honourable members, that he referred to the evidence which was brought before the Com- mittee last session. Members would remember that last session the House was flooded with petitions on the question of licenses and no licenses in the so-called King-country. The Petitions Committee sat for two or three weeks investigating those petitions. The evidence was taken in shorthand, but, as far as he could as- certain, it had never been disseminated through the country, and he desired more particularly that members should be able to send to their friends the concise, practical, logical evidence given before the Committee by one of the most able Natives in New Zealand-he referred to that highly educated, eloquent Maori gentle- man Mr. Ngata. He hoped the honourable gentleman's reply to the question would be in the affirmative. Mr. SEDDON (Premier) said there were a few remaining copies of this evidence, and he would let the honourable member have fifty. If other members of the House required the balance they should let him know. It was a question whether it would pay to set up the type again and reprint the evidence, or whether after reprinting-if they did it-they would not have the matter on their hands. He would meet members' wishes as far as he could in regard to the matter. IMPERIAL TRADE ZOLLVEREIN. Mr. T. MACKENZIE (Waihomo) asked the Premier, Whether he has, in fulfilment of his promise of last session, opened communication with the Governments of the various colonies, and also with the Secretary of State for the Colonies in England, with a view to promoting an Imperial trade zollverein ; and, if so, will he kindly inform the House what measure of suc- cess and support has attended his efforts ? This was a question that the Premier very kindly last session promised to take in hand, and it Mr. Seddon man then approved of heartily, and he desired to know to what extent success had attended the honourable gentleman's efforts. They had evidence year after year that some system such as this within the British Empire must be established if we were relatively to obtain the benefits that should acerue within a great nation. In that morning's paper there was a report that the Germans had enormously increased the tariffs upon all agricultural products imported into Germany. On frozen meat and butter they had levied a duty of 30 marks by double hundredweight, and, as a mark was equal to nearly 1s., it meant 14s. 6d. per hundredweight on frozen mutton and butter. He did not emphasize that point with regard to frozen mutton particularly, because at

present Germany took very little of it ; but this fact indicated the trend of legislation amongst the leading Powers of the world. They were building walls against British enterprise and productions on every hand, while the people of Great Britain were extending to foreigners the same concessions that they were extending to their colonies ; and he maintained that if some system of retaliation were established, Germany would be brought to its senses ; it could not then do without us, and would be forced to conclude a system of exchange of products which would be equitable and just. Mr. SEDDON (Premier) said this was a question surrounded with difficulty, and it was not because of these difficulties that no move had been made, but it was impossible to do anything in the direction indicated until we had the Commonwealth established. The Commonwealth was now established, and they were preparing their tariff; and it might be argued probably that in introducing the matter now he was looking to New Zealand with a view to obtaining reciprocity for our products if he advocated this national Zollverein. He did not think the time was opportune, and we should allow things to get into place before moving in the direction indicated. Then, there was this: We would not gain anything, nor would the British manufacturers gain, so long as foreign Governments subsidised their steamers and gave facilities for getting their products to the colonies. So long as the foreign manufacturers paid the remuneration they did to their employés as against the payments by British traders, the fact of altering our tariff would simply be acting against our own people, and would be of no benefit to the British manufacturers. That was the conclusion he had arrived at. And we would have to arrange that when there was a demand for a certain class of articles they should be supplied. That was the first thing to be provided. At the present time British manufacturers could not give us the goods we wanted : and when they could supply them, they could not let the colonies have the goods within the time the same were required. That was the trouble. They admitted they could not do it. Mr. T. MACKENZIE said we could give them what they wanted.

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give us much. Then, the other question was as to the carriage of the goods. His own opinion was that the subsidies of the German boats by Germany, and the subsidies of the French boats by the French Government, practically handicapped anything we could do in the way of a preferential tariff, and more than handicapped it. We had all that to deal with before we could bring about what the honourable gentleman was aiming at. Then, again, by their last tariff the Home Government had put an impost upon colonial products. He did not see much feeling there in the direction of reciprocity on the part of the people at Home so far as colonial products were concerned. He thought if this question was raised at Home the answer would be that free-trade -- the open-door policy--was the policy for England. That was the position. Mr. T. MACKENZIE .- Have you written to them ? Mr. SEDDON said he did not care about writing ; he did not care about moving until there was a chance of success. Mr. T. MACKENZIE .- You promised last year to do so. Mr. SEDDON said he knew what he promised ; and when he found the time opportune, and there was some chance of doing it without receiving a slap in the face, he would do so. But he did not believe in writing simply in order to receive a slap in the face in reply. He believed in watching his time. The time would come when this would have to be done, and the honourable member or whoever advocated this step and kept it prominently before the public would be doing a benefit to this colony and to the Empire. He hoped the honourable member would still agitate, and would still continue to agitate. ## WORKERS' COMPENSATION FOR ACCIDENTS ACT. Mr. MASSEY (Franklin) asked the Government, Whether they will this session introduce an amendment of the Workers' Compensation for Accidents Act, so as to make it quite clear as to whether or not the said Act applies to agricultural operations ? He was asking this question because a doubt had arisen as to whether the Act did or did not apply to agricultural operations. Of course, as members of the Legislature, they knew it was not intended to so apply it, because the proposal to insert the word "agriculture" was negatived ; but, seeing that there was a difference of opinion, he thought the Premier would agree with him that the matter ought to be

made clear. Mr. SEDDON (Minister of Labour) said, In his opinion, they were not intended to be included, but, while we were all very clear about what was intended when passing Acts, it was for others to interpret them. The interpretation must be left to those administering the laws and to the Courts. He hoped the interpretation of the Courts would be in accordance with the wishes of Parliament. Mr. MASSEY said that was not the question he asked. He asked whether the Government point clear, as it was not clear at present, whether the Act did or did not apply to agricultural operations. Mr. SEDDON said, In the first place, the honourable member wanted the Act defined. It was unreasonable to ask him to bring in legislation to declare that the law was as he contended it was. He was not going to bring in a law when he believed it was not wanted. Mr. MASSEY .- Then, you refuse to do it. Mr. SEDDON said he had given the honourable member an answer-that he did not think it necessary ; when necessary, that would be the time to do it. BICYCLES FOR CIVIL SERVICE. Mr. COLLINS (Christchurch City) asked the Premier, Whether, in providing bicycles for any branch of the Civil Service, the Government will in future give preference to cycles of New Zealand manufacture, and invite tenders in the daily papers at Christchurch, Dunedin, Wellington, and Auckland for the supply of same, thus encouraging this branch of industry and giving employment to New Zealand workmen ? Mr. SEDDON (Premier) said this question ought properly to have been addressed to the Postmaster-General, and, so far as that department was concerned, it was not deemed advisable to call for tenders for bicycles within the colony. It was stated by the Secretary :- "Our experience has been that of bicycles said to have been manufactured in New Zealand only a small portion of the work is done here, the parts being imported from other countries and put together. Generally, it may be said that a good machine, completely finished, can be imported by us at from 30 per cent. to 35 per cent. less than locally." If that was the case, and the bicycles cost 35 per cent. more, and it was simply a question of putting the parts together here, he did not think it would be fair to put that impost upon the colony. However, that was the departmental reply. MANGATORO ESTATE. Mr. O'MEARA (Pahiatua) asked the Premier, When the Mangatoro Estate will be ready for selection ? He would also like to ask the Premier if it was the intention of the Government to acquire the eleven thousand acres at present owned by Natives and leased to the Assets Board ? He understood the Natives had offered this to the Government at a very reasonable price, and, as there were only two owners interested, and those owners already had plenty of land, he did not think the Government would be doing any injustice if they were to acquire this land from the Natives, in conjunction with the rest of the land, and have it cut up by the Government. The present statute did not appear to debar the Government from acquiring this land, and, as the Natives were willing to sell to the Government, he hoped to receive a favourable reply, stating that the estate would be cut up and settled at once, and that the

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acquired, and cut up at the same time as the freehold. Mr. SEDDON (Premier) said the question was, when would the Mangatoro Estate be ready for selection ? That was the question, and the answer was that possession would be given on the 1st April, 1902, and the land would be put into the market early in January next year. In respect to the other question, as to the leasehold, he might say it would not do to tell what they were doing in respect to these matters; in fact, the law said they should not do so. Mr. O'MEARA said he might tell the Hon. the Premier that he already had information that the Assets Board intended cutting up this land, but he preferred the Government should do it, acquiring it from the Assets Board. Mr. SEDDON might say the matter had not been lost sight of. MACKENZIE AND DUNTRON RIFLES. Major STEWARD (Waimate) asked the Minister of Defence, Whether he will place on the estimates a vote to enable grants-in-aid to the Mackenzie Mounted Rifles and the Duntroun Rifles for the erection of drill-sheds at Fairlie and Duntroun ? There were companies of Volunteers at Fairlie and Duntroun -- in the one case mounted infantry, and in the other case a rifle company. These companies

had not drill-sheds at the present time. At Fairlie there was a large building that could be converted into a drill-shed, and the local Volunteers were willing to defray a considerable part of the cost, but wanted assistance from the Government. With respect to Duntroon, there was no suitable building for the corps, but they had obtained a section of land upon which they would put up a building if they got the necessary assistance. Mr. SEDDON (Minister of Defence) said no recommendations had been received as to the sheds mentioned, and he might say that usually grants on the basis of A1 for 11 were given to companies which wished to erect drill-sheds. That was the general rule, and if they were recommended he would be most happy to look into the applications. Of course, every application must stand upon its own merits. There were some cases in which greater assistance was given than in others: it depended on the position of the corps. Major STEWARD said that, so far as the applications were concerned, they were sent in some time ago. He did not know whether the honourable gentleman had seen them or not. Mr. SEDDON could not say that he had.

**RIFLE CLUBS.** Mr. HANAN (Invercargill) asked the Minister of Defence, If he will allow members of rifle clubs as at present constituted to be enrolled. and the clubs accepted by the department ? He hoped this question would receive the serious consideration of the Premier, as it was a matter of great interest to many members of the House who had rifle clubs established in their districts. Mr. O' Meara follows : --- " Ex-Volunteers resident within a radius of five miles of the headquarters of a Volunteer corps, and having had not less than three years' service, or Volunteers after having served for three years in the Volunteer Force, will, on discharge from the Volunteer Force, be allowed to enrol themselves in any recognised Government rifle club in the colony, provided no man so enrolled is less than thirty years of age." He felt certain the Premier recognised the splendid work that the rifle clubs of this colony had performed and were performing in the direction of training our young men to become proficient in the art of marksmanship. He might observe that many members of our rifle clubs were either under the age set forth in the regulation, or have not served the time required in the regulation for precedent Volunteer service. If this condition which he had read were insisted on, it meant that in many districts of the colony the rifle clubs would be reduced to mere skeletons, so far as membership was concerned. It was well known that many members who were now shooting with rifle clubs had no time to devote themselves to Volunteering : in fact, the only time they had for devoting themselves to rifle-shooting was generally on 1 the half-holiday that was held during the week. He hoped this condition would be amended. ! otherwise many of our young men would be 1 compelled to disassociate themselves from our rifle clubs, which, he thought, would be a step that they must all deplore. It was highly necessary that all our young men should be good shots, so that if ever they were called upon to defend their hearths and homes they would prove themselves qualified for such defence. Furthermore, the best shots in the colony were to be found in rifle clubs, and many young men preferred joining these rifle 1 clubs because they recognised that they were more likely, by being members of such clubs, to improve themselves in marksmanship than \- by belonging to the Volunteers. In saying this he did not wish to disparage in the slightest the many great benefits which were ! derivable from active membership of Volunteer corps. It might be said that some of our Volun- \- -- teers might be drawn away from the Volunteer corps to the rifle clubs. To that he replied that in our rifle clubs there were to be found many persons who were not only members of Volunteer corps, but also were members of a rifle club. He understood a number of one rifle clubs, if accepted as they were now constituted, would be quite willing to be enrolled as a reserve corps. Having regard to all these facts, he hoped the Premier would give a favourable answer to this question-that the regulations would be amended so that the rifle 1 clubs as at present constituted might be enrolled and accepted. So far as existing rifle club's were concerned, he would say, leave them as they are, but with a proviso applying only to new members requiring three years' active Volunteer service, and the qualification of age

hoped that these institutions, which had done so much good and were doing so much good work, would have every assistance to continue, and not be wiped out of existence. Mr. SEDDON (Minister of Defence) said there was no doubt the honourable member's question touched a most important matter. He agreed that the regulation referred to was perhaps rather drastic, but it was framed with a view of preventing young men from forming themselves into rifle clubs instead of joining some established Volunteer corps. But this did not affect anything outside the five mile limit from the Volunteer centre. It was only within the five-mile limit that the regulation obtained at all. He did not say that the distance might not be reduced ; but he did not think it would be wise to have rifle clubs formed alongside Volunteer corps, as it would simply mean that there would be all rifle clubs and no Volunteer corps and no drill. However, he would look into the matter again, and see if he could with safety reduce the age and the mileage. Even under the existing conditions he had seventy or eighty applications for registration as rifle clubs. Some of them had not given sufficient information, and that had kept them back ; but he had accepted a very large number the other day. Mr. HANAN asked if they would be accepted as constituted, provided other members would comply with the regulations. Mr. SEDDON said, If they were all rifle clubs and all new members joining, and if they had previously existed as regular constituted rifle clubs. There was something in the contention, and he would look into it. ## LAW CONSOLIDATION. Mr. COLLINS (Christchurch City) asked the Government, Whether it is their intention to issue further volumes of consolidated statutes completing the work begun in the volume recently circulated amongst members, and, if so, at what interval such volumes will be issued ; also, do the Government intend to give legal effect to the work when completed, and, if so, by what means ? He, in common with other members, had the volume he referred to, and he was sure he was expressing the opinion of many honourable members when he said it was most desirable that such a work should be completed. It had always been a puzzle to him to get anything like a comprehensive grasp of our statute-law. The way in which fragments of law were scattered up and down our statute-books without any logical or legal connection rendered it impossible for any one to get anything like a comprehensive grasp. One might see there scattered fragments of law buried in masses of statutory matter which would puzzle one almost as much as the notable fly in the amber. One would wonder by what diabolical cunning they had got there at all. They were a puzzle both to the unwary and the wary. He wished to know if members were to regard this volume as a first instalment of a Bill to place the statutes in a less cumbersome form. the codification of the statutes had been done primarily by Mr. Jolliffe, and the draft which had been submitted to honourable members was to show what could be done, and, he might say also, what should be done. The Government had power to set up a Commission and to make a commencement with what had been submitted to members, and he hoped they would commence it next session. The Government intended to take active steps to get this matter done. He quite agreed with the honourable member as to the necessity for this work. Mr. ATKINSON asked what sort of a Bill it would be. Mr. SEDDON said the Commission would decide that ; but he should say that the draft Bill which had been submitted to honourable members would practically be the Bill. The Commission would have to see that the statute-law was complete, and embodied in the Bill. They would have to classify the legislation, put it in systematic order, and bring it right up to date. ## SILVERSTREAM PUBLIC ROAD. Mr. FIELD (Otaki) asked the Minister of Defence, Whether he will give orders for the immediate removal of a fence erected some months ago by the Defence Department across a public road at the Silverstream, to the great inconvenience of a number of settlers, who have made repeated but fruitless requests to the Government for such removal ? Mr. SEDDON (Minister of Defence) said the Defence Department had had this matter carefully gone into, and they were within their rights in what they had done. It was a question whether, when public property had been acquired with public money for the Defence Department, the Defence Department were to be considered, or whether they were to consider the people outside. He did not wish

to do anything which would interfere with the public convenience if it did not interfere with the defence work. At the same time, when they had paid \$3,000 or \$4,000 for land for defence purposes, he did not think they had any right to hand the same over to the public. Mr. FIELD said he would have amplified the question in the first place if he had not understood that the fence was being removed. Mr. SEDDON said he understood the question about the position of the gate. That he told the department to look into, and, as far as they could, adjust it, but not the fence. ## MIDLAND RAILWAY DEBENTURE- HOLDERS. Mr. GRAHAM (Nelson City) asked the Premier, If it is the intention of the Government to give Parliament an opportunity during the present session of finally dealing with the subject of the petitions presented to the House last session on behalf of the debenture-holders and shareholders of the Midland Railway Company ? He had placed this question on the Order Paper on behalf of many interested people, both within and without New Zealand. Two petitions on

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session and referred to the Public Accounts Committee; but that Committee, owing to want of time, was not able to deal exhaustively with the matter, with the result that they submitted only an interim report to the House. An exhaustive inquiry had, however, since been made, and the whole of the information obtained was now before the Government, the Parliament, and the country, and those interested desired to know what was the intention of the Government in reference to it. He did not know whether the Government intended to refer the report of the Royal Commission to the Public Accounts Committee to deal with and report upon before the whole question was dealt with by the House, but he thought the Government should make some statement. In the interests of the colony and of all concerned, this important question should be settled definitely one way or another. Mr. SEDDON (Premier) said all petitions not dealt with last session had to be dealt with by the Committee this session. Hon. MEMBERS .- Not all. Mr. SEDDON said that if the motion last year only referred to the Native Affairs Committee, he would like to have the advice of the Committee upon this matter, and he would therefore move later on that the petitions be referred to the Public Accounts Committee. Mr. GRAHAM said the Premier had been good enough to say that this matter was now referred to the Public Accounts Committee, but that the honourable member did not appear to know it. He did not know whether that was intended as a reflection on him (Mr. Graham) as a member of the Public Accounts Committee. The matter had been referred to that Committee quite recently, and since notice of his question had been given. He might also explain that the Public Accounts Committee was convened to meet at the same hour on the same day as the Local Bills Committee, and he had explained to the Premier that it would be impossible for him to attend both Committees on that day, and he could not neglect the Local Bills Committee. He trusted, therefore, that the Premier did not mean to cast a reflection on him in what he had stated. Mr. SEDDON said he would be very sorry to reflect on any member of the House, more particularly on the member for Nelson City. Mr. GRAHAM. -- Why more particularly the member for Nelson City ? Mr. SEDDON .- Because you are so circumspect. Mr. GRAHAM. - That is a compliment from the Premier. Mr. SEDDON said he knew the honourable member did not get his notice, and subsequently arrangements were made for the notices to be given. He was under the impression that all petitions not dealt with last session were still before the Committees. This petition was not reported on last session by the Public Accounts Committee, and it would, of course, come before the Committee this year. Mr. Graham Mr. MEREDITH (Ashley) asked the Minister of Defence, When may the Kaikoura Mounted Rifles expect to be supplied with overcoats by the Defence Department ? Mr. SEDDON (Minister of Defence) said that tenders had been called for overcoats, and when tenders were accepted and the coats came to hand they would be distributed as quickly as possible. PUBLIC SERVANTS AND LOCAL BODIES. Mr. LAURENSEN (Lyttelton) asked the Premier, Whether it is a fact that members of the public service have been informed that they are not to be allowed for the future to hold seats on public bodies ; and, if so, under what regulation or Act has this

been done ? This question pretty well explained itself. There was only one thing he would like to draw the Premier's attention to, and that was that, even if there had been a regulation under which these new regulations were issued instructing public servants not to hold seats on public bodies, that regulation had been practically a dead-letter for many years past. He would like to know what had caused this new departure by the Government. There was another feature, and that was this : that the regulation only applied to Civil servants. Men employed on the railways were not classed as Civil servants, and yet at the same time these men were now being stopped from going on public bodies. Mr. SEDDON (Premier) said that regulations for the Civil Service, gazetted in 1873, page 47, provided : " No officer shall accept or continue to hold the office of Mayor, President, Chairman, or member of the Council or Board of any province, county, city, town, borough, shire, or road district." Of course, this was one of those matters to which there were two sides. Still, occasions might arise where the duties of officers on local bodies might clash with those of the Government departments in which they were engaged, and thus the officers might be placed in a false position. At all events, it was an old regulation, and the Government had been simply calling attention to it. He might say that it had not been strictly observed. However, there were several cases which had come under the notice of the Government. He did not think they should make the officers resign the positions to which they had been elected, but the Government did not think they should again take the positions so long as these regulations existed. Mr. HUTCHESON .- Does it apply to the Civil Service, or to the whole of the employés of the Government ? Mr. SEDDON thought the regulations could only apply to the Civil Service, because the regulations were under the Civil Service Act : so, of course, strictly it should only apply to those in the Civil Service. Mr. LAURENSEN said the circular had been issued to men in the Railway Department, and that was his reason for asking the question.

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to the Civil Service, but he was informed that there was a decision of Cabinet that the regulation should apply to all Government servants. He was inclined to think that was what had been done. ##

**INEBRIATES' INSTITUTIONS.** Major STEWARD (Waitaki) asked 11.30. the Premier, Whether the Government will this session place upon the estimates a sum sufficient to enable the establishment of one or more inebriates' institutions, so as to give practical effect to the statute passed in 1898 at the instance of the then member for Lyttelton. the late Mr. John Joyce? During the recess he had learnt that the Government had sent communications to hospital authorities asking them to make some arrangements for patients of this nature ; but that seemed to him to be only a temporary arrangement, and in no wise fulfilling the intention of Parliament when it passed the Act to enable the establishment of these inebriate institutions. What was necessary was that funds should be provided for the establishment of one or more such institutions, so that the Act might have a fair trial. Mr. SEDDON (Premier) said the Government recognised the necessity for making provision to meet such cases ; and, in addition to asking the hospital authorities to meet them, they had already taken other steps, with the view of meeting cases such as they frequently found in the Police Courts and gaols. An intermediate place was wanted, and after patients were able to leave the hospitals there ought to be permanent inebriates' homes to which they could go. The Government had already purchased a property in Otago, and a manager and matron had been appointed for it. It would be opened very shortly for patients. Last year's vote was only \$5,000, but it was their intention to have an institution in each Island. He hoped to have one in the North Island very soon, and he could assure the honourable member that it was the Government's intention to give full effect to the Act.

**VOLUNTEER REGULATIONS.** Mr. NAPIER (Auckland City) asked the Minister of Defence, When he proposes to have the necessary regulations published to provide, as ordered by resolution of Parliament, -il.) For the payment to Volunteers for daylight parades if one-half the nominal strength of a company be on parade ? (2.) For the payment of



capitation at the rate of \$3 10s. per annum to garrison artillery and submarine miners? (3.) For the camps of instruction to be for seven complete days, and payment to be made to the Volunteers therefor? (4.) For an increased annual allowance of ammunition for rifle practice? In asking the question he would like to point out that an efficient Volunteer Force very largely depended upon those recommendations being carried out. They were made by the Defence Committee last session, and the Parliament adopted them. It was useless to have a large force on paper which was inefficient necessary that the Volunteers, especially the artillery, should drill by daylight, and the recommendation of the Defence Committee on that point was unanimous. Parts 1 and 3 of the question had reference to this subject, and part 2 referred to the payment of capitation at the rate of 43 10s. per annum to garrison artillery and submarine miners. Those companies were doing very arduous work, and their uniforms wore out much more quickly than those of others. It was therefore necessary that their capitation should be larger. He trusted that the Minister would see his way to give a favourable reply to the question. Mr. SEDDON (Minister of Defence) said, as regards the first and third parts of the question, no instructions had been given; and, as regards the second part, he had informed the honourable member that the matter would receive consideration during the session. Although they had got a recommendation from the Committee last session, no appropriation had been taken for increased capitation, and he did not intend to take any appropriation for it this year for the simple reason that they would find the Defence estimates so high, owing to the abnormal condition of things, that if the matter was pressed too far the result would probably be a considerable curtailment by Parliament. Once they reached anything like a normal condition they might take up this question of an increase to these corps, which, as the honourable member stated, were entitled to consideration on account of the extra expenditure they were called on for uniforms and in other directions. He thought, however, the matter should be held over for financial reasons; it was a matter he would not forget. With respect to the third part of the question, he had to say it was now under consideration. As for the fourth part of the question, he wished to say it was not the recommendation of the Committee at all that there should be an increased annual allowance of ammunition, but the Commandant had since recommended that there should be an increase, and it was the wish of the Government to give effect to it.

**SUBMARINE-MINING BOAT.** Mr. NAPIER (Auckland City) asked the Minister of Defence, If it is a fact that a new submarine-mining boat, for use in connection with the Auckland defences, has been ordered from Great Britain; and, if so, what will be the cost; and why the order was not given to an Auckland shipbuilder? Mr. SEDDON (Minister of Defence) said the class of boat that was wanted could not be built in the colony at anything like the cost of the work done at Home, nor could it be completed within the time, and for those reasons it was decided to go to the Home-country with the work. Another advantage in sending the order Home was that the boat would be built under the supervision of those who were experts in such matters. It was not an ordinary boat, that was wanted at all. Inquiries were made on the matter from the Admiralty, and on receipt

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to have the work done at Home.

**GARRISON ARTILLERY OFFICER.** Mr. NAPIER (Auckland City) asked the Minister of Defence, If any steps have been taken by the Government to appoint a garrison artillery officer from the Imperial army to succeed Major Madocks on the staff of the Commandant? He would like to point out to the Minister that, seeing the new Commandant was an infantry officer, it was essential that the gentleman who was to be appointed to succeed Major Madocks should be a garrison artillery officer, otherwise the expert knowledge of the garrison artillery officers of the colony would be seriously diminished. Captain Mackenzie, who had had charge of the Auckland forts, had left the colony; and the gentlemen in charge of the other forts of the colony were men who had, no doubt, done excellent service in the colony, but at the same time they had not had opportunities for modern instruction in garrison artillery work. For the most part they were officers who had served in the Maori war -- men whose

credentials were high, but who were not the most suitable for maintaining the most modern system of defence. Mr. SEDDON (Minister of Defence) said the honourable gentleman would no doubt be pleased to learn that a garrison artillery officer had been appointed. Captain Moore was the officer who had been chosen, and he was about to leave London for the colony. There would be a further question as to whether or not the staff officer of the new Commandant should not also be an artillery officer. It was his (Mr. Sechion's) opinion that he should be ; but, of course, it was a matter for the Commandant himself to settle, and in a matter of the kind the Com- mandant would be left to judge. ## IMMIGRATION OF DOMESTIC SERVANTS. Mr. GUINNESS (Grey) asked the Colonial Treasurer, Whether the Government will make provision on the estimates to provide for assist- ance being given towards the immigration of girls suitable for domestic purposes ? He be- lieved it was admitted that there was a great dearth of girls in the market at present. It was caused, no doubt, by a very large number of girls entering the factories of the colony, and taking up other avocations. Mr. SEDDON (Colonial Treasurer) did not think it would be necessary to place any sum on the estimates for the purpose. When the fact reached Home that the colony had placed on its statute-book a law which allowed domestic servants a half-holiday weekly any amount of girls would come out to the colony without assistance from the Government. ## COMPENSATION TO TROOPERS FOR LOSS OF HORSES. Mr. MASSEY (Franklin) asked the Govern- ment. Whether they will compensate for the loss of their animals those troopers belonging to the New Zealand contingents who supplied Mr. Seddon paign? A large number of members of the various contingents, especially of the Fourth Contingent, had supplied their own horses. At the time there was an idea prevalent that the horses would be returned to the colony, but it had been found it was not possible to bring them back. It was, he thought, too much to ask men who had risked their lives, and many of whom had suffered injury to their health, to suffer pecuniary loss also. He hoped, therefore, the Government would see their way to com- pensate these men for the loss of their horses. Mr. SEDDON (Premier) said the position to- day must be gauged as it was when the men left the colony. In order to be taken at all many men had offered to take their own horses, and they were therefore given the preference. and he did not think it was right for them to expect compensation from the Government. Some of the men of the Contingents had made claims against the Imperial Government for the loss of their horses, and the New Zia- land Government had not stood in their way. At the same time he was not sure it was right, seeing that it was an inducement for the Government to take these men that they offered their own horses. Committees al-o had been finding horses, and it was a difficult point to determine. It was only where he knew there was a clear case that he had given his consent. He regretted the mon were not able to bring their horses back with them : and it was a decided hardship in several cases where officers' steeds had been with them through the whole campaign : but at the same time the danger from rinderpest was too great to allow of their being brought back to the colony. In cases where he was satisfied that the men did not understand they were going to lose their horses, or where their taking them had not been an inducement to the Government to accept their services, he would not object to compensation being given : but he did not pro- pose to take a vote of the House for the pur- pose. . ## MUNICIPAL MARKETS. Mr. HOGG (lasterton) asked the Govern- ment, If, in any amendment of the municipal laws that may be proposed, they will consider the desirability of requiring that in all muni- cipalities containing a defined population public markets for the sale of farm, station, and dairy produce, fish, and other perishable articles, shall be established and maintained as neces- sary public conveniences ? While we were en- deavouring to expand our commerce abroad, the question arose whether we should not pay a little more attention to markets within the colony. The complaint of the producer for years had been that both in the colony and outside it they were suffering from the opera- tions of the middleman, whose profits, they asserted, were considerably greater than those of the producer. It was well known that a great deal of fruit sold in Wellington and the other chief centres of

population was not grown in New Zealand. He ventured

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fruit exposed for sale in Wellington was imported from the South Sea Islands, America, and other parts. That was not a proper state of things. One reason for it was the difficulty the producer found in reaching the consumer. Owing to the operations of the middleman, the grower of fruit, vegetables, and farm and station produce obtained a very poor return for his labour and enterprise. He had attended a meeting of farmers at Shannon, and was surprised to be told that those who grew splendid vegetables could only realise about 6d. a bag for them. Cabbages and cauliflowers were sent in splendid condition to the Wellington market, and the amount realised at auction was 2s. per bag : of that 1s. 6d. went for carriage, for the value of the bag, and to the auctioneer, and all that the producer received was 6d., while the consumer had to pay from 5s. to 10s, for these articles. Then, if they considered ordinary fruit, in his district, which was only about fifty or sixty miles from Wellington, all the producer was able to get for good apples was from 1d. to 2d. per pound, while apples which were inferior to those he was able to purchase at that price direct from the producer were exposed for sale in Wellington in the windows of the Chinamen at 4d. per pound. That was a state of affairs that should not exist. With regard to meat, he ventured to say it would have been a great deal dearer than it was in Wellington were it not for the operations of Mr. T. C. Williams and the Waingawa Butchery. This business, he believed, had been the means of keeping down the price and of checking a monopoly in the meat market, which would otherwise have been most injurious to the consumers. If farmers had to rely on what the municipal bodies would do for them they would not get much assistance. The resolutions of Borough Councils and municipal bodies with regard to markets were encrusted with the mould of ages, and he feared that not the slightest reliance could be placed on anything that would be done by these bodies. They might make good resolutions, but unfortunately those resolutions were never carried into effect. He wanted to see the Government adopt the same steps they had taken under the Slaughtering and Inspection Act, and the Public Health Act. To secure public abattoirs it was found necessary to use the whip and spur of the State. If the markets he had referred to were public conveniences, and essential to the protection of the producer and the consumer, their creation should be mandatory. If the municipal bodies would not establish them, then the Government should undertake the work, and establish them at the cost of the municipalities. And if they could not abolish the middleman, they could, at all events, regulate his profits, and the only way was by establishing public markets where the producer might meet the consumer face to face, and sell his products. Mr. SEDDON (Premier) said, That there was a necessity for public markets in the colony they all admitted, and when they contrasted our position in that respect with the position of the colony to the advantage of Australia and to the disadvantage of New Zealand. He believed that the one thing that would strike at the root of the Chinese greengrocery and fruit business would be the establishment of markets ; but that, of course, led up to another very important phase of the matter, and that was that, if they said the Government had to establish these markets, he did not see how they could build markets unless there was some one to put the stuff into them. Unless that was the case what was the good of your market? At present most of the vegetables were grown by the Chinese, and if they would not send their vegetables to the public market there would be no producers to supply them. Before you built markets you would have to find out whether you were going to get the produce, goods, or articles for sale to put into them. He knew that the consumers were suffering under the existing conditions, and he was quite prepared within reasonable limits to meet the difficulty as far as he could. When the Municipal Corporations Act was before the Committee, it was a pity it was not then moved that it should be the duty of a Municipality, where there was a population of more than ten thousand, to establish a public market. However, if any municipal legislation came forward this session an opportunity would be given to consider this proposal, and he would vote at any time, and under all conditions, to make it compulsory upon local bodies to

provide public markets. ASHBURTON DRILL-SHED. Mr. MCLACHLAN (Ashburton) asked the Minister of Defence, If he will make provision on the estimates for a grant to the Ashburton Volunteers for the enlargement of the drill-shed there ? Mr. SEDDON (Minister of Defence) said this case came under the ordinary category. When drill-sheds were erected, the Government subsidised them in some cases up to #1 for \$1. He dealt with each case upon its merits. MORTGAGE-TAX. Mr. MONK (Waitemata) asked the Premier, If he will introduce legislation to harmonize the pressure of taxation upon incomes derived from mortgages on land and those obtained by other means, for instance : \$4.000 lent on mortgage at the full rate of 44 per cent. supplies an income of 9180, and pays taxation of \$16 13s. 4d., or 1s. 10\ld. in the pound on the interest received : while incomes derived from other sources up to \$1.000 only pay 6d. in the pound ? He would remind the Premier of a promise made last session that he would afford relief in the special matter mentioned here- that was. a reduction of the mortgage-tax. He need not mention to the Premier, because he was sure he quite realised the fact, that it was really class legislation which charged those whose living depended on doles of interest, and who lent, money on mortgage at the rate of 43 per cent., 10jd. in the pound on their income, while the ordinary income-tax was only 6d. in the

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further, he would just remind the Premier that it was a hardship also upon the settler and farmer who had to borrow money, because, naturally, the lender tried to recover as much as possible of this burden out of the borrower. He thought the Premier would admit that the average rate at which money was lent at the present time on good security was 44 per cent. ; and 43 per cent. on a loan of \$4,000 would bring in an income of £180, and upon that the lender had to pay to the Government 916 13s. 4d. in the shape of mortgage-tax. It was a very great hardship, and it was a hardship which he thought the Premier would admit was inequitable. He hoped the Premier would see his way immediately to apply relief in accordance with the promise he made last session. Mr. SEDDON (Premier) said, Members, of course, would well understand that "he who lives upon money-lending toils not, neither does he spin, but generally waxes rich." That was generally admitted. Of course, it was the duty of the State to see that taxation was equitable, and that it was paid by those best able to pay. That was the fundamental principle upon which they went. There had been lately, in consequence of the fall in the rate of interest that had taken place, a demand by those who lent money for a decrease in the tax. Mr. MONK .- Why do you lend money on land, and charge more than private individuals who pay the mortgage-tax ? Mr. SEDDON said, Because the Government have no income-tax to pay, and gave the people who borrowed money from them the benefit of that. He did say in the Financial Statement last session that they would this year bring down a proposal to reduce the mortgage-tax. It meant a loss of \$25,000 a year. Since that he found that his expenditure had gone up so much that he should have to reconsider whether he should bring down that proposal or not. If he did bring it down he should have to raise the money elsewhere, and that only meant another turn in the screw in regard to the graduated land-tax. At all events, this matter had been engaging the attention of the Government, and they wanted to do what was right.

WELLINGTON-MANAWATU RAILWAY. Mr. FIELD (Otaki) asked the Government, Whether the offer made last year by the Wellington-Manawatu Railway Company for the sale of their line to the colony has been definitely refused, and whether there are any negotiations now in progress between the company and the Government ? It was needless for him to say that this question was very important, particularly to his own district and to the West Coast generally. He did not wish to take up the time of the House with any remarks, beyond simply saying that he was of opinion that it would be far better for the colony if this line was bought under "The Railways Construction and Land Act, 1881," and under the contract with the company, than under a contract such as was suggested last year. At the same time the Government should have the Mr. Monk last year ; but it seemed to him, after considering the matter, that it was better to buy the line under the original Act. Mr. SEDDON (Premier) said the honourable member would, no

doubt, have seen a reference in the public prints to the fact that the Government had declined to purchase on the terms submitted by the company. The Government had had a calculation made contrasting the proposed terms of purchase with the amount that it would probably cost the colony to purchase on the terms of the original contract, and had come to the conclusion that it would be advantageous for them rather to take it under the old contract as compared with the offer made : the only difference in respect to which it would be an advantage being that if they bought the company out, land and everything, the company would disappear, and the Government fall into its place. He still thought that, at a reduced rate of interest, it would be better to take under a new contract. There was uncertainty in respect to assessing. Assessment had to be fixed by arbitration under the old contract, and his experience had always been that in arbitration the (Government had always to go to the wall. He was very doubtful of relying upon arbitration where the terms of the contract were so ambiguous. An Hon. MEMBER .- It was all right in the Midland Company. Mr. SEDDON said that had been all right. and for that he was very thankful ; at the same time he might say, in answer to the question, that he thought some adjustment of differences might take place under the new proposals. The fact was they were asking too much in asking 5 per cent. or 6 per cent. as the rate of interest from the commencement - knowing, as he did, that shares had been bought considerably below par. What they offered to sell at was : about \$1 15s. A large number of these shares have been bought below par, and the purchasers thought to make money out of the colony ; but they would not make a rise out of him if he could help it. It was necessary, as far as possible, to protect the interests of the colony. When the proper time came a report would be made, but in the meantime they were not prepared to pay anything like what the company asked. MICHAEL O'CONNOR. Mr. FISHER (Wellington City) asked the Government, Whether they will favourably consider the claim of Michael O'Connor to the New Zealand Cross, in accordance with the favourable recommendation of the Waste Lands Committee, 1895, and also the favourable recommendation of the Public Petitions Committee of last session ? He believed he was correct in saying that no Government had ever seriously considered the claim of Michael O'Connor to the New Zealand Cross. He would not like to say that the claim had not been fairly considered because Michael O'Connor was not fortunate enough to have the support of wealthy

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but he did think he was unfortunate in not having the support and advocacy of some person of earnestness and persistence. He did not propose to make a speech upon the subject, because that was not allowed, nor was it necessary ; but he did propose to place on record one or two historical letters bearing upon the subject of Michael O'Connor's claims. The following letter had been written by Mr. Morpeth to Colonel Moule with reference to Victoria Cross pensioners, and which was attached to pension papers lying in the Native Office :- " COLONEL MOULE,- In Colonel McDonnell's letter of 15th July, 1868, recommending the defenders of Turuturu Mokai for the Victoria Cross, the names of the men were written on the margin, and among them were 'Stewart ' and . O'Connor.' According to these papers Stewart's claim to recognition appears to have been dropped, and O'Connor's admitted. Colonel McDonnell might be able to afford some information as to the part, if any, Stewart took on the occasion referred to. " W. J. MORPETH. " 26th June, 1872." The reference to Lieut .- Colonel McDonnell produced this reply :- " Brougham Street, Wellington, 27th August, 1894. "The attack on Turuturu Mokai Redoubt took place on the morning of 12th July, 1868. Captain F. Ross was the only officer in command. He was shot dead at the gate, and eleven other men were killed also. Some of the garrison, panic-stricken, leaped over the parapet and so deserted, amongst whom were Serjeant Burrowes, Corporal Cobb, and Private Kirshaw. The latter O'Connor fired at and wounded for deserting before the enemy. O'Connor was the bugler, and now took command of the half-dozen men left, some of whom were wounded. O'Connor closed with and shot one of the enemy who had entered the redoubt ; but the redoubt was now in their

possession, except one of the angles, where O'Connor and his few were. The Maoris now rushed the angle to dislodge them, but were met by the two Beamish brothers, one of whom fell ; the other was wounded, and Stevens and O'Connor, who had emptied all the chambers of his revolver, not having time to reload, used it as a club, and with it brained the leader of the charge, who fell back in the ditch dead. The enemy now re-treated with some of their dead and their wounded. O'Connor was severely wounded in the thigh by a bullet. Had it not been for the great courage displayed by Michael O'Connor and his comrades the redoubt would have been taken and a large quantity of arms and ammunition and stores lost. " I recommended O'Connor and another for the New Zealand Cross for this affair. I sincerely hope Michael O'Connor's case will meet with most favourable consideration, and that for his very meritorious conduct on the occasion referred to he will have the decoration of the New Zealand Cross bestowed on him, as Her Majesty the Queen instituted the order for special service I have known of many brave deeds done during the late Maori war which have earned for the doers the Victoria Cross and the New Zealand Cross, but I know of no act that better deserves similar recognition than that performed by Michael O'Connor, late bugler to the Colonial Forces, and late H.M. 57th Regiment. "THOS. MCDONNELL, Lieut. - Colonel, N.Z. Militia." Another testimony to the bravery of O'Connor was written by H. W. Brewer. staff-captain. Captain Brewer said, - " As far as I recollect, Milmore, Johnstone, McLean, Gill, and Bugler O'Connor got into two angles of the redoubt and defended themselves desperately. Some of the wounded also assisted by firing at the enemy. Bugler O'Connor being an old soldier of the 57th Regiment, and practically in the position of a non-commissioned officer, did capital service by repeatedly sounding the 'assembly,' so that it was heard at the Waihi Redoubt, a little over two miles away. He also kept up the spirits of the men, and did good service against the enemy until the relief force, under the late Major Von Tempsky, arrived at the redoubt. The enemy, finding they could not get into the angles, commenced to undermine one of them from the outside, and about half an hour after the force arrived this portion fell into the ditch. " By his coolness and promptitude I consider Bugler O'Connor, who was wounded, materially assisted in saving the lives of the small portion of the garrison who were left after the others were killed and wounded. "H. W. BREWER, Staff-Captain." Then, there was this further testimony of Lieut. - Colonel McDonnell :- " Wellington, 24th January, 1890. "I hereby certify that Michael O'Connor, bugler, was discharged from the Colonial Forces in consequence of wounds received at Turu- "T. MCDONNELL, Turu Mokai. Lieut. - Colonel, N.Z.M." Then, there was the report of the Waste Lands Committee, dated 9th August, 1895, conveying the result of their investigations into the claim of Michael O'Connor. They reported that the petition should be referred to the Government for their favourable consideration. The claim of O'Connor, as he had said, was submitted to the Public Petitions M to Z Committee last session, and the report of the Chairman of that Committee was as follows : - " I am directed to report that the Committee recommends the petition be referred to the Government for favourable consideration." That was the case so far as the public records went. The claim had been established beyond any cavil. The only question that remained to be considered, as it seemed to him, was whether the claim was put in too late-whether there had been such a lapse of time as to prevent the Government recommending the New Zealand Cross to be given to Michael O'Connor now. He said, as he had said at the beginning of his

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been some person willing to take up the case of | Messrs. Carroll and Wi Pere was about 965,000. O'Connor and prosecute it with earnestness and persistency at the time the incident occurred, | of idleness and incapacity on their part ; and or even at a later date, there would have been no difficulty whatever in securing the New Zealand Cross for Michael O'Connor. He now left the case in the hands of the honourable gentleman. Mr. SEDDON (Minister of Defence) said the application of Michael O'Connor for the New Zealand Cross was, with other survivors of the defence of the redoubt at Turuturu Mokai,

investigated by Sir Donald McLean, and it was rejected on the grounds that, although the men behaved well, still they did not come within the terms of the Order in Council with reference to the New Zealand Cross. Since then Michael O'Connor had on several occasions petitioned the House and applied to the Government for the New Zealand Cross, but there had been no action taken, except that last year the Committee recommended the case for the favourable consideration of the Government. After the trouble in respect to the Wrigg case he was not very favourable to granting the New Zealand Cross, though in that case it was not applied for at the time, and was not refused. This was applied for at the time and was refused : and, after a lapse of years, was he (Mr. Seddon) to sit in judgment upon Sir Donald McLean, who was acquainted with all the circumstances, and say he ought to have granted it. He was afraid that would not be very satisfactory. Taking into consideration the lapse of time and the effacement from the scene of all those who took part and could have borne testimony, it would not be wise at this stage to grant the New Zealand Cross. At all events, he did not think the Government would be justified in taking upon themselves the responsibility. The Committee had not said the Cross should be granted, but had simply referred the matter on to the Government for consideration. ## EAST COAST LAND

SETTLEMENTS ESTATES. Mr. MONK (Waitemata) asked the Premier. Whether it is true that the Bank of New Zealand, as mortgagee, is about to sell by auction. or otherwise, all those large blocks of land comprising the East Coast Land Settlements Estates, and of which the Hon. James Carroll and Mr. Pere are trustees ; if so, what action. if any, do the Government intend to take? He had seen a paragraph in one of the Gisborne papers that the bank was about to sell a large area of land known as the East Coast Land Settlement Company's land. This matter had been gone into by a parliamentary Committee some few years ago, and he had then expressed the opinion that the best way to save a portion of the land for the Natives would be at once to dispose of as much as possible. The Natives. without a sixpence of consideration. intrusted Messrs. Rees and Pero with large areas of their lands, and the result had been phinging, sandering. and dissipation. The liability Mr. Fisher Now the liability was over \$120,000, the result if the land were now put up to auction the Natives themselves would probably not receive one penny. What he wanted to know was whether the Government could devise any plan by which the Natives would be able to save even a trifle for their maintenance. Mr. SEDDON (Premier) said the question raised by the honourable gentleman was a very important one. He thought the amount due to the Bank of New Zealand was now about 4120.000. The amount had accumulated, although very little had been spent upon the land itself. He thought a deputation went to England and a company was formed, and the result had been that the Maoris had been called upon to find for costs. expenses, and advances. a sum of about \$120.000. The question arose as to what was the best to do with the land. If the Government stepped in under the Land for Settlements Act and bought it at auction, that would The Maoris, of efface all the Maori claims. course, at the present time, as mortgagors, had a reversionary interest. That the bank was amply secured went without saying, because after paying everything last year there was a balance left. At all events, there was a difficulty, he supposed, in all these Native land questions, and what had culminated in this action of the bank had probably been the action of the Validation Court in Gisborne. The House would probably ask what the Government proposed to do. He thought the best thing was to refer the matter to the Waste Lands Committee. There were two ways of dealing with it. The one was for the State to step in and relieve the bank and take up the position of the bank, place the runs under the Public Trustee, and, after disposing of sufficient to provide for what would be advanced by the Government for taking the land, the residue, or the earning of the residue, should go to the Native owners, who had a reversionary interest in the land. The other way was for the Government to take over the land, have it valued. pay off the bank, declare what part should be Crown lands sufficient to cover what the Government had paid the bank, and then place the balance of the land in trust for the Native owners. Those were the two ways of dealing with it. He was rather inclined to make it Crown land,

and deal with it by the Land Board, which would be better than tying it up under the Public Trustee. He had thought the matter over, and it seemed the best course was to remit it to the Waste Lands Committee 1 and let them advise. He thought it was keep- The bank at the ing back settlement now. present time was managing the estates, and the sooner they got rid of that kind of business the better for the bank. They were simply ad- ministering the estates as mortgagees; but. even with their administration, there was a considerable amount of profit. At the same time it was keeping back settlement on the East Coast, and he did not think it was fair to the Maoris, who would lose their interest in

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was keeping large estates on the East Coast, while this gave an opportunity of bringing the land for sale under the Land for Settlements Act or under the Land Act. He thought it was a matter for reference to the Waste Lands Committee to advise, and to take steps later on to deal with it. ## CLOSE SETTLEMENT IN TUAPEKA DISTRICT. Mr. BENNET (Tuapeka) asked the Govern- ment, If they will acquire some of the large estates in the Tuapeka district, with the view of having them thrown open for close settlement ? This was a matter that had been before the Go- vernment on different occasions, but up to the present time practically nothing had been done. In the Tuapeka and surrounding districts there had been very little land made available for the people for settlement, and these estates that he had referred to in his question were most excellent land. He did not know any land that was better suited for settlement. There were a large number of young people about there, and if these estates were thrown open they would be taken up very rapidly. And there would be very little expenditure required in making roads, as the local bodies had already done a good deal in that direction. They had got the steamer running right up between these estates, taking the place in the meantime of the railway : so that everything was in favour of having these estates thrown open. He hoped the Premier would give a favourable answer to the question. Mr. SEDDON (Premier) said the Govern- ment had this matter under consideration. The Land Purchase Inspector was down South now. The attention of the Government had been called to some estates, but he did not wish to particularise them, nor did he wish to say anything which might tend to make the owners in these localities ask for more money for their estates. If he did, the Government would have to pay too high a price. As long as the (iovern- ment were indifferent they found they could get the land at a reasonable price. ANSWERS TO QUESTIONS. Mr. PALMER (Ohinemuri) asked the Go- vernment, Whether they will consider the ad- visability of printing on the corrected Order Paper the replies to questions that are to be put on Tuesdays and Fridays, or upon such other days upon which the Government do not intend to answer the questions orally, thereby preventing the accumulation of questions upon the Order Paper, and allowing members to get replies to their questions more expeditiously ? Perhaps Thursdays would suit as the day on which the answers to questions might be printed on the Order Paper. It would be better to have them answered on that day, rather than that they should remain unan- swered indefinitely. He might say that he had had to wait as long as three weeks for an answer to a question. He was sure members would be satisfied to have the answers printed on a particular day, rather than be kept waiting for VOL. CXVII .- 3. honourable members of their right to put the questions viva voce on other days except Thurs- days, and would insure the Order Paper being cleared up at least once a week ; and instead, therefore, of being a curtailment of members' privileges, it would, on the contrary, be an additional privilege for them. Mr. SEDDON (Premier) said he did not see his way clear to give printed replies to ques- tions. It was really the only opportunity . members had of ventilating matters, and if they stopped members ventilating subjects in asking questions their remarks would be made at some other time-either by intercepting Supply or on some other occasion. He could not see his way to accede to the request. WOODVILLE REFRESHMENT-ROOM. Mr. O'MEARA (Pahiatua) asked the Govern- ment, When the papers in connection with the alleged Woodville refreshment-room Volunteer scandal will be laid on the table of this House ? Those who had made statements in connection



with this matter had been inferentially accused of misrepresentation ; but he thought, for the credit of the Government and the honour of the Volunteer companies, the papers in the possession of the Premier should be laid on the table. An absolute denial had been made respecting these accusations. He telegraphed to the Premier what he considered truthful allegations, and he hoped the Premier would lay the papers on the table. Mr. SEDDON (Minister of Defence) said he did intend to lay the papers on the table, and then an honourable member-he thought it was the member for Egmont- said he would only put one side of the matter, and therefore it would be an injustice to the other side. He (Mr. Seddon) had not been in a hurry, because, as he had said, a grave reflection had been cast on the Volunteer corps. He was satisfied that there had been misbehaviour-names were men- tioned in the papers ; at the same time it was worth considering whether or not the papers should be made public. Mr. O'MEARA .- Why not ? Mr. SEDDON said he would look into the matter. ## CORONATION OF HIS MAJESTY. Mr. MILLAR (Dunedin City) asked the Pre- mier, If he will, at an early date during this session, submit to this House the Government proposals as to the representation of the colony at the coronation of His Majesty in England, in June next ? Many rumours were going round as to what was going to be done with reference to the representation of the colony in the Old Country, and he thought it was only right that the House and the country should know what was going to be done in connection with the matter. He hoped they would not have re- peated what occurred on a former occasion- namely, haggling over the amount of money involved in sending representatives to the Old Country. The House being now in session, he thought the Government might well lay its pro-

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them as to the amount of money it was pro- posed to spend on that occasion. With the House the whole responsibility should rest, and he would therefore ask the Premier if he would give them an opportunity of discussing the whole matter at any early date. Mr. SEDDON (Premier) said he was rather pleased that the honourable member had put the question on the Order Paper, because he had noticed that under the heading of " Special Correspondent " some of the newspapers had gauged the situation exactly, and knew the intentions of the Government. They knew the views of the members upon the question, and everything had been fixed up. He might in- form them that the Government had no inten- tion of holding two sessions next year. It would be, if tried. a splendid opportunity for . holding the session at the end of the financial year, and finishing up the business about the beginning of May. Honourable members would then have from that time to October to prepare for the general elections, which would give them a splendid opportunity of educating their constituents. Mr. MONK .-- Why not have an early session every year ? Mr. SEDDON .- They would now be able to see how it would work. It had often been urged that the session should be held im- mediately after the close of the financial year. He hoped there would not be a repetition of what took place in connection with the former representation of the colony in the Old Country. He might not get an invitation to be present at the coronation, and he might not be Premier then ; but, in any case, he would never again allow any one to be placed in a position similar to that in which he himself was placed in going to the Jubilee Celebration in 1897. He was not at all anxious to represent the colony ; he would personally prefer to remain at home and look after things. An Hon. MEMBER .- Is that sarcasm ? Mr. SEDDON. -- The honourable member would see by-and-by if it was sarcasm or not. Parliament ought to know the Government's intentions, and what the expenses were likely to be in connection with the representation. The necessary amount could then be voted before the session ended. The whole matter would be placed before the House for its con- sideration. It was just as well for honourable members to now know that he had no intention of having two sessions, and that he had no in- tention of being placed in the same position as he was the last time. "THE IMPRISONMENT FOR DEBT LIMITATION ACT, 1900." Mr. FISHER (Wellington City) asked the Premier, Whether he will this session introduce a Bill to amend " The Imprisonment for Debt Limitation Act, 1900 ?" The Act of last session had

altogether failed of its purpose and design. It had proved to be a perfect hotch potch, and therefore was totally useless. The proviso to section 3 said this : - Mr. Millar shall be made where the judgment creditor is a person, firm, or company whose business is that of collecting or recovering debts, unless the Court is satisfied that the judgment debt was incurred to the judgment creditor directly, and was not acquired by assignment from the original creditor." But what was the use of the Act? The Commercial Agency, which was the particular agency or association aimed at by the Act, proceeded on its course as gaily as ever, notwithstanding the existence of the Act. There was the usual Thursday parade in Court of poor persons who could not pay their debts. The Commercial Agency flaunted itself in the Courts of the city week after week, and, indeed, the Act might as well never have been passed. The clear intention of the proviso to section 3 was that a company whose business was that of collecting debts should have no power to appear as plaintiff to a suit, and section 6 of the Act said,- "The assignee of a debt shall not be entitled to maintain in any Court any action for the recovery of such debt unless he names the assignor in the plaint-note and summons." The assignor was named in the plaint-note and summons, as provided by the Act, but the whole object of the section was defeated by the newspapers, which left out the name of the assignor. and published only the name of the Commercial Agency Company as plaintiff. The form this section of the Act should have taken was this : Say he (Mr. Fisher) were manager of the company, the form should be "G. Fisher and the Commercial Agency versus R. J. Seddon." That transposes the names. Then the name of the assignor, as the original creditor, would have to appear first, and would consequently. have to appear in the newspapers. At present this section 6 was a dead-letter, as was the whole Act, by reason of the way the Act had been drawn and bungled, though he would not sav purposely bungled. This paper, issued by the Commercial Agency, which he held in his hand expressed the opinion of the Commercial Agency Company in regard to the Act. It was printed on pale-yellow paper with great red faring letters, which was sufficient to intimidate any timorous woman or timid man. This paper stated, with several very much displayed head- ings, that the company were - "Trade assignees, trade debt collectors. trade inquiry agents; agents in every town throughout the colony. " An alphabetical register of defaulters is kept for the use of subscribers. "The services of the company's solicitor in suing for debts are not charged for, and he will advise on all legal matters without any fees to subscribers. " Don't nurse your doubtful debts until they are irrecoverable. Avail yourself of the com- pany's expert knowledge. "Send your accounts in for collection and get a cheque promptly. "HENRY WRIGHT, Manager."

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case was brought against himself in the Magis- trate's Court. in which he succeeded in nonsuit- ing the plaintiff. And now, three years later, the Commercial Agency Company, having heard of the debt, purchased it for a bagatelle and sued him through the Stipendiary Magistrate's Court. But again, through his legal ingenuity, he de- feated the company, and put it in for \$20 costs, so that he did not think the agency would bother him any more. The company, not content with punishing the poor of the city, had taken upon itself to express its opinion of the Act of last session, and had circulated that opinion through- out the city. It said this :- " Since the Legislature has provided the fullest temptation to fraud by the virtual abolition of the judgment summons, without substituting any procedure for the protection of creditors, the law of New Zealand has ceased to be a deterrent to dishonest debtors." Fancy that coming from a person like Mr. Henry Wright-" dishonest debtors !" He (Mr. Fisher) wondered what Mr. Wright would call himself. It was further stated,- " And it is now quite easy for any person, even with an income of €5,000 per annum, to defy his creditors and still preserve a legally untarnished reputation. This being so, the expert assistance of a reliable trade protection agency becomes more than ever indispensable as the only means of recovering doubtful trade debts." What was wanted was what was represented to the Right Hon. the Premier last year- namely, an Act to prevent trading companies, such as the Commercial Agency Company, from fleecing the poor of the city, because it was only the poor who were attacked by

the greedy and grasping hawk who managed this company. If the honourable gentleman were sincere and honest in his desire to protect the poor of the city-indeed, the poor of the whole colony-he would bring in such a measure as he was asked last year to bring in. Instead, however, he had brought in the Act of 1900, which was to all intents and purposes a dead-letter. Mr. SEDDON (Premier) said he would give the honourable gentleman an opportunity to try his hand at it and see how far he would get. It was as much as he (Mr. Seddon) could do to get the Bill through at all last session ; it took him all his time, and he had had some experience in getting Bills through. It was not so complete as he would like it, but he would defy any one to get a Bill through that would not have some defects. He thought the statement of this Mr. Wright on the back of the poster was enough to show that he, at any rate, did not like the Act. The Government had had to put up with a great deal of abuse of a similar kind-that they had been passing legislation to encourage dishonesty. But, in his opinion, it was impossible to put a stop to it until you removed the machinery. He could never see why the State should keep on paying Magistrates high salaries to sit and hear these kind of disputes. The evil, and the sooner that was done the better.

**REMOVAL OF LICENSES.** Mr. ATKINSON (Wellington City) asked the Premier, Whether, in view of the unanimous decision of the full Bench of the Supreme Court that the prohibition of the removal of licenses supposed to be contained in section 22, sub- section (4), of "The Alcoholic Liquors Sale Control Act Amendment Act, 1895," can be evaded by dropping an existing license and applying for a new license at any other place in the same licensing district, the Government will introduce a Bill to make such prohibition effective ? The subsection referred to was necessitated by the enlargement of the licensing districts by the Act of 1893, which under the old law allowed licenses a range of fifty or even a hundred miles in the enlarged districts. The removal of a license in the Otaki district from Manakau to Levin called the attention of Parliament to the danger ; and the subsection was inserted in the Act of 1895 which purported to prohibit removals for a greater distance than a quarter of a mile. The decision of the Supreme Court in the New Plymouth case a fortnight ago rendered this part of the Act waste paper. To remove a license more than a quarter of a mile was still illegal ; but precisely the same result could be obtained by a very simple evasion. The process adopted now was this : Assuming a man had a license at A and wanted to get it transferred to B, fifty miles away, he put in an application for a renewal at A and an application for a new license at B, and when both came before the Committee he let A stand over and got a new license for B, and then allowed the A application. to lapse. The decision of the Supreme Court was that this procedure was good at law, though in substance and in effect it was nothing but the removal of a license. The procedure was adopted in the New Plymouth case to remove a license three or four miles, and across the boundary of a borough - a double violation of the expressed intention of the Legislature. In the Rangitikei district two such removals were allowed at the annual licensing meeting last month : Taihape was given two licenses, one license being dropped at Ohingaiti, and another at Colyton - the removal in the latter case being for more than fifty miles. He would point out that really the position was worse under the present procedure than it was under the old procedure with regard to removals. In the Wellington Suburbs district the Committee had refused to renew a license at Kaiwarra, but now any other no-license centre in that district, such as Khandallah, Wadestown, or Karori, was exposed to the peril of getting a license, notwithstanding the unanimous decision of the people of those centres that the license was not required. They were now simply at the mercy of the Licensing Committee. The position under the present law was worse than under the old one, because then there was no necessity for the publican to jeopardize his

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the removal failed the old license still remained good ; but now he had to imperil his old license before he could secure the new one, and it meant that he must come to an improper understanding with the Licensing Committee on the quiet before he would imperil his license. In this respect he would suggest to

the Premier that the provisions of this clause made the position with regard to removals worse than it was before, and some alteration was necessary if the licensing legislation of 1895 was to be given proper effect to. Mr. SEDDON (Premier) quite admitted that there was an evasion of the intention of the Legislature in passing the Act preventing the removal of licenses, and it implied that, though they might be as careful as they liked in their legislation, means would be found to evade the law. He admitted that the manner of doing it now was much more objectionable than when, as formerly, a license could be removed a limited distance. Now a license could be removed for any distance as long as it was in the same electoral district. But this question opened up the whole scope of licensing legislation. On the one hand there were objections to any amendment of the licensing regulations, and on the other hand he was asked to pass a clause remedying present defects. You could not do the two things ; but he thought that if it were only for the purpose of dealing with these two questions-the stopping of the granting of new licenses by the dropping-out of old ones, and the giving of the Magistrates power in regard to the endorsement of licenses-a Licensing Bill this session was necessary. If, however, he introduced a Licensing Bill remedying defects of a technical character, how far could he go before much larger questions would be introduced ? At all events, it would be his duty to endeavour to remedy as far as he could defects which now existed, and the Government had taken cognisance of the evasion of the law in respect to the dropping of licenses and the taking of them up again at another place ; and he had set his face against this, because he believed it to be an evasion of the law, and he did not think it was right. However, he thought, if the other business made satisfactory progress, they would have a Licensing Act Amendment Bill this session, and if members were moderate and would simply deal with what the Bill proposed they might get something through ; but a great deal would depend upon members themselves.

**BONUS FOR PRESERVED MILK.** Mr. PIRANI (Palmerston) asked the Colonial Treasurer, Whether he is aware that the conditions attached to the bonus for preserved milk limit the award of such bonus to one firm, and whether he will alter those conditions so as to allow open competition for the bonus? He would like to point out to the Premier that on the 17th June last regulations for granting this bonus were made by Order in Council, and they were gazetted on the 20th June. There was a bonus promised of 3d. in the pound up to \$1,000 Mr. Atkinson preserved milk. The period prescribed for the production of the milk was to date from the 1st July following the Gazette-that was, ten days after the bonus was gazetted-so that any manufacturer who wanted to start a factory and participate in the bonus had only ten days in which to make all his preparations and start the manufacture of the milk. At present there were two factories in the colony, owned, he understood, by one man-one in Auckland and the other in Invercargill. He noticed from the statistics that in 1897 they exported 47,484 lb. of preserved milk : in 1898, 493,656 lb. ; in 1899, 643,559 lb. : and last year, 560,508 lb. It was estimated that nearly the same amount was sold by the same factories for local consumption ; so that actually there was last year manufactured in the colony nearly sufficient to earn the bonus by this one manufacturer alone. Now, his point was that the conditions of the bonus absolutely precluded anybody but this one manufacturer from obtaining the bonus. He thought if the Government intended to grant a bonus of this sort, as well as the rebate of the full amount of the duty paid on the sugar used in the manufacture, they ought to open the bonus to everybody who wished to go into this industry, and not preclude everybody but this one manufacturer. By allowing only ten days to elapse from the declaration of the bonus to the commencing of the manufacture the bonus was practically limited to the factories already in existence. He therefore asked the Premier whether the Government were aware of that fact ; and, also, if they were aware of it, would they extend the time for the commencement of the period to earn the bonus, say, to six months, so that anybody who desired to start a manufactory for preserved milk and earn the bonus would have a chance to do so ?

Mr. SEDDON (Premier) might say it came to him as a surprise that only one factory was likely to avail itself of this bonus. It certainly was not the intention of the Government that should obtain. The first

recommendation from the department was that the Government should only pay a bonus on the milk exported, but that was stopped for very good reasons. But what was really wanted was a bonus in order to encourage the manufacture of preserved milk, and - to promote the establishment of factories. The point raised by the honourable member as to the short time between the notice and the claim for the bonus was such as to warrant the Government reconsidering the matter, and that would be done ; and so far as he could he would make the bonus open to all who wished to avail themselves of it. DISTRESS FOR RENT BILL. Mr. FISHER (Wellington City) asked the Premier, Whether he will this session introduce a Bill to amend the law relating to distress for rent ? what he had to say on this subject than by reading the few remarks he made on the same subject in this House last year, namely :-

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Government, Whether they will this session propose an alteration of the law to limit the power of levying distress for debt where the household goods of a person so levied upon may be proved to be worth not more than, say, \$10? This question was really not so clearly expressed as he himself might wish it to be. But it was difficult to express in words. The object was that, where distress was levied, the household goods - or household goods - of a person should not be seized by the bailiff. As had been pointed out to him by two or three gentlemen of the legal profession, the Magistrates' Courts Act of 1893 (section 125) already exempted ' the personal and family clothing, the bed-clothes, bedding, and tools or implements of trade,' not exceeding in all \$25 in value. The articles specifically mentioned might not be worth 55 or \$6, but the bailiff, under the law, must seize everything not specifically mentioned ; so that the \$25 exemption was misleading, and was a myth. The bailiff, as stated, was restricted from seizing the personal clothing of a man, the bed-clothes, the bed he slept on, his blankets, his mattress, his bedstead, and his set of tools, but the rest of his household goods was swept away. Every stick of furniture and the pots and pans must be seized. The object of the question, then, as the House would see, was to amend the law in that respect. He had it on the testimony of Mr. Gordon, the bailiff of the Wellington Stipendiary Magistrate's Court- who, in addition to being a most exemplary and efficient officer, was a man of humane feeling - that, notwithstanding this clause in the Magistrates' Courts Act exempting to the value of \$25, he was bound to seize anything and everything beyond the articles specified in section 125 of the Act. He therefore asked the Government to alter the law so that the furniture and the small belongings of a house might not be seized by a merciless bailiff, and the persons levied upon literally turned into the street." Mr. SEDDON (Premier) said he would not repeat the reply he had given last session, but would say he was still convinced that there was a necessity for an amendment of the law, and would give effect to what was intended under an amendment of the Magistrates' Courts Act. He did not himself think it was ever intended, or that it should happen, that people should be thrown out into the street without anything at all. He would bring in a Bill to deal with the question. ## PAYMENT OF MEMBERS. Mr. FISHER (Wellington City) asked the Premier, Whether he will this session introduce a Payment of Members Bill? Again he would read a few words he had uttered in the House last session as bearing on this subject :- "Mr. FISHER (Wellington City) .- I did not speak during the debate on the second reading of this Bill for the reason that in speaking upon the Governor's Salary and Allowances Bill I said all that I wished to say in regard to both which during the discussion of both Bills has been kept steadily in the background. Now, I am not one of those members who organized an opposition to the proposals of the Ministry. I am a loyal supporter of the Government. The branch of the subject that has not been brought to the front is the amount of salary or honorarium paid to members, and on that subject I hold a very distinct opinion, which I will make very plain. It was said that to have made any proposal to the House on that subject during the present session would have been to take the country by surprise. It was also suggested that, in order that the country should not be taken by surprise, members of the House should broach the matter

to their constituencies during the recess. That was, without doubt, a prudent course for the Government to suggest; but I have an opinion of my own on the point, which is this: that now is the time, and this House is the place, in which to broach the subject to the constituencies; not with a view to include the proposal in either of the Bills immediately before us, but with the view to the introduction of a measure in the next session. In the last Parliament I gave it as my opinion that there should be an increase in the salaries and in the number of Ministers; and I now speak in advance of a step which I hope to see taken during the next session-namely, that the honorarium or salary paid to members shall be increased to \$300 a year. It is futile for members of this House, or any member of the public, to cavil at my opinions on this subject or to cast imputations at me. I give at once and without doubt my clear and emphatic opinion upon the subject. I think a member of the Parliament of New Zealand is entitled to at least the salary paid to members of the Parliaments of Australia-Queensland, New South Wales, and Victoria. We are equal in legislative standing to the Parliament of any one of these colonies." He hoped the honourable gentleman would make good his promise to introduce the Bill. Mr. SEDDON (Premier) said there had been an indication of something of this kind, he thought, in the Speech from the Throne, and there was every probability that later on this session a measure bearing on the question would be introduced.

WELLINGTON HARBOUR BOARD. Mr. FISHER (Wellington City) asked the Premier, Whether the Government will introduce a short Bill this session to afford redress to those persons resident in the City of Wellington whose land was compulsorily taken by the Wellington Harbour Board? This case, he knew, was familiar to the honourable gentleman. He (Mr. Fisher) had brought the matter before the House during the last session of the last Parliament, when Mr. Joyce, the honourable member for Lyttelton, brought up the report of the Petitions A to L Committee on the petition of Edmond Carrigan and others, and moved that the report do lie on the table. On his (Mr.

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Clerk, as follows: - "Petitioners pray -(1.) That they be awarded such sum of money as may compensate them for losses which they state they have sustained through the taking of their land in the City of Wellington under the provisions of 'The Wellington Harbour Board Reclamation and Empowering Act, 1899.' (2.) That the House will take steps to secure justice for petitioners. "I am directed to report,- "(1.) Upon the first clause of the prayer the Committee has no recommendation to make. "(2.) As to the second clause: From evidence before the Committee it appears that 'The Wellington Harbour Board Reclamation and Empowering Act, 1898,' has resulted in hardship to the petitioners, and the Committee therefore recommends the Government to make full inquiry, with a view to affording the petitioners relief." The petition set out -- "That your petitioners are wholly unable at their time of life, and having no knowledge of business, to employ the moneys so awarded them in any commercial enterprise, and they are unable to do anything with such moneys except invest the same at the ordinary rates of interest obtainable at safe security-namely, 5 per cent. at the most. It therefore follows that your petitioner Edmond Carrigan will for the future receive, as in return for the money awarded him by the Compensation Court, \$115 & year. less mortgage-tax, in place of the sum of \$173 12s. 11d. heretofore received by him for his said property; your petitioner Margaret Donnelly will receive \$78 15s. instead of the sum of \$136 9s. heretofore obtained by her for her said property; and your petitioner John Callaghan will receive but \$60, instead of the sum of \$197 16s. obtained by him for his property. "Your petitioners submit that, in consideration of their advanced age, and their having, by dint of sobriety, industry, and saving, accumulated the moneys by which they were able to purchase the properties in question, and in view of the fact that they are wholly unable to devote the amount awarded to them by the Compensation Court to any commercial enterprise, and will be compelled to invest the money so awarded them in ordinary investments, justice has not been done to them by the Compensation Court. "That, if it is necessary in the public interest that your petitioners should be deprived of their land and property in manner hereinbefore

described, it should only be on payment of a full and complete compensation to your petitioners." The petitioners requested that a short Bill should be introduced by the Government to give them the redress they asked for in consequence of their land being taken compulsorily by the Wellington Harbour Board, which meant to them in each and every case a diminution of their income by at least 50 per cent .. and in one or two cases by more than 50 per cent. That was an injustice which no citizen of New Zealand. Mr. Fisher as a matter of justice, the honourable gentleman should take some steps- by the passing of a short Bill, for instance - to place these petitioners in the position in which they sought to be placed. Mr. SEDDON (Premier) said there was no doubt, with respect to the power given to the Wellington Harbour Board, that in the exercise of that power, it had been alleged, an injustice had been done to some of the landowners. It was a very large question that this matter opened up-namely, whether, when an award was made under the compensation clause of the Public Works Act, you should re-open those cases in which people were aggrieved. It practically meant an appeal from the Compensation Court, and, as he said, that was a very large question. The only way in which he thought this matter might be dealt with would be by a local Bill, and under a local Bill power might be given for these people who were aggrieved to claim again; and then if the award was not made larger than it was in the first instance they should pay the costs, but if they succeeded in their appeal, then the costs of the appeal should come on the Harbour Board. He might just as well tell the House that Parliament had been grossly deceived ; so much so, indeed, that, in future any legislation coming from the Wellington Harbour Board ought to be looked into very carefully. They took this land and told Parliament they were going to use it for or in respect to docks ; but they never had any intention of using it for docks. They simply took it from other people, and were going to let it themselves for building purposes. He said a more glaring deception was never perpetrated on Parliament, and it was sufficient to warrant Parliament dealing with it, and dealing with it very drastically. If a corporation came to Parliament and asked for certain powers on the strength of an absolute statement, and that statement did not tally at all with what was originally intended- Mr. HUTCHESON (Wellington City) rose to a point of order. The Premier was introducing debatable matter in answering a question, and if that were allowed he would like to have the opportunity of replying. Mr. SEDDON said it was not at all debatable. Mr. HUTCHESON said. Oh! yes, it was. At any rate, the honourable gentleman was making a statement that was entirely wrong. Mr. SEDDON said he had a very good memory. He said the Wellington Harbour Board cleared off the people from this land. They asked for the power, which Parliament gave them. to do this on the distinct statement that they wanted the land for dock purposes. The Board had never shown any intention of carrying out the purpose they had stated they had in view, but were going to lease the land for other purposes altogether. Mr. HUTCHESON asked if this was another vendetta. Mr. SEDDON said it was no vendetta. There

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local bodies to come to Parliament and get legislation to clear off individuals from their land, and then lease or sell the same land to other persons at a big profit ? Mr. HUTCHESON said they simply lost £30,000. That was what it meant. ## WORKERS' COMPENSATION FOR ACCIDENTS. Mr. HANAN (Invercargill) asked the Minister of Labour, If he will introduce legislation" in the direction of amending "The Workers' Compensation for Accidents Act, 1900," so as to enable the Magistrate's Court to have jurisdiction in respect of such claims as shall not exceed in amount the sum or sums for which Stipendiary Magistrates have now jurisdiction under " The Magistrates' Courts Act, 1893 "? He would like to point out that, as the law stood at present, if an accident happened to a man, say, working at Orepuki, in Southland, and if such injured person or his representatives wished to claim redress or to have the benefit of his rights under the Act, he had to wait until the Compensation Court came down to Invercargill to hear the claim. The Court might be sitting at Auckland, and, consequently, securing a sitting of the Court in Invercargill would involve considerable delay - perhaps of months-besides occasioning heavy

expense. It was obvious, further, that a man might be prejudiced in his case, not only by reason of the delay, but also by reason of the difficulty of securing the attendance of his witnesses when the case was heard. Witnesses might leave the colony before the Court sat. Now, if the amendment were made it would enable the injured man to have ready redress, and obtain promptly the money he might be very much in need of. It would be a step, he submitted, which would be greatly in the interests of the working-classes themselves if jurisdiction were given, as he suggested, to the Magistrates to deal with small claims under the Act, so that a poor man who might be injured could recover his money without loss of time and without incurring much expense. Mr. SEDDON (Minister of Labour) said he would look into this matter and let the honourable member have a reply later on. ## PASSAGES TO GREAT BRITAIN FOR NEW ZEALAND TROOPERS. Mr. O'MEARA (Pahiatua) asked the Government, Whether any direct monetary assistance or reduction in passage-money to returned troopers who are desirous of visiting Great Britain will be granted, as he believed it was understood a promise was made to them that they would have the option of visiting the Old Country previous to returning to their homes ? He understood that a promise was made to those who had left these shores to fight for the Empire that they would be given an opportunity to visit the Old Country before returning to this colony ; and, as a number of these men had been sadly disappointed at that promise not having been given effect to, he asked indicated in his question could not be given to those returned troopers who were anxious to visit the Old Country. Mr. SEDDON (Premier) said it was not the intention of the Government to find the money to enable troopers to go Home. What had been done was this : The Imperial Government agreed to pay the passages from Capetown to New Zealand ; and if the difference between going to England and then back to New Zealand was paid either by the Imperial Government or the returning soldiers, well and good ; but it was not a fair charge on the colony. We do not see our way to do that. If the Imperial authorities desired that a section of our men should go Home he would raise no objection to that, but if it was simply the case of a single individual wanting to take a trip to the Old Country, with the chance that he might not return to the colony, the Government did not see their way to find the money for that. Mr. O'MEARA asked if the Government would communicate with the Imperial authorities and ask them to assist the troopers to visit the Old Country. Mr. SEDDON said, anything that would please our troopers and reward them for what they had done he would be most happy to do, but he did not believe in asking the public to put their hands in their pockets to do it. ## WELLINGTON HARBOUR BOARD ACT 1879 AMENDMENT BILL. On the question, That the Bill be 2.30. read a third time, Mr. HUTCHESON (Wellington City) said,- I think it must be generally conceded by this House that any legislation that has emanated from the Wellington Harbour Board during the last five or six years has not only been carefully drafted, but it has had for its general provisions the practical giving effect to the policy of the Harbour Board. We had the astounding statement made here this afternoon that a former Bill introduced by the Wellington Harbour Board was intended to and did enact- Mr. SPEAKER .- Are you referring to something that took place on this Bill, as you cannot refer to what was said on another Bill ? Mr. HUTCHESON .- I am speaking on the Wellington Harbour Board Act 1879 Amendment Bill. Mr. SPEAKER .- You cannot refer to something that was said in debate on another Bill. Mr. HUTCHESON .- There are these who look upon emanations from that body or from any other local body as Greek gifts, more or less, and it is thought that every Bill coming from that Harbour Board should be closely examined for evidence of ulterior motives. There are those who charge the Board with motives. Some three years ago the Wellington Harbour Board had under consideration the question of enlarging the representation on the Board, in order to give representation to the population that has fast been accumulating in the Wellington Provincial District, and this Bill has

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give adequate representation to the vast number of settlers who have settled in the Wellington District since the Board was constituted. To say that because of attempts in the past to delude the House, and to



seek for power that was not for the public good, sufficient ground is shown to warrant a close inspection of any future legislation emanating from the Wellington Harbour Board is by inference and insinuation saying what is not in accordance with fact. Probably, Sir, I will find another opportunity to refer more explicitly to a particular statement made in this House, which was not only unwarranted, but which was absolutely at variance with the facts. I trust the House will pass the third reading of this Bill, and other Bills having for their purpose such fair and equitable purposes as the present Harbour Board Bill. Mr. SEDDON (Premier) .- Inferentially the honourable member who has just sat down refers to what I said this morning in answer- ing a question. I know what he is driving at, although he has not answered the question de- finitely. I repeat that the object of the Bill of 1898 was not accomplished. Poor people were ejected from their buildings, and the land taken from them was vested in the Harbour Board ; and as far as I can hear-and I believe it is true -the Board is going to let the same land to other people, instead of using it for dock purposes, or in connection with the docks, as was stated when the Bill was passed. Mr. TANNER .- Without making any pro- vision for them ? Mr. SEDDON .- Without making any pro- vision at all. An Hon. MEMBER .- That is exactly what you are doing under the Land for Settlements Act. Mr. SEDDON .- No : we put and increase the people on the land. If that statement be true, then I say that a fraud has been perpetrated upon Parliament, for they got that land for the pur- pose of docks. Mr. HUTCHESON .- You do not know any- thing about it. Mr. SEDDON .- If they did not do it for that, then what did they do it for ? I can only go by the speeches, and the reasons given. If the House had been told that it was only in- tended to put tenants upon the land the Bill would never have got through. Mr. PIRANI .- It is incorrect, and you know it. Mr. SEDDON .-- All I know is that the re- ports of the Select Committee that dealt with the petitions which have been before the House stated that the people suffered an injustice, and the Committee reported that they had been un- generously dealt with. I will not use a stronger term. Those people who were cleared off the land alleged that it had not been used for the purposes for which it was taken, and they natu- rally complained that they should have been ejected from their premises, and the land cut up and was to be leased or sold for purposes similar to those for which they held it. They Mr. Hutcheson utilised for the purposes that Parliament in- tended. I will not myself go between the parties ; all I do say is this: if the land was taken for dock purposes and it has not been so utilised -and it looks very much as if it is intended that it will be simply used as an endowment to bring in rents-I say that if this should prove to be the case, then Parliament passed the Act under a misapprehension. So far as local legislation is concerned, such action will cause Parliament to be careful in regard to what powers they give local bodies in the future. I was referring to "The Wellington Harbour Board and Corporation Empowering Act. 1898." Two Acts were passed, but I think this is the one. The preamble says, -- "And whereas by an Act of the General Assem- bly of New Zealand intituled ' The Wellington Harbour Board Loans Consolidation and Em- powering Act, 1884,' the Board was empowered to construct within the Harbour of Wellington a basin, graving dock, wet-dock, or slip, and also all works necessary for the convenient, proper, and efficient working of any such basin, graving-dock, wet-dock, or slip : And whereas it has been ascertained that, owing to the recent increase in the size and number of the vessels trading to the Port of Wellington, the land described in the said Thirteenth Schedule is insufficient in area for the purposes for which the same is vested in the Board : And whereas. for the purpose of obtaining a sufficient area of land for the construction thereon of the said works, and of other harbour-works, the Board and the Corporation on the thirteenth day of June, one thousand eight hundred and ninety- eight, duly entered into the agreement set out in Schedule A hereto : And whereas it is ex- pedient that the necessary powers should be granted to enable the Board and the Corpora- tion to carry out the said agreement, 3.0. and that further powers should be re- spectively vested in the Board and the Corpora- tion." An Hon. MEMBER .- Read the rest. Mr. SEDDON .- I have read the preamble. and evidently, according to that. it is clearly set out that the land was required for dock pur- poses. Why should

they want to take the land for any other purpose ? An Hon. MEMBER .- Read the clause dealing with the land. Mr. SEDDON .-- I do not know what clause the honourable gentleman wants read, but the Government department would never give power to a Harbour Board to remove people from land unless the land was really wanted for Harbour Board purposes - never simply to form an endowment for the Board ; the thing would be monstrous. An Hon. MEMBER .- That is what you are doing every year. Mr. SEDDON .- No, we do not. I have no- thing to withdraw, and shall have something more to say. Mr. ELL (Christchurch City) .- I do not in- tend to take up the time of the House in regard to this Bill, but I wish to take this opportunity

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legislation at an early date to provide for the direct election of all these local bodies. I find that the Act under which this Board was con- stituted in 1879 provided that various means should be adopted for appointing members of this Harbour Board. Three members were to be appointed by the Government ; one was to be elected by the Chamber of Commerce ; the Mayor for the time being was to be a member ; two members were to be elected by the rate- payers of Wellington ; and others were to be appointed by various local bodies. Sir, the complaint has been frequently made that our people in New Zealand are not taking suffi- cient interest in local government ; that in- terest in local affairs, so far as the people of the colony is concerned, is dead. We have no strong, healthy public opinion in regard to local government such as we have in the Old Country and in other parts of the world ; and we want, if we possibly can, to correct that, and to create a strong and live interest in local affairs. To do that, it seems to me, would be to do a good and a very desirable thing. We want people to take a real interest in local matters and in local government. Now, if we give the power of electing the members of all local bodies di- rectly into the hands of the people, instead of allowing them that power only indirectly, I think much good would be done. When the Counties Bill comes down, I think it should provide that all local bodies should be elected on the same day as County and Municipal Councils. All that would be necessary would be that on the same day that the Councils are elected an extra voting-paper should be put into the hands of the voters, and they should vote direct for the election of the #cc-zero members of the respective Harbour Boards. That would give an additional interest, be- cause it would give the people a direct voice in the election of the Board. The right of the people to have a direct voice in the elec- tion of Harbour Boards is beyond question. All the costs and charges incidental to the landing of goods in this country are put upon the consumer, and are paid for by the con- sumer, so that everybody who uses goods pays towards the cost of the management and carry- ing-on of harbour-works throughout the colony. An Hon. MEMBER .- Will they vote ? Mr. ELL .- They will vote if you give them a little more interest-if they are put more directly in touch with local government. To give them a direct vote will, at any rate, do a great deal towards doing away with the apathy that at present exists. I hope we shall in the near future have provision made in the laws whereby the members of local bodies shall be directly elected by the people, instead of being indirectly appointed as at present. Mr. TANNER (Avon) .- I have carefully read the Bill under consideration, and I consider it a most estimable arrangement, by which a kind of redistribution of seats on the Harbour Board is effected, which becomes necessary from time to time. It will be necessary, with the growth of population in Harbour Board dis- Bills of this kind, in order that the rural popu- lation may have some voice in the control of local government affairs. As the conduct of this public body-the Wellington Harbour Board-has come under review, I shall take this opportunity to call attention to an evil of an undoubted kind, which at present has not developed in the colony to any extent, but, instances of which have occurred in Wellington during the last year or two, as very striking instances of what the population of a large town may suffer oven from the action of a local governing body which may be carrying out public improvements. The Wellington Harbour Board has recently obtained legal powers to purchase a number of streets, and clear some very objectionable residences from the face of the earth ; but in doing so no pro- vision was made in the law

whereby the Wellington Harbour Board was compelled to provide house accommodation for the people in that way dislodged. The result is that those people, mostly belonging to the poorer classes -being working-men-were driven out from their homes, and the effect of getting themselves other accommodation in the city has been to harden the already high rate of rent in this town. In England such legislation is directed differently. If a railway company or a public body there attempts to purchase a block of land in the large cities-in the "slums," as it is called-there is attached to the legislation a provision to the effect that additional accommodation equal to the shelter required for the number dislodged shall be provided for them over and above what already exists within the immediate limits of the locality. In this way the large railway companies are compelled, when demolishing insanitary-or, for that matter, sanitary-buildings, to see that a sufficient amount of new accommodation is elsewhere provided, so that the result may not be so disastrous to the general public as it is in such cases as that to which I have just referred. I think the House would be well advised to pay a little more attention than it seems to do to some of the local measures which are passed. The principle which I have named, and which is in operation in England, led, a little while ago, to an injunction being served on the London and North-Western Railway Company, under which the amount of £18,000 was claimed by the Attorney-General for violation of this provision in carrying out one of their improvements. If a principle like this were introduced into these Bills I believe it would be far better for the industrial population of our cities than to leave matters as they are now. I trust that a matter like this, which so deeply concerns the material life of the lower classes of the people, will receive that attention from the Government which its importance deserves, and that some active steps will be taken to put into operation the necessary remedial steps. Mr. J. ALLEN (Bruce) .- The point raised by the honourable member for Avon is a point of considerable importance; but, if he desires that the Harbour Boards and the local bodies

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find accommodation for those whom they dislodge, I would ask him to try and induce the (Government to take upon their shoulders the responsibility of finding a place of abode for the people whom they dislodge. I have in my mind not so much those who are dislodged under the land-for-settlements scheme at the present time as what has been taking place in the last twelve months in the City of Dunedin. The railway authorities are making provision for a new railway-station in Dunedin, and they have displaced and dislodged from their houses in Dunedin dozens of poor working-people, and have not made the slightest attempt whatever to provide them with other places of abode. Mr. PIRANI .- They have done the same in Palmerston. Mr. J. ALLEN .- They may also have done the same thing in Palmerston-I do not know- but they certainly have done as I have stated in Dunedin. These poor unfortunate people are seeking for a place to put their heads in, and it is most difficult for them to find what they want. Now, if the Harbour Boards have done this kind of thing, then I say the Government has been a thousand times worse. With regard to the point raised by the Right Hon. the Premier, the honourable member for Avon touched a little on the fringe of that question too, but he did not go far enough. This land that the Premier has been talking about, as having been taken compulsorily by the Wellington Harbour Board and applied to a purpose other than that which they assigned to Parliament, is situated in Grainger and Allen Streets, and was not land that was purchased for a dock at all. There was certain land adjoining Grainger Street which the Harbour Board had to acquire for dock purposes, and which they have not yet used, and will not use until such time as they get the money to build a dock. But the particular land that the Premier referred to where these people were dislodged was land that the Wellington City Corporation wanted to buy for the special purposes of widening the street and clearing away a slum. It was an arrangement entered into between the City Corporation and the Wellington Harbour Board; not that the Harbour Board wished it particularly, though they certainly wished to see the Corporation remove a slum that was near to the proposed dock, but the Corporation did particularly wish to carry out this object. The

Wellington City Corporation, therefore, were the movers in this matter, and they wished the Harbour Board to include this in their scheme ; consequently, the land was taken under the Public Works Act, and compensation was paid for it. Does the Hon. the Premier wish to say that the compensation paid under that Act is not fair? If so, I will ask him to consider this : There was other land taken at about the same place-not under the Public Works Act, but by agreement-and the fact that the owners of the land that was taken under the Public Works Act received as high and even higher compensation than was given for that which was taken by Mr. J. Allen under the Public Works Act was awarded a fair value. Now, what is the result ? A 66 ft. wide street was constructed in that neighbourhood, and now, instead of the place being an eyesore, it is pleasing to the eye. The Premier was wrong in stating that the Wellington Harbour Board had no intention of making a dock in that locality. On the contrary, that intention still remains. He was wrong in saying that the people whose land was taken had been defrauded. They received under the Public Works Act what the Court decided was fair. Mr. SEDDON .- They have a grievance. Mr. J. ALLEN .- If you are the champion of the people who live in these slums -no doubt it is right they should have a champion-but I say it is better for themselves and for the community that they should be cleared out of these slums. I have given an instance in which it was better, and the place made respectable. It was a slum, and the intention was to clear it ; and the slum was cleared and a respectable street made there. Mr. SEDDON .- The power was obtained under an Act of the Wellington Harbour Board for the purpose of obtaining land for a dock. It was not for the purpose of clearing a slum at all. Mr. J. ALLEN .- The Premier forgets that the whole matter was before Parliament, and I believe that the Local Bills Committee, to whom the Bill was referred, went down and examined the place and recommended that this very thing should be done for the purpose of clearing the place. What more can the Premier say ? I think, after what has been said, he will see that he has fallen into an error in making the statement he did. I am aware that this was in the Wellington Corporation Act, and that it was not for the Wellington Harbour Board alone that this land should be acquired. As I say, it was a joint acquisition by the Wellington Corporation and the Wellington Harbour Board Mr. SEDDON .- It never ought to have been done under that Act at all. Mr. J. ALLEN .- It is a matter of opinion whether it should have been done under that Act or not. The Wellington Harbour Board had to do certain work on land adjoining this. and if it was found necessary to put this in their Bill I do not think it matters. But to say that the Wellington Harbour Board acquired the land under false pretences is a charge that is quite unfair, and ought at once to be refuted. Mr. GUINNESS (Grey) .- I cannot understand why the honourable member for Avon and other honourable members are raising a debate on an Act passed some two years ago. The Right Hon. the Premier simply interjected a correction to what Mr. Hutcheson, the member for Wellington City, stated. I wish to call honourable members' attention back to the Bill now before the House, and especially to clause 7. which alters the date upon which the financial year shall commence and end. I am sorry the Right Hon. the Premier did not notice this clause when the Bill was going through Committee, because I think it is a most objection-

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Harbour Board in the colony has its financial year defined - when it shall commence and when it shall end ; and it is provided that its accounts for that period shall each year be laid on the table of this House. I wish to know why a special exception is to be made for the Wellington Harbour Board. I think that clause of the Bill should be struck out. All the other Harbour Boards have to balance their accounts on the 31st December. I think this matter ought to receive the attention of honourable members. Mr. FISHER (Wellington City). - I thoroughly indorse the statement of the Right Hon. the Premier that this House is too much in the habit of accepting the representations of local bodies in regard to Bills promoted by them in this House. I have frequently opposed Bills introduced to this House by the Corporation of the City of Wellington, but I am always met by members from other parts of the colony with the objection that the Bill

comes here with the imprimatur of the local body. so that anything said by any member of the House in opposition to the Bill carries with it no weight whatever. I will mention one special instance. Some few years ago a Bill was promoted in this House by the Wellington City Council for the purpose, amongst other things, of widening streets and for the purchase of an estate called " Miramar." I showed in this House the whole effect of the proposal to purchase that property, but, notwithstanding all my representations, the Bill, with that proposal in it, passed through this Chamber. In accordance with the custom which then prevailed, I reprinted the speech which I had delivered in this House on that occasion, and circulated it amongst the citizens of Wellington. The privilege and the right to reprint our speeches in Hansard for circulation amongst the people has since been taken away by the Minister in charge of the Printing Office. But, as the result of the circulation of that speech throughout the city, that so-called Conservative branch of the Legislature -- the Legislative Council--struck out the proposal in the Bill relating to the purchase of Miramar ; and now I understand we are to have the proposal to purchase that property again placed before us, with the imprimatur of the Wellington City Corporation. We shall see what happens. The Premier is perfectly correct in saying that the Wellington Harbour Board Bill, which proposed to take lands for Harbour Board purposes, also expressed the intention to take the land in Allen and Grainger Streets for dock purposes. An Hon. MEMBER .- The dock is not required. Mr. FISHER .- That is not the question. Now, what has been the result ? The land has not been used for dock purposes, nor was it required for dock purposes. The land was compulsorily taken from the poor people to whom it belonged, and has been turned to profitable account by the Harbour Board. The honourable member for Bruce, who pokes his oar into everything, whether it concerns him or not, says the land was not taken for the construction of a dock, but for street-widening Harbour Board to do with the widening of streets. Then, he says the land was taken to do away with slums, and to make things pleasing to the eye. How touching! How affecting! These slums, the residences of these poor people, who have lived there perhaps twenty-five or thirty years, were removed in order to make things pleasing to the eye. And in order to make things pleasing to the eye you take away from these people more than half their income. \$137 a year is taken from one of the petitioners--John Callaghan. If \$137 a year was taken from the member for Bruce, would that be pleasing to his eye ? This is the language of the petitioners :- "That your petitioners are wholly unable at their time of life, and having no knowledge of business, to employ the moneys so awarded them in any commercial enterprise, and they are unable to do anything with such moneys except invest the same at the ordinary rates of interest obtainable at safe security - namely, 5 per cent. at the most. It therefore follows that your petitioner Edmond Carrigan will for the future receive, as in return for the money awarded him by the Compensation Court, \$115 a year, less mortgage-tax, in place of the sum of £173 12s. 11d. heretofore received by him for his said property ; your petitioner Margaret Donnelly will receive \$78 15s. instead of the sum of \$136 9s. heretofore obtained by her for her said property ; and your petitioner John Callaghan will receive but \$60, instead of the sum of \$197 16s. obtained by him for his property." That is to say, the annual income of Edmond Carrigan has been reduced from £173 to \$115, a difference to him of \$58 per annum ; the annual income of Margaret Donnelly has been reduced from £136 to \$78, a difference to her of \$58 per annum ; and the annual income of John Callaghan has been reduced from \$197 to \$60, making to him, a poor man, who owes his subsistence to this property, which represents the whole savings of a lifetime, a difference of £137 per annum. One would not so much object if the land had been legitimately taken for dock purposes : the objection would not be so strong. But what has the Harbour Board done with the land so taken ? The land has been let by the Board at a profit to the Board. The Board is consequently deriving profits which properly belong to these poor people. And I ask those honourable members who profess to know so much about local Bills if that is a state of things that should result from their legislation in this Parliament. And yet we have members here who profess to know so much more about these things than we who live

in the city, we who have studied these questions and have probed them to the bottom. Our opinions are treated as light as air. Honour- able gentlemen who come from the Bay of Islands and from the Bluff, and from the east and the west, know all about these matters, while we, who have the interests of our constituents at heart, know nothing. We sit here, forsooth, listening to gentlemen like the honour-

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taking of this property in this compulsory way is justified in order to make things pleasing to the eye. Now, I want to ask the honourable member in charge of the Bill whether any representation has been made to him in regard to the inclusion in the Bill of a provision for the representation of the wharf labourers-the working-classes-upon this Board. Mr. WILFORD .- I will reply presently. Mr. FISHER .- I should like the honourable gentleman to answer that now. Mr. WILFORD .- Yes. Mr. FISHER. - Such representation has been made to him. Was an amendment to that effect moved when the Bill was in Com. mittee ? Mr. WILFORD .- No. I will explain that presently. Mr. FISHER .- Well, I shall move that the Bill be recommitted for the purpose of recon- sidering clause 5, to enable me to propose a new clause, giving special representation to the wharf labourers. Labour should have special representation on the Board, as well as the special representation for the payers of dues and the special representation for the Chamber of Commerce. I am compelled to take this step now because I was detained in town by a violent rain- and hail storm, which kept me standing for five minutes under a verandah, and conse- quently I arrived in the House five minutes late, to discover that the Bill had been put through Committee in three minutes. An Hon. MEMBER .- Less than that. Mr. FISHER .- Well, I suppose I am in fault for not being here ; but there were two other members in the House who were present at a deputation at which we were requested to move this clause. Had I been here, I would have moved that the wharf labourers, who are as much concerned as any one in the affairs of the Harbour Board, should have the right to elect one member to that Board. If it be answered that this is class representation, then the rejoinder is this : that the City already has three members on that Board, who represent the whole city-namely, the Mayor and the two elected members. Then there is a representa- tive for the payers of dues. That is distinctly class representation. Then, there is a repre- sentative for the Chamber of Commerce. That, again, is distinctly ciass representation. I say, then, that there ought to be one member on that Board representing the purely labour in- terest. That is class representation, of course, but the precedents to which I have referred should remove all argument against the work. ing-men having their own representative. I therefore move, That the Bill be recommitted, for the purpose of reconsidering clause 5. Mr. SEDDON .- That clause about changing the financial year, I think, should be recom- mitted. Mr. FISHER .- I propose that the Bill be recommitted. Mr. PIRANI (Palmerston). - I merely second the amendment for the purpose of saying a few words on this matter, and I believe it will Mr. Fisher that the honourable member for Wellington City (Mr. Fisher) was a supporter of the Bill under which this land was taken when it was brought down in 1898. Contra:y to his usual practice. he seconded the second reading of the Bill after Mr. Hutcheson, and he gave this Bill his ap- proval, including as it did the purchase of the very land that he has to-day condemned up hill and down dale. Then, the honourable member reflects on the rest of us as ignorant members who do not live in the city, and who supported the Bill in our ignorance. The honourable mem- ber does not know everything that goes on in the Legislature. It will be news for him, per- haps, to hear that the Bill as it passed this House had no provision at all for the widening of the streets. Perhaps he does not know that the Wellington Harbour Board, of which he is a member, had nothing to do with the clauses regarding the widening of the streets, but they were put into the measure by the Legislative Council, and a very good provision too, I think. But the beginning and the end of this trouble, although the honourable member for Wellington City (Mr. Fisher) would make you think so, did not originate with this Harbour Board Bill at all. It originated with the fact that a person who wanted an extortionate price for his property entrusted him with a petition to get money by using the power of

Parliament which he could not get by legal means. member presented a petition from one of these men who were dispossessed of their lands. who valued his property at £10,800, and was getting an annual revenue of £173 from it. I ask any of you what sort of an investment of that sum of money in this City of Wellington it would be that only realised £173 a year? And yet he asks us to believe that this request for £10,800 compensation was a fair request, and that, by not giving it, the man was robbed by the Harbour Board. A Compensation Court was set up under the Act, consisting of a Supreme Court Judge and two Assessors-Mr. Kennedy Macdonald and Mr. Muir-and this man, Sir, who had been offered by the Harbour Board \$1,100, and had asked \$10,800, was awarded £19,300 \$1,200. Other claimants claimed for their property. The Board offered them \$5,097, and the Court awarded them \$5,350. Why, if the Premier had taken the same action under the Land for Settlements Act and any one had attempted to father a petition through this House as the honourable member for Wellington City (Mr. Fisher) had done, the Premier would be the first man to condemn him and say that the land was taken under the laws of the land, and that the value given was a fair one. But, besides this, the Harbour Board offered to find the claimants a similar investment in the City of Wellington which would realise as much money as they were getting out of the investments. Surely it is time the Premier looked at these matters from a business point of view, and if the present method of taking land under the Public Works Act is not satisfactory he should bring in an amending Act. Then, the Premier tells us that this land

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is not being used for the purpose of the dock, | the Corporation of the city. To the other point but is being sold and leased. Does any one mean to say that a public body ought to allow lands to lie idle until they are in a position to use them ? The part they have reserved for the dock the Board has made no effort to get rid of, and it will be used for the dock as soon as everything is ready. The honourable member for Wellington Suburbs can tell you far more about the intentions of the Board than I can, and, as far as that matter is concerned. I will leave it to him. But there is one thing I would like to correct the Premier in. This land is not yet let for a profit. Mr. SEDDON .- I said they had advertised it. Mr. PIRANI .- Why not wait until it is let ? Why anticipate what a public body is going to do ? As a matter of fact only one section has been let. The whole point of this turns not on the administration of the Board, but on the administration of the Public Works Act; and I say that if these men have not got value for their lands it is the fault of the Government of the day who put that legislation on the statute- book, and it is they who ought to obey the legislation or amend the Act, and put it on the lines of justice they think it ought to be. But I know others who know the property, and they say that the men got good compensation for all the property was worth. The property was wanted for the best of public purposes-clearing away slums, widening streets, and constructing a dock; and I would like to know for what better purpose you could use money and acquire land for. And yet you talk of dispossessing tenants. The honourable member for Bruce (Mr. Allen) pointed out about the Dunedin Railway-station, and I can point out in Palmerston a whole street of cottages that were taken by the Railway Department for railway purposes, without any attempt being made to provide similar accommodation for the same tenants elsewhere. Mr. FISHER (Wellington City) .- I desire to make a personal explanation. I understand that, in referring to my remarks upon this Bill, the honourable member for Palmerston twitted me with having been an ardent and warm supporter of the original Bill when it was before the House. Mr. PIRANI .- I said you supported the second reading. Mr. FISHER .- Oh. I see; the honourable member wishes to modify what he said. With your permission, Sir, I will read what I did say. it only shows how careful one ought to be in accepting the representations of certain members in this House, particularly when they profess, as some acute lawyers do in Court, to be reading something from a book which is not in the book at all. In Vol. 101 of Hansard, of 1895, page 489, speaking on the Wellington Harbour Board Bill, Mr. Fisher said : - "The unanimity arrived at between the bodies interested, referred to in the concluding remark of the honourable gentleman, might be taken to mean that the

Harbour Board of the City of Wellington had again absorbed some other valuable portion of the assets and properties of \-that the Bill had been before the Local Bills Committee-he attached no importance what- ever, because every member of the House must know how little the general body of members of the House understood the contents and far- reaching provisions of such a Bill as this. He had no objection to any of the provisions of the Bill except to the one which enabled this, a local body, to raise a further loan of \$150,000. He had a standing objection to local bodies in any part of the colony being allowed to burden themselves with loans of such a magnitude ; but in this case he intended to interpose no objection, because, on the one hand, in the case of the Harbour Board, they had a pro- gressive, virile body : on the other hand, they had an inane and inert body, the Corporation of the city." Mr. PIRANI .- Read page 500 ; you have got the wrong Bill. Mr. FISHER .- Well, at page 500 Mr. Fisher said,- " He was a little amused also at the honour- able gentleman who introduced this Bill calling it the supplement to the other one. Why, this was the Bill. The local knowledge and the knowledge of the legislation on the subject dis- played by Mr. Duthie was to him not only astounding but amusing, and he was sorry the honourable gentleman was not present. That was not his fault. He was supposed to be there in his place during the discussion of such an important Bill. He thought the honour- able gentleman said just now that he was Mayor of the city when this Te Aro Reclama- tion was carried out, and, if his recollection served him, the honourable gentleman made much the same statement during that now cele- brated by-election for Wellington City. The honourable gentleman had as much to do with the Te Aro Reclamation as many of those mem- bers who did not live in Wellington at all. At the initiation of that great scheme-for it was a great scheme-the honourable gentleman was vegetating somewhere in the neighbourhood of Wanganui, and he would tell the honourable gentleman - for he was sure the honourable member did not know it to that moment-what the history of that Te Aro Reclamation was." And then I gave the whole history of that reclamation, which I carried out from beginning to end. Mr. PIRANI .- Read page 502. Mr. FISHER .- Does the honourable gentle- man want me to read the whole volume of Hansard ? I supported the second reading be- cause it is always invidious of a member repre- senting a city to oppose a Bill promoted by a local authority. Mr. PIRANI .- You opposed the previous Bill. Mr. FISHER .- I think the honourable mem- ber is somewhat confused about these Bills. I am acquainted with the history of most of them. I may say that it has sometimes hap- pened that I have been unable to approve of all the provisions of these Bills, and, although I have often found it impossible to bring about an

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succeeded in prevailing upon the Legislative Council to amend the Bills in conformity with the wishes of the people of this city. Mr. SPEAKER. - I think the honourable member is exceeding the bounds of a personal explanation. Mr. FISHER .- I say that my action through- out in regard to these Bills has been consistent, and I also say, with the Premier, that it is un- wise for Parliament to always take for granted everything that is stated by local bodies in favour of their own local Bills. Mr. W. FRASER (Wakatipu) .- I understand that objection has been raised to this Bill be- cause clause 7 makes the financial year expire on the 30th September instead of at the end of December. If members will only take the trouble to read the first page or two of the Bill, where reasons are given why the Bill should be passed, they will find the reasons set forth very clearly indeed why the Board desires to have the financial year end on the 30th September, and I cannot see, myself, any better reasons which it is possible to give ; and if members only read what I have suggested, I think they will come to the conclusion that there is no necessity to recommit the Bill. It says .- "There are four reasons why the 30th September has been suggested as the most suitable time for the closing of the financial year :- " Firstly, that it will enable the Chairman of the year to deal with the finances of his year of office at the annual meeting in January, and before vacating his position. "Secondly, a year ending in December closes in the middle of the wool season, and an early or late season, or an insufficiency of vessels to remove the produce, renders the annual statis- tics irregular



and not comparable, whereas the 30th September is prior to the commencement of the wool season. "Thirdly, the work of balancing and audit, with the preparation of statistics, et cetera, would be completed before the rush of the wool season, in place of being as at present undertaken in the busiest period. " Fourthly, as the Board came into active existence on the 1st October, statistics could be collated for twelve-monthly periods continuously from the commencement of the Board's operations." These reasons are, I think, most excellent, and any one who has any knowledge of the work which such a Board as this has to do must see that they are weighty reasons. Surely, because other Boards have not the same special reasons as this one for altering the date of the financial year, that is no reason why the request of this Board should not be acceded to. I do hope the House will pause before it stultifies itself, because I do not think there is any reason which can be set forth which will controvert the reasons given in the explanatory page to this Bill. Mr. HERRIES (Bay of Plenty) .- I trust the House will not agree to recommit this Bill. I think it would be a pure waste of time; Mr. Fisher Wellington City (Mr. Fisher) that he can always get what he wants inserted in a Bill put in in the Legislative Council. It would therefore be a sheer waste of time to recommit the Bill. I was surprised to see that the honourable member has become a convert to the rights of property-owners. He has used the same arguments on their behalf which the so-called " bloated squatter "-the owner of the Hatuma Estate-used on his own behalf-namely, that he could not get as much interest from his compensation as he could get from his property. That argument has now been boldly advanced by the member for Wellington City (Mr. Fisher) in favour of certain persons in Wellington. I do trust that he will continue in that frame of mind, and both by his speeches and his vote defend the rights of property-holders. I trust it is not a mere flash in the pan. Mr. FISHER .- Sir, may I, with your permission, add a few words to my amendment. I wish my amendment to read as follows : "That the Bill be recommitted for the purpose of reconsidering clause 5, so as to provide that one member shall be elected from the Wharf Labourer's Union, such member so elected to be a bona fide member of the Wharf Labourer's Union." Mr. T. . MACKENZIE (Waihemo) .-- I am going to support the recommitment of the Bill. The honourable member for Wakatipu has not at all made a clear case in favour of what the Board desires in connection with clause 5. He read out a list of reasons, but these might apply to every other Harbour Board in the colony, and yet, forsooth, we are asked to make an exception in this one case in the rendering of returns to this House. The whole of the Boards in this colony have to render those returns. which are supposed to be a guide to the country. I am astonished that the honourable member. who usually shows good common-sense, should have opposed the recommitment of the Bill for the insertion of the amendment proposed by the honourable member for Wellington City. Hon. MEMBERS .- You are on the wrong amendment. It is an amendment to clause 5. Mr. MACKENZIE .-- I understand the Bill is to be recommitted for the purpose of reconsidering clause 7. Mr. SEDDON .- It was originally intended that the whole Bill be recommitted, but the honourable member now asks for the recommitment of clause 5 only. It is quite competent. however, for the honourable member for Waihemo to ask for the recommitment of the whole Bill. Mr. MACKENZIE .- I regard the recommitment of that clause as essential. I see no reason why one Board should make up its accounts on the 31st December, while all the others have to do this on another date. For these reasons I wish to support the honourable member. Mr. SEDDON (Premier) .-- I want to explain. so that I might not be accused of being unfair to the Wellington Harbour Board in respect to this matter. In going into the history of the passing of these Wellington Harbour

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According to the preamble of the Wellington Harbour Board Bill, the Bill was promoted for dock and harbour purposes. In another place it is changed entirely. In one respect it is still being maintained and kept for harbour purposes. It is simply used as a means of taking certain lands for street-widening purposes, for closing streets, and acquiring private lands to sell or lease the same. If the Wellington

Borough Council had come with a Bill for that purpose-and it was the proper body to do it-I do not think it would have been objected to for a moment. It would appear as if clause 11 had got into the Bill in another place. Mr. PIRANI .- Only subclauses (1), (2), and (3). Mr. SEDDON .- Section 11 does it. The subsections referred to are subsections to section 11 :- " The Board may, in addition to the powers to take land vested in it by the Act, purchase or take under the provisions of ' The Public Works Act, 1894,' any land, together with the buildings thereon, excepting land vested in Her Majesty the Queen, that it may require to provide approaches to any of the land described in the said agreement, and for the purpose of the diversions of the streets and railways hereby authorised, and for any works the Board is authorised to execute under this Act, and may purchase or take in addition to the land actually required all or any of the land described in Schedule B hereto, as the Board may think fit." Schedule B gives the land taken. First of all it has the railway between it and the dock-site, which is really between it and the land they are reclaiming, and the main street is between this land and the railway. The dock-site is to seaward. and further along Clyde Quay, so that the land in Schedule B had nothing whatever to do with the dock, nor the approaches to the dock. Schedule B is as follows-and you will find it stuck in at the end of the Bill :- "All that land in the City of Wellington shown on a plan deposited at the office of the Marine Department, Wellington, and marked ' M.D. 2193' : Bounded towards the north by Victoria Street, towards the west by Tory Street ; towards the south by Courtenay Place, and towards the east by Cambridge Terrace ; including therein the streets known as Grainger Street and Allen Street, as hatched in green lines thereon, but excluding thereout the lands contained in the Eighth Schedule." So that the blame seems to be not so much with the Harbour Board ; but its Bill was evidently used, not to provide land for harbour purposes, but to remove an eyesore from Wellington, and, if so, everything I said was right. We ought, therefore, to be careful. I say, Sir, that the man who uses his neighbour to perpetrate a wrong is as bad as the man who is the instrument and wrong-doer. Mr. PIRANI .- Parliament. Mr. SEDDON .- Parliament is not perfect, and is subject to err like the rest. All I can be removed for sanitary reasons, then the matter should have come before the House in the form of a Bill for that purpose. I object to using the machinery of a Harbour Board to take land for other than Harbour Board purposes, and to convert it into an endowment- for that is really what it means-and it had no connection with the dock works at all. Mr. PIRANI .- It never produced what they paid for it. Mr. SEDDON .- That is all the worse for the Harbour Board. Mr. PIRANI .- It was the Legislature that made them do it. Mr. SEDDON .- Any one reading the contemplated Bill can come to no other conclusion than that the land was intended for dock or harbour purposes absolutely. That is how it was introduced and passed by the House. Notwithstanding that, it comes back with another section, or several subsections in it ; and if, as is stated, the Harbour Board will lose money by the transaction, then all I can say is that the action is all the more reprehensible-it is not straightforward. As regards the complaints in respect to the land, we know no one gets what he asks for when he goes before the Compensation Court. And we know that there are also 4.0. some very glaring cases, where people put in claims for very large amounts over and above any reasonable valuation. I do not, of course, know the merits of this case beyond this : that the Committees of this House have upon various occasions recommended that reparation be made to the original landowners. Mr. HUTCHESON .- They have never let the other side know what they were doing ; it has been low-down work. Mr. SEDDON .- Very well ; if that is so, the House is still open. But you should not, except in well-authenticated and grave cases, give a right of appeal, because, if you do, you will have no end whatever to the compensation claims. An Hon. MEMBER .- We will come back on the Government. Mr. SEDDON .- I do not know that you can come back on the Government ; but if there has been a miscarriage of justice, if there has been any wrong done, and a case can be made out for Parliament to deal with, I say Parliament has a right to deal with it, whether it is the Government or the individual that is in fault. I repeat that, after looking up the debates, after looking up the records of Parliament, I find

that under this Bill the purpose was entirely changed. I say that if a Bill was brought in for the construction of a road by a County Council or a Borough Council, and that under that there was a block of land that some one wanted to have taken for any other purpose than a road, or some ordinary purpose under the Public Works Act, and to have special powers given to take that land from individuals, and it was permitted, that would be a very dangerous precedent ; and, this being a dangerous precedent, it is my duty to point that fact out to the

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to me this question of Grainger Street. If you say it is a matter of lung space for the Town of Wellington, and that such places ought to be opened up, I say at once that that is a very good thing to do, but what I complain of is the way in which it has been done. I do not think Parliament understood it, or would have passed it through if they had understood it ; and if they said they were doing it for the purpose of putting the railway on it-that they were going to widen the street and shift the railway-then they have no right to cut it up, as is their intention, and to use it for building purposes. An Hon. MEMBER .- The Act gave them the power. Mr. SEDDON .- I know the Act gives them power. It is very extraordinary. Section 11 SOVS, - " All land so purchased or taken shall vest in the Board for the purposes for which it is constituted, and the Board may sell and dispose of any lands so purchased or taken, by public auction, private contract, or exchange." An Hon. MEMBER .- Read the section. Mr. SEDDON .- I have read that part of the section which provides how the Board is to deal with the land taken. It includes the land in Grainger Street, and this land " shall vest in the Board for the purposes for which it was constituted, and the Board may sell and dispose of any land so purchased." I say the land so purchased was taken under Schedule B. It can be sold by public auction or private contract, which is again monstrous, or it may be exchanged or leased. Well, this House, if it knew the facts' of the case, would no more think of giving the right to the Wellington Harbour Board to take lands for the simple purpose of selling or exchanging with somebody else than it would think of making the Wellington Harbour Board a present of the site on which this house stands. At all events, I have called attention to it. It is not a vendetta ; it is simply a matter from which we ought to take warning in future. We are too careless concerning these Bills. I myself have been, I, must confess, somewhat indifferent as regards local Bills. Members bring them up, and we take it for granted that they apply only to the localities, and that the members concerning them know best ; and when there are no petitions against them we take little trouble. Mr. PIRANI. - By Jove you do, if I bring them in ! Mr. SEDDON .- No, I do not, but I think I ought to. What I was going to say was about the change of the financial year. If you are going to change the financial year of the Harbour Board to suit the wool season, what are we going to do with our financial year which is fixed to end on the 31st March ? How are you going to get the returns laid on the table of this House if you change the financial year of the Board to the 30th September, because the present time causes some little inconvenience to the Board ? The other Boards would require the same thing. I do not think you should change the date of the financial year unless you Wir. Seddon given-on account of the wool season and that the Harbour Board's staff is busy. Then, again, why should it be done in a Bill which is simply dealing with representation on the Board ? Nine out of ten members of the House would take it that the Bill is introduced for the sole purpose of giving country representation on the Harbour Board, and here is a clause slipped in altering the financial year. An Hon. MEMBER .- That was explained in introducing the Bill. Mr. SEDDON .- That is to the credit of the honourable member, but I had not read it, and it was only when the honourable member for the Grey called attention to it that I noticed it was not desirable. There has been no good reason shown for it. Why should not other Boards make the same application ? It is the wool season in Napier, in Christchurch, and Otago, and if these Boards asked, for the same reason, that we should change the financial year, we should grant it in the one case as well as in the other. An Hon. MEMBER .- What harm would there be ? Mr. SEDDON .- It means that the balance-sheet, when laid upon the table

of the House, would be nearly twelve months old. Mr. WILFORD (Wellington Suburbs) .- I regret that the discussion this afternoon has turned upon the provisions of Acts dealing with the Wellington Harbour Board, other than that which I am fathering, if I may use the term : and I much regret the discussion which has taken place has been upon lines of general policy, some honourable members condemning the action of the Board in regard to the Grainger Street property, and others in reference to the legislation which was introduced in 1898, while most speakers have ignored the matter dealt with in my Bill. Now, I should like to take this opportunity of telling the Premier that, notwithstanding the fact that certain clauses were introduced by the other branch of the Legislature, the statute of 1893 has been carried out in its entirety by the Wellington Harbour Board. They have not violated any legal principle. They have not acted in any way contrary to the spirit of the statute empowering them to do certain things ; and I think it is time enough for the Premier to take objection and move in some way to put a matter right when a wrong has been done. The attitude of the Wellington Harbour Board is absolutely consistent with the statutes under which it is incorporated. There is no provision in the statute which it has not observed, and subclauses (1), (2), and (3) of clause 11 of the Act of 1898 have given no power which the Wellington Harbour Board has exceeded in any shape or form. Now, Sir, I want to say one word in reference to the last clause of this Bill, or the Schedule, in reference to the altering of the date upon which the annual meeting is to be held. May I ask honourable members from other districts what does it matter to them, whether the annual meetings of the Wellington Harbour Board shall be held at the date suggested in this Bill

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If the Harbour Board of Wellington respectfully presents to this House a Bill by which they desire to have a date fixed for the annual presentation of their report and balance-sheet which is in conformity with the conditions of things that are existing, why should honourable members from other districts condemn it ? What is the objection ? There must be some substratum of purpose underlying the objection which honourable members assign for their opposition to this Bill. I did not think it particularly necessary, in moving the second reading, to say anything in regard to that clause, because I considered, if the Harbour Board of Wellington desire that its annual meetings should be held on a particular date, and if they possess good and fair reasons for altering the date, then honourable members who represent other districts which have not got their dates altered should make no objection. I will guarantee that hardly any of the members from other districts have taken the trouble to read the annual report and the balance-sheet of the Wellington Harbour Board. If we are in a prosperous condition, and if our trade is continually expanding at a very rapid rate, much of it is due to the fact that Wellington is the central seaport town of the colony, and to the fact that the Wellington Harbour Board is doing a considerable amount of the export and import traffic of the colony. What is the meaning of the opposition to this clause in the Bill? Why does the honourable member for the Grey, who is, of course, interested in his own Board at Greymouth, seek to prevent the Harbour Board of Wellington fixing a particular date which suits its circumstances best for the presentation of its annual report and balance-sheet ? The honourable member says it is altering things. I grant that it is. That is the watchword of this side of the House. We are continually wanting to alter things so as to make them better and more comfortable for the people at large. Supposing that in the interests of the Greymouth Harbour Board the honourable member for the Grey introduced an amending Bill, and he asked that the date of its annual meeting should be fixed for one particular day, instead of the present day, would honourable members from other districts dream of opposing that suggestion and wish ? An Hon. MEMBER .- You do not understand the objection. Mr. WILFORD .- I understand the honourable member's objection quite well, as he well knows. The honourable member for the Grey has no real reason for urging it, seeing that it does not affect him. If I was proposing by this Bill to alter the date on which the annual meeting of the Harbour Board of his

district was Of held I could understand his objection. course, it has no particular interest for me whether Parliament agrees to the amendment or not ; but when a Board asks to be allowed to have this date fixed, why should there be opposi- tion to it when it does not matter a snap of the VOL. CXVII .- 4. ing this change of date are such as honourable members can well realise to be quite pertinent. Of course, we have had it suggested that, as a general date is fixed for the annual meetings of Harbour Boards by section 55 of the Harbours Act of 1878, therefore any alteration should be looked upon with suspicion. But when honour- able members understand what is really the ob- ject that the Wellington Harbour Board has in view, I hope they will help me in getting this Bill through in its entirety. I do not know why the honourable member for Waihemo should move to recommit this clause again. An Hon. MEMBER. - I suggested that, for statistical purposes, it was desirable that the accounts of these Boards should be made up at the end of the year. Mr. WILFORD .- Well, supposing they are. That seems to me to be like the honourable gentlemen's other remarks in regard to this matter-not pertinent to this particular ques- tion. The question here is, the financial year closes on the 31st December, and section 55 of the Harbours Act provides that the annual meeting shall be held on the third Monday in the month of January in each year for the purpose of receiving the audited accounts. There is provision also made under the Local Bodies Act to enable the annual meeting to be held at a date later on. The election of Chair- man in the case of the Wellington Harbour Board is held on the first Tuesday after the 20th February, and it has never yet hap- poned that the accounts have been ready, be- cause the year ends on the 31st December, and the accounts are not audited and printed in time for the Chairman to make his report and present them before he vacates his office. Now, Sir, I do not understand the motion of the honourable member for Wellington City (Mr. Fisher) in regard to this extra representa- tion on the Board for the interests of labour, and the reason I do not understand it is this : I claim, as a member of the Wellington Harbour Board, to be a representative of labour ; and also that the honourable member for Welling- ton City, Mr. George Fisher, is a representative of labour ; and so also is the Hon. Mr. Fraser, of the Upper House. I claim to be just as directly representative of labour on the Wellington Har- bour Board as I am a representative of labour in this Chamber, and I should feel very indig- nant indeed if any of my constituents suggested the selection of any particular member in this Chamber as a representative of the interests of labour while I hold a seat here. I do not under- stand the honourable member for Wellington City (Mr. Fisher). I am quite sure there is no man in the City of Wellington, or in the Suburbs of Wellington, no matter what his station in life may be, who has come to me with a grievance, that I have considered a real one, which I have not earnestly taken up and sought to get redressed. I feel that this motion is a reflection upon me as a member of the Wellington Harbour Board, and as a mem- ber of the House of Representatives ; for if extra

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of the labour portion of the community, that is a distinct reflection on my capabilities. I know perfectly well that on more than one occasion I have been the mediator between the wharf labourers and the Harbour Board in con- nection with certain grievances which they have had redressed. Why some other repre- sentative should be placed on the Harbour Board as directly representative of the in- terests of labour I am quite at a loss to understand. It may be that neither the honourable member for Wellington City (Mr. Fisher) nor myself are labourers in the same sense that the wharf labourers are. I say this, however : that if any man comes to me in con- nection with any breach of the law affecting labour, or in connection with any grievance under which he has been placed, whether he be a mechanic or labourer, I can realise what he desires, and be able to grasp with ordinary intelligence the facts of his par- ticular case; and I am prepared to represent his case -- and, perhaps, although it may seem egotistical-to represent it in the House just as well as if these men had a direct representa- tive of labour to plead their cause. Take the case of Wellington City : They have three par- liamentary representatives on the Harbour Board. We will take it that the Wharf Labourers' Union decide, if this power is granted them, to elect Mr. John Hutcheson

as their member on the Board. I take it, if Mr. John Hutcheson be chosen by the workers to be their member on the Wellington Harbour Board, there will then be four parliamentary representatives. Mr. John Hutcheson has proved his capacity and capability for that position. I am not going to say anything against his work on that Board, and I never will. But I say, in regard to Mr. Hutcheson, what would be the position suppose he were elected? We would have four members of Parliament there ; and is Mr. Hutcheson a more direct representative of labour than I am? Mr. J. ALLEN .- Yes. Mr. WILFORD. - Mr. Hutcheson may have had in his experience to do certain kinds of labouring work, and all the more honour to him for it. I have not had that to do, but I have had to work just as hard as any man. Mr. T. MACKENZIE .- Not practically. Mr. WILFORD .- The honourable member is about the most theoretical member in this House. Mr. T. MACKENZIE. - That is the lawyer's view. Mr. WILFORD .- It is the correct one. But I shall ask honourable members to hesitate before recommitting this Bill for either of the purposes suggested by honourable members. I have to thank honourable members for the utmost consideration given in carrying this measure to its present stage. The second reading passed easily with the help and co-operation of members, for without the co-operation of honourable members no member can hope to get anything through this House. I learned Mr. Wilford will give the same consideration to the passing of this Bill as they give to the other measure I have mentioned. Mr. HUTCHESON (Wellington City) .- Sir, I should just like to examine, in passing, for one moment the logic of my honourable friend the member for Wellington Suburbs. He claimed-and I do not dispute his claim-to be as good a representative of labour interests on the Wellington Harbour Board as myself, or any one else; but those who are asking for this amendment of the constitution no doubt, in their wisdom, are looking at the future, when there may be one of those hide-bound Tory Governments in office who would not be likely to put a representative of labour like the honourable member for the Suburbs on the Board, but would put a hide-bound Tory on the Board ; and then where is his logic? While I altogether deprecate class representation, I am bound to admit that the present constitution of the Board does to a certain extent give representation to class. If the question of what interests are to be represented on Harbour Boards is raised, I submit it should be general throughout the Boards of the colony, and not through the medium of a local Bill confined to one Board only. Now, as to what the Premier said this afternoon in connection with the annual balance-sheet, I would ask him why he should single out the Wellington Harbour Board from all the other Harbour Boards in the colony. I refer to the honourable gentleman's argument as to the proposed alteration of the date of the balance-sheet. I will give the Premier a good reason why the date of the Wellington Harbour Board's balance-sheet should be different. The honourable gentleman asked why this Harbour Board, of all others, should have this privilege. The Wellington Harbour Board is unique in the matter of its operations. It is the only Harbour Board in the colony that does its stevedoring, storing, pressing, and holding wool-sales. The present time for the preparation of the balance-sheet occurs right in the height of the wool season. The time proposed in the Bill is much more suitable, more especially as it fits in with the date of the incorporation of the Wellington Harbour Board, and consecutive annual statistics can be prepared from the date of the initiation of the Board's operations. It thus suits the executive officers of the Board, as pointed out by the honourable member for Wellington Suburbs. Mr. SEDDON .- Why not make it the 31st March ? Mr. HUTCHESON .- For the simple reason that the officers of the Board and the Board itself can better ascertain the result of its working when the end of the wool season comes. The Wellington Harbour Board is pressing wool for months after what is generally considered to be the end of the wool season. It is pressing, storing, and holding sales, and surely it ought to be allowed, provided it does not interfere with the operations of other Boards, to study its own convenience. I consider it is almost humiliat-

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balance-sheet at a certain period. Surely it is a matter of no consequence to any other body, seeing that it

does not interfere with the other Harbour Boards of the colony. But, Mr. Speaker, I rose principally to deal with the misstatements of the Right Hon. the Premier. I did feel moved this afternoon and wondered whether justice and truth would eventually prevail, or whether misrepresentation and distortion of facts must always obtain. The right honourable gentleman told us this afternoon that the Harbour Board inserted in a clause of the Bill called "The Wellington Harbour Board and Corporation Empowering Bill" provision to enable it to take land which was not required for dock purposes. Because, forsooth, it lay to landward of Victoria Street and the Railway-station, therefore it could not be used for dock purposes. Is that not what the right honourable gentleman said? Surprised to learn that there is an inviolable agreement between the honourable gentleman's Government and the Wellington Harbour Board empowering the Board to alter the railway and the public road right through the land in question, in order that their dock might take the place of the site occupied by his railway and the public road? Why could he not put his presentment to the House in a way that was fair, and would not be misleading? Mr. SEDDON.- That had nothing whatever to do with it when the Bill was introduced. Mr. HUTCHESON.- I say that when the Bill was introduced the Board's intention was revealed as clear as day; but perhaps it may not be inappropriate that I should recapitulate shortly the history of the negotiations between the two local bodies alluded to to-day. The Wellington Harbour Board had as an endowment a block of land known as the Hunter Street Block, upon which are certain warehouses -amongst others, Sargood, Son, and Ewen's, Bannatyne and Co.'s, the Queen's Chambers, and others- and which, so far as the revenue is concerned, the Harbour Board retains till 1907. The right to reclaim the Te Aro foreshore was vested in the Wellington City Corporation at a time when the Wellington City Corporation managed the harbour affairs of the City of Wellington. After the City Corporation had ceased to manage the affairs of the harbour, and having no longer any interest in reclaiming the Te Aro foreshore, it was considered desirable that that power should be transferred to the Wellington Harbour Board. In the beginning of 1897 there was an agreement arrived at between the two corporate bodies, which ultimately eventuated in the preparation of and the mutual agreement to this very extensive deed of transfer contained in Schedule A of the Wellington Harbour Board and Corporation Empowering Act of 1898. Therein it is specifically set forth that the Wellington Harbour Board will make over and convey to the Wellington City Corporation that block of land known as the Hunter Street Block in exchange for the right to reclaim the area foreshore, over and above the land which the Wellington City Corporation was entitled to grant to the Harbour Board for the dock site. The granting to the Harbour Board of the dock site was always a condition of the right to reclaim the foreshore incumbent upon the Wellington Corporation. In the preparing of the Bill between the two bodies, and in order to extend the dock beyond the originally decided length, so as to meet the increased size of our shipping, it would be necessary to trench still further to the landward of the five-acre block known as the dock-site block. In order to do that it was necessary to deviate or deflect the present Te Aro Railway Extension, and also the adjacent road known as Victoria Street, so that when the road and railway is in the new position they will form, together with the old position, the upper limbs of a letter Y, and so leave the Harbour Board the necessary increased length for the dock. Mr. SEDDON.- That is the reason why. Mr. HUTCHESON.- And I want to ask the Premier the reason why, if he knew what he was talking about, did he so disingenuously mislead the House as to the true reasons for the acquisition of the Grainger Street block? I want to convince the Premier as to the impropriety of his being a coadjutor of those who are seeking to subvert the principle that he is always contending for. He has bewailed to the House that when the Government go before a Compensation Court they always go to the wall, and he ought to appreciate the position of local bodies, who, unfortunately, are also so treated. The overlapping of the road and the railway upon the block of land known as the Grainger Street block would have cut into certain sections of land at a long acute angle, leaving small patches of land that would be absolutely valueless to the owner or to the Harbour

Board. An Hon. MEMBER .- Why not put it into the Bill in the first instance ? Mr. HUTCHESON .- It always was in the Bill, and I am coming to that now, and I say that the Premier stands convicted of having no grounds for the threatening and vindictive abuse which he gratuitously hurled at the Wellington Harbour Board this afternoon, or that he did it with malice prepense. It was ungenerous and most unbecoming language that the Premier used towards the Wellington Harbour Board this afternoon, and I want to demonstrate the fact. But to continue my narrative : Both of the local bodies came to a mutual conclusion that it was desirable in the interests of public health and morality, and for every reason, that that natural silt-pit, wherein were huddled rows of unwholesome hutches, many of them used for immoral purposes-where, among other things, a man had his face cut open with a lemonade bottle in the broad light of day - should be wiped clean off the face of Wel- lington. The whole block lay in a depression of the land, several feet, in fact, below the level of the surrounding streets, and whenever there was

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hovels taken out on men's backs and in boats. Typhoid was there rampant : and of what use was the great and extensive schemes of sani- tary drainage for the City of Wellington so long as that sink remained ? With the full know- ledge of the responsibilities that lay upon them both local bodies said. " We must remove it, and here is the opportunity. Get power to take such a block. First of all, remove the rabbit-hutches that are there now, in order that you may fill up the sections to the level of the permanent roadways, so that you may reroad it. Then it can be cut up into areas to suit the public convenience." That was in the Bill ; and not only had the House a set of most elaborate plans, but an invitation was sent to the whole of the House to inspect the locality, and the members of the Local Bills Committee were taken in cabs at the expense of the Board to the site, so that they might see the insanitary squalor of the whole surroundings. And vet the Premier says this afternoon that the Har- bour Board got the power surreptitiously and broke faith with Parliament, and dishonestly subverted the purposes of the Act for their own speculative purposes. Surely he must be mea- suring the Board's corn by his own bushel. Mr. SEDDON .- I say it again. Mr. HUTCHESON .- Yes, unfortunately, we are accustomed to the Premier's method of bluffing his way out of a false position when he is fairly cornered. Now, what happened in the Legislative Council was this : The whole of the subsections of clause 11 were put in there with- out any wish for them on the part of the Board, and rather than face the possibility of having the Bill stuck up, and seeing that there was so much dependent upon it, the Harbour Board made a virtue of necessity and accepted the amendments. The first subsection of section 11 compels the Harbour Board to divest itself of all the land over and above what is necessary for dock purposes within nine years. It is clear that the Board had no intention of making this a profit-earning speculation, although the Premier has told us that such was the Board's sinister intention. The real facts are that the Board has every prospect of losing 930,000 over the acquisition of the land. How does that tally with the demand that the poor man should have a special Bill brought in to enable him to get behind the Court of final appeal. And here is a point I want to emphasize : that the Prime Minister, above all men, should be the first to put forth a hand to shake institutions whose integrity, we say, should be inviolable. I refer to his threat this afternoon to introduce a Bill practically to upset the decision of a Court of final appeal-namely, the Compensation Court. It will react on him and on every department of the Government in the acquisition of land under the Public Works Act. Private citizens will then be able to go over the head of the de- cisions of the Compensation Court dealing with the acquisition of land for public purposes by the Government. To go on, however : that area Mr. Hutcheson ponny in rates to the city. So much were the Council impressed with the integrity and up- rightness of the Board that they got this sub- section (2) put in. That subsection is as fol- lows :--- "Notwithstanding anything to the contrary in ' The Rating Act, 1894,' and any amend- ments thereof, or 'The Municipal Corporations Act. 1886,' and any amendments thereof, the lands taken under this section shall not be liable to pay any rates whatever to the Corpora- tion so long as they shall



remain the property of the Board, and not be let or leased." To the best of my knowledge, only one single section has been dealt with by the Board. and, finding themselves unable to permanently sell to the applicant, they have made a provisional arrangement which will tide him over till such time as they are able to finally sell. That was to enable a three-story building to be erected by a tradesman in Courtenay Place. The piece of land was contiguous to his own section, and enabled him to enlarge his frontage in return for a slice that was taken off his Allen Street frontage. With that single exception. I believe the Board are deriving no revenue from that land; and the Board is under the compulsion of law to divest itself of every vestige of that land within nine years. But if the Premier were the broad-minded, unselfish, beneficent statesman that he would have us believe, he would say to the Harbour Board, " If you make proposals to us asking for legislation enabling you to retain the balance of that area for the purpose of building workmen's homes thereon, and for no other purpose, I will promote and assist legislation that will enable you to do that in return for the consideration it has cost you." That would be something like a statesman's attitude. Mr. SEDDON .- Make it a recreation reserve. Mr. HUTCHESON .- We know the Premier, and the fatherly regard he has for Wellington and its institutions ; but, worse luck, he cannot stand the resistance of the Wellington people. They are a stiff-necked and rebellious race, who decline to allow him to bully them, and there is trouble because the Premier cannot manipulate and run Wellington and its institutions ; he therefore loses no opportunity to have a fling at the city when he has the power. But I say that if ever a speech was made by the Premier which was unwarranted, and which misrepresented and distorted the facts, it was the speech he made this afternoon in connection with the alleged dishonesty of the Wellington Harbour Board in connection with this legislation. There was nothing in any of these three Bills which did not receive the best, most unselfish, and the most keen consideration from the members of the Joint Committee of the two bodies for a period of over two years. They gave more time unselfishly, more thought unselfishly, to the welfare of this city in connection with those three Bills than the Premier has ever given or is ever likely to give to New Zealand during the whole of his political career. Mind, I

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represent, but I if were to allow his statements bodies had absolutely nothing personal to gain to go unchallenged, if I were to allow it to go -not even position, place, or power. What they did they did for the benefit of the whole on record that I had said that I was going to community, and with the full knowledge of the promote a Bill to give these people who had a people interested. And I say again that those grievance a right of appeal, I should not be doing justice to myself. I will repeat now what people who surreptitiously petitioned Parliament I said. I said that, if it was proved a grievance and got the recommendation of the Committee justice had been done to any person, Parliament in a way-as the Chairman of the Committee is the high Court to which they have a right of appeal is not here I will not characterize it as I otherwise would have done, but I will content appeal, and I said you cannot take that right myself by saying this : All knowledge of their from them. Again, the honourable member misrepresented me, because he said, first of all, proceedings was carefully withheld from the Harbour Board. And, if I mistake not, it was that I had personal feeling in this matter. There has been no personal feeling on my part. not my colleague Mr. Fisher who asked that the Committee's report be read. My recollection I simply say I did this as a matter of duty. Why should I have any personal feeling? It is that I happened to come in in the nick of look on the Wellington Harbour Board as one time, when the report was about to be smuggled on the table. and I asked that it be read. The of the best Harbour Boards in the colony, and honourable member for Palmerston has alluded I look upon its chief officer as superior to any one else in that position in the colony. Why to the poor persecuted man who only asked for \$10 :00 for his little holding, and he got some should I have any personal feeling in the matter- \$1.200 from the Compensation Court. I have said, and I repeat, that the Bill He was brought in and passed, including

the three refused an offer of 41,100 from the Harbour Board, and he would probably have received subsections of clause 11- \$1.5 % if he had been amenable to reason and approached the matter in a spirit of equity and good faith. His interests at the Compensation honourable member has proved that this piece Court were most ably represented by Mr. of land is not wanted by the Harbour Board. Thomas Kennedy Macdonald, and from that The very statement that they must sell the tribunal he received a tenth part of his claim. land in nine years showed that they were taking Such is the class of people that the Premier has land that they did not want, and that the whole such a large and sympathetic heart for, and machinery has been used for borough purposes, for whose benefit he suggests introducing special and not for Harbour Board purposes. And the legislation. wind-up of the honourable gentleman was that An Hon. MEMBER .- NO. by this the Harbour Board lost \$0,000. I say Mr. HUTCHESON .- Members will bear me there are thirty thousand reasons why it should out that the Premier said that a small Bill never have been passed by Parliament. would be brought in. giving them the right of appeal against the decision of the Compensa- word in explanation. I understood the Premier tion Court. to say that a local Bill should be brought in Mr. SEDDON .- I put a prefix to it. enabling the petitioners to form a Court, in Mr. HUTCHERSON .- I will merely say in which, if unsuccessful, they would be required conclusion, that the Harbour Board is acting to pay the costs; he even elaborated the within the strict lines of its duty as a Harbour machinery of the Bill he said he proposed to Board in taking any portion of land required for bring in. harbour-works propor, and, should that necessi- tate a fresh subdivision of the remainder of the area. Task this House again, Is that any evidence I said distinctly that it was only in case of of bad faith or intention to deceive the House ? grave injustice being done to them the Bill I riterate that, instead of making money out should be passed ; 1 prefixed my remarks by of the transaction. they will in all probability that. ive a large sum by the transaction. In con- clasion. I ask again, Is the Premier going to charge of the Bill, to explain to the House that allow his feelings of hatred to Wellington and the honourable member for Wellington City her institutions to obscure his judgment and (Mr. Hutcheson) is in error in saying that the care him to say that which is not in accord- loss to the Board would be something like ance with fact ? I repeat that the Board has no other object than the promotion of the public made of possible loss is between \$9,000 and weal. and to properly discharge its duties as a Beard. The members of the Board have no personal interests to serve; they are not of being accused of pohing my nose into things .. actuated by animus or personal bias; they are simply doing what they believe to be their duty. I trust that the Premier will do nothing thing of what I intended to say has been said rashly in gratification of personal revenge that will prevent them from discharging their duty (Mr. Hutcheson). I intend to remark on the flaw as efficiently as they have done in the past. in the arguments of the honourable member in Mr. SEDDON (Premier) .- I do not think charge of the Bill when he said he was a repre- An Hon. MEMBER .- NO. Mr. SEDDON .- There was the proof. The Mr. HUTCHESON (Wellington City) .- One Mr. SEDDON .- Do you deny my statement ? Mr. WILFORD. - May I be allowed, being in \$30,000. The largest estimate that could be \$10,000. Mr. BARCLAY (Dunedin City) .- At the risk that do not concern me, I will venture to say a word or two in connection with this Bill. Some- by the honourable member for Wellington City

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Mr. WILFORD .- I said I hoped I was. Mr. BARCLAY .-- Well, I believe the general opinion is that you are. But, as the honour- able member for Wellington City said, the honourable gentleman may not occupy a seat on the Harbour Board for ever ; there may be various reasons why he should have to resign, and a more unsatisfactory member may be appointed. At all events, in the meantime he is nominated by the Government -- that is his position at present. I think it is right and proper that these men -- a very considerable number of them, running into hundreds, I believe -employed by the Board, who have to submit to everything that is told them, if the Chamber of Commerce and other bodies inter- ested in the harbour are represented on the Board, should have a representative also. I should like, also, to say a

word as to the reasons why I think it inadvisable to alter the date of the closing of the Board's financial year. It has been already pointed out by the Premier that it would be a serious disarrangement of things that the years of the Harbour Boards should not be the same, so that their statistics would not be comparable. It is very objectionable that one Board should have its accounts closing at one date and every other Board at another date. It may be that this is the best date on which to close the accounts, but, if so, let it embrace all other Harbour Boards. The reasons given for the clause say the present date is at the height of the wool season, and this renders it difficult to prepare complete accounts ; and you would naturally expect, if the accounts closed at the date which the Board proposes, there would be a considerable difference in the figures between those closing as they do now on the 31st December and those closing on the 30th September. The Board itself furnishes the answer. In its report for last year they give two tables : they give the wool and skins exports for ten years-from 1890 to 1900-on the 31st December basis, and also a table on the 30th September basis, and when you come to compare the two there is only, comparatively speaking, a few bales difference. Take the figures for 1900, for instance, on the 31st December basis: the number of bales was 120,708; for the year closing on the 30th September the number was 125,346-practically a difference of less than 5,000 bales. Take the 1899 period : the number was 107,438 on the 31st December basis, and on the 30th September basis, 108,988-a difference of only about 1,500 bales. In 1896, on the December basis, the number was 99,569, and on the September basis it was 96,223-only about 3,000 difference. It seems to me for such a small difference as this it is hardly worth while making the accounts different from all the rest of the colony. The question, "That the Bill be now read a third time," was negatived. On the question, "That the Bill be recommitted for the purpose of considering clause 5," Mr. Barclay that clause be recommitted clause 4 will also have to be considered, clause 4 reading as follows : " The Board shall, on and after the tenth day of February, one thousand nine hundred and two, consist of eleven members." Mr. J. ALLEN (Bruce) .- I should like to know whether the honourable member for the Suburbs consents to the recommitment to increase the number of the Board. I understood him to be in charge of the Bill. Mr. WILFORD .- The honourable member for Bruce is pleased to be facetious. I am still prepared to stand by the Bill in its entirety. Mr. SEDDON .- My vote will be for recommending clause 7. Mr. WILFORD .- I am prepared to agree if the House consents to the excising of clause 7; but in regard to clause 5, I cannot agree. The House divided on the question, "That clause 7 be recommitted." AYES, 27. Napier Allen, E. G. Guinness Palmer Barclay Hall Seddon Bennet Hall-Jones Buddo Houston Stevens Ward Carroll McGowan Witheford. Mclachlan Duncan Meredith Tellers. Fisher Millar Flatman Carncross Fraser. A. L. D. Mills Mackenzie, T. Gilfedder NOES, 32. Russell, G. W. Allen, J. Hogg Smith, G. J. Arnold Hutcheson Bollard Steward Lang Tanner Collins Lawry Lethbridge Thompson, R. Colvin Thomson, J. W. Ell Massey McNab Wilford Graham Hanan Monk Willis. Hardy Morrison Tellers. Haselden O'Meara Atkinson Pirani. Rhodes Herries Majority against, 5. Amendment, to recommit clause 7, negatived. The House divided on the question, 5.0. " That clause 5 be recommitted." AYES, 19. Atkinson Hall-Jones Steward Thompson, R. Barclay Hardy Willis. Bennet Hogg Mackenzie, T. Duncan Ell Tellers. Mclachlan Gilfedder Meredith Fisher Pirani. Hall Pahner NOES, 39. Allen, E. G. Colvin Herries Allen, J. Flatman Houston Arnold Fraser, A. L. D. Hutcheson Lang Bollard Graham Buddo Guinness Lawry Carncross Lethbridge Hanan Haselden Collins Massey

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Smith, G. J. Tellers. Mills O'Meara Monk Stevens Wilford. Morrison Tanner Napier Majority against, 20. Amendment negatived. Mr. SPEAKER .- The House has decided that the Bill shall not be now read a third time, and it has rejected both amendments for the recommitment of two clauses. The only course now is for the honourable member to ask if the House will consent to allow the third reading to be fixed for Thursday next. Mr. WILFORD .- Perhaps honourable members will consent to allow me to move it now.

Mr. SPEAKER .- It cannot be read a third time no., as the House has already refused that. I think the honourable member will have to be satisfied if the House will allow the third reading to be set down for Thursday next. Consent was given to allow the third reading to be set down accordingly. PATEA HARBOUR BILL. Mr. HASELDEN (Patea) .- In the absence of the honourable member for Hawera I have been asked to take charge of this Bill. I did not expect to have charge of a Bill so soon after taking my seat in the House, but I wish to say a few words with regard to the Patea Harbour. It is not a very large harbour, but it is a very use- ful one. A great amount of produce is sent out of this particular harbour, especially now that we have so large an export of butter. An enormous quantity of butter is sent via this harbour to Wellington, and so are quantities of wool, tallow, and preserved meat. The history of the harbour is this : In 1878 the sum of \$10,000 was borrowed to improve the harbour, and that was expended under supervision in accordance with plans prepared by Sir John Coode. This sum of \$10,000 was very judiciously expended, and improved the harbour very considerably. Later on a further sum of \$5,000 was borrowed, and of this £3,000 has been expended ; but £5,000 has also been expended out of the ordinary revenue of the harbour in improving it, showing conclusively that the harbour is returning a very large amount of revenue; and it is ex- pected that with increased facilities the revenue return will be even greater than it is now. The Bill before the House asks permission to borrow £10,000 for further expenditure. We are not asking Parliament for any assistance, except for permission to borrow money and to pay for it ourselves. The revenue will meet the whole of the interest necessary, and a little more. Be- sides, as I have stated, £5,000 has already been paid out of revenue for the improvement of the harbour. The total sum now to be ex- pended is #25,000, and the revenue derived will amount to £1,910, leaving a margin of £535 above the amount required for interest. I think I need say little more. This harbour is outside the harbour and go direct to London. I move the second reading of the Bill. Mr. SEDDON .- In seconding the proposal I do so because I know positively that the har- bour improvements are badly wanted at Patea. After what has been spent something more must be done, otherwise what has been already spent will not give that benefit residents of the district are entitled to expect. There is some- thing wanting in the Bill, and that is the plan of the proposed works. That has not been deposited with the Minister of Marine. An Hon. MEMBER. - It was put before the Local Bills Committee. Mr. SEDDON .- Did the Local Bills Com- mittee have the plan of these works before them, or the previous one? Will the honour- able member answer that question ? That is just one of the defects. It was not deposited. An Hon. MEMBER .- It was produced before the Local Bills Committee. Mr. SEDDON .- The old plan. Mr. GRAHAM .- The new general plan. Mr. SEDDON .- We shall get at it by-and-by. What I claim is that in respect to the expendi- ture of money on harbour-works we ought to have had the plans submitted. That is all I claim-that it speaks in general terms :- "The Patea Harbour Board (hereinafter re- ferred to as ' the Board '), constituted under the said Act, shall have power from time to time to borrow, in the manner and subject to the con- ditions of the said Act, upon the security of all lands vested in the Board or set aside as endow- ments, and of any works constructed or being constructed under any Acts heretofore in force, and of all other property or income of the Board, all such sums of money as may be necessary for the purpose of constructing or repairing harbour-works within the Harbour or Port of Patea." Now, the words there are "constructing or repairing " within the Patea district, or within the Harbour Board district, to the extent of £10,000. I know the works they propose to construct are necessary. I know that they are in accordance with Sir John Coode's plans, and they were subsequently reported upon and ap- proved by Mr. Thomson, who is now the har- bour engineer at Greymouth, so if there is any objection taken by the Crown as to the pro- posed works we know the lines that they intend to go on-that they are as recommended by Sir John Coode, and that they are as approved by Mr. John Thomson; consequently, the £10,000, in my opinion, is necessary, if you are to put anything there at all. But my only fear is that they would not have enough money. As to the necessity, I think we all admit that. As to the plans, of

course, that is a matter that can be seen to afterwards. This last plan and report, I understand, are from Mr. Reynolds. Mr. GRAHAM .- The plan for a new work was prepared by Mr. Leslie Reynolds. Mr. SEDDON .- Well, with Sir John Coode's plans, with the extension under Mr. John

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said the work can be done for €10,000, he is generally careful, and his work generally comes out pretty near to his estimates. Not long ago the coastal steamer got ashore, and there is great risk until some improvements are made in the harbour. I can assure the House, therefore, under these circumstances, that they will in the debate on this Bill to close without saying a word well to pass the Bill. Mr. FISHER (Wellington City) .- Sir. I have much pleasure in supporting the second reading of this Bill. I know the district well, and I also know a good number of its settlers, who formerly were residents of Wellington. I have had special representations made to me from persons in business in the Patea district as to the necessity and the great desirability of carrying out this work. The people of Patea have, in the person of Mr. McKenna, a very energetic and enterprising Chairman of the Harbour Board. The district is notable for its productive power, and these harbour-works are greatly needed to give the district an outlet for its products. There may be some feeling that the Patea Harbour works are calculated to sap the trade of the New Plymouth and Wanganni Harbour Boards, but really there ought to be no jealous rivalry of the kind. The settlers of Patea are as much entitled to a seaboard outlet for their products as any other part of the colony. It is a great drawback to that part of the country that they should have no port. and, if the money asked for will provide the necessary shipping facilities, we ought to give them the opportunity of borrowing the money. Knowing, as I do, so much of this district -- having so frequently passed through all parts of that country -- knowing its great productive power, and knowing the great desire of the gentlemen who compose the Harbour Board there. I was glad to hear the remarks of the Premier, who has offered in the most generous manner to support the passing of the Bill. I am sorry I have not with me the particulars I received from a friend whose interests are bound up in the Patea district. I unfortunately left his letters at home, not expecting that the Bill would come up this afternoon. Sir, I have great pleasure in supporting the motion for the second reading of the Bill, and I hope in the interests of the Patea district it will become law this session. Mr. SEDDON (Premier). - When I rose just now I was under the impression that according to the original Act of 1878, or the general Harbours Act. a plan of the proposed work was required to be deposited with the Government ! gentleman who is in charge of the Bill, and who three months beforehand. That plan has not been deposited. It was taken, of course, on the main plan laid before the Local Bills Committee. The section of the Act of 1833 allows the plan to be deposited by order of the Governor in Council. . But I think the difficulty has been got over : and, as for the plan going before the Committee, there was a plan before the Local Bills Committee, and therefore it has done its duty so far as it was concerned ; but the plan that I mean, when he said that local Bills were allowed Mr. Seddon Committee it was plainly pointed out that the measure did not authorise the construction of the works, and therefore the objection that it was not deposited three months prior to the session practically falls to the ground. Mr. WILLIS (Wanganui) .- I should not like few words. I have known the Harbour of Patea for the last thirty or forty years, and I am quite satisfied that the improvements suggested will be of great benefit to that district. I am also satisfied that the money expended there already has been well spent, and it only requires the outlay of some further money to make it a good harbour. I only wish, myself, that it was a question of our own harbour improvement that was in contemplation. Although we require money for our own harbour, still I can give my support to other harbours, and, although I naturally regard things from our own standpoint, I would be very pleased indeed to see Patea afforded the opportunity of sending away the produce of the surrounding district from that port. There is another thing I should like to say. I think a great part of the prosperity of the colony is due to the large number of harbours we have, by means of which our exports may be carried away profitably, instead of our having to go to a large

expenditure for the purpose of conveying them to the large centres. I know there has been a feeling often in Wellington that it is the natural centre, and that everything should drift to and be distributed from Wellington. But, friendly as we are, and much as we would wish to see Wellington prosper, I think it is quite right, that we should push forward the improvement of our own local harbours, by means of which our produce can be carried away most profitably, to the advantage of our farmers and ourselves. Mr. TANNER (Avon) .- Sir, I was 7.30. about to remark at half-past five, when the House adjourned, that the honourable member for Wanganui had apparently not finished his remarks, but was under a misapprehension when he sat down, and I was proposing to give way that he might conclude anything he might desire to add, but I find that on reassembling he is not present. What has struck me during the few words that have been said with regard to this local Bill this afternoon is the small amount of information that has been vouchsafed to the House. It is a most unfortunate matter that the honourable introduced it, should have been, I suppose, unwittingly absent at the time it was called on, so that the measure fell into the hands of a new colleague, who probably may or may not be acquainted with the position, and who has apparently been taken unawares in moving the second reading. No one, of course, wishes to criticize the honourable gentleman, but it struck me that the words of the Premier this morning

before the day passed. What does the House as a whole know of the position of the Patea Harbour Board ? I have myself endeavoured to glean all the information attainable, and I find it is meagre and scanty. I find that the Harbour Board was intrusted some years ago with nearly four thousand acres of land as endowments. We have not been informed what revenue is derived from those endowments, or whether, like a neighbouring Harbour Board -the Wanganui Harbour Board-it has succeeded in selling them and spending the proceeds. Hon. MEMBERS .- Oh ! Mr. TANNER .- Honourable members say " Oh." but it is a fact that the General Government endowed the Wanganui Harbour Board with 25,000 acres of land, the whole of the freehold of which has been sold and the money spent. I remember, in 1892, when the last Bill was passed through this House giving power to sell the last remnants of the 25,000 acres, and at the time I called attention to the fact. Sir, I find the Patea Board has had large borrowing-powers extended to it in the past. In 1878 power was given to borrow \$10,000, and in 1890 power was given to borrow a further \$5,000. I should have been glad to hear from the honourable member who moved the second reading how far the Board has used its powers of borrowing : whether any large amount has been borrowed. Mr. PIRANI .-- It has all been borrowed. Mr. GRAHAM .- No ; \$13,000 out of \$15,000. Mr. TANNER .- Well, at any rate, no member wishes to stand in the way of the development of any portion of the colony. Our large harbours have been a success. Some of the secondary harbours have not been the success the people of New Zealand might have wished. and a good deal of useless and unnecessary expense has been incurred, casting burdens on the people for many years to come, which money has been, to all intents and purposes. wasted in some instances. I do not say that this applies to the Patea Board. I remember seeing the works some years ago, and they reminded me of the pictures we generally see in good books of the ruins of Tyre and Sidon on the Mediterranean coast. There were a few blocks of concrete standing above the level of the water, but the whole place had a dismantled and forlorn look, and is the most wretched spot one could conceive. But, Sir. things may have changed since then; I hope they have, but it would have been well if the honourable gentleman who moved the second reading had given the House some assurance. and some knowledge of the details, and whether it is likely, if the House passes this Bill giving further borrowing-powers, that the expenditure of the money will be carried out with somewhat greater degree of wisdom than has characterized the expenditure of such moneys in the past. ] feel that we pass many of these Bills far too lightly. The member for a district just introduces a Bill. He takes up the attitude that the from one member to another ; and, partly out of sympathy, and partly from indifference or a wish not to take any trouble in the matter, members assent to a Bill which, on

reflection and thought, they would rather blame themselves for sanctioning. I appeal to the honourable gentleman who has introduced the Bill, in his reply, to submit some further knowledge to the House than what it at present possesses with regard to the Patca Harbour Board. Mr. GRAHAM (Nelson City) .- Sir, as a member of the Local Bills Committee, to whom this Bill was referred, I feel it incumbent on me to speak a few words in explanation as to the position of this Bill. With reference to the merits, provisions, and particulars of the Bill, and as to how the money which the promoters of the Bill desire power to borrow is to be spent, and what it is going to be spent on, I say nothing. I leave that to the honourable member in charge of the Bill, who represents the district. My concern is with reference to the Bill as reported from the Local Bills Committee, and as to whether the Standing Orders have been complied with. The Right Hon. the Premier this afternoon, without one atom of knowledge of the subject, in supporting the second reading of the Bill made an apology for the Standing Orders not having been complied with, inasmuch as a plan had not been deposited with the Marine Department, as required by clause 148 of the Harbours Act. That, Sir, in the face of the Committee having reported to the House that the Standing Orders had been complied with, renders it necessary for me to make some explanation on the subject. This Bill, Sir, was referred to the Local Bills Committee in the ordinary way. When it came before the Committee there was a plan attached to the Bill. If the Bill had provided for carrying out the works that were shown upon the plan that was attached to it, the Bill would have been absolutely barred by clause 148 of "The Harbours Act, 1878," which says,- "No land shall be reclaimed from the sea or in any harbour, and no graving-deck, dock, or breakwater shall be constructed in any harbour or in the sea, except under the authority of a special Act; and the applicants for such special Act shall, three months at least before the session of the General Assembly at which such Act is sought to be obtained, deposit at the office of the Marine Department a plan." And so on. No plan had been deposited with the Marine Department, therefore, as I said just now, if the Bill had provided for the plan that accompanied the Bill before the Local Bills Committee being given effect to it would have been completely barred by that omission. It has been stated by the honourable member for Avon that local Bills are passed far too lightly by the House. I can assure the honourable member and the House that the Local Bills Committee gave this particular Bill a great deal of attention. They not only considered it on one occasion, but they adjourned it for a week for the purpose of

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reference to it. I found that no plan had been deposited; but it was apparent, when we investigated into the merits of the Bill, that it made no provision for giving effect to any particular work as defined on the plan that accompanied it, and no reference to any plan is made in the Bill. It is a borrowing Bill pure and simple. It is, in fact, in its operative clauses a facsimile, word for word, of the borrowing Bill of 1890, under which the Patea Harbour Board borrowed \$5,000 to continue the work they had previously been carrying on, and for which they had obtained \$10,000 in 1878. On that occasion no plan was deposited, and no plan was required, because it was a borrowing Bill. The Marine Engineer informed me that Mr. Leslie Reynolds's plan is absolutely a new work, and that it could not, under any circumstances, be considered as a continuation of the work recommended by Sir John Coode. It could not even be called a modification of such work. It is absolutely a new work. Therefore, if this Bill is passed the people of Patea may borrow £10,000; they may pay interest upon it, and keep it locked up in a chest or a bank, but they may not spend it on the work they propose until other public steps have been taken. If the \$10,000 they ask for power to borrow now is for the purpose of continuing the work which was formerly authorised, then it may be proceeded with without the depositing of a new plan for three months, as provided in clause 148 of the principal Act. They may in that case proceed under clause 4 of the amending Act of 1893. It is not a conflict of statutes, as the Premier stated. Clause 4 of the Act of 1883 is a modification of clause 148 of the original Act, and provides that after they have borrowed this \$10,000, if they are in a position to show

that it is in continuation of a. work previously authorised, then the Governor in Council may grant authority under certain conditions. Clause 4 of the 1883 Act says,- " Whenever any Harbour Board is desirous of executing or constructing any harbour-works upon lands vested in such Board or upon lands of the Crown of such a nature that the same could, under the said Act, only be carried out and executed under the authority of a special Act, the Board may apply to the Governor in Council for a special order, and, if the Governor in Council thinks fit, such order may be made and granted, subject to the terms and conditions hereinafter prescribed." Then follow eight or nine long subsections of the clause, which I need not read in full, but I will give the details of them : Before the works can be carried out the Board shall submit to the Minister a plan showing details of the proposed work. The Board shall deposit copies of such plan at the Customhouse or other public office in the locality where the work is to be carried out for public inspection. The Board shall give notice in writing to all persons whose lands may be injuriously affected by the construction of the proposed works. Such notice must state Mr. Graham local newspaper once in each of four consecutive weeks. Objections in writing may be lodged with the Minister against the carrying-out of the proposed works. After duly considering all such objections, the Governor in Council may grant a special order authorising the construction of the works asked for in the manner prescribed by Act, and the works so authorised must be specially mentioned and described in the authority given. Now, all these things will have to be done before the money sought to be raised by the borrowing Bill can be expended. Therefore there is ample protection for every one concerned. If this Bill had been, as I have already said, anything more than a simple borrowing Bill, the Local Bills Committee would not have given instructions to report it to the House as having complied with the Standing Orders. But there is nothing to show that the money has to be spent on any new work, and before that money can be spent, if they borrow it, they have got to do all the things I have just now stated. If the honourable member for Avon will accept my assurance, together with my explanation, he will, I think, feel satisfied that local Bills, when they are referred by the House to the Local Bills Committee, are really carefully considered. The honourable member for Palmerston says " Hear, hear," and he is in a position to speak from personal knowledge, because he was present when this Bill was under consideration by the Committee. He spoke a few words this afternoon. Of course, he knew the position, and he knows to some extent at least the trouble which was taken by the Local Bills Committee with reference to the Bill which is before the House. I am very glad that the honourable gentleman happened to be there to see how careful the Committee is with reference to any recommendations they make to this House. I would not report to this House that the Standing Orders had been complied with unless I felt convinced in my own mind that they had been complied with. I hope, Sir, after this explanation, members will not think for one moment that local Bills are not dealt with effectively by the Committee to whom they are referred. I do not, as a rule, think it my business to take up the time of the House with discussing local Bills after they have been reported upon. The Committee investigates and deals with them, and when I have, by direction of the Committee, reported that a Bill has complied with the Standing Orders, and, when necessary, on the merits of the Bill, I am satisfied without saying any more. The Premier this afternoon, in reference to the report of the Committee, without any knowledge of the subject, took upon himself to say that the Standing Orders had not been complied with. I do hope the right honourable gentleman knows more about the many important policy measures that he brings forward and expounds upon to the House than he knew about this Bill, otherwise he would not be in a

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Mr. HALL-JONES (Minister for Public Works) .- I think every honourable member can bear testimony to the great care which the last speaker exercises in every matter that comes before him. Honourable members know, of course, the attention he gives to every matter that comes before this House, and they can readily understand that, as Chairman of the Local Bills Committee, much greater care and



responsibility is cast upon him. On that Committee I can assure honourable members that he acts as our guide, philosopher, and friend. But, Sir, I should not have risen but for a remark dropped by the honourable member that no work would be undertaken under this Bill unless it came before the House again. Now, I should not like any member of the House to misunderstand the position. The Premier said, and correctly said, there was a conflict between the Act of 1878 and the Act of 1883. One of those Acts prescribes that no work shall be undertaken unless plans of the work are deposited with the Marine Department three months before the meeting of Parliament. Well, in this case the Chairman of the Local Bills Committee has informed you-and, of course, we know what he states is correct- that the Bill could not have proceeded under the Act of 1878. But there is a conflict between the two Acts, inasmuch as the Act of 1883 allows the work to be done. This being simply a borrowing Bill, then the local body is to have its plans prepared and submitted to the Marine Department, advertised in the local papers for a certain time, all the local bodies interested are to be notified, and then only when the Order in Council is issued can the work be proceeded with. There was some doubt in the mind of the Chairman and others as to what was the intention of the promoters of the Bill; and when we were waited upon by the Chairman, Mr. McKenna, and the secretary, they made the matter very clear to us, and I can assure the House that, so far as the forms of the House having been complied with, they need have no hesitation in allowing the Bill to proceed. Then, as to the nature of the work, I know something about Patea, and something about the enterprise of its inhabitants. I know something about the needs of the district, and I know that that district, and from there on to New Plymouth, is one of the most prosperous parts of the colony, and I agree with the honourable member for Wanganui, who says it behoves us to enable those people to tax themselves in order to carry out the required works. I believe this will be of great service to the town, and I hope honourable members will allow the Bill to proceed. Major STEWARD (Waitaki). - I do not rise to oppose the Bill, Sir. On the contrary, I am quite prepared to support it. But I wish to draw the attention of the honourable gentleman in charge of the Bill to the fact that there is an omission in its provisions, which should be supplied in Committee. Of late years, in all borrowing Bills that have passed this House, be borrowed. Last session we passed a Bill relating to Westport Harbour, and another relating to Greymouth Harbour, and in both of them this proviso occurs :- "But no money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than four pounds per centum per annum, anything in the last-mentioned Act notwithstanding." Then, in the Dunedin City and Suburban Tramways Bill the limit was made 5 per cent. It is quite possible that in the case of a small loan such as is proposed to be authorised by this Bill 5 per cent. would be the limit inserted in Committee. It is quite clear that, unless the House is going to depart from the rule that it has laid down during the last several sessions, it will be necessary for the honourable gentleman to accept, or himself incorporate in Committee, a clause limiting the price at which debentures may be sold. Mr. T. MACKENZIE (Waihemo). - This question of harbour expenditure is one that I think the House should exercise very considerable discretion in connection with. I believe, however, so far as Patea Harbour is concerned, that that is a modest work, and will probably repay interest on expenditure; and from all that we have heard to-night there is every justification for this measure going on, subject, of course, to the very important provision which has been so ably laid before the House by the honourable member for Waitaki, the Hon. Major Steward. I took a very keen interest at the time of the discussion before the House regarding the limit of interest that should be permitted on loans to be raised by local bodies. I did that because I recognised that the time was coming when the colony must take over the responsibility of sound harbour loans. It is absurd to think that for all time we shall go on paying 6 per cent., as is the case on many of these loans, of which 90 per cent., and in some cases only 80 per cent., was contributed. I say it is the duty of this House before sanctioning a single loan to see that the expenditure is a wise one, and that adequate revenue will result. If that is so, the colony will come in a very practical way to the rescue of the people

who are going in for harbour expenditure. We had the Minister of Marine stating that it was right and proper for the Government to assist the harbour-works; but the greatest assistance that can be extended to local bodies at the present time is to give a guarantee to their loans, which will enable them to gain their money at the lowest rate of interest. And that principle should extend further, and we ought to have the Imperial guarantee behind genuine colonial loans, so that when money is raised for this colony for defence purposes and for other colonial purposes the people of this colony should obtain the money at the lowest possible rate of interest. I regard the proposal suggested by the Hon. Major Steward, that 5 per cent. should be the limit, as far in excess. Now, I do not believe, except in cases

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What is the price of money in the London market at the present time? Did we not see these gilt - edged 23 per cent. British Consols down to \$92, a point never reached before? And all these arguments go to prove that what I said ought to be adopted by the House. An honourable gentleman on the left says it is owing to the war. But my financial friend the honourable and able representative for Nelson City says that the price will soon go up again, and I repeat and indorse that. We do not always find that common-sense delivered from that honourable gentleman, and it is only right and proper when we see the honourable gentleman moving along the narrow path of rectitude-which we always hope to see him pursue- that we should commend him, because we thereby encourage him to do the right. Coming back to the point which the honour- able gentleman has tried to wile me away from by his interjection, the point is this : That we should not sanction the raising of loans at the present time, because we shall not get that value that we shall probably get for our money as soon as this unfortunate war is over. Now, Sir, whilst I have not risen for the purpose of opposing this Bill, I am glad to think that the Chairman of the Local Bills Committee has endeavoured to make it a little clearer in the House as to what took place before the Local Bills Committee in connection with this particular Bill, because Standing Order 390, dealing with local Bills, clearly sets forth that the Committee shall be supplied with a state- ment of the finances of the body, and the works upon which the money is to be expended, and also a map showing the work to be undertaken. The honourable member has been exceedingly severe on the Premier this evening. He has been as bold as a lion in the absence of the Premier. What the Premier said was not based upon that which the honourable member en- deavoured to explain away. What the Premier stated was not that the Standing Orders had not been complied with, but that a map should be deposited somewhere in the district for a period of three months. An Hon. MEMBER .- No. Mr. T. MACKENZIE .- It has to be deposited and advertised in the district. Mr. GRAHAM. -- It was deposited in the Magistrate's Court of the district. Mr. T. MACKENZIE. - Very well, why did you question the statement of the Premier ? The Premier said distinctly that there was a map required to be deposited for three months before this Bill can be gone on with, and accord- ing to the Premier, that map was not so de- posited. He did not say that a map did not accompany this Bill when it went before the Local Bills Committee. Therefore the explana- tion of the honourable member, and the courage he has shown on this occasion, was entirely uncalled-for, because the Standing Orders have been complied with, and the Committee recom- mended that the Bill be allowed to proceed. Coming to the question of the propriety of Mr. T. Mackenzie he in that connection instanced the Wanganui Harbour Board. I am sorry that the honour- able member for Wanganui is not in his place to- night. You cannot in the whole of the loan expenditure of this colony find a more flagrant instance of waste of public money than was carried out in connection with that harbour. They raised a sum of something like £60,000, and spent the bulk of it in river-works, and after the expenditure took place they dis- covered that, instead of assisting the navigation and increasing the depth of the water in the river, it absolutely reduced the depth of the water. That is a fact. And what are they going to try to do now ? They are endeavouring to raise money for the purpose of making a more efficient harbour ; but it is only for the purpose, after all, of bringing in the little mos- quito fleet which coasts round our shores. Will one of those

large cargo-boats which are constructed for the purpose of taking away the produce of the farmers-wool and frozen mutton -- will one of these steamers be accommodated with 1 in. more water ? They will not. The whole policy of borrowing for further harbour construction emanates from the people of the Town of Wanganui. If you appealed to the farmers of the Wanganui district as to whether or not \$100,000 was to be literally wasted in the harbour, and for which they would be taxed without one farthing of benefit, would they assent ? They would not. It is the people in the towns, in order to have the temporary expenditure of hundreds of thousands of pounds-they advocate the expenditure of this money; but the responsibility of the bulk of that expenditure, unfortunately, falls on the farmers in the back districts, and for all time heavier export and import rates will be imposed on the products coming and going into the district, or else a rate will be levied on the district. And, when that comes about, will that assist the farmers, as we heard so eloquently put by honourable but irresponsible members this afternoon ? You simply handicap them to a much greater extent, without extending one iota of facility for the export of their produce. I therefore say, so far as the Wanganni Harbour is concerned, what this House wants to pass is a Bill to protect people from themselves-to protect them from the rashness of their own actions -and to take the voice not only of the townspeople on expenditure of this class, but the voice of the producers -- not the consumers and distributors of the townships, but the producers in the country-as to whether or not this expenditure should be gone on with. Can we have a more glaring instance of waste of money than has occurred in connection with the construction of the so-called harbour-works at Napier ? An Hon. MEMBER .- How about Wellington ? Mr. T. MACKENZIE .- I should like to say this about Wellington : If the expenditure had been carried on in connection with other harbours under the wise engineering supervision that has characterized the working of the

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nificent ports, and the harbour accommodation is the best in the Southern Hemisphere, and this is largely due to the able men who have composed the Board, and because they allow Mr. Ferguson, their engineer, to wisely dominate their expenditure and their operations. But coming to the question of the Napier Harbour. It was recognised as Bill after Bill went through this House authorising increased expenditure of hundreds of thousands of pounds that this money was to be literally wasted -- and it is wasted. They have spent between \$500,000 and 9600,000 on the harbour works, and it does not aid one of these steamers a bit. Not so; they cannot use the protective works or wharves when the weather is in the least rough : and if it cannot be done in rough weather, what is the use of having a fair-weather harbour? And I suppose when these great cargo-steamers and ocean-going tramps to take away the produce of the farmers of the Napier district go to the port not one single ocean-going tramp or cargo-boat ever goes near the wharf. Mr. MILLAR (Dunedin City) .- I rise to a point of order. What has the Port of Napier to do with the Patea Harbour Bill ? Mr. SPEAKER .- I must say I think the honourable gentleman is travelling rather wide of the mark. Mr. T. MACKENZIE .- I always obey the ruling of the Chair. What I wanted to point out to the House is that as imprudent expenditure, and as glaring mismanagement have occurred in the past in connection with expenditure, and as these mistakes have rather been made by the people of the towns than the people of the country-if these mistakes have occurred in connection with other harbours, it is reasonable to suppose with the same influences that have been acting in Wanganui -and that I was referring to as being alluded to by the Minister of Marine and the member for Wanganui-that as these loans have been influenced by the townspeople rather than by the country people, then I contend that the voice of the country people should be taken in preference to that of the townspeople. And the beting on the Harbour of Patea is this : I believe it is the people of the Town of Patea rather than those of the surrounding district who are contending that this should be gone on with. If I am confined to the question of the Patea Harbour I shall go into the finances of that particular harbour, and I shall show that, although they wish for a further expenditure of \$10,000, their exports, instead of

being an increasing quantity, are diminishing. On page 14 of the published report of the Patea Harbour Board we find that the exports for 1900 amounted to 533,000. whereas the exports for 1599 were \$103,208, the difference between those two years being no less than \$20,000. In other words, the exports from that harbour have diminished in one year by \$20,000, or 20 per cent. In the year 1593 1897, when the exports were \$113,701, which is something like \$30,000 above what the exports were for the year 1900. Then, if the exports are diminishing in that ratio, I venture the opinion that the agriculturists in that district are either finding another outlet owing to the cheap railway fares that we have heard so much about from the Minister for Railways, or the produce is not there to send away. I hope the honourable gentleman in charge of this measure, when he replies, will give full information in regard to this matter. He will probably point out to us that the sheep previously exported from the Port of Patea are now being bought up by the enterprising meat-freezing company of Wanganui, and are being shipped from the Wanganui works instead of from that port. That may probably account for the diminished exports for 1900, as against those of 1897. We might go back a little further. Take, for instance, the year 1896. We find that the exports then were \$123,784. In 1895 they were \$108,000, in 1894 £115,000, and in 1893 they were \$99,592, so that last year they were \$16,000 less than the year 1893. Now, coming to the general account of the Patea Harbour Board, I find that the total revenue was \$4,038 Os. 3d., but from that considerable items, which really do not stand as revenue, have to be deducted. There is a balance of \$1,036, so that the Board's revenue is something like \$3,000. Now, in connection with this matter of revenue, I should point out that there is a loan of \$13,000, upon which 44 per cent. interest has to be paid. absorbing \$585 of the money derived by the Board. And, then, Sir, there are the sinking funds. There is a sinking fund of 24 per cent. on the 410,000, and of 2½ per cent. on the \$3,000. The sinking fund in the one case absorbs \$250, and in the other \$75. You will therefore see, if you are going to borrow and to authorise the expenditure of another \$10,000, we ought to ask the Hon. Chairman of the Local Bills Committee to explain, as he has not explained to-night, where that probable revenue is to come from, seeing that the exports during the last six years have enormously decreased. I say the honourable gentleman has not been faithful to his work when he recommended that the Bill should proceed, for he should have shown us clearly and emphatically that not only had he examined the proposed plans, and seen that the Bill had been properly advertised in the district as is provided by law, but he ought to have been prepared with figures - - because the honourable gentleman is an authority on figures, and I believe it is within the history of this House that he made one great financial statement here that riveted the attention of the House and was cabled all over New Zealand. However, that is by the way. Mr. GRAHAM .- You ought to be Chairman of the Local Bills Committee. Mr. T. MACKENZIE .- I am an ex-chairman of the Local Bills Committee, and I venture to

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increased revenue is to come from in respect to this further expenditure of £10,000, and until that is clearly shown I say the honourable gentleman has not done his duty. But I venture to think that the honourable member in charge of the Bill will give such an explanation to the House as will show that, although the Chairman of the Local Bills Committee has not done his duty faithfully in the Committee, he, at any rate, knows the responsibilities and resources of that district, and will show clearly to the House that it is a right and proper thing that the Bill should pass. Now, there are a few more points that I want to make about this Bill, and they will be chiefly of a financial nature. I regret to think that we have not a statement in this House showing the actual position of the different Harbour Boards of the colony. What occurs here is that year after year each Harbour Board, as the Act requires, places upon the table of the House a statement of its finances, but after they have been laid upon the table of the House no record is kept of them. I have been hunting through the Library to see whether I could obtain these reports, and ascertain what has gone on in connection with the various expenditure on our harbours, but not one

single copy of the reports that from time to time have been laid upon the table of this House is now available. What becomes of them is past my comprehension. An Hon. MEMBER .- They are in the cellar. Mr. T. MACKENZIE .- I believe they are. I went to one of the librarians and told him, and he said another had gone home and had taken the key; and the same thing occurred a few nights ago when I wanted to refer to some agricultural matters. These things ought to be open to members in order that they can go fully into the consideration of the harbour- works and other matters, and give such votes as will be safe and also as will conserve the best interests of the colony. Mr. G. W. RUSSELL (Riccarton). - After the very entertaining address which has been delivered by the versatile member for Waihemo, I fear the few remarks I have to place before the House will fall flat and trite. However, there are one or two points in connection with this Harbour Bill upon which I desire to bang a few remarks. The point that always surprises me in connection with Harbour Bills being laid before the House is the rapidity-I might say, the amazing rapidity-with which they have been accepted by the House and passed through. I think the honourable gentleman was correct in the statement he made that sooner or later all these Harbour Boards' liabilities, and especially those of the smaller Harbour Boards, would fall on the colonial taxpayer, and it is from that standpoint I wish to say a few words. First, as to the rate of interest, which is unlimited in the Bill. I remember very well that last year I appeared before the Mr. T. Mackenzie I remember that then the Local Bills Committee insisted on a clause being inserted that the lender should not be paid more than 4 per cent. for the loan; and I cannot understand why the Local Bills Committee has allowed this Bill to come down permitting the Patea Harbour Board to pay unlimited interest. I certainly think that when the Bill is in Committee it will be the duty of the House to insert a clause which will bind down the Patea Harbour Board, the same as the Local Bills Committee has bound down other bodies during the last few years, to pay a rate of interest not exceeding 4 per cent. in connection with the loan. The large question which is involved in connection with these smaller local harbours is the relation that they stand in to our State system of railways. Now, the member for Wanganui spoke almost in terms of ridicule of the idea of the Wellington Harbour being a port for Wanganui and the West Coast harbours and districts. Why, Sir, what other place is there in the colony from which the produce of the farmers of Wanganui and Patea can be better sent to its destination in the markets of the world than the Harbour of Wellington ? The particular point I wish to make is this : All the money that is being spent in connection with these small coastal harbours is not being spent in opposition to the large harbours of the colony, but is rather being spent in opposition to the railways of the colony, for the simple reason that if we had a proper system of railway freights, then the whole of the produce that has to go to the London markets in the way of frozen mutton and in the way of butter, instead of being sent in these small vessels from the small bar-harbours, would go along our railways to the ports whence they would be forwarded to the Mother-country, or wherever the markets may be. An Hon. MEMBER .- The direct liners come to Wanganui. Mr. G. W. RUSSELL .- What is the use of saying that? Do not I remember in the old days, at Wanganui, when they started their harbour-works at Wanganui, they actually began to train the steamers to jump hurdles. They found that the steamers had to go over sand-banks, and mud-banks, and protective works, and they had to train the steamers as steeple-chasers. The vessels that go as direct liners to Wanganui are only intermittent, not regular, and freezing-works must get rid of their produce rapidly ; and therefore I repeat that, so far as the harbours of the colony are concerned, we have to recognise that the two harbours for the North Island are Wellington and Auckland, and that the two harbours for the South Island are Lyttelton and Port Chalmers. Our railway interests must therefore be worked so as to handle the produce from the distant districts, and carry it to the natural ports of debarkation. An Hon. MEMBER .- What about Timaru ?

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the Smithfield mutton is frequently railed to Lyttelton for the purpose of being shipped. It is frequently

done on account of the fact that, there being a great many more vessels going to Lyttelton, there is a constant opportunity to forward lamb and mutton for Europe ; whereas at a place like Timaru they can only have a vessel to load occasionally. Experience shows that in almost every great producing country there are two or three large ports which are the natural shipping centres of those countries, and, that being the case, I submit that the policy of this House should be the limiting, as far as possible, the expenditure upon these small bar-harbours; and for that purpose the Government should lay down as the policy for our railways that the products of the colony shall be carried at the cheap fares for long distances that obtain in America or Canada or Australia. Do honourable members know, for example, that we have actually no rate of freight on our railways for frozen meat ? The railway freight for frozen meat is simply for dead meat, and was instituted a number of years ago as a charge for carrying carcasses for sale in our cities. Our railways are still backward as far as comparison is concerned between the freights on frozen mutton charged in New Zealand and the freights charged in Australia. Again, compare our rates with the rates charged in America. There they have to rail wheat long distances, as much as fifteen hundred miles, to the sea-board. An Hon. MEMBER .- Where from ? Mr. G. W. RUSSELL .- From the north-west-the great wheat-growing districts of the United States-and also from Canada. Surely the honourable gentleman knows that much. If we compare that with the rates charged in our own colony, it will be seen that the key to the situation, so far as prosperity of the farming community of New Zealand is concerned, is in the railway freights that are charged. I therefore say it appears to me that whenever these small harbour questions are raised we have to consider the point of view of competition with the State railways, recognising that the colonial taxpayers must ultimately take the responsibility of these small loans that are now being negotiated. Mr. R. MCKENZIE (Motueka) .- Sir, I did not intend to take any part in the discussion on this Bill, but I desire to say now that I have had two surprises since the discussion on the measure commenced. One is that some honourable members will not recognise the progressiveness of which a young colony is capable. The honourable gentleman who spoke last says the meat should be railed from Patea to Wellington ; but what will he say when I inform him that, as a matter of fact, it would be cheaper to ship meat from Buenos Ayres to London than to rail it from Patea to Wellington ? An Hon. MEMBER .- That should not be. Mr. R. MCKENZIE .- No, perhaps not, but it is the fact. Now, I also wish to say this: tion, and I recognised that the amount of money now asked for is necessary to allow certain works to be carried out. Some honourable members in speaking to-day are probably trying to stonewall some other Bill. However, I think the House should recognise that the work is necessary. There is also the phase of the question pointed out by the member for Waihemo : that the money ought not to be borrowed at more than 4 per cent. Well, he surely knows that if a clause were put in the Bill to that effect it would render the measure ineffective. There is no analogy between the extensive works at Westport to which he referred and the small works required at Patea. There is no comparison between the two cases. I hope honourable members will now let the Bill go through, especially as it is in the hands of a new member, and if honourable members are trying to block any other Bill let them go straight for it and not block this one. Mr. MASSEY (Franklin) .- Mr. Speaker, after what has taken place this afternoon and evening, I am inclined to think the proper way to support a Bill is not to get up and make a long speech in favour of it, but rather, especially in the case of a local Bill, to use a well-known expression, to " sit tight," and eventually the measure will get through along with others, and find its way on to the statute-book. I do not think I would have said anything on this Bill if it was not for the desire I have to defend the Local Bills Committee and its Chairman from the imputations cast on them by previous speakers. One honourable member found fault with the Local Bills Committee for allowing this Bill to proceed without having seen that plans in connection with it were deposited for three months, as he said, in the Magistrate's Court in the district concerned. Three months. Why, Sir, if the honourable member will look at the Standing Orders - if he ever read the Standing Orders he would have seen that

the specified term is not three months, but three weeks. I do not propose to read the Standing Orders now, because it would waste too much time, but I would simply refer the honourable member to Standing Orders Nos. 383 to 389. Sir, the statement made by the honourable member shows a very superficial knowledge on his part of the Standing Orders, and I am surprised at such an assertion being made by a gentleman with the parliamentary experience which he possesses. Then, he quoted figures to show that the trade of Patea has been falling off during the last few years. I do not know where the honourable member obtained his figures. If he had looked at the report of the Patea Harbour Board -a copy of which I hold in my hand-he would have seen that in 1887 the exports from Patea amounted to £33,186, and last year the exports amounted to the large sum of \$83,927. That is to say, that in the years between 1887 and 1900 the exports had more than doubled, and I venture to say they will go on increasing at an even greater ratio than that recorded for the years I have

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was formerly a member of that Committee, and I have had some experience of its working, and I venture to say there is no Committee of this House which takes so much trouble as this Committee with the business submitted to it, and no Chairman of a sessional Committee who is more painstaking or more conscientious than the Chairman of the Local Bills Committee. I think it is necessary, in view of the reflections cast upon him, to make the remarks I have just made. Now, Sir, coming to the Bill, the position of the Patea Harbour Board, as I understand it, is something like this : They have borrowed, in two amounts, €13,000-at one time they borrowed \$10,000, and another time \$3,000, making, in all, €13,000. But, Sir, their revenue at the present time exceeds their expenditure, and has exceeded it for quite a number of years by nearly \$1,000 per annum, so I think they are quite justified in doing what they are doing now-that is, in asking the authority of this House in order to borrow a further loan of \$10,000 for the purpose of further improvements to their harbour. And, Sir, they are doing what sensible, practical, and progressive people ought to do-they are acting in accordance with the recommendations of one of the most eminent engineers who ever visited this colony-Sir John Coode ; and since he left the colony they have been acting on the advice of another eminent engineer - a Mr. Thomson, I think, at present a resident on the West Coast ; and they are acting in accordance with the plans and advice of these eminent authorities. Mr. HALL-JONES .- Mr. Leslie Reynolds's plans. Mr. MASSEY .- I have got the report of the Harbour Board here, and I trust I will not be interrupted for a few minutes, and I will lend it to the honourable gentleman when I have finished. Another honourable member who cast reflections on Patea and upon the harbour there was, I think, the member for Avon. He told us, so far as I can recollect, that when he visited Patea some years ago the harbour works at Patea reminded him of the ruins of Tyre and Sidon, or of some other Eastern city. It was quite evident from the remarks the honourable member made that he had not seen Patea during the last few years. He must have seen Patea long before the era of the refrigerator and the separator, and before the country in the neighbourhood of Patea had been occupied by enterprising and prosperous settlers, as it is to-day. I feel quite satisfied that when the Bill goes to a division a majority of honourable members will be found supporting the Bill. Now, we had fault found with the Local Bills Committee by the honourable member for Waitaki, and I believe by one or two others, for not having inserted a provision in the Bill limiting the rate of interest. Well, I am willing to admit that it was customary for the Local Bills Committee formerly to insert Mr. Massey years so far as the money-market is concerned ? Why, Sir, the Government itself a few years ago were able to borrow at 3 per cent., almost at par. But now they are glad to get money at 4 per cent., when they find it necessary to borrow. Mr. PIRANI .-- The Government paid more than 4 per cent. this year. Mr. MASSEY .- Yes, they have paid more than 4 per cent. if you take the cost of advertising into consideration and the fact that we paid interest before we received the whole of the money. But the same state of things affects local bodies, of which the Patea Harbour Board is one. I do not know what rate of interest they will have to pay, but I have

no doubt that the member in charge of the Bill will be willing to accept an amendment defining a reasonable limit, say, 5 per cent., which I think would be reasonable under the circumstances. I do not think I have any more to say with regard to this measure, but I can only remind honourable members that the Bill is in charge of the youngest member of the House, and I hope to see that courtesy afforded to him which is always afforded to young members ; and I think I might promise on his behalf that when he gets the Bill into Committee he will be quite willing to afford the House all reasonable explanation and to accept all reasonable amendments. Mr. T. MACKENZIE (Waihemo) .- I wish to make a personal explanation. The honourable gentleman stated that I blamed the Chairman of the Local Bills Committee for not having had these plans there for the three months. I alluded to a statement made by the Premier with regard to the three months, and I quoted from the rules of this House; and when the honourable member stated that they were before the Local Bills Committee I was correcting the member for Nelson City in regard to the statement he contradicted about the three months relating to the Premier's assertion. I am also going to show that the honourable member, wherever he gets his figures from, has made a most dreadful mistake. He wished to know where I obtained my figures from with regard to the Patea Harbour. Mr. R. MCKENZIE .- I rise to a point of order. Is this a personal explanation, Sir ? Mr. SPEAKER .- I am waiting to see how the honourable member connects these remarks with the explanation he desires to make. The honourable gentleman. I presume, considers he has been misrepresented. Mr. T. MACKENZIE .- My personal explanation is that the honourable member said that I had misrepresented the export values of produce from Patea. That was his statement, and he wished to know my authority. My authority is the annual report of the Patea Harbour Board, which has just been placed upon the table. This is what it says :-

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1893 TO 1900 INCLUSIVE. 33,186 1857 . . . . . 1800 99,592 . . . . . 115,254 194 . . . 108,792 1-95 . . . 113,784 1596 . . . . . 113,707 1-97 . . . 100,383 1848 103,208 1809 . . 83,927 They are the figures I quoted, and the honourable member has surely made a terrible mistake in saying that I was incorrect. An Hon. MEMBER .- They are the figures I quoted. Mr. T. MACKENZIE .- Then, if they are the figures you quoted, why do you say that I am wrong ? Mr. J. ALLEN (Bruce) .- Before the mover replies, I would like to say a few words. It seems to me that there is a misunderstanding, which was probably started by the Premier, with regard to plans. Whether the Premier was correct or not. others have been confused by him, and this is generally the case after the Premier speaks. The House is probably aware that there are two plans which are necessary, and the plans which have been referred to are not the plans which are supposed to be produced before the Local Bills Committee, but the plans which are required by the Marine Department to show whether the works which are proposed to be constructed in the Bill are works that the colony can approve of, or whether they are works which might be detrimental to the general interests of the colony. Why, I believe that one reason why these plans have not been deposited three months before was because the Works proposed may not be new works, but the extension of old works. It is said by the Chairman of the Local Bills Committee that there was no necessity to deposit them. Well. Sir, his argument is that this Bill which is now before us is not a Bill giving them authority to construct new works. Well, I am not sure of that, and I should like to hear what the Minister for Public Works has to say upon that matter. It is true that in this Bill there is not direct authority given for any fresh works, but under the Bill of which this is practically an amendment there is an authority to construct works. I refer to the Act of 1883. Under that Act, if they get the money they propose under this Bill, I take it they can go on completing works which they have already partially constructed. No doubt the honourable member in his reply will state whether the works proposed are works in continuation of those works started under the Act of 1883, or whether they are entirely new works. therefore requiring the deposit of plans with the Marine Department, or Order in Council. If these are in continuation of works begun under the Act of 1883, then I



should like to ask the Chairman of the Local Bills Committee whether the : not, and it is a little difficult to understand Standing Orders have been complied with, be- ! whether they are going backwards or forwards. VOL. CXVII .- 5. to have been deposited in the Stipendiary Magistrate's Court three weeks before the Bill came before the Local Bills Committee. How- ever, that is a point which the honourable member in charge of the Bill can make clear when he replies. Then, with regard to the Bill itself. I have looked over the Harbour Board accounts, and I find they have, according to the secretary or treasurer's report, from \$800 to €900 of surplus revenue. They make the claim, no doubt quite correctly, that they are able to pay interest upon their loan ; but the point is this: that the loan proposed to be raised under this Bill is a loan of \$10,000. They have \$800 or €900 of surplus revenue --- not €1,000, as the honourable member for Franklin says-and they can pay 8 per cent. upon this \$10,000. I should like the honourable member to make clear in his reply why they have asked for \$10,000 only. In the report of the Harbour Board Mr. McKenna suggests a loan of \$18,000 to \$20,000. It will be found in the report of the Patea Harbour Board, laid on the table this session. Under the heading of "Loans," he says,- "This brings me to the question of the re- -newal of the loan of €13,000, falling due in August, 1902, and the obtaining of further money for Heads improvements. It seems to me that the surplus ordinary revenue is sufficient to provide some \$800 or \$900 per annum for further borrowing, and if we can arrange for a long term of \$18,000 to \$20,000 we shall be within our means if we can obtain the money (including sinking fund) at 54 per cent." Then he goes on to show the importance of the harbour, and the increase of revenue that will ensue, which very likely is true. But what I want the honourable gentleman in charge of the Bill to state to the House, is whether the plans of which he spoke some time ago, and which ought to have been deposited in the Marine Department three months before new works are started -- whether those plans have been gone into. Has Mr. Leslie Reynolds, the engineer, been at Patea ; has he surveyed the harbour, has he laid out the plans, and has he estimated the value of work it is proposed to do? If so, is his estimate €10,000, or under that, or is it \$18,000 or \$20,000, as the secre- tary of the Harbour Board says? Well, if the secretary of the Harbour Board is right, then the Bill does not provide sufficient funds for the carrying-out of this work, as evidently it is intended to do. If that is the case, I think the honourable member will have to seek the advice of those for whom he is acting, and to assure the House that if a further sum is required he will put that sum into the Bill at a later stage. With regard to the question raised by the honourable member for Waihemo, and the honourable member for Franklin, I have looked through the accounts of the Patea Harbour Board to see whether they are making progress or whether they are

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honourable member for Waihemo is correct when he says that in 1899 to 1900 the exports dropped considerably. When one tries to find out the reason for the drop it is rather curious. Mr. McKenna himself recognises the drop and at tempts to explain it. He says the reason of the drop is owing, no doubt, to the temporary stopping of the meat works by the high price of stock. If the Harbour Board is dependent upon meat-works, which may be stopped when the price of stock is high, for the value of its exports, it seems to me that the revenue is not founded on a very solid basis. Very strong argument would have to be adduced to warrant this Harbour Board in spending extra money on harbour-works, which may only increase their difficulties, and not increase their revenue. And it is obvious that the expenditure of money on the harbour will not decrease the price of stock : and if the revenue is to be dependent upon the price of stock, then I take it that the expenditure about to take place will not have that effect, but will increase the charges without increasing the revenue. Looking through the general items of export that. take place from this harbour one finds that what is true of stock and meat is true of a great many other exports. I find that wool, instead of having increased in quantity and value, decreased last year, and that the amount of wool exported now is not within 1,300 bales of what it was in 1894. In 1893 they had 6,043 bales exported. and in 1900 there were only 4.799 bales exported. That is a very serious falling-off. One pauses

to inquire as to what is the reason for this falling-off in the quantity of wool sent away from this harbour. Either it is that the harbour will not allow the ships that would go there to come in, in which case the expenditure is justifiable, or else it is that the wool and other products are being sent by rail to Wanganni or Wellington, where an easier port may be found. I find that one of the few things that have increased in quantity is the bales or bags of fungus that have been sent away from this port. They have risen from 101 bags in 1894 to 602 bags. The export of tallow has decreased. So we find that many of the items instead of increasing have decreased. The only thing which has kept up the revenue of this Board have been the new industries. For instance, they have lately begun to export cheese, which was new to them until the year 189. There is a remarkable rise in the export of cheese from 1899 to 1900 of from 470 cases to 1,798 cases : and if it be true that that rise is continuous, then I certainly should agree with the honourable member in charge of the Bill that further expenditure of money is justified in this harbour. But, leaving the exports, one does find with respect to imports a considerable increase. The secretary draws attention to that in these words : - " The inward cargo shows the largest result in the annals of the Board by about 1,200 tons Mr. J. Allen really is somewhat hard to know whether this extra expenditure is justified or not. I have no doubt the honourable member in charge of the Bill, who comes from the district and knows its capabilities and wants, will be able to lay before the House a sufficient reason for us to vote for the second reading of the Bill. When we get into Committee there will be two questions which the honourable member will have to consider. One has already been mentioned- namely, as to limiting the rate of interest to be paid on the loan. Such a provision has been inserted in other Bills of late, and I have no doubt that some such provision will be inserted in this Bill. But there is another clause which honourable members have not mentioned, and one which, I think, has been inserted in nearly every local Bill which has come before the House of late years. I refer to a clause dealing with the sinking fund. The Patea Harbour Board has recognised all through its existence the necessity for providing for payment of its loans when they become due, and one finds in the accounts of the Board that it has in the past made provision for the payment of a sinking fund. The sinking fund accounts are shown, and in the course of a few years there will be sufficient out of the sinking funds to redeem the loans that are already in existence. An Hon. MEMBER. -- How much do they set apart for sinking fund ? Mr. J. ALLEN. 24 per cent. in some cases. That is, of course, a very heavy amount to set apart. I see the sinking fund account on a £10,000 loan is 24 per cent., and a sinking fund of 24 per cent. is also provided for on a loan of \$3,000. An Hon. MEMBER. - What is the currency ? Mr. J. ALLEN. - I do not know the currency of the loans. But, with regard to the bank proposed to be raised under this Bill, I find no provision for a sinking fund. The honourable member will perhaps be able to tell us why the Board in this instance has departed from what seems to me to be a wise practice, and a practice they have followed in regard to all previous loans - why in this instance they are not abiding by what seems a good plan. There may be good reasons for departing from what they have been doing in the past. Mr. HASELDEN. - It is provided for in the accounts. Mr. J. ALLEN. - The honourable gentleman assures me that a sinking fund is provided for, not in the Bill but in the accounts. The honourable gentleman will, no doubt, as he agrees with the principle of a sinking fund, be prepared to place this clause also in the Bill in Committee. Therefore when the Bill gets into Committee there are two new clauses to be inserted. one limiting the amount to be paid by way of interest, and the other providing for a sinking fund. I think the honourable gentleman will admit it will be wise to put in a sinking fund,

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I have been reading only lately of an effect in London of the floating of our loans there without making provision for sinking fund. and there can be no doubt if we had provided in our colonial loans for a sinking fund, as we had in the old days, we should have been able to float them at par, or a premium, instead of a discount of 4 or 5 per cent. If that be the case, that is a strong argument for this Board providing for a

sinking fund ; for it cannot afford to dat a loan at a discount, it wants all the money it can get. Another reason is that it is right with works of this nature-harbour-works, that are not permanent works in the sense that railways are permanent - to provide for repay- ment. A railway is a work which of necessity must be kept in repair. The rails are renewed and replaced by heavier ones from year to year, and the rolling-stock is replaced, so that really after fifty years it is probably superior in regard to actual value to when it started; this being done out of revenue, and not out of fresh capital. This Harbour Board is not similar to that. Harbour-works cannot be kept for ten or twenty years in as good repair as when they were started. The sea lhaves in a way it is not expected to behave; good wharf accommodation becomes inferior owing to the action of the elements; and it is reckoned that provision should be made for repaving a loan within a reasonable period. I hope that the honourable gentleman will con- sent to these two clauses in Committee, so that, he might have no difficulty in passing his Bill through. In Committee I will do my best to assist him to pass it, and I hope honourable in moers will give him that assistance which they usually give to a new member having charge of a Bill for the first time. Mr. WITHEFORD (Auckland City). - 1 in- tend to support this Bill. The Bill has now been discussed from every point of view, and I hope there will be no further delay. Patea is a fme district, and they are fine people down there. deserving every encouragement. There- fare I trust that the measure will be passed, and let us proceed with other business. Mr. HASELDEN (Patea) .--- This Bill has raised more discussion than I ever thought it would, and it only shows how important the Patea Harbour is. I can assure honourable members that it is the most important har- bour on the West Coast, judging by the large amount of produce exported from and im ported to it. At present it acts as a great feeder for Wellington. An enormous amount of stuff is imported to and exported from it. A great many figures have been read to- night. but I will give honourable members a fes simple ones. In 188- the imports amounted In 1900 they were 9,081 to 2, 727 tons. tons. which shows a very considerable in- In 1888 the exports of wool from the crease. Patea Harbour amounted to 2,156 bales, and in 1900 they were 4,799 bales, showing a very large increase in that item alone. That there foot-and-mouth disease in the Argentine Re- public, and therefore more sheep have been frozen at the central freezing.works. It is to be hoped that the foot-and-mouth disease will not scourge the Argentine again, though it would be a ver: good thing for New Zealand if it did. We have an enormous increase in exports of butter, cheese, and bacon from Patea. I think every member in this House knows that Patea is one of the richest districts in New Zealand, and that it is increasing every vear in the amount of produce exported from it. As we used to say, the butter industry is progressing " by leaps and bounds," and very many of our other industries are being assisted and are increasing. Moreover, the settlers are receiving a very large amount of money for the produce of their labour, and this will result in a still further increase in the amount of our exports. Steamers are being built specially for this trade, and I do not think that there is a sounder Harbour Beard in the colony than that of Patea. It has always paid its interest and provided 24 per cent. for a sinking fund. We have now avail- able an annual revenue of no less than \$1,910, and it is increasing every year, showing that after providing for interest there is an ap parent surplus of \$535. There has been spent out of revenue \$5,000, showing that over \$1,060 a year of revenue has been spent in improving the harbour-works. It is now proposed to obtain \$10,000 to further improve the harbour by carrying the wall further out to sea, so as to prevent the accumulation of silt caused by the north-west currents. Much larger vessels . ill then be able to enter the harbour than at pre- sent. Of the 98,000 expended, (\$5,200) was spent in Guide Pier: 12,200 in wharves and sheds ; payment of staff. \$100; and dumping plant, 2430, bringing the total to \$7,980; 9.0. and I can say that it was well spent; I can assure the honourable member the finances are sound. An Hon. MI MBER .-- But where are you going to get the revenue ? Mr. HASELDEN .--- The revenue is coming from the increased imports and exports, which are increasing year by year. If wool is de- creasing, the export will more than be made up by butter, cheese, and bacon. I think I shall show the honourable member for Avon that the

endowment has not been disposed of. There is no less a sum than 9381 95. 2d. paid yearly in rents for these endowments, proving at once that they have not been disposed of. The rate of interest is a matter for Committee ; but at present money is borrowed at 4} per cent., and I see no reason why we should not, with so much cheap money in the market, obtain it at the same rate. I was rather amused at one honourable member speaking about the competition with the railway, and saying that we should not improve the harbour because it would compete with the Government railway. I think everybody knows that that land carriage

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further, but I wish to thank honourable members for the way they have received the Bill, and I feel sure they will assist me in passing it. Bill read a second time. ## DUNEDIN CITY AND SUBURBAN TRAMWAYS BILL. Mr. MILLAR (Dunedin City) .- In rising to move the second reading of this Bill it will be unnecessary for me to detain the House at any great length because it is practically a machinery Bill. Under the Act which was passed last session honourable members will remember that authority was given to the City Council to purchase the tramways of Dunedin, and likewise to borrow the sum of \$200,000 for that purpose. After making full inquiries they have decided to adopt electricity as the motive-power for the trams. In order to enable them to do that they had to get the necessary water-rights. These water-rights have been obtained from the Warden's Court, and one of the conditions for constructing the race and dam was that the Council should be liable for any damage that might accrue by reason of that work, and it was necessary, therefore, for them to come to Parliament to get that power. If honourable members will look at the Bill they will see that the first three clauses are machinery clauses. A great deal of misapprehension exists in the minds of certain members that certain things are in this Bill which are not there at all. There is nothing in the Bill which states that the tramways shall pass through a certain part of the Town Belt. An Hon. MEMBER. - Can you say that they may not go there ? Mr. MILLAR .- At any rate, this is a mere Committee objection, and the honourable members who are talking about this matter know that it is a Committee objection, and that in Committee we can deal with the whole subject. No. 4 clause simply clears up a defect in the definition of suburban districts in the original Act. An Hon. MEMBER .- Where is that ? Mr. MILLAR .- You will find it in the Tramways Act. Then, clause 5 clearly defines the position of the City of Dunedin as the promoter of the tramways. Clause 6 vests the mining privileges in the Corporation. Then, clause 7 is a clause which throws the liability upon the Council for any damage which may accrue in connection with the construction of the dam or weir. That is one of the conditions imposed by the Warden's Court when granting this right. Clause 8 simply makes a good title for the City Corporation in respect of these works, and that is absolutely necessary, because a large sum of money will be borrowed for the construction of these tramways. \$50,000 has already been borrowed, and they may have to go to the foreign money-market for more. This is to make a good title for those who may advance the money. Sections 10 and 11 simply contain what is contained in the original Act. Mr. Haselden and dam are deemed to be waterworks, with this exception : that if it passes through a mining district a miner is not liable if he fouls the water that passes along the water-race. Clause 14 gives the ordinary power to make by-laws. Clause 15 refers to the form of debentures to be issued. Clause 16 gives authority for the issue and sale of debentures. Clause 17 provides that the consent of the ratepayers is unnecessary before applying for an authorising order. The reason for that is this: A poll has already been taken on a loan of \$50,000, which it is understood will cover the whole matter. and the ratepayers have sanctioned it. Therefore the Council ask that they be not required to take another poll of the ratepayers if there should be any slight deviation of the line. It has been proposed to extend the line beyond the limits of the boroughs as contained in the original Act. Here is a case in point : Honourable members will know where Anderson's Bay is. The proposal is to carry a line to that locality : but that cannot be done under the original Act, because Anderson's Bay is not contiguous to the city, although it is contiguous to one of

the boroughs. This clause, therefore, gives power to carry the line beyond the ordinary boundaries. Clause 18 of the Bill sets out that the tramways are not liable to be rated by the local authority. That is only fair, as an agreement has been entered into between the local boroughs for rent to be paid for the trams running through their districts. The rent that is agreed on will be a fair rent, no doubt, and there should be no other rate beyond it. Clause 19 embodies in this Bill what is contained in section 10 of the Second Schedule of "The Tramways Act, 1894." Clause 20 states that the period for which any borough may delegate its authority shall be stated in the Order in Council. At present there seems to be no time defined. Then follow the schedules to the Bill, granting the right to the Council to 350 heads on the Taieri River and to thirty on the Lee Stream. The form of the debentures is also set out. I hope, Sir, the Bill will be allowed to go through without further delay. Mr. McGOWAN (Minister of Mines) .- Sir, I should like to know if the honourable member is prepared to refer the Bill to the Goldfields and Mines Committee. There are mining interests affected, and under the law all Bills affecting mining and mining interests are to be referred to that Committee. I have not had time to look closely into the measure, and I am not prepared to say what position I would take up in regard to it. If the honourable gentleman would let the Bill go to the Committee I think it would facilitate its passage. There are some clauses to which opposition might be raised, but I do not intend to refer to them at present. I think the honourable gentleman should allow the Bill to go to the Goldfields and Mines Committee. Mr. MILLAR .- I might reply at once to the.

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mining privilege granted now, and all that I draw the attention of the House, before I go is asked in the Bill is the right to transmit a proviso I got inserted into the Bill of last year the power to the city. I think there is no necessity to refer the Bill to the Goldfields and Mines Committee, as it does not affect the gold- fields or the Mining Act. Mr. MORRISON (Caversham) .- Sir, I regret that it has fallen to my lot to have to make a few remarks of an antagonistic nature against the measure now before us. I would have preferred that some other gentleman had to take in the attitude I am required to take up to- day, seeing that I am a strong believer in the municipalization of our tramways in Dun- edin, and supported the honourable gentleman strongly last year in connection with the Bill he then introduced on behalf of the City of Dun- edin. To give honourable members an opportunity of knowing the exact position I occupy, I will claim the indulgence of this House to read a portion of the remarks I made last year when supporting the honourable gentleman. I make this extract from Hansard :- "While he was pleased that the City Corporation of Dunedin were purchasing the rights held by the original promoters, he wanted to maintain the same privileges under this new measure as the borough which he represented had under the present agreement. He had chatted the matter over with the honourable member for Dunedin City (Mr. Millar), who was perfectly agreeable to put in any clauses which might preserve the rights of those boroughs. He had a new clause drafted, which he would take the opportunity of moving when the Bill went into Committee. This new clause was in the direction of reserving the rights of persons who resided in the adjacent boroughs. He should be very pleased to assist the honourable member for Dunedin City (Mr. Millar) in facilitating the passage of this measure through the House, provided always that the rights of the [what] he represented were carefully guarded." That is the attitude I took up last year. In the measure which is now before the House let us examine for a moment whether the City Council of Dunedin are prepared to stand in the position of the original promoters of the Dunedin City tramways. Are they going to preserve the rights of the suburban boroughs? I say No; and I say this Bill is a very carefully drafted Bill, which is going to do the suburban districts in and about Dunedin a great injustice if we pass it as printed. Now let us examine this clause 19, which says, - "Section ten of the Second Schedule to 'The Tramways Act, 1894.' shall in all respects apply to the local authorities of the boroughs in the suburban district as if two- thirds of the length of the tramway proposed to be laid were in the City of Dunedin." Why, Sir, it is an entire revolution of the whole principle laid down in the Second Schedule of "The Tramways Act, 1894," and it is trying to get behind the arrange-

vett that was entered into last year, not only with the Caversham Borough, but other boroughs in and about Dunedin that are on to describe this Second Schedule, to a wear to retain the privileges that the suburban boroughs held from the original promoters. It is the last subclause of clause 11 of " The Dunedin City and Suburban Tramways Act, 1900 ": " Provided also that, except to the extent to which the rights and powers of the boroughs of the suburban districts are by this Act expressly modified, the same shall remain unaffected." The whole position of that was. this : that any existing agreement or any existing arrangement prior to the passing of this Act as between the original owners of the Dunedin City tramways and any suburban district was to remain intact. Now the City of Dunedin comes down with this amending Bill, and the honourable gentleman who introduced it described it as a machinery Act ; but it is going to upset all agreements which have been entered into with any of the suburban districts, and it is going to make the City of Dunedin sole arbiter as to where they are to run their tramways, and as to what they are to do. But let me fall back on clause 10 of the Second Schedule of the 1894 Act. or what is known as the Government statute dealing with the tramways. The Bill now before the House says section 19 of the Second Schedule of " The Tramways Act, 1994." shall in all respects apply to the local authorities, and so forth. Now, what does this Second Schedule of the 1894 statute say? No. 1 subclause of clause 10 says :- "Subject to these regulations the Governor may, on a joint application, or on two or more separate applications, settle and make an order empowering two or more local authorities respectively jointly to construct the whole or separately to construct parts. and jointly or separately to own the whole or parts thereof ; and all the provisions of these regulations which relate to the construction of tramways shall extend and apply to the construction of the whole and the separate parts of such tramways as last aforesaid ; and the form of the authorising order may be adapted to the circumstances of the case." The honourable gentleman kindly glossed over that ; he knew he was on thin ice and he did not want to enlighten the House too much. But let us examine subclause (2) of the same section 10 of the Second Schedule. It says,- " When it is proposed to lay down a tramway in two or more districts, or to extend into another district any existing tramway, and any local authority having jurisdiction in any of such districts does not consent thereto, or will not apply or join in applying for an authorising order, the Governor, on the application of the local authority proposing that the work shall be done, may nevertheless make such order if he is satisfied, after inquiry, that two-thirds of the length of such tramway is proposed to be laid in the district of the local authority so proposing as aforesaid, and the form of the authorising order may be adapted to the circumstances of the case."

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is called an " authorising order," and they have to make a joint or two or more separate applications. Shortly put, the whole meaning of the proposal of the City of Dunedin as contained in this Bill is this : they are asking for powers from this House which would enable them to go into the Caversham district or any other suburban district, and if they are successful in procuring that power, then they can snap their fingers at any agreement which may have been entered into with any local Borough Council in the past, and they can lay down tramways, rails, or lift or alter or erect posts along any street or road, or anything they like-in fact, they can do anything without consulting the Borough Council. The City of Dunedin virtually seek the power of entering into any suburban district in or about Dunedin and doing just as they like. All they would have to do would be to apply to the Governor for an authorising order, and the suburban districts interested would not have a voice at all in the question. I ask, Is this in conformity with the statute we passed last session ? I say it is not. and that the City of Dunedin at the present moment is trying to get behind the provisions of the statute of 1990. There are other objectionable features in this Bill, some equally as strong and as cogent as the one I have just mentioned. In clause 17 it is stated that the consent of the ratepayers is not necessary before applying for an authorising order; and the honourable gentleman used as an illustration that it might affect my district -- the section from the City of

Dunedin to Anderson's Bay. But a proviso has been added to that clause by the Local Bills Committee, to the effect that the clause should only apply to the construction of tramways sanctioned by the ratepayers prior to the passing of this Act. The original Bill as drafted by the solicitors in Dunedin and sent up here sought to give them full control and power to construct tramways where they liked in or about Dunedin without consulting the ratepayers ; but the clause has been amended, although when it comes to be examined, it does not go far enough yet in my opinion. Clause 18 states that " The tramways shall not, nor shall any property or appliances belonging to the city in any way connected therewith, or with the generation or transmission of power to be used in connection therewith, be liable to be rated by any local authority." I would like to know what the City of Dunedin means by this clause. Here is a Bill brought down and placed before this House which states that the ratepayers are not to be consulted with regard to the lifting or the laying-down of any fresh lines of tramways, which states that the rate- payers are not to be consulted with regard to whether it is advisable to extend the tramway system in any portion of Otago, and in the next breath they want power to say, " If we acquire land, erect buildings, or establish any other works in your district, you will get no rates from us." They want to be exempt from paying any rates in the suburban dis- Mr. Morrison have the power to lay down tramways all over your district whether you like it or not, and we are going to take all the money we can out of your district : but if you want any rates from us you cannot get them under this Bill." That is the position ; and I ask honourable members if they are going to support so obnoxious a mea- sure, the provisions of which I have only just touched upon. In fact, owing to the difficulty I am labouring under in speaking to-night, I have been obliged to skim over many of the points more hurriedly than I otherwise should have done ; but, Sir, I think I have said enough to show the House the gravity of the situation. The whole meaning of this Bill is " Trust the City Council of Dunedin." Well, I, for one, do not trust them too much. We know what the City Council of Dunedin have done in the past. Why, only a short time ago there was an at- tempt on the part of that City Council to get the necessary authority to run the tramway service through the Botanical Gardens. The honour- able gentleman did not tell us that. In fact, I believe a committee of the City Council re- ported in favour of such a scheme, and a considerable amount of agitation was created locally over the matter, and it was only at the last meeting of the Council that, by seven to six, it was decided that the proposal should not be entered into. And I say, when you find a City Council composed of men who are pre- pared to cut into our public reserves simply to enable the tramways to yield a little more revenue to the city, it behoves members from all parts of the colony to see that the reserves that have been set aside for the benefit of the public and for the enjoyment of future genera- tions are kept inviolate for the people. I shall not take up the time of the House any further, but I hope honourable members will think over the various points I have touched upon. ] shall not block the honourable gentleman in his second reading. I shall give him his second reading ; but I shall certainly see that there are some very drastic alterations made in Com- mittee, or else I can promise the honourable gentleman about the liveliest time he ever had in this House.

Mr. CARNCROSS (Taieri) .- Sir, as this is a Bill which has a very close bearing upon the district I represent I do not intend to give a silent vote upon it. I intend to vote against the second reading, as, in my opinion, the Bill should not be allowed to pass in its present form. I am not going into a general considera- tion of the Bill, but will regard it merely from a local point of view so far as it concerns my district. But, although it may be only a local point of view, it is a highly important one, and I should not be doing my duty to my con- stituents if I did not speak upon this measure to-night. The honourable gentleman, in his reply, may possibly tell us that the local bodies in my district have offered no opposition to this Bill as it is framed. Well, I be- lieve that may be correct : but I am not here to be governed by the local bodies

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duty to make them known here, and record them, as I do not intend to let them do my thinking for me. I

am rather inclined to lament that the local bodies in my district have been so apathetic in this matter, and have not recognised the disastrous bearing this Bill may possibly have on their own interests. The honourable gentleman, in his opening remarks, referred to clause 7, which declares that the Council shall be responsible for any damage which may ensue in connection with this dam which may be built. The clause reads thus :- " In respect of the said license No. 1 (dam), the said Corporation shall, as from the date when it comes to construct the dam or weir which it is empowered to construct, be deemed to be liable to all persons and bodies, corporate and politic, including His Majesty the King, for any damage caused through the construction, breaking-away, or other failure of the proposed works." You see, Sir, by inference it is recognised that there is a possibility, if not a probability, of some day an accident occurring, and this dam bursting. Now, Sir, what would be the result that would follow if there were an accident in the shape of this dam bursting ? The consequences would be frightful to consider if there should be anything faulty in the construction of that dam, and there should be a break-away. It is proposed to build a dam that will be 30 ft. high. It will have the effect of damming up the river for three miles, with an average width of five chains. Those are not my own estimates ; they are taken from one of the schedules of the Bill itself. The First schedule says,- " Length of dam wall : 160 ft. " Greatest height of same : 30 ft. above ordinary river-level. " Breadth of same at base: 30 ft. " Length and width of water area : Length, three miles ; average width, 5 chains." Just imagine, Sir, what would be the result if a dam of that magnitude, placed as it is in a narrow gorge, were to break away. The water would come down in a wall 30 ft. high, and as it emerged from the gorge it would spread over the Taieri Plain and do incalculable damage. It is not within the means of the City of Dunedin to repay the damage that would be done, and the city would be made bankrupt. They could not pay for the damage that would be done if a disaster took place. Sir, it is well known that the Taieri contains the most highly cultivated farms in Otago. Every farm there is highly cultivated, and there is enormous value in the improvements. The farmers of the West Taieri have for years past spent thousands and thousands of pounds in building a wall or embankment as a protection for their farms against river floods. In the event of the dam bursting the protective embankment, upon which they have at great sacrifice spent so much money, would be scattered like chaff. and the water would spread over the whole of the West Taieri district. carrying ruin and desolation over thousands of acres, and ruining farmers who have reparation for such loss. I referred just now to the fact that it would be impossible for the City of Dunedin to pay for the damage that would be done in the destruction of property. But what about the destruction of life? Can you put a clause into this Bill that will give compensation for the lives that must inevitably be destroyed if there is a break-away there ? When it comes to loss of human life nothing man can do will make reparation for that. I need not do more than remind honourable members of the disaster at Jamestown. They will remember the great destruction of life and property on that occasion. It is only the other day that we read of the results of a bursting dam in Virginia, in connection with which many lives were lost. I have not the slightest hesitation in saying that the dams at that place were imagined to be perfectly safe, and the engineers no doubt gave their guarantee as to its safety. We shall be told the same thing in the case of this dam. We shall doubtless be assured that the dam will be most substantially built ; but there can be no certainty about it. I say it would be a very wrong thing to allow a dam to be erected at the proposed site, and I shall do whatever I can to prevent it. Even though we so amend the Bill in Committee that we deprive the Dunedin City Council of getting its water-supply from the Taieri River no injustice will be done, for we are not taking away from them all opportunity of getting a water-power supply. They can get water from the Waipori River, a few miles further on, without building any dam. I am aware that there will be a greater initial cost, but only about \$10,000 more ; and, according to the report of their own engineer, the annual cost will be considerably less. Their own engineer's figures show that it will save \$9 2s. per horsepower if they obtain their supply from the Waipori River, as compared with taking it from the Taieri River. In the face of



the undoubted fact that they have another source from which they may obtain their supply, and without running the same risk of damage to life and property, I feel more than justified in opposing the Bill. I think it would be a wrong thing to allow this Bill to go through in its present shape. When the Bill reaches the Committee stage I shall do my best to make certain amendments in it. So far as my district is concerned, I ask honourable members to place themselves in the same position as I am in. They may have rivers close to a centre of population, and the city may wish to dam up a river in order to get electric power from it. Let them consider how they would like the same thing to take place in their district. I intend to record my vote against the Bill. Mr. GILFEDDER (Wallace). - I have no intention of opposing this Bill, nor do I intend to retard its progress by way of stonewalling. I must say I compliment the member for Caversham on being in such good form, and on making the speech he has delivered to-night.

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some of us thought he would not be able to take his place in the House this session, or, if he did so that he would not be able to acquit himself so creditably as he has done to-night ; and we hope that he will continue to improve in health, and that before very long he will be back in his good old form-in the form in which he has been in the days that are gone by. From the tenor of the remarks made on the second reading of this Bill it must appear to the most casual observer that there is more in this measure than appears on the surface, or was stated by the honourable member who introduced the Bill. It has been said on previous occasions during the day that there is an inclination on the part of the House to pass these local Bills without properly regarding their present or future effect. Members representing districts outside Dunedin have said there is a serious danger that this measure will prejudicially affect the interests of the suburban townships. It is to be hoped that honourable members will see that such a clause is put in the Bill in Committee as to preclude any attempt that should be made by the Corporation of Dunedin to interfere with their rights and privileges, or do anything against the interests of the suburban townships around Dunedin. Another point was dealt with by the honourable member for Caversham, and that is the danger in the near future that the City Council will construct the Castle Street tramway through the Gardens. Knowing the Gardens in Dunedin intimately, and admiring the good taste of the Dunedin people in doing what they have done to beautify those Gardens, I consider it would be nothing short of an act of vandalism to run a tramway through what might be regarded as one of the prettiest spots in Dunedin. As one travels through the colony and sees the attempts made in different towns to improve botanical gardens that will be a credit to the place, and the successful efforts in New Plymouth in this direction, one cannot but feel that, should in the course of time the Corporation feel it advisable to run the tramway through the Gardens, then one would be constrained to vote against any measure that could be introduced in order to give them liberty to do so. I hope the honourable member in charge of the Bill will not consider I am opposed to the measure otherwise than on principle, and if he will give the House an assurance that he will assent to a clause being inserted in Committee to preclude Corporations from making any attempt in this direction I shall support the Bill, and vote for its third reading. Another point raised by the honourable member for Caversham was in regard to clause 17, where it is not intended to take a vote of the people interested. This is another point that has been raised to-day : that the House is too careless or too liberal in passing local Bills-measures that affect only one locality, and not the colony as a whole. Where is the junior member for Dunedin City - the professor of constitution - Mr. Gilfedder - are to be overlooked, and tram-lines are to be constructed whether they like it or not. I consider it is the place of the junior member for Dunedin City-a leading authority on the constitutional aspect of such a question -to be in his place to protest against any attempt on the part of the Corporation to pass such a law. I hope the honourable member in charge of the Bill will go further than the amendment suggested by the Local Bills Committee, and not endeavour to take out of the hands of the people the right they should possess to control the local expenditure in connection with the construction

of the tramways, and such acts as will materially or prejudicially affect their own interests and those of sub-urban townships. I am sure that when this is pointed out to the junior member for Dunedin City he will not agree with his senior colleague in this respect. I hope the honourable member will make the point clear, so that we may be able to support the Bill. Mr. J. ALLEN (Bruce) .- Sir, I believe my objections to this measure are similar to those of the honourable member for Caversham - namely, Committee ones ; but the objections of the honourable member for Taieri imperil the whole Bill. I support the Bill, but I want an amendment made in Committee, and I feel constrained to meet the argument of the member for Taieri in regard to the question of the dam. His argument is that, because the city to secure power has to construct a dam, the presence of that dam is a danger, and that therefore Dunedin is to have no electric trams at all. Mr. CARNCROSS .- I said you could get it from Waipori. Mr. J. ALLEN .-- I will deal with the Wai- pori argument presently. If this is the way we are to look upon enterprises of this kind, then we shall have no enterprises at all, for they are all more or less dangerous. We must not con- struct a railway, because, forsooth, the train might run over a precipice and kill the people in it. We must not construct our waterworks, because the dam might break away, and those living in the valley below be drowned. Our waterworks in Dunedin are in exactly the same position as this proposed dam. At any time it might break away and damage be done; but you would not say that therefore the water- works should not be constructed, and that the people should be supplied with artesian water or water from tanks. That is not the modern way of looking at a matter like that. It is impossible to adopt the means requisite for carrying out works of this kind without in- curring some risks. The risks are minimised by our having the experience of ages. In deai- ing with works of this nature the engineers have the experience of those who have gone bit- fore them as their guide, and, having that experi- ence, they will make the works of such a nature that there will be very little risk of danger in the future. I have no doubt that if this dem is constructed there will be very little risk, either

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Dunedin will be responsible for the damage d .ne. Mr. CARNCROSS. - You cannot make good less of life. Mr. J. ALLEN .- That is true ; but in every ordinary day avocation we run the risk of losing lit ... The risk is, however, very remote. If the opposition were successful, there would be no power for electric works. Surely that would be I say the carrying the argument too far. Borough of Dunedin can meet all the charges that may be made against it for any damage that may be done by the ercetion of this dam. There is the power to strike a rate, and I do not think it will be said for a moment that a city of fifty thousand people would not be able to ineet any damage that might happen owing to the breaking of this dam. Anyway, I submit that the argument is sufficiently strong in favour of the construction of such a dam, even though some amount of damage may possibly take place. But the honourable member has said that another means of supply is open to the Dunedin Corporation - the Wai- pori scheme. Well, it is true a supply might i taken from there. It is not so good a sup- piy as the one from the Taieri River. Reports have been made upon both these supplies, and the recommendations are strongly in favour of the supply from the Taieri. I believe it will be necessary vet, though the Corporation does not we it, but will soon see it, to take both the Taieri and the Waipori supplies. They will re- quire both, not only for the city trams -trams that, no doubt, in the course of a few years will porineate all the suburban districts -- but for electric light and other purposes ; so that both these supplies will in the course of a very short time be necessary. Now, I hope the Taieri and the districts the honourable member spoke for will not be influenced to oppose this scheme from any selfish motive whatever. There is no > 'fish motive on the part of the Borough of Dunedin in starting these works. On the con- trary, they are willing to supply the wants not only of the city, but of the suburbs as well; and I hope the day may come when they may go outside the present suburbs of Dunedin, and if they do, then. no doubt, noth places, the Taieri and the Waipori, will is required. Now, with regard to the other objections raised --- I think they are Committee ones-by the honourable member

for Caversham. I admit there is a good deal of force in the argument to be used against clause 17, in case the proviso was put in, provided that no vote of the ratepayers of Dunedin was required for an extension of these tramways. That, I suppose, was what the clause at first meant without the proviso ; but, the proviso being put in limits the extension to the tramways as now made, that is to say, to the purchase of the land, to relaying the lines, and making new tramways of the existing trams. Under the clause, with the proviso, that can be done without a vote of the ratepayers ; but, if they are not at all sure whether it is wise to limit the City Corporation with regard to the vote to the extent the proviso has done. I think it would have been wise for a compromise to have been come to between the member in charge of the Bill and the member representing Caversham and some other suburban districts, so that a reasonable extension of the existing tramways might take place without a vote of the ratepayers ; but if they wanted any considerable extension - for instance, another tram-line to Mornington or Roslyn, which may be done some day -- then possibly the other honourable member for the City ( Mr. Arnold ) would have had something to say about a vote of the ratepayers being required ; but, if only a small extension was requested, I think a compromise ought to have been effected. The proviso that has been put in by the Local Bills Committee restricts them to too great an extent in my opinion. As to clause 18, I admit the honourable member has a considerable amount of strong argument with him. That is to say, if the Borough of Dunedin erects works in a suburban district for the purposes of the trams, that those works might be liable to rates. That is open to argument. It is a Committee objection, and may be fairly argued when the Bill gets there ; but there is no reason why the Bill should be blocked because the clause remains as it is at present. Then, with regard to the more serious objections -- that is, as to clause 19, which permits the Borough of Dunedin, practically speaking, to control the tramways through the suburban districts. Well, Sir, I admit that the members who are representing the suburban districts are right in doing what is proper to conserve the rights of their constituents. At the same time I hope they will not so limit the power that is being conferred on the Borough of Dunedin as to in any way jeopardize the extension of the tramway system. For the extension to the suburbs is not so much in the interest of the city as it is in the interest of the suburbs themselves. And if the suburban districts seek by any selfish motive to put such restrictions upon the Bill as to prevent this extension, I think the harm will fall more upon the suburbs than upon the city itself. The city can do with these trams if they extend only to the boundaries of the borough itself. That may be sufficient for their purposes, but certainly not for the purposes of the Boroughs of Caversham and St. Kilda, or places like these. These are Committee objections to the Bill, and I hope the honourable member, before the Bill goes out of Committee, will be prepared to accept a clause which makes it definite and clear, so far as it can be made clear, that for all time that which has been attempted by the Corporation of Dunedin shall not be possible at all. The Corporation of Dunedin unwisely, and, I think, in abuse of the privilege which has been conferred upon them, have been making an attempt to destroy some of our most valuable reserves by carrying these tramways through the centre of them. They have

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show that it was necessary to take these tramways through the Botanical Gardens. There has been a report by the City Engineer, who says it would be unwise to do so. Sir, that is not my only complaint, but I must question the action of the City Corporation of Dunedin not only with regard to this, but with regard to other matters as well. Why is it that this report of the City Engineer was kept within the four walls of the Council buildings, and that it was difficult for anybody to get a sight of it ? Why was it not made public ? Because it was contrary to the wish of a few members of the Council, who at that time were in a majority. Sir, fortunately for the good-sense of the people of Dunedin the opinions of the many have had an effect on the City Councillors, and they have rescinded by a majority of seven votes to six the resolution which provided that the tramways should be taken through the Gardens. Although they have rescinded the

resolution that the tramways are to go through the Botanical Gardens, I shall not be satisfied until a provision is made in the Bill to prevent such a thing as the destruction of the Gardens being possible in the future. The Corporation has gone about this business in a very unsatisfactory way. They determined on having electric cars for these tramways, and how have they gone about it? They have taken into consultation with them certain experts by the name of Noyes Brothers, whom they have asked to prepare plans and specifications for the construction of electric tramways in Dunedin. Now, Noyes Brothers, if you please, are to be among those who are to be tenderers on their own plans and their own specifications. I should like to know what chance any outside tenderer would have when he comes to have his tender compared with the one from Noyes Brothers. I think it would be better for the City Corporation had they consulted an expert altogether apart from a firm who afterwards would be a tenderer on their own plans and specifications. No satisfactory answer has ever yet been given to the public in regard to Noyes Brothers. And, Sir, the whole thing is wrapped in mystery, and the new Councillors who have gone into the Council within the last six months are trying to find out all this business about Noyes Brothers and this contract. It is a most difficult thing for them to get to the bottom of the mystery, and, though they have been trying for some time. I do not know if they have got to the bottom of it yet. I do not know if the honourable gentleman in charge of the Bill can enlighten us on the matter, but I doubt very much whether he has himself been enlightened as to the position of Noyes Brothers and the contract. That, however, is only on a par with what has been taking place with regard to the reserves. The City Council do not seem to have been consulting the rights of the case at all. They have been consulting-I do not know whether it is their own convenience or whether I should not apply some other term to it ; but, at any rate, the whole thing has been *Vr. J. Allen* before the Bill goes through this House. At any rate, I wish to have it made perfectly clear -- and I shall use every effort to have it made clear -that the heritage that has been handed down to the people of Dunedin shall in the future be kept for the people of Dunedin. There are those in Dunedin who have their own large gardens and who have their own pleasure- grounds, and who can afford to see these grounds taken from the public and destroyed : but the bulk of the people are determined that that which has been given by our forefathers for the people shall be kept in the future for the people ; and if the honourable gentleman desires to see the Bill go through I hope he will consent to the insertion of a clause to make it quite certain that this heritage shall be preserved for the people. Sir, these Gardens are small, after all. In the old days our forefathers, in their wisdom, had provided that a reserve should be kept all round the city, commonly now called the Town Belt ; and in days gone by attempts have been made to utilise it for other purposes than those for which it was reserved. Every attempt to so utilise it has been met by the citizens with a distinct refusal. I recollect when an attempt was made to place a fever hospital on the Town Belt, but the citizens would not have it. I recollect when an attempt was made to put a cemetery on the Town Belt, and unfortunately the citizens allowed it. When I came into the House first, one of the foremost things I was called upon to oppose, and to oppose strenuously, was a proposal for the further extension of the cemetery along the Town Belt, and from that day to this we have heard nothing of such a proposal. I hope we shall never hear any more of it. It was merely for sordid reasons, too, that this attempt was being made : it was an attempt on the part of the Corporation to get for nothing ground that was to be sold for money to people to bury their dead in. Now comes another attempt by the same body-an attempt to take a portion of the Gardens. It is said it will do no harm to cut the Gardens in two. One gentleman said we had no right to consider the nursery-maids, and asked what the nursery-maids had to do with it. Well, the nursery-maid has a lot to do with it, and so have the children who go there to play. Not only have the nursery-maids and the children something to do with it, but those who congregate there on a Sunday have also a say in the matter. I should like honourable members to go through our Gardens on a Sunday afternoon when a band is playing there, and when hundreds -ave, thousands - of people are congregated : when the Gardens are nearly full, just

in the place where it is now suggested the trams should run. You will see thousands of people in that particular place on a Sunday afternoon-young and old, happy on a fine day, happy in the music, and happy in the knowledge that they have some place they can go to away from the bustle and noise of everyday life and so enjoy one day in the seven. But, Sir, this is all to be ruthlessly and care-

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people living in one of the suburbs on the other side of these Gardens support the trams going through the Gardens for the only reason - and I was astonished when I heard it- that they can get into town one or two minutes earlier than by any other way. Well, Sir, what an argument to bring forward: that because they can get into town one or two minutes earlier they are to destroy the heritage of the people. Sir, I understand that the solicitor who drafted this Bill is coming up to-morrow, and I hope the honourable gentleman who is in charge of the Bill, after consultation with him, will prepare this clause, which I say must be inserted in the Bill to protect these Gardens before I can accept the Bill. I believe the honourable gentleman is in sympathy with what I am suggesting, and if he can get the solicitor, who no doubt represents the Corporation, to agree to the clause, I believe he will himself be only too glad to adopt it. I understand now that the Corporation have rescinded the resolution, which is evidence that there is no absolute necessity for the tramways to go through the Gardens. I have been in other places where there have been trams, and I know of no single instance where a loop line exists at all. except in Vienna. and there there is a circular tram all round the city, and it is for an entirely different purpose than this particular tram that is to run up Castle Street. I know of another case where the trams run to the Gardens-and much larger Gardens than are affected by this Bill but they stopped dead at the Gardens, because the people would not have them in the Gardens. And I think the people of Dunedin, if they were made properly alive to the situation, would not allow these trams to run through these Gardens at all. One gentleman proposed that not only should the trams go through the Gardens, but that a 66 ft. road should be made as well. Sir, what would the condition of the Gardens be then? It is all very well for those who have their own places of recreation, but it is a very different matter for those who have only small back-yards, and who seek such places as these Gardens for their recreation and for their health and enjoyment. Sir, I believe that those who had to fight these battles before, - and I may say I had to fight some of them before,-will succeed. I recollect the day when those who for sordid motives -- it is always sordid motives which influence these things -- wanted to utilise the whole of the Triangle in Dunedin for building purposes. And I recollect when Sir Robert Stout and myself and others stood upon the public platform to fight that question. We had a strong meeting with us, and the result of the agitation was that that proposal was stopped. I believe the agitation which is going on now in Dunedin-and it will also be carried on in this House will be strong enough to stop any attempt to take the tramways through the Gardens in Dunedin. Sir, these reserves are small enough. The city represents forty to fifty thousand inhabitants, and I take it that in forty years' time it will The Town Belt is small enough, and the Gardens are small enough, even at the present. There are few places where the people can go and have their games and recreations; and if there is a cry now, with forty thousand people, for cricket-grounds and football-grounds and you have not got them, and you are going to cut up and destroy what you do possess, what is there for the future ? Sir, I shall oppose as strongly as I can any attempt to have such a thing done. I am not sure whether under existing legislation it will be possible for them to do it. I doubt very much if they have any further rights than the rights which the old Tramway Company had, and I know that the old Tramway Company could have had no right at all to take the tramway through the Gardens. I know that even under our own Public Works Act you cannot take land from a man's garden, and, if you cannot take it from a man's garden, why should you take it from the people's garden under such an Act ?

Mr. ATKINSON .-. They did it here in Molesworth Street. Mr. J. ALLEN .- That is a special Act, and I was referring to general Acts; but what I say is that under the Public Works Act you cannot, even for railway

purposes, take an ornamental garden or an orchard. And if that Act provides that you shall not take an ornamental garden even for railway purposes from the individual, surely there must be in our legislation-and I think there is-a provision that not even a Corporation itself can take its own Gardens for the purposes of a railway or a tramway ; and certainly if that provision is not in the legislation, I hope the honourable gentleman will consent to place such a clause in this Bill as to allow the people of Dunedin to retain for all time what has been given to them as a heritage. Mr. T. MACKENZIE (Waihemo). -- Personally, I wish to congratulate my honourable friend the member for Caversham for having risen to-night and raised his voice in the interests of the people of this country. The honourable gentleman has been silent during the whole of this session, and I venture to say that if it had not been for the great public interests that were threatened to-night he would have continued to remain silent. And, Sir, if his voice is never heard again in this Assembly --. and I hope and trust that it may be frequently ; but if it is not, he has left a monument worthy of emulation in his words to the people to-night ; they should never be forgotten by the people of New Zealand. He has pleaded for the preservation of the reserves which the wise founders of this fair colony said should be the heritage of the people. He has opposed the vandal, and the speculator, and the Bond Street merchant, and the "fat man " of Dunedin. He has helped to stop them from spoiling these lovely grounds. It is all very well for the lovely grounds. honourable member for Dunedin City to laugh. Mr. MILLAR .- I am not laughing. Mr. T. MACKENZIE. - We know that it is the wealthy speculator of Dunedin who wants

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tation which waited upon the Council; and some of the Councillors, influenced by these men, have changed, and are now supporting this spoliation of the Gardens. I could give the list of the names, and even the Mayor, one of the Bond Street merchants, who a month ago was as determined as any man in Dunedin against this iniquitous destruction, is now advocating the spoliation of these Gardens by the sending of a roaring, rushing, noisy, dusty tramway right through the very centre of the place, and, had it not been for the strenuous efforts of Mr. Cohen, the editor of the Star, who night and day has not spared himself in any way, I hardly think they would have got the re-sending of the resolution to send the tramway through there ; and even now that may only be a temporary change: and, though in the meantime it has been carried, and the proposal to take the line through the Gardens has been rejected. I say we want to place the question beyond the possibility of doubt -beyond the power of the Corporation of the city to alter. I know that the honourable member for Dunedin City (Mr. Millar) labours for the people, and that he will do what is fair and just for them. The honourable gentleman has been entrusted with the Bill, and is loyal to it, and is endeavouring to secure its second reading, and I also agree that there are good features in the Bill that we can approve of : but there are also others that we as strongly disapprove of, and, unless the promoters of the Bill agree to the insertion of a clause protecting for all time our Garden from destruction, we shall oppose this Bill at every stage, and effectually block it; and I believe that the people of the colony, and those of Dunedin, will declare, if appealed to, that these reserves shall not be alienated from them, or tampered with ; and not only from Dunedin, because these reserves are not alone the property of the people of Dunedin, but they are the property of the people of the colony. They are the property of the people of the suburbs. and it has been suggested to-night that in Dunedin the voice of the people should be taken upon this question. Now, I am quite content to have that done, because I believe the voice of the people would be in favour of preventing that tramway going through the Gardens. But I say this: that the present residents in the City of Dunedin are not the people who should have the power to decide for all time as to what should be done with these reserves. They are reserved for the people of the colony, for the future as well as the present. It is said, "Trust the Mayor and Corporation of the City of Dunedin." What has been the history of the Mayor and Corporation with regard to our endowments and reserves ? I remember the Town Belt and the Botanical Gardens of Dunedin when I

was a boy four years of age, and have ever since been familiar with that beautiful place. It is bound to me by ties of interest and affection, and by many happy associations. In those early days it ! the place unfit for people to visit. I refer to the M. T. Mackenzie was then a picture of surpassing loveliness. The Water of Leith meandered through a stately forest - clothed with pines, festooned by clematis, and fringed with the rarest ferns. And what has been wrought ? These stately pines were cut down by order of the Corporation of the City of Dunedin. The whole of those magnificent pines, that the artistic people of Dunedin so greatly admired, and fought to save in order that they might be preserved, because they knew they would never have an opportunity of seeing such a magical !- cent forest restored to them, were cut down for the wretched value of the timber that was in them, and were used for protective work. Should we, after that, trust the Corporation of the City of Dunedin ? What have they done with the beautiful Water of Leith stream ? They made it into a sewer, into which sewage of the most offensive character was thrown. and until the Minister for Railways during the plague alarm took the matter up, at my instigation, it was the great public sewer of some residents at that end of the City of Dunedin. And this under the enlightened administration of the city fathers of Dunedin. Then, we have the allusion made by the honourable member for Bruce regarding their attempts on the Belt itself. They did succeed in obtaining a large portion for a cemetery, though he and land other members fought inch by inch against a large portion of that belt being taken away for cemetery purposes. Then the football ground for the town of Opoho was to be taken away to make a graveyard : and what came of the money for the allotments ? The Corporation charged as much as \$20 per allotment. Thousands of pounds of money taken for the sale of the reserves of the people were spent on the Town of Dunedin -- the streets of Dunedin -- and not one farthing was ever replaced of that money to beautify the forests of the Town Belt of Dunedin. Then, there were endowments and reserves within the city itself. There was that five-acre block in Great King Street, Cumberland Street, Hanover Street, and St. Andrew's Street, taken away for the purpose of a hospital site : and there has not been a piece of endowment set aside that has not been threatened by the Mayor and Councillors of the City of Dunedin not one reserve. And what have they done with their drains ? Why, they have made their foreshore nothing but a cesspool. Dunedin, from being one of the loveliest cities of the colony, has been, through neglect and want of courage on the part of the Mayor and Councillors, almost stripped of its beauty, and has become so offensive through the want of drainage as almost to be in some parts not fit for occupation. They have not even the courage to face the necessary reforms that are required in that town. They have not yet provided any system of drainage. What are they doing now with one of the finest places of resort Dunedin has ever had ? They are taking all this wretched offal and excrement out there, and making

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would if we trust the Corporation of the City of Dunedin. Why, Sir, this policy of silence to-night ? Where is our junior member for the City of Dunedin ? And where is the medium member for that city ? We have not had one honourable member except the gentleman who moved this measure rising to say one single word in support of it. Mr. ARNOLD.-- We are waiting for you. Mr. T. MACKENZIE.-- The honourable gentleman is not waiting for me. The honourable gentleman is in hopes that if some of the clauses of this Bill are allowed to go without much comment and discussion, the Bill will be taken to its second reading; but we are not opposed to the Bill in its entirety, though we are strongly opposed to some of its clauses. The honourable member in charge of the Bill said there was no allusion to the taking of the line through the Gardens. Why, Sir, although that point is not mentioned in the Bill, it seeks to grant to the Corporation the power of sending the tramway almost anywhere. Mr. ARNOLD.- Which clause ? Mr. T. MACKENZIE.- Beginning with the preamble, which says :--- " Whereas the said tramways were, by several deeds and assurances made and dated the twenty-first day of March, one thousand nine hundred and one. transferred, conveyed, and assured to the said Corporation, and are now, together with the several

Orders in Council, concessions, and contracts relating to the said several tramways, and all the rights which belonged to the said company in virtue of each several Orders in Council, concessions, and contracts, absolutely vested in the said Corporation : And whereas the said Corporation, by Thomas Bolster Fairburn, its Town Clerk, some time since applied for, and on the sixth day of March. one thousand nine hundred and one, obtained. in the name of the said Thomas Bolster Fairbairn, the several mining privileges the licenses whereof are set forth in the First Schedule hereto, such mining privileges being granted in pursuance of and subject to the provisions of .The Mining Act. 1898."" Then. Sir, here is the power with the boroughs, - ". 4. In lieu of the interpretation of the expression 'the suburban districts' in the said Act. the said expression shall be deemed to include, and as from the passing of the said Act to have included, the boroughs contiguous to the City of Dunedin, the boroughs in section five of the said Act mentioned, and the territory of counties contiguous to Dunedin or to such boroughs." Now. Sir, just before leaving that section it leads up to section 5, which leads up to the taking of the line of tramways through the Town Belt. Sir, I doubt if even now-the doubt was raised by the honourable member for Bruce -- they have the right to take these through the Botanical Gardens, because I believe there is existing somewhere powers that vested a portion of that Town Belt either to the old Acclimatisation Society and fauna. And let me say, in this connection, regarding these Gardens, that they have been for all time a preserve for some of the rarest flora and fauna in this country, and they are wisely managed by one of the most competent curators in the Southern Hemisphere: I refer to Mr. McBean. They are essentially botanical gardens. There you will see some of the choicest and finest collection of our rarest plants. Botanists have penetrated our forests and scaled the alpine and sub-alpine regions. and have taken the finest specimens of our flora and entrusted them to the care of the Curator. There you may see *Arundo*, *Celmisia*, *Sencio*, *Fagus*, and *Ranuncula*. Then *Panax*, *Pittosporum*, *Veronica*, *Coprosma*, *Metrosideros*, and *Podocarpus* are largely represented: as well as *Wahlenbergia*, *Cordyline*, and *Phormium*. So that here we have now the botany of the country well and finely represented. Then, there are those beautiful ponds that have now become the sanctuaries for our wild fowl. It will hardly be credited that to those small ponds flocks of wild ducks come almost nightly. I have counted as many as fifty grey duck in one flock. I have seen the mountain blue duck, and occasionally the black, grey, and brown teal. and occasional specimens of the paradise ducks. The weka thrives there : the kiwi, the kakapo, and the pukeko are there also. I say that when you find grounds that are conserved for those purposes, when you find native birds coming there of their own accord - and I have not mentioned anything like the birds you will find there -- you will find the kaka, the tui, the beautiful green tui (the native name of which is the mokomoko), the paroquet, the robin, and the warbler. Mr. BARCLAY .- The " green tui"? Mr. T. MACKENZIE .- Yes, the green tui ; it is known by that name by many settlers. The honourable gentleman has no idea of what a lovely bird is like. He has no eye for nature or the beautiful-constitutional law absorbs his whole attention ; but had he love for them, in the early morning his soul might often be elevated by the sweet and lovely melody of one I consider, Sir, of our choicest songsters. where you have reserves of that sort, where you have the flora and fauna well represented and preserved, you should do the best you can to still further conserve those reserves, and not interfere with them in any way. These grounds, as has been pointed out by the honourable member for Bruce, are the recreation-grounds for the people of Dunedin. Every Sunday hundreds, and sometimes thousands, of people congregate there, and during the week visitors from the country and abroad resort to those gardens, where they are highly delighted. There is no part of New Zealand which could be made more beautiful than this particular spot. Nature has done much for it ; and, as has been said by the honourable member for Wallace, in Taranaki they have those beautiful gardens. In Christchurch there are also beautiful gardens which attract visitors from all

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these endowments, and leave them entirely undisturbed and undestroyed. Now we come to clause 19-



that clause which the honourable gentleman introducing the Bill stated had a very innocent bearing, and was merely a consolidation, I think, of section 10 of the other Act. This clause takes powers from the suburban boroughs that I, at any rate, as a member of the Borough of Roslyn, will certainly oppose in every direction. These are not the powers contained in the Tramways Act to which the honourable gentleman alluded; they are more extensive powers, and they will have the right, if this is done, practically to cut our streets to pieces in any direction they think right. Why should this be the case? I say, they are departing from the agreement made with the suburban boroughs in every respect. They have got proposals before this House which, if carried, will altogether rob the suburban residents of privileges that were specified when certain statutes passed this House; and therefore I say it is not likely that we should allow such a measure to go through this House without raising our voice against it. That would be false to the interests we are supposed to conserve in this Assembly. I congratulate the member for Caversham on having the courage and self-denial to stand up for the rights of the suburbs which he so ably represents in this House: and I hope we shall strike out those clauses which so perniciously threaten the interests of the suburbs of Dunedin. Then, regarding the remarks which emanated from the member for the Taieri, I cannot fall in with what he said. I do not think that, because there may be some risk, the waters which rise in the Silverpeaks should not be utilised for the City of Dunedin. I think the honourable member took up what might almost be called a dog-in-the-manger position in connection with this matter, because Silverstream is not utilised to any extent. Mr. CARNCROSS. - A great many miles away from Silverstream. Mr. T. MACKENZIE. - You are proposing to use some of the water coming down from Silverpeaks, at any rate. In any case, we must have power raised somewhere; and I am quite sure if an accident occurs the City of Dunedin will have means to meet the contingency. The City of Dunedin is not like some tramway companies about Dunedin. I hope there will be a reserve fund set aside to meet cases of accident. In the case of some of the tramways, the unfortunate people who were injured. I may say that I know of five or six people who were injured-some for life, and they have no redress, because one particular company simply says. "If you take action against us we will go into liquidation." Now, in the establishment of tramway companies Parliament should require that there shall be a sum set aside to provide for accidents. Debate interrupted. Mr. PIRANI. - May I move the adjournment of the second reading of this Bill until next Mr. T. Mackenzie interrupted in the middle of his speech. The House adjourned at half-past ten o'clock p.m. ##