LEGISLATIVE COUNCIL. Wednesday, 6th November, 1901. First Readings-Second Readings-Third Readings- Bills Discharged-Payment of Members Bill- Public Health Bill-School Attendance Bill- Old - age Pensions Bill-Factories Bill-State Coal-mines Bill-Local Bodies' Loans Bill- Public Trust Office Bill-Cook and other Islands Government Bill-Tour of the Duke and Duchess of Cornwall and York-Military Pensions Bill. The Hon. the SPEAKER took the chair at half-past two o'clock. PRAYERS. FIRST READINGS. Criminal Code Bill, Railways Authorisation Bill, Public Trust Office Bill, Military Pensions Bill, New Zealand Ensign Bill. SECOND READINGS. New Zealand Ensign Bill, Railways Authorisa- tion Bill, Criminal Code Bill. THIRD READINGS. Criminal Code Bill, Railways Authorisation Bill, New Zealand Ensign Bill. BILLS DISCHARGED. Shops and Offices Bill, Property Law Amend- ment Bill. The Hon. Mr. W. C. WALKER .- I beg to move the Payment of Members Bill. The pro- posal is that members of the Legislative Coun- cil shall get £200 as the annual sum payable to them, and members of the House of Repre- sentatives £300. Clause 3 is as follows :- "Subsection one of section five of "The Payment of Members Act, 1892,' is hereby amended by the insertion of the word ' four- teen ' in lieu of the word ' five ' where the same occurs in the said subsection." That gives more latitude to members than heretofore. I beg to move the second reading of the Bill. Bill read the second and the third time. # PUBLIC HEALTH BILL. A message was received from the House of Representatives, disagreeing with one of the amendments made by the Council in this Bill, and transmitting the following reasons :- "1. Provisions of this clause may entail some hardship upon back-country parents if they had to appear at the Stipendiary Magis- trate's Court to claim certificate of exemption ; and the Magistrate might be apt to give a hard- and-fast ruling. "That while smallpox is not in New Zea- land the danger of unvaccination is not so great." On the motion of the Hon. Mr. W. C. WALKER, it was resolved, That the Council do not insist on its amendments. Motion agreed to. SCHOOL ATTENDANCE BILL. A message was received from the House of Representatives, intimating that this Bill had been passed by the House with certain amend. ments, in which they requested the

concurrence of the Legislative Council. The Hon. Mr. W. C. WALKER moved, That the amendments be agreed to. The Hon. Mr. W. KELLY asked, What was the amendment in regard to Maori schools ? He wished to call the attention of the Minister to the fact that there were a number of Maori schools and mixed schools in the colony, and in his district he noticed Maori children playing about the streets instead of attending school. He thought the Truant Officer should be in & position to compel their attendance. The Hon. Mr. W. C. WALKER said, One of the amendments made in the other branch was that the Bill should apply to Maori schools as well as to European schools. Motion agreed to. # OLD-AGE PENSIONS BILL. A message was received from the House of Representatives, disagreeing with two of the amendments made by the Council in this Bill, and transmitting the following reasons :- "The amendment made in clause 3 changes the original intention of the clause, and limits it to the preliminary inquiry by the Deputy-Registrar.

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practically limit the punishment for perjury committed by persons in respect to applications and matters connected with old-age pensions .to a penalty of ten pounds." On the motion of the Hon. Mr. W. C. "WALKER it was resolved, That the Council do not insist on its amendments in the Bill. # FACTORIES BILL. A message was received from the House of Representatives, disagreeing with certain amendments in this Bill, and transmitting the following reasons :- "1. Definition of ' young person,' in the in- terpretation clause: It is not desirable to re- duce the age of boys to sixteen, on account of the fact that they will then be liable to overtime. "2. Clause 18 (1), subsection (c) : Five hours is too great an interval between meals. "3. Clause 19 may be agreed to. "4. Clause 19A is unduly extending time of employment of women and boys engaged in woollen-mills, an undue concession to one trade which is liable to cause irritation in other trades. "5. The amendments in clause 20, relating to persons employed in the sawmilling trade, are objectionable, as the employment is irregu- lar and cannot be evenly distributed over the different days of the working week, necessi- tating long hours being worked on some days. "6. The amendments in clauses 21, 22, and 23 are consequential on the definition of 'boy' in the interpretation clause. "7. Clause 31, 32, and 33 relate to holi- days in factories, and may be agreed to, being largely consequential, except in clause 32, sub- section (1) (a), where provision is made for the printing of weekly papers. "8. The amendments in clause 42, subsec- tion (2), and clause 65, subsection (1) are im- provements, and may be agreed to." The Hon. Mr. W. C. WALKER moved, That the Council do not insist on its amendments in the Bill. The Hon. Mr. RIGG moved, as an amend- ment, That the Council do insist on its amend- ments. Motion negatived, and amendment agreed to. The Hon. Mr. RIGG moved, That the Hon. Colonel Pitt, the Hon. Mr. Jenkinson, and the mover, be a Committee to draw up reasons for insisting on the amendments. He did so because no honourable gentleman who had not sat on the Labour Bills Committee could understand the effects of the amendments, and as most of them had been made at his instance he thought he should have the opportunity of being on the Conference and seeing that the effect of the

amendments was properly under- stood by the other branch of the Legislature. The Hon. Mr. BOWEN did not understand that the Hon. Mr. Rigg was one of the mem- bers who supported the principal amendments of the Council. The Hon. Mr. RIGG said the only amend- mills. The Hon. Mr. BOWEN .- Well, that is the principal alteration of the Bill. The Hon. Mr. T. KELLY said it was simply absurd to contend that the minority on the subject of the amendments in this Bill should be appointed to draw up reasons for insisting on such amendments, or should go on the Con- ference subsequently, and that the majority who supported the amendments should be ex- cluded. The usual practice in such a case, when the Council insisted on its amendments, was to appoint from among the majority who carried those amendments the members to draw up reasons for insisting, or to represent the Council in Conference. In this case it was members representing the minority whom the Hon. Mr. Rigg proposed, and that to his mind was a departure from the usual practice of the Chamber. Now, the members he should pro- pose would be the Hon. Colonel Pitt, the Hon. Mr. Jones, and the Hon. Mr. Jennings. These would be a fair representation of the Council, and therefore he proposed that as an amend- ment. The Hon. Mr. JENNINGS also wished to call the attention of the Council to the im- portant fact just stated by the Hon. Mr. Kelly, that it was really the minority that was wishing to control the Council in this matter. He was perfectly willing, as he would have to leave that afternoon, that the Hon. Colonel Pitt, the Hon. Mr. Jones, and the Hon. Mr. Feldwick, who were considered fair in these matters, and cer- tainly not extremists, should be appointed the Committee for drawing up reasons. The Hon. Mr. JONES thought there should be at least one member on the Committee who had been a member of the Labour Bills Com- mittee, because it was very difficult indeed to understand all the ins and outs of these ques- tions unless one had followed them through the discussions in the Labour Bills Committee. The Hon. Mr. JENNINGS pointed out that the Hon. Colonel Pitt was on the Labour Bills Committee, and they could substitute for one of the other names proposed that of the Hon. Mr. Pinkerton. The Hon. Mr. JENKINSON did not think it could be said that the honourable gentlemen proposed by the Hon. Mr. Rigg represented the minority of the Council. The Hon. Mr. Ris supported every amendment excepting the amendment regarding the woollen-mills. An Hon. MEMBER .- That was the most im- portant. The Hon. Mr. JENKINSON said, No : the most important amendment was the alterati a of the age, and the definition, of course, folle wed on the alteration of the age. The whole of the amendments that depended upon the lowering of the age were threshed out thoroughly on the Labour Bills Committee, and unless they bad a fair representation of the Labour Bills Com- mittee on the Committee to draw up reasons be thought most of the Council'samendments would go by the board. He would very much rather himself not go on the Committee, and that the

place of his own, and then they would have the Hon. Mr. Rigg, the Hon. Colonel Pitt, and the Hon. Mr. Jones. Of course he had no objection to the Hon. Mr. Feldwick as one of the Com- mittee ; but as he had not been on the Labour Bills Committee, and as some of the amend- ments were technical, he might not be able to fathom them. If they put on the Hon. Mr. Rigg, the Hon. Colonel Pitt, and the Hon. Mr. Jones, they would have a Committee who would insist on the Council's amendments being carried. The Hon. Mr. SPEAKER would point out that it was necessary to appoint five members, as the other House had appointed five. The Hon. Mr. T. KELLY asked the Speaker to give his ruling with regard to the practice in these matters : Whether, when the Council dis- agreed with the amendments of the House, or insisted on its own amendments, it ought to be from the majority who supported the amend- ments or from the minority who were against them that the members to draw up reasons or the Managers of the Conference should be chosen and appointed ? The Hon. Mr. RIGG said it ought to be proved that the gentlemen whom he had pro- posed were in a minority. He denied it. He said they were in a majority except in regard to one amendment. The Hon. the SPEAKER said there was nothing more clearly laid down by all the

authorities than the fact that the members of the Conference must be chosen from those who voted for the object for which the Conference was held-that was, the majority. It stood to reason it would be absurd to appoint Managers from the minority, who would not wish the thing carried out. The Managers for the Con- ference must be those who were voting for the amendments. The Hon. Mr. LEE SMITH said there was one amendment which was complicated with the others-that was to say, the one relating to the working-hours of women and boys. It was manifest to every one, if that had not been carried-it being supported by the Hon. Mr. Rigg-it would not have been sought to move the exemption of the woollen-mills. The great majority of the amendments were supported by the Hon. Mr. Rigg. The Hon. Mr. JENNINGS said the Hon. Mr. Rigg, by his votes in Committee of the Council on Saturday, fought most strongly against the amendments that were carried. Take, for instance, the amendment giving weekly newspapers similar facilities to those allowed the evening newspapers. He bitterly opposed that. The Hon. Mr. T. KELLY said that as it was necessary to appoint a Committee of five, he would add to his amendment the names of the Hon. Mr. Bowen and the Hon. Mr. Pinkerton. The Hon. the SPEAKER said, As the names proposed in both motion and amendment were the same, with the exception of the Hon. Mr. Rigg's name, he would put the question in this way : "That the Hon. Mr. Rigg's name stand." the Hon. Mr. Rigg's name be retained." AYES, 10. Bolt Swanson Reeves Jenkinson Rigg Twomey Pinkerton Walker, W. C. Smith, A. L. Pitt NOES, 10. Bowen Jones Louisson Feldwick Kelly, T. Peacock Gourley Kelly, W. Williams. Harris The Hon. the SPEAKER .- I cast my vote with the " Noes," in accordance with the ruling I gave. The Hon. Mr. Rigg's name was struck out, and the Hon. Colonel Pitt, and the Hon. Messrs. Bowen, Pinkerton, Jenkinson, and Jones ap- pointed a Committee to draw up reasons for insisting on the Council's amendments. Subsequently, the Hon. Mr. Jones brought up the Council's reasons for insistence upon its amendments in this Bill as follows :- " Definition of ' young person ' in interpreta- tion clause :- "The alteration in the age from eighteen to sixteen is made because if the age of eighteen is retained the working-hours of men will be seriously affected, whilst no hardship will accrue from boys over sixteen being allowed to work forty-eight hours. "Clause 18, subsection (1) (c) : While no hardship is inflicted by extending the hours in subsection (c) of clause 18 to five hours, the retention of four and a half hours would, in many instances, cause inconvenience both to men and employers. "Clause 19A : The restriction of boys' and women's work in woollen-mills to forty-five hours would necessitate the loss of three hours a week for all hands. "Clause 20: The reason for this amendment is that there seems no necessity that men en- gaged in sawmills should be treated differently from men engaged in other mills. "Clause 32: It seems reasonable that, for the purpose of publishing a weekly paper, this privilege should be granted." Reasons agreed to, and a message ordered transmitting the same to the House of Repre- sentatives. STATE COAL-MINES BILL. A message was received from the House of Representatives, transmitting amendments in this Bill, made by Message from His Excellency the Governor. The Hon. Mr. W. C. WALKER said that these amendments had been made by Governor's Message, and were only giving power to carry out the purposes of the Act. He moved, That the message be agreed to. Motion agreed to. LOCAL BODIES' LOANS BILL. A message was received from the House of Representatives, agreeing with a message from

On the motion of the Hon. Mr. W. C. WALKER, the message was agreed to. PUBLIC TRUST OFFICE BILL. Hon. Mr. W. C. WALKER, in moving the second reading of this Bill, said it was proposed to amend section 27 of the principal Act of 1894, by adding at the end of the proviso the following words :- " Provided, further, that an order of a Judge of the Supreme Court shall not be required when the property to be dealt with under subsections one, two, three, four, and seven does not exceed the value of two thousand pounds." In the present Act the Public Trustee was not allowed to exercise the powers and authori- ties of sale, lease, or concurrence in leasing or disposing of property by way of exchange, et

cetera. It was absolutely provided, with regard to these powers, that a Judge of the Supreme Court had to give an order before the Public Trustee could exercise these powers. Well, now, it was found to be an inconvenience and hardly necessary, in relation to property of a less value than $2,000, that a Judge of the Supreme Court should be invoked, and the proposal therefore with regard to that power was that the Public Trustee should act on his own motion without any reference to the Judge at all. That was the first proposal. The second was about the rate of interest. The Act said that the amount paid by the Public Trustee under covenants of certain leases shall, " subject to any charge to which such lands are now subject, be a charge in favour of Her Majesty upon all the lands described in the Schedule to 'The Auckland Hospital Reserves Act, 1883,' with interest thereon at the rate of seven pounds per centum per annum, payable half-yearly." This Bill proposed to reduce the interest from 7 per cent. down to 5 per cent., which, nowadays, was very good interest indeed as things go. The Trustee found that he could not secure that interest now, and therefore it was right he should have freer hand in that matter. He begged to move the second reading of the Bill. The Hon. Mr. T. KELLY would just like to make a remark with regard to this last clause, wherein power was given to the Public Trustee to reduce the rate of interest from 7 to 5 per cent. He thought that power should be ex- tended, and that the Public Trustee should have power to so deal in all cases where per- sons had borrowed money at 7 per cent., say, for a long period, and who now found they could obtain money at 4} and 5 per cent. He knew cases of great hardship where persons with ample security in a time of financial de- pression were forced to give 7 per cent. to the Public Trustee. Now, however, that officer had no power whatever to reduce that rate of interest. In the case under consideration, apparently he had applied for a clause enabling him to do so. Then, why should he not have similar power in other cases to reduce the rate of interest ? He thought it was a very fair The Hon. Colonel PITT did not know what necessity had arisen for this Bill, but it ap- peared to him just possible that the power proposed to be given to the Public Trustee in re- spect of subsections (1), (2), and (3) of section 27 of "The Public Trust Office Consolidation Act, 1894," should not be granted, and that the restriction of requiring an order of the Judge of the Supreme Court ought not to be removed. Power was given, as the Minister had pointed out, under that section for the Public Trustee to sell property by public auction, to lease land for twenty-one years, or to dispose of it by way of exchange. Well, now, it might be there was an estate in which persons who were infants were interested, and if that property was sold they might, by an ill-advised sale, be deprived of property which would be extremely valuable when they became of age. Also, a lease for twenty-one years might be entered into by the Public Trustee upon what might be dis- advantageous terms, or property might be exchanged, and the exchange might not be really for the benefit of the trust estate. Under "The Settled Land Act, 1866," whenever it was decreed that settled pro- perty, in respect of which there were per- sons who were entitled in remainder, should be sold by the tenant for life, an order of the Court had to be obtained to enable such sale to be made; and in respect of the sale of property of the value of £2,000 he submitted it was not unreasonable to ask that an order of & Judge of the Supreme Court should be ob- tained. The expense of that was not very serious, in the case of the Public Trustee applying for it; and there would be this guarantee, at all events: that the action of the Public Trustee would be indorsed if an order was granted by the Supreme Court, and which he should have thought the department would be very glad to have. Therefore be proposed, when the Bill got into Committee, to move to strike out the words "one, two, three," in section 2. With regard to the other matters where power was given, in sub- sections (4) and (7) of section 27 of the Act of 1894, he did not think there was any ob- jection. The Hon. Mr. JENKINSON said it was, as the Hon. Colonel Pitt had pointed out, rather d large power to give into the hands of the Public Trustee, because in section 27, subsection (1 !. cf the Public Trust Office Consolidation Act the Public Trustee also had the right to deal with these properties by private contract. Now, he thought when this Act was passing, "private contract " was allowed to go in because it was recognised that an order of the Court had to be got before this was

done, and he thought it was much too great a power to put in the Poohc Trustee's hands to say he could deal with two thousand pounds' worth of property by private contract without an order of the Court. He was not disposed to cut down the expenses of the administration of the Public Trustee's estates, but he thought this was giving too

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amendment. Bill read the second time. IN COMMITTEE. Clause 2 .- "The principal Act is hereby amended as follows: As to section twenty- seven thereof, by adding at the end of the proviso the following words, namely : ' Pro- vided, further, that an order of a Judge of the Supreme Court shall not be required when the property to be dealt with under subsections one, two, three, four, and seven does not ex- ceed the value of two thousand pounds." The Hon. Colonel PITT moved, That the words " one, two, three " be struck out. The Committee divided on the question, "That the word ' one ' be retained." AYES, 7. Tomoana Reeves Feldwick Walker, W. C. Swanson Louisson Pinkerton NOES 10. Pitt Jenkinson Bolt Smith, W. C. Jones Bowen Twomey. Peacock Gourley Harris ## Majority against, 3. Word " one " struck out. The Committee divided on the question, " That the word 'two ' be retained." AYES, 10. Tomoana Reeves Feldwick Twomey Smith, W. C. Harris Walker, W. C. Swanson Louisson Pinkerton NOES, 8. Rigg Jones Bowen Smith, A. L. Peacock Gourley Pitt Jenkinson Majority for, 2. Word "two" retained. The Committee divided on the question, " That the word ' three' be retained." AYES, 8. Twomey Pinkerton Feldwick Walker, W. C. Smith, W. C. Harris Tomoana Kelly, W. NOES, 8. Swanson Jones Bowen Williams. Peacock Gourley Smith, A. L. Jenkinson The CHAIRMAN gave his casting-vote with the "Ayes," and the word was retained. Bill reported, and read the third time. COOK AND OTHER ISLANDS GOVERN. MENT BILL. A message was received from the House of Representatives agreeing to an amendment pro- posed by the Governor in this Bill, and trans- mitting the same for the consideration of the Legislative Council. On the motion of the Hon. Mr. W. C. WALKER, the message was agreed to. The Hon. Mr. W. C. WALKER presented a communication from the Right Hon. J. Cham- berlain, the Secretary for the Colonies, dated London, 5th November, 1901. The telegram was read by the Hon. the SPEAKER, and was as follows :- "Your telegram of the 2nd November has been laid before His Majesty and His Royal Highness the Duke of York, who desire their cordial thanks be conveyed to both Houses of the Legislature for kind congratulations, which are warmly appreciated." The Hon. Mr. W. C, WALKER moved, That the telegram be entered on the Journals of the Council. Motion agreed to. MILITARY PENSIONS BILL. The Hon. Mr. W. C. WALKER said this Bill was the same as the one of a like name passed last year. It simply continued the effect of the Military Pensions Act of 1866, which was continued last year in favour of certain contingents. This Bill continued the effect of the Act of 1866 still further to other contin- gents, and to make certain that there could be no mistake the same course was adopted this year as last-namely, that each man was entered nominally in the Schedule, so there could be no mistake as to who was entitled and who was not. He begged to move the second reading of the Bill. Bill read the second and the third time. The Council adjourned at eleven o'clock p.m. HOUSE OF REPRESENTATIVES. Wednesday, 6th November, 1901. Second Reading - Third Readings - Railway Re- turn - Factories Bill - State Coal-mines Bill -Local Bodies' Loans Bill - Cook and Other Islands Government Bill-Companies Bill (No 2) -Nelson Harbour Board Bill-Mining Bill-Vic- toria College Site Bill-Tour of the Duke and Duchess of Cornwall and York-Public Health Bill - Old-age Pensions Bill - Factories Bill- Nelson Harbour Board Bill - Westland and Nelson Coalfields Administration Bill - Public Health Bill (No. 3)-Timber Export Bill-Ad- journment. Mr. DEPUTY-SPEAKER took the chair at half- past two o'clock. PRAYERS. SECOND READING. Chatham Islands County Bill. THIRD READINGS. Remuera Waterworks Empowering Bill, Chatham Islands County Bill, Registration of Births Extension Bill. RAILWAY RETURN. Sir J. G. WARD (Minister for Railways) laid on the table a statement showing the average train-miles run, the number of passengers, and

as compared with Queensland. He thought it might be interesting to say that the return showed that the assumption of some honour- able members-namely, the member for Hawke's Bay and the member for Bruce-that Queens- land showed more favourably than New Zealand was without foundation. He moved, That the return do lie on the table, and be printed. It was as follows :- Miles of Railway open, Train- miles run, Number of Passengers, and Tonnage of Goods carried in New Zealand (Year ending 31st March, 1901) as compared with Queensland (Year ending 30th June, 1901). Queens- New Zealand. land. Average miles open .. 2,801 2,174 Train-miles run 5,788,112 4,620,971 .. Number of passengers 4,760,559 6,243,593 carried .. Tonnage of goods 3,339,687 1,530,440 carried . .. Motion agreed to. FACTORIES BILL. Mr. SEDDON (Premier) said, On the previous evening he had unwittingly done an injustice to the member for Wellington City (Mr. Hutcheson), who was appointed to draw up reasons for disagreeing with the amendments made by the Legislative Council in the Fac- tories Bill. He had substituted Mr. McNab's name for the name of Mr. Hutcheson, and he understood that Mr. Hutcheson was in the House at the time. Mr. McNab was one of the Managers in connection with the Old-age Pensions Bill, and it had been running in his (Mr. Seddon's) mind that Mr. McNab was appointed to draw up reasons in connection with the Factories Bill. He was entirely to blame for the error, and he regretted the honourable member had been overlooked. Mr. HUTCHESON (Wellington City) ac- cepted the right honourable gentleman's ex- planation and apology in the spirit in which it was given, as he felt sure it was an oversight. He might say he was in close attendance in his place in the House during the whole of the night and within reach of the Premier ; but no doubt owing to the press and hurry of business the honourable gentleman had overlooked the fact that he had been appointed. Mr. SEDDON would ask now that Mr. McNab's name be added to the Managers, and that the paper be signed also by Mr. Hutcheson. Mr. McNAB (Mataura) could bear out what Mr. Hutcheson had said as to his being in close attendance in the House. He (Mr. McNab) was asked by the Premier to draft the reasons, not knowing he was wanted to sign them, and that Mr. Hutcheson had been appointed a Manager. It was simply an oversight. Mr. SEDDON said Mr. Tanner's name had been substituted for that of Mr. Millar, and he wished to do Mr. Millar the justice to say that he was in the library at the time, and had not been away from the building that day. He Sir J. G. Ward names of Mr. NcNab and Mr. Tanner to the Managers, and he moved that that be done. Motion agreed to. # STATE COAL-MINES BILL. A message was received from His Excellency the Governor, returning the State Coal-mines Bill with the following amendments :- " In clause 10, after ' Parliament,' add the words ' or for the construction, erection, or acquisition of buildings, plant, machinery, railways, tramways, hulks, ships, or other appliances or works, required for the working of any mine under this Act or for the supply of coal therefrom.' " In clause 11, after ' one hundred,' add ' and fifty.' "To clause 19 add the following proviso : ' Provided that moneys received under this Act in respect of the sale or supply of coal (in- cluding the moneys received from the Govern- ment Railways and other Departments) may, without further appropriation than this Act, be expended in or towards carrying out the pur- poses of this Act."" On the question, That the House go into Com- mittee to consider these amendments, Mr. HERRIES (Bay of Plenty) hoped the Premier would explain the message. It seemed to increase the appropriations ; but if it was to remedy a mistake- Mr. SEDDON (Premier) said that was what it was for. It struck him, on looking over the Bill yesterday, that, while he could raise the £150,000 authorised by the Act, he could only use the money in the purchase of a mine and in paying compensation, but otherwise bis hands were tied. If he purchased a railway and wanted to complete it, he had no power to spend a shilling thereon, and the work of deve- loping a coal-mine could not be paid for as the clause of the Bill first stood. This message was to remedy that defect, which was one of those mistakes which, he was glad to say, had been discovered in time. Mr. HERRIES said this alteration in clause 11 was a very large one. The Premier had power in clause 10 to raise £150,000. and he could raise that either from the Public

Works Fund or from any bank or monetary institution. But clause 11 limited the amount he could get out of the Public Works Fund to £100,000, and the extra £50,000 the Minister had to get where he could. Now it was pro- posed to give them power to take the whole $150,000 out of the Public Works Fund : and. if that was done, what became of the Public Works Fund, which was attenuated to the very last degree ? At present the Public Works Fund was only kept alive by starving the Con- solidated Fund, which accounted for the de- ficit shown in that account for the half-vea: ending 31st October. If the Public Works Fund was still further depleted, what would happen to the settlers' roads and bridges ? The £150,000 proposed to be taken would 3.0. be wanted for the purposes of the Public Works Fund; and it was wrong, he

$50,000 extra out of that fund besides what was in the original Bill. He ought to go to another market where he could get the money, either in London, or in the colony or else- where. Mr. MASSEY (Franklin) said the member for the Bay of Plenty was quite right in his contention. Clause 10 provided that the Minis- ter might borrow £100,000 from the Public Works Fund, and now it was proposed to make the sum $150,000. The fact that the Colonial Treasurer required that sum for the purposes of the State coal-mine accounted, it seemed to him, for the increase in the amount proposed to be borrowed by the Loan Bill of a few even- ings ago. Mr. W. FRASER (Wakatipu) said the matter presented itself to him in this way : Power was given to the Premier in clause 10 to borrow #150,000 from certain sources ; whereas clause 11 gave those who had the custody of the money which he was going to borrow the power to lend only £100,000. The amendment recti- fied this error. It was not the Premier who was going to lend the money, but the officers who had control of it. Mr. SEDDON (Premier) said he was not taking money from the Public Works Fund at all. Under the Public Revenues Act the autho- rities could issue a Treasury bill for $150,000, and, having got the money, they could only lend £100,000 of it, although there might be £150,000 in hand. The remaining £50,000 would be lying dormant. He would repeat that the Public Works Fund was not touched at all. Motion agreed to, and the House went into Committee of the Whole. IN COMMITTEE. On the question, That the Committee recom- mend that provision be made in accordance with His Excellency's message, Mr. HERRIES (Bay of Islands) said he held that his contention was right. Clause 10 gave the Premier the power to borrow £150,000 "from any balances in any of the accounts mentioned in Part VIII. of 'The Public Reve- nues Act, 1891,' or from any moneys to the credit of the Public Works Fund, or from any bank, monetary institution, or person "; but clause 11 only gave the Government depart- ments which were mentioned in Part VIII. of the Public Revenues Act and the Treasurer in respect of the Public Works Fund the power to lend £100,000. The other £50,000 must be got from some bank, monetary institution, or person. The Premier now asked for power to borrow £50,000 from the Public Works Fund, or the other balances in Part VIII., and he {Mr. Herries) objected to that course very strongly. Mr. SEDDON said the amendment did not deal with the borrowing at all. Mr. HERRIES said the Bill was a borrowing one, for the purpose of purchasing a State coal- mine, railways, et cetera, and he (Mr. Herries) objected to the money being borrowed from the that fund the money voted for roads and bridges could not be spent. Mr. SEDDON said he previously had full powers, and it was only a question of the application of the money. He could only apply the money to the resumption of the land or the payment of compensation. He now spread over a greater surface the spending of the money. That was under clause 10; and under clause 11 he could only lend £100,000 out of the $150,000. He was surprised the member for the Bay of Plenty did not understand the position. Sec- tion 11 said,- "This Act shall be a sufficient authority to the officers having the custody or control of the aforesaid accounts, and to the Colonial Trea- surer in respect of the Public Works Fund, to lend out of such balances and moneys as afore- said any sums not exceeding in the whole one hundred thousand pounds." Then it was proposed to add " £50,000," which would raise the amount to £150,000. Clause 10 said,- " In order to provide funds

for the payment of all compensation or purchase-moneys pay- able in respect of any resumption or contract as aforesaid which has been approved by Parlia- ment, the Colonial Treasurer, upon being autho- rised by the Governor in Council so to do, may from time to time raise any sum or sums not exceeding in the whole the sum of one hundred and fifty thousand pounds from any balances in any of the accounts mentioned in Part VIII. of 'The Public Revenues Act, 1891,' or from any moneys to the credit of the Public Works Fund, or from any bank, monetary institution, or person." There was no discrimination between £100,000 and £150,000. He could borrow it all. It was the usual clause in all these Bills. Mr. HERRIES (Bay of Plenty) said the Premier held so many portfolios that it was difficult to know in what capacity he was speaking. If the honourable gentleman was Colonial Treasurer he lent the money, and if he was Minister in charge of the State coal- mines he would borrow the money. When the honourable gentleman spoke of lending the money he spoke as Colonial Treasurer, and when he spoke of borrowing money he was speaking as the Minister who held the port- folio in charge of the State coal-mines. Mr. SEDDON said the Minister of Mines would have charge of the State coal-mine. Mr. HERRIES said he was glad that the Premier had announced that, because he had much more confidence in the management of the Minister of Mines conducting a State coal- mine than in the management of the Premier. He was quite satisfied that if the Minister of Mines had the management the colony would suffer no loss ; but if the Premier had the management he was very much afraid that we would suffer loss. Resolution agreed to, and reported to the House. On the question, That the resolution be agreed to by the House,

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Premier when he proposed to lay on the table the report of the Commission with respect to the selection of a mine. The House had had the report as to one mine-the Westport Cardiff mine-but nothing had been said about the other coalfields which had been inspected. It was very important that information of this kind should be put before the country at an early date. Mr. SEDDON said he would have the re- ports on the other mines separated from the report on the one particular mine referred to and lay them on the table. Resolution agreed to. LOCAL BODIES' LOANS BILL. A message was received from His Excel- lency the Governor transmitting the following amendment in this Bill :- To clause 1 add the following words : " and it shall come into operation on the first day of January, one thousand nine hundred and two." Amendment agreed to. # COOK AND OTHER ISLANDS GOVERN- MENT BILL. A message was received from His Excellency the Governor transmitting the following amend- ments to this Bill :- "Clause 10: Add the following subclause :- " (1A.) There shall be paid on all goods im- ported into the said Islands from any place or country other than New Zealand, and which would in New Zealand be admitted free of duty, such ad valorem duty not exceeding ten per centum as the Governor from time to time by Order in Council determines.' "In subclause (3) : Omit the words ' are admitted,' and substitute the words ' have been imported and entered.' "Clause 12 : Omit the words 'and nine,' and substitute the words 'ten and eleven."" Mr. SEDDON (Premier) said that members would have noticed the recommendations which had been made by Mr. Percy Smith in a memorandum which had been laid on the table. Mr. HERRIES .-- That only referred to the Island of Niue. Mr. SEDDON said, Yes; but Colonel Gud- geon and the Customs officer at Rarotonga recommended the same thing. This alteration would be in the interests of all concerned, and it was what they wanted at the Islands. An Hon. MEMBER .- It will not affect the trade between New Zealand and that Island. Mr. SEDDON said, "No." It was an all- round primage duty for revenue purposes, and would be much more easily collected than the other duties. He thought, under the circum- stances, that this change should be made. Mr. HERRIES (Bay of Plenty) said it seemed to him a very unconstitutional practice to have one part of the colony having a dif- ferent tariff to another. This was one of the anomalies which had cropped up in consequence of our extending the boundaries of the colony to these Islands. nanas. What does it matter ? Mr. HERRIES said it was a matter of great

importance to the merchants in those Islands. He questioned whether it was right constitu- tionally to have one rate of duty in one portion of the colony and another rate of duty in another portion. He did not think any change of that kind should have been introduced by Governor's message in the way in which it had been intro- duced. If this was agreed to there would be no reason why we should not have a separate duty levied in Auckland to that levied in Dunedin. The argument was just the same, for one was just as much a part of the colony as was the other. It was a great injustice to those mer- chants who lived in the Cook Islands that they should be subjected to pains and penalties to which the merchants in the rest of the colony were not subjected. The 10-per-cent. duty was not a large amount, but it was the principle of the thing that he objected to. What was at- tempted to be done was to make the merchants in those Islands pay for the expenses of adminis- tration, and that was a wrong system, besides being unconstitutional. Mr. J. ALLEN (Bruce) quite agreed with the honourable member for the Bay of Plenty that this was unconstitutional. Under the proposed tariff it might happen that goods which came free into New Zealand might be sent there direct from Sydney, and the islanders would have to pay a duty; and that was unfair. Sir J. G. WARD (Postmaster-General) could not understand the honourable member taking exception to the course that was proposed. Whilst perhaps it was correct that in dealing with ordinary matters there should be no dif- ferentiation between portions of the same cour. try, at the same time we must deal with special circumstances in a special way to prevent goods pouring into the Islands from Australia to the detriment certainly not only of themselves, but of our own country also. Mr. MONK (Waitemata) could not refrain from supporting the contention of the member for the Bay of Plenty. He could not perceive any equity or right in what was proposed. The same duties should be charged in those Islands as we charged ourselves. What should be done with the Islands was to supply them with our tariff and direct them to carry that out. 1; was a very strange thing that this House should commence to arrange for a differential tarif amongst part of our own dominions, as those islands are, to use a rather grandiose phrase which was applied to the Cook Islands by the Premier. He claimed that it was wrong in principle, and should not be entertained. Mr. FOWLDS (Auckland City) thought this was a very wrong and dangerous precedent. Mr. SEDDON said that for the Auckland members to object to it was enough to make him withdraw the Bill. Mr. FOWLDS said it was not a question of Auckland, but a question of right or wrong. He said it was wrong to differentiate the Cus toms duties payable in different parts of the colony ; and, as for the money accruing to the

be small, and certainly would not justify this Parliament in departing from a sound principle and setting up a differential tariff within our own dominions. Captain RUSSELL (Hawke's Bay) said that clause 9 of the Cook and Other Islands Bill as it left this House was perfectly clear on the point. That clause said, in subsection (1),- " There shall be paid on all goods imported into the said Islands duties of Customs in ac- cordance with the New Zealand tariff." Yet before the Act was bound in a volume with the other statutes they were going to violate that clause, and he hoped the House would agree to no such thing. Apart from that, it was a departure from a constitutional prin- ciple that they should differentiate tariffs within our own bounds. Mr. SEDDON .- It is not against parts of New Zealand. Captain RUSSELL said it was creating a differentiation in our Customs duties. He foresaw all those difficulties last year, and he even mentioned the fact that we would have to provide against smuggling, which would be carried on with the utmost impunity in the Cook Islands. As to the allegation of the Pre- mier that the Cook Islands were not part of New Zealand, the boundaries of the colony had been specially extended so as to include them. He hoped the House would refuse to agree to any such proposal. Mr. MASSEY (Franklin) could not help agreeing with the opinions expressed by pre- vious speakers, inasmuch as what was now pro- posed was a contravention of clause 9 of the Cook and Other Islands Government Bill. What was proposed was,- "There shall be paid on all goods imported into the said Islands from any place or country other than New

Zealand, and which would in New Zealand be admitted free of duty, such ad valorem duty not exceeding ten per centum as the Governor from time to time by Order in Council determines." It allowed them to impose a duty of 10 per cent. on goods imported into the Islands from other countries, but which would be admitted free if imported from this colony. Subsec- tion (3) of clause 9 of the Cook and Other Islands Government Bill said,- " All goods the produce or manufacture of New Zealand, and all goods on which duty has been paid in New Zealand, or which are ad- mitted into New Zealand free of duty, shall be admitted to the said Islands free of duty, and similarly all goods the produce or manufacture of the said Islands or on which duty has been paid in the said Islands shall be admitted to New Zealand free of duty." Sir J. G. WARD .- It is the same thing here. Mr. MASSEY said the Governor's message provided that goods which in New Zealand would be admitted free would pay an ad valorem duty not exceeding 10 per cent. when imported to the Islands. The point was this : Why should the people resident at the Islands, who are now supposed to be within the boundaries of this goods which are introduced into New Zealand free of duty, seeing that we had a Bill on the fair way to the statute-book which provided that the Customs tariff should be the same for the Islands as for New Zealand itself? Mr. SEDDON said the only advantage was this: that if these goods were sent to New Zealand free they could go to the Islands free. An Hon. MEMBER .- Suppose they go to the Cook Islands straight ? Mr. SEDDON .- I will tell you about that presently. Mr. MASSEY asked why the people of the Islands should pay duty on goods imported from Sydney direct, while the ports of New Zealand admitted the same goods free of duty. Mr. FISHER (Wellington City) said the honourable member for Hawke's Bay had pointed out last session, and he (Mr. Fisher) pointed out this session, the possible effects of dealing with the Cook Islands Annexation Bill in such a hasty manner, but little did they anticipate that the difficulties which they pre- dicted would so soon make their appearance on the scene. These Islands were now part of New Zealand, and the House was being asked in effect to pass a second tariff, making two tariffs applicable to the Colony of New Zealand. There was no differential duty as between the Islands and New Zealand, but what was in- tended by this alteration was that goods im- ported into the Cook Islands from Tahiti or other foreign ports should pay an ad valorem duty up to 10 per cent. That was decidedly bad for the natives of the Cook Islands. They would soon begin to see the advantages of King Seddon's civilisation. And this was being done arbitrarily without any alteration or amendment of the Customs Duties Acts of New Zealand, which Acts could only be altered by the New Zealand Parliament. This session Parliament had passed the Act setting up a form of government for the Cook Islands, and here they were met on the very threshold with an amendment of that Act. There had been imposed upon this colony an expensive system of government for those Islands, and the colony would be called upon in the future, at great cost to the taxpayers, to carry out the form of government which was to be applied there under the Act passed this session. He and others who took an interest in opposi- tion to the Bill were told that they knew nothing whatever about it-that there was only one man in the House who understood the subject, and that man was the Right Hon. the What did the right honourable Premier. gentleman know about it? This amendment showed that the honourable gentleman could not possibly know anything whatever of the subject upon which he pretended to speak with so much authority, for here, one week after the passage of the Bill, they were being asked to amend it. He held in his hand a " Letter from Mr. S. Percy Smith, Government Resident Agent, Alofi, Niue Island, being a Report on Mat- ters affecting the Island of Niue .- Laid on the Table of the House of Representatives by Com-

the principal chiefs of the Island of Niue, at a meeting specially convened to inform them of the proposed change of government proposed by Mr. Seddon, and that they had told him in reply " that they wished to be connected directly with Great Britain, and not with New Zealand or Rarotonga." Did Parliament understand what it was doing ? Mr. Percy Smith's letter showed the haste with which they undertook to

deal with these Islands-a step which would be costly to the colony in the future, and would impose a burden upon the people which they did not ask for nor want. Mr. G. W. RUSSELL (Riccarton) said this showed a part of the price New Zealand had to pay for the annexation of these little islets in the South Pacific. It was now proposed that articles free to New Zealand should be taxed in these Islands at the rate of 10 per cent. if imported from other countries. Now, the Hon. the Postmaster-General made the extraordinary statement that this was being done in view of the tariff drawn up by the Australian Common- wealth. Sir J. G. WARD said he had made no such statement either directly or indirectly. Mr. G. W. RUSSELL said he was sitting within a few vards of the honourable gentle- man, and thought he could not have been mis- taken. Mr. DEPUTY-SPEAKER said the honour- able gentleman should accept the Postmaster- General's assertion that he had made no such statement. Mr. G. W. RUSSELL would, of course, accept the honourable gentleman's statement. Was it desirable, he asked, for the Parliament of New Zealand to attempt to squeeze from these islanders revenue which it did not obtain from its own inhabitants? It would only lead to trouble amongst the islanders. But, having taken over these Islands, they would have to foot the bill. Mr. W. FRASER (Wakatipu) might say, in explanation, that the reference to the Austra- lian tariff was made by himself. He called across the floor that this was a retaliatory mea- sure on the Australian tariff. Mr. G. W. RUSSELL asked, What did the Minister sav in reply ? Mr. W. FRASER said he did not hear the Minister say anything. Mr. SEDDON (Premier) desired to say that he, for one, would be no party to retaliation on account of the Australian tariff. This was not for that purpose, and the necessity for it arose in Mr. Percy Smith's recommendations. We might reduce the tariff altogether and not bring our tariff into operation at all ; because, it might be, for all that we required there, a pri- mage duty of 1, or 2, or 5 per cent. would be sufficient. At all events, it could not be more than 10 per cent. The people most interested wanted it, and there was not power in the Bill as it was passed to do this, and this was simply giving expression to what they wanted. It could not injure New Zealand ; it was in favour Mr. Fisher. Islands, they would be free there. He might tell honourable gentlemen that it was the Tongan trade that was concerned in the matter. Tonga was the nearest place to Nice. and was within two days' sail, and the traders at Niue complained of the Tongan traders. I: was in the interests of the traders at Niue that this was done, and it would help New Zealand. which was desirable, because probably we might have to pay something towards the cos of governing these Islands. If the Islands were willing to pay their own costs we should no: prevent them from doing so. The House divided on the question, " That the message be referred to the Committee si Ways and Means." AYES, 35. Allen, E. G. Hall-Jones Seddon Arnold Heke Stevens Bennet Hornsby Steward Buddo Symes Houston Carncross Kaihau Tanner Colvin Laurenson Thompson, R. Duncan Ward Lawry Field McGowan Willis Fraser, A. L. D. Meredith Witheford. Gilfedder Millar Teliers. Graham Napier Mills Hall O'Meara Palmer. NOES, 21. Allen, J. Russell. G. W. Lang Lethbridge Atkinson Russell, W. R. Collins Massey Smith, G. J McNab Thomson, J. W. Ell Monk Fisher Teliers. Fraser, W. Pirani Fowlds Hardy Rhodes Herries. Hutcheson Majority for, 14. Motion agreed to. IN COMMITTEE. On the question, That the Committee ag ?? with the first resolution, Mr. HERRIES (Bay of Plenty) called atten- tion to the fact that in this resolution tee Governor in Council had power to alter the tariff, and said that if members were to al. His Excellency the Governor to alter the CA14- tion of the country, it was a pernicious inns + tion that ought to be steadfastly opposed. T .. Governor should have no power over the pai ? purse. It was a small matter, but if allowed : go unchallenged it might be taken as a pro- dent, and he would divide the Committee on the question. The Committee divided. AYES, 34. Allen, E. G. Collins Hall-Jones Colvin Arnold Houston Barclay Duncan Kaihau Bennet Field Laurenson Buddo Gilfedder Lawry Graham Carneross McGowan Carroll Hall Millar

O'Meara Tanner Thompson, R. Seddon Tellers. Smith, G. J. Hornsby Ward Willis Stevens Palmer. NOES, 21. Atkinson Lang Rhodes Lethbridge Russell, G. W. Ell Fisher Massey Russell, W. R. Fowlds

Meredith Thomson, J. W. Fraser, W. Monk Tellers. Parata Allen, J. Hardy Pirani Herries. Heke Hutcheson Majority for, 13. Resolution agreed to. Second and third resolutions agreed to. Resolutions reported to the House, and agreed to. COMPANIES BILL (No. 2). Sir J. G. WARD (Minister for Rail- 4.0. ways), in moving the second reading of this Bill, desired to explain that the House passed the second reading of this Bill and re- ferred it to the Statutes Revision Committee ; and at the same time the same Bill was intro- duced in the Legislative Council, and it was also referred to the Statutes Revision Commit- tee. The Statutes Revision Committee made certain amendments in the Bill referred to it by the Legislative Council, which amendments were shown in this Bill. In order to prevent duplication of the Bills, and as he had ex- plained the Bill on its second reading pre- viously, he now moved the second reading of the Bill, with the amendments of the Statutes Revision Committee as passed by the Legis- lative Council. Mr. HORNSBY (Wairarapa) asked if the Bill had any bearing on mining companies, and would it prevent the abuses which had taken place in connection with mining companies ? Sir J. G. WARD said that was a question he could not answer, but his opinion was that it had no direct bearing on that matter at all. Mr. HERRIES (Bay of Plenty) said he wished to explain-as the Postmaster-General apparently did not know-that nearly all the mining companies and dredging companies floated in Dunedin were registered under the Companies Act. An Hon. MEMBER .- Registered under them : that is quite a different thing. Mr. HERRIES said, Therefore the whole of the Companies Act applied to them. For the information of the honourable member for Wairarapa he would say that he believed the amendments in clauses 8, 12, and 17 were put in to meet some of the abuses which had taken place in connection with mining companies. The Mines Committee recommended that all mining companies should be registered under the Mining Companies Act. He thought that should be done. Clause 45 apparently provided that the Mining Companies Act and the Companies Act should be worked together. Perhaps the Minis- that provision out. Mr. MILLAR (Dunedin City) thought they were making a great mistake in mixing up mining companies with ordinary companies. The majority of mining companies were carry- ing on their operations under this Act. Under the Mining Companies Act any shareholder had a right to inspect the books of the company, but if mining companies registered under this Act shareholders would be deprived of that right. This Bill should simply deal with com- panies other than mining companies. He would suggest to the Minister that he should allow this Bill to stand over, and next session bring down separately a Mining Companies Bill and a Com- panies Bill. Bill read a second time. IN COMMITTEE. Mr. MILLAR (Dunedin City) moved the following new clause :- "Notwithstanding anything contained in this Act, sections thirty-two and thirty-three of 'The Mining Companies Act, 1894,' shall apply to all mining companies registered under 'The Companies Act, 1882,' or any of its amendments." New clause agreed to. Bill reported, and read a third time. NELSON HARBOUR BOARD BILL. Sir J. G. WARD (Minister for Railways), in moving the second reading of this Bill, said that when the Nelson Harbour Board Bill was before the House last year it contained a schedule of certain reserves, and at the time the Railways Department apparently did not observe that in the schedule conveying the land to the Board there was property which ought not to have been included in it. Among others was one of the railway reserves in Nelson, and that was, he understood, not permitted in any other part of the colony. The departmental officers had brought it under his notice, and it was therefore decided to ask for authority to eliminate the reserves in question and put them in the position they were previously. It could, of course, be done by Proclamation ; but, as the mistake was originally made by allowing it by Act to be included in the reserves of the Harbour Board, he thought it well to take a similar course to have it remedied. The Schedule of this Bill was intended to convey back that portion of the reserves to which he referred to the position from which they should never have been taken. The revenue of the Nelson Harbour Board was largely made up from the goods passing along the Nelson Wharf. That wharf was erected by the colony and was maintained by the colony ; and, that being so, this reserve could not be taken away from the railway, as that would, of course, increase

the cost of running the railways of that district. The other sections of the Bill referred prin- cipally to the Marine Department, and by arrangement the Minister of Marine would explain those portions of the Bill; and it was unnecessary for him, therefore, to go into it.
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Bill. Mr. GRAHAM (Nelson City) rose to a point of order, as to whether this could be introduced as a public Bill. Local Bills were stated to be those that affected particular localities only. This Bill affected only a particular locality, and was not an amendment of the Harbours Act of 1878. It was an amendment of the Nelson Harbour Board Act, a local Act passed last year, of which it is intended to form part and together with which it is to be read. The proposed Bill appeared to him to possess all the characteristics of a local Bill; and, although the Hon. the Minister for Railways gave notice of intention to introduce the Bill on the 22nd August, it only made its advent yesterday after- noon, after having been held in suspense for two months and a half. The Harbour Board of Nel- son and the people in the locality affected by it had had no opportunity whatever of knowing any- thing about what its provisions were. It might, as stated by the Minister, be perfectly correct that the Schedule of the Bill affected a question of public policy, but that was a matter in connec- tion with which power was already given, and it could be dealt with under the existing law. That being so, it was all the more reason why this Bill should be delayed, to give the Nelson Harbour Board and the people of Nelson an opportunity of seeing what was in the other portions of the Bill, which affected that locality only, and had nothing to do with public ques- tions. Mr. SEDDON (Premier) said the honourable member had forgotten to point out that the Nelson Harbour Board Act formed part of the Harbours Act of the colony. The honourable member knew that the Nelson Harbour Board Bill last session was within an ace of being made a Government measure. An Hon. MEMBER .- It does not form part of the Harbours Act. Mr. SEDDON said it was deemed to be a special Act within the meaning of the Harbours Act of 1878, and that was the same thing. It was read subject to that Act, and he said the Harbours Act of the colony applied to the Nel- son Harbour Board. As to the people of Nelson not having been aware of what was going on, he might say that the honourable member was Chairman of the Nelson Harbour Board, and what was in this Bill had been recommended by the Board. He would read the resolution :- "That the Government be recommended to amend the Nelson Harbour Board Act as follows : In section 3, subsection (3), insert the word ' three' instead of 'two' in the first line. {This would give Waimea County three instead of two members as at present.) Repeal subsec- tion (5) of clause 3. (This would do away with the Motueka Borough representative.) Repeal clause 6. (This clause vests the Motueka Wharf, with its assets and liabilities, in the Board, and provides that wharfage on goods in and out of Motueka shall be paid at Motueka, and be exempt from wharfarge at Nelson.) Strike out the words 'and Motueka ' in the Sir J. G. Ward be to exclude the Borough of Motueka from the Nelson Harbour Board District.)" On the point of order, he might say that any local Bill could be made a Government mea- sure, and be brought in; and if it affected several localities it was a public and not a local Bill. He instanced the Westport Har- bour works and Greymouth Harbour Bill. They became general Acts. This Bill included clauses of local application and also general policy clauses. Mr. DEPUTY-SPEAKER said there was a distinct ruling by the Speaker, Sir Maurice O'Rorke, in 1888 on the latter point : that Bills introduced by the Government were not exempt from the Standing Orders relating to local Bills. The fact that the Government took charge of a Bill did not make it a public Bill. If it was admitted this was a local Bill, it might be pos- sible to get over the difficulty by moving the suspension of the Standing Orders relating to local Bills. That was the course adopted in regard to the Greymouth and Westport Har- bour Board Bills. However, he thought the best course to take would be to refer the point for the decision of the Joint Committee on Bills. He would send a notice to the Chair- man asking him to call a meeting at the earliest hour possible. The Bill therefore stood referred to the Joint Committee on Bills. MINING BILL. Mr. HALL-JONES (Minister for Public Works) said this was a small Bill to make some necessary alterations in

the mining law. As the Bill had been in the hands of members for some little time, and as they would fully under- stand the purport of the amendments, he would content himself with simply moving the second reading. Mr .. McNAB (Mataura) asked the Minister if his colleague the Minister of Mines had any in- tention of moving an amendment to clause 3. The matter was brought up before the Goldfields Committee on account of a judgment of Mr. Justice Williams in a case heard in Otago. It was there found that the last portion of clause 3 -the mutatis mutandis provision-would not exactly cover the case of the Commissioner of Crown Lands; and, while it might be said that all the provisions of the Mining Act relating to appeals should be, mutatis mutandis, applied to appeals under this Act, there was this gap to be got over : that the office of the Com- missioner of Crown Lands was not a Court, and could not be said to correspond with the Warden's Court. There was no officer con- nected with the office of the Commissioner of Crown Lands to correspond with the Clerk of the Warden's Court, and the mutatis mutandu provisions laid down here would not enable » person to appeal from the judgment of the Commissioner of Crown Lands, or go through the procedure laid down in the Mining Act of 1898. Then, there was the case relating to the Charlton and Waimumu Streams. He would like the Minister to state what course he in- tended to take in connection with the dredging

scheme that could be carried out under the present mining law would meet the case. It seemed that both these streams required a channel for a considerable distance, and he did not think there was any legislation in the Mining Acts of to-day that would enable the Minister to have such a channel cut, and at the same time make due provision so that riparian rights in connection with the stream itself were not taken away. He was in hopes of seeing provision made in this Bill to meet the case. Mr. HERRIES (Bay of Plenty) said he, for one, would not be very sorry if this Bill were not passed at all. The main object of the Bill was to give the right of appeal from the Com- missioner of Crown Lands. By what after- wards had proved to be a mistake, the Act of 1899 gave power to the Commissioner of Crown Lands, in districts which were not proclaimed under the Goldfields Act, to act in the same capacity as a Warden, so far as applications for mining privileges were concerned. Now it seemed that that unfortunate amendment would bring in its train the whole parapher- nalia of giving Commissioners of Crown Lands the power of Wardens practically. It had been found in the Supreme Court there was no right of appeal from the Commissioner's decision. though there was a right of appeal from the Warden's decision. Now that they had put in a clause in this Bill giving the right of appeal, next year they would probably find some other matter cropping up because the Commissioners were not vested with the full privileges and rights of Wardens. His idea was that it would be best to rescind the clauses of the Act of 1899 giving the Commis- sioners power at all to deal with such matters. He regretted that the Minister had 4.30. put in this clause, although he must admit it was on the recommendation of the Mines Committee, as it further put off the possibility of doing away with the Commis- sioners. Another way of getting out of the difficulty, and a much simpler way, would be to declare all these districts under the Mining Act. Of course, something must be done for those who had privileges under the Act of 1899. He would like to ask the Minister if he in- tended to reinstate clause 2, which the Com- mittee had struck out, because, whatever might be said of the clause with regard to coal-mines, this contained a very vicious principle in re- gard to quartz-mines. It would allow any man not connected with a mine to go down the mine when the company was on good gold or good prospects, and he would be able to report to the different papers and influence the share- market. Of course, such a man would go under the cloak of inspecting the mine under clause 2, but he might use his position to the detriment of the shareholders of the company. But he principally objected to the clause put in by the Mines Committee, by a majority of one vote, that the men's time should count from bank to bank, instead of from face to face as at present. He did not object to VOL. CXIX. 76. clause. He was informed that the provision he had mentioned would entail considerable loss to a great many

mines. He was told it would make a difference of six hours in the week in extreme cases. Of course, there was a proviso that it should not affect any award under the Industrial Conciliation and Arbitration Act, but it all depended on how the proviso was to be read. So far as he was aware, no award had been given that specified whether the work should be from face to face or bank to bank, but awards had been given that the men should only work a certain number of hours. He was informed that this clause, if it was left in, would make a considerable difference to the mine-owners in the Hauraki district, and would be in effect an infraction of the award which had just been given there. He trusted the Minister would not press this amendment. It would not affect the men, because the award had already been given; the loss would simply come out of the pockets of the mine- owners and shareholders, whose position, ac- cording to Mr. Justice Cooper, when giving his decision in the Hauraki mining dispute, was in a very critical condition, and could not bear any further oppression. Mr. McGOWAN (Minister of Mines) said it had been the custom to read Bills in connection with mining matters a second time pro forma and refer them to the Goldfields and Mines Committee ; but he was beginning to doubt the wisdom of that course, as he found it did not facilitate business. For instance, the honour- able gentleman, instead of using those argu- ments when the Committee was considering the Bill, took up the time of the House with them now. However, he supposed the honour- able gentleman had a perfect right to bring up this question when he liked. In regard to the question of the honourable member for Ma- taura, he differed entirely from the honourable gentleman. There was no necessity for any special legislation in regard to declaring these two creeks sludge-channels. The matter was dealt with by the Rivers Commission, and the Government had been prepared to carry out their recommendation in its entirety from the very first, and it was entirely owing to the neglect of the dredge-owners to take advan- tage of the recommendation of this Com- mission that the difficulty arose. But, even though they had left the matter in abeyance for a considerable time, he did not think any special legislation was at all necessary. In addition to the original examination and subsequent recommendation by the Rivers Commission, the department had sent a gentle- man specially to report on this subject, and the report showed, as the honourable gentleman knew, that the department could deal with this matter without any legislation whatever. All that was necessary was for the people interested to appoint trustees, because, if that were done, the Minister of Mines had ample power under the present law to carry out the recommendations of the Commissioners. If the dredge-owners were prepared to take the course that had been

so that there might be no stoppage of the mining industry, and no undue interference with the interests of the farming community. He was intending to communicate with the parties interested to this effect. With re- gard to clause 3, which provided for an ap- peal from the decision of the Commissioner of Crown Lands, there seemed to be an unrea- sonable prejudice against mining, and he did not know there was any reason for it. The simplest way out of the difficulty of dealing with matters outside mining districts was to include the districts concerned in a mining district, which would simplify the matter. With regard to the new clauses he proposed to add to the Bill, and which honourable mem- bers would find on Supplementary Order Paper No. 80, he might say that, owing to the exten- sion of the dredging industry, it was necessary that men occupying positions as dredgemasters should be fully qualified to carry out their duties with due regard to the safety of life and the proper working of the machines. It was therefore proposed that certificates should be issued to those men who were qualified to hold the position of dredgemaster. He need not tell the House it was very important that these men should be well versed in such matters as the management of dredges on quick-running and strong-flowing rivers, the strength of ropes, and many other things that were not required under previous mining laws. Bill read a second time.

IN COMMITTEE. Clause 2 .- Right of inspection of mine ex- tended. Mr. McGOWAN (Minister of Mines) moved the addition of the following proviso :- " Provided that, where the men so appointed to inspect the

mine are not employed therein, they shall produce, prior to each inspection, a certificate from a Magistrate or Justice of the Peace that he is satisfied with the bona fides of the application for inspection." Proviso agreed to. The Committee divided on the question, " That the clause as amended be a clause of the Bill." AYES, 28. Allen, E. G. Houston Palmer Russell, G. W. Arnold Kaihau Buddo Laurenson Stevens Carncross McGowan Tanner Ward Mackenzie, T. Collins Mckenzie, R. Witheford. Duncan Meredith Ell Flatman Millar Tellers. Hall-Jones Mills Hogg Hornsby. Heke Napier NOES, 24. Allen, J. Fraser, W. Lethbridge Graham Atkinson McNab Bennet Hall Monk Field Hutcheson O'Meara Fisher Lang Parata Mr. McGowan Russell, W. R. Thomson, J. W.Herries. Smith, G. J. Majority for, 4. Clause as amended agreed to. Clause 3 .- Right of appeal from Commis- sioner of Crown Lands. Mr. McGOWAN (Minister of Mines) moved to add the following proviso :- " Provided that notice of the appeal shall be filed at the office of the Commissioner, and the deposit required by subsection one of section two hundred and eighty-three of the principal Act shall be lodged with the Commissioner." Mr. GUINNESS (Grey) moved the following new clause :- "(1.) Subject to the provisions of the Act, a miner shall not be employed underground for a longer period in any day than eight hours. ex. clusive of meal-times. "(2.) Such period of eight hours shall be deemed to commence from the time the miner enters the mine, and to finish when he leaves the mine. " (3.) The prescribed number of working. hours may from time to time be exceeded, but on every such occasion wages shall be paid for such extended hours at not less than one-fourth as much again as the ordinary rate. "(4.) Where, in any award of the Court of Arbitration under 'The Industrial Conciliation and Arbitration Act, 1900,' made prior to the commencement of this Act, provision is made limiting or extending the working-hours of miners working underground in any mine, or providing for the payment of overtime, this section shall, in respect to such mine, and sc long as such award continues in force, be read and construed subject to such award." The Committee divided on the question, "That the clause be read a second time." AYES, 45. Allen, E. G. Graham Mills Arnold Hall Napier Hall.Jones O'Meara Atkinson Hogg Palmer Bennet Parata Buddo Hornsby Russell, G. W. Houston Carncross Seddon Carroll Hutcheson Smith, G. J. Kaihau Collins Colvin Lang Stevens Duncan Laurenson Symes Ell Lawry Tanner Field Ward. McGowan Flatman Mackenzie, T. Tellers. Fraser, A. L. D. Mckenzie, R. Guinness McNab. Fraser, W. Millar Gilfedder NOES, 11. Thomson. J. W. Fisher Monk Pirani Heke Tellers. Lethbridge Rhodes Allen, J. Russell, W. R. Herries. Massey Majority for, 34. New clause read a second time, and agreed to.

the following new clause :-- " (1.) The master or other person in charge of every dredge employed in any deep or swift- flowing stream shall be the holder of a dredge- master's certificate issued by the Board of Examiners. "(2.) The provisions of section one hundred and eighty-eight of the principal Act relating to applications for examination shall, mutatis mutandis, apply to applications for examina- tion under this section. "(3.) The examination shall be in such special subjects as are prescribed by regula- tions. "(4.) The Board may issue certificates of service as dredgemaster, without examination, to any person of good repute who, prior to the thirtieth day of June, one thousand nine hun- dred and two, applies for the same in the pre- scribed manner, and produces a certificate from his former employer of his having been actually employed as a dredgemaster or person in charge of a dredge for a period of six months im- mediately preceding the date of his applica- tion." On the motion of Mr. W. FRASER (Waka- tipu), it was agreed to add at the commence- ment of the clause the words "From and after the thirtieth day of June, one thousand nine hundred and two." Words added, and clause as amended agreed to Mr. McGOWAN (Minister of Mines) moved the following new clause :- "(1.) A license for a tramway for the pur- pose of conveying timber from the bush in which it is felled may be granted by the Warden or the Land Board, as the case may be, to any person who holds a license for cutting timber. "(2.) Such license shall be in the form and subject to such conditions as are prescribed by the regulations for tramways for mining pur-

poses." New clause agreed to. Mr. McGOWAN (Minister of Mines) moved the following new clause :- "It is hereby declared that the Proclama- tion dated the twenty-fifth day of July, one thousand nine hundred and one, constituting and setting apart the river known as the Ina- ngahua River, together with all its tributaries, excepting Pattinson's and Phillips's Creeks, to be watercourses into which may be discharged tailings, débris, and waste water resulting from mining operations, shall hereafter be read and construed as if Auld's Creek had been excepted from the operation of such Proclamation.' New clause agreed to. Mr. W. FRASER (Wakatipu) moved the fol- lowing new clause :- "Subsection three of section two of ' The Mining Act Amendment Act, 1900,' is hereby amended by the insertion of the words, ' or otherwise' after the words ' by renewal of registration.'" New clause agreed to. Bill reported, and read a third time. Mr. SEDDON (Premier) had very great plea- sure in moving the second reading of this Bill, and he was sure that members of the House would be heartily glad to see that at last there was a prospect of having the Victoria College placed in a proper position, so that it might proceed with its work as originally intended by the Legislature. The Bill provided for an ex- change of land between the Board of Governors of Wellington College and the Wellington City Council. The proposed site was generally ap- proved of by those who took a great interest in the matter, and it was his own opinion that the site selected was a good one. He was given to understand that the two parties had arranged matters amicably, and that this Bill was the outcome of what they had agreed upon. The site-the Salamanca site-took in a large gully, which, though useless in itself, would form part of the site that had been selected. It was his duty to inform the House that the City Council had notified the Government that they were not satisfied with the exchange of College land that was to be given to them, but they were willing to look over that if the Government would give them the Wainui-o-mata Forest Reserve. He could not say this was an afterthought on the part of the Council, or that it was not an opportunity that should not have been missed. At all events, the position of the forest reserve was that it was locked up, and could not be used in any way or disposed of. At present it was serving its purpose, and was beneficial to the reservoir. He would like to say there was no connection between the two questions-the College site and the Wainui-o-mata reserve. The Government had never been consulted in the matter ; and his reply to the Council was that the Parliament very jealously guarded the forest reserves of the country, and that this particular one was as safe now as it would be if vested in the City Council. At any rate, the Government had no intention of handing over the reserve. It was an area that was of value to the colony as well as to the city, and should not be brought into the question of a site for the Wellington College. He had been given to understand, as he had previously remarked, that some objection had been raised to the site the college authorities proposed to give to the City Council. The Council had not withdrawn the Salamanca site, but they objected to the piece of land the Board of Governors proposed to give in exchange for it. It was a difference, however, that was not of a serious nature. The importance of having the Victoria College site settled upon, the erection of buildings, and the giving of higher education, were matters that, to his mind, should outweigh any differences that existed. He moved the second reading of the Bill. Mr. R. MCKENZIE (Motueka) rose to a point of order. He wished to know if this was not a local Bill. Mr. SEDDON (Premier) would like to point out that the Middle University, to which the Bill referred, embraced the West Coast, Nel- son, Marlborough, Wellington, Taranaki, and

be a general Bill. Mr. DEPUTY-SPEAKER said he had no hesitation in ruling that this was not a local Bill. Mr. HUTCHESON (Wellington City) said he would read a petition from the Mayor, City Council, and citizens of Wellington, opposing this Bill. It was as follows :- "To the Honourable the Speaker and Members of the House of Representatives of the Colony of New Zealand, in Parliament assembled. "THE petition of the Mayor, Councillors, and Citizens of the City of Wellington humbly showeth,- "1. That, whereas by resolution of the Coun- cil passed on the 29th day of August, 1901, the reserve known as the

Salamanca Road Reserve was granted to the Victoria College Council as a site for their university college, on the follow- ing conditions :- "(1.) That land of equal value within the city be vested in the Corporation as a public reserve ; and " (2.) That the exchange be carried into legal effect and the University Col- lege buildings commenced within five years : " And whereas the Victoria College Council, by letter dated the 17th day of October, 1901, agreed to accept such site on the above condi- tions, and informed this Council that the Go- vernment had been asked to draft a Bill to carry them into effect. "2. That, without any notice to this Council, a Bill intituled the Victoria College Site Bill was introduced by the Right Hon. the Premier into the House of Representatives, purporting to carry out the arrangements entered into be- tween the two bodies interested, but that such Bill does not in any way do so, inasmuch as it provides that land from the Wellington College Site Reserve, not exceeding ten acres in area, may be given in exchange for the site granted for the University College at Salamanca Road, the eastern boundary of such land to be coin- cident in whole or in part to the eastern boun- dary of the said reserve. "3. And whereas your petitioners are advised that the land thus proposed to be given from the Wellington College Site Reserve consists of the most inferior portion of the reserve, and thus for the purposes of the city is practically useless : "4. And whereas your petitioners consider that the Bill, being one dealing with local in- terests, should have been made a local Bill, in order that the opportunity of discussing its provisions might have been accorded to them, with the view of a measure satisfactory to all parties interested being passed ; but that such Bill has been made a Government measure, and therefore they have been deprived of the opportunity of discussing it : "5. Your petitioners, therefore, humbly pray that the Bill should not be proceeded with in its present form, and also that it should be made a local Bill, in order that they may have Mr. Seddon mittee on the subject. "6. That, whereas it has been suggested that the Government should be asked whether, instead of depleting one educational institu- tion for the sake of providing another, they will be prepared to grant to the Wellington City Council that portion of the Wainui-o- mata Forest Reserve which lies within the watershed of the Wainui River and its tribu- taries, whence the City of Wellington obtains its chief supply of water: Your petitioners consider that this land, although of little value for Government purposes, should form part of the Wainui-o-mata Waterworks Reserve, and they therefore humbly pray that the Govern- ment will be pleased to consider whether they can see their way to grant it in return for the reserve proposed to be granted by the city as a site for the Victoria University College. "And your petitioners, as in duty bound, will ever pray, &c. "The seal of the Corporation of the City of Wellington was hereunto affixed this 4th day of November, 1901, in the presence of- "JOHN SMITH, Jun., Deputy-Mayor. " R. M. TOLHURST, Councillor. " R. TAIT, Acting Town Clerk." He had no desire to import into the debate any of the differences of opinion which had arisen in the past with respect to this question. They had now reached a stage when, in the in- terests of the College, all parties were agreed that something practical should be done. The majority of the citizens of Wellington would not be satisfied with any other site for the Col- lege than the Mount Cook site. It seemed, however, that they would be required to bow to superior force in this matter in order to avoid inflicting great injury upon the Middle District University College for a number of years to come. The City Council therefore entered into a provisional agreement with the Council of the Victoria College, to which were affixed two con- ditions clearly set forth : First, that the land to be given in return for the valuable reserve in Salamanca Road should be of equal value : and secondly, that provision should also be made in the Bill compelling the University College Council to utilise the site for the specified pur- pose within a certain number of years. Mr. SEDDON .-- I will put that right in Committee. Mr. HUTCHESON said he was familiar with both sites, and he could say without hesitation that the ten acres-the strip of land behind the Wellington College - was of absolutely no value as a reserve for the city, but it did take away the elbow-room, as it were, of that college. The six acres in the Salamanca Road. if they were to compute the capital value on the basis of recent sales of land in that vicinity. would produce to the City Council

£10,000 at a moderate estimate. Of course, it would be en- tirely beneath the dignity of the Premier to consult the City Council with respect to this Bill. and so it was submitted to this House without the Council ever having seen it. Mr. SEDDON said, When the Bill was sent
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with by all parties. Mr. HUTCHESON said that all he asked was that justice should be done in this matter, and he considered that the request of the City Council with respect to the Wainui Forest Reserve was reasonable. Neither the City Council nor the citizens of Wellington any longer desired, in their difference with the Pre- mier, to obstruct the settlement of the Middle District University College. But there was another Act on the statute-book of a permissive character, the interpretation of which the Pre- mier had declared to be a breach of faith on the part of the Wellington City Council, and he (Mr. Hutcheson) would ask the Premier to obviate the danger of what he might consider a similar breach of faith in this Act unless everything was made perfectly clear. He re- ferred to the Wellington Corporation 5.0. and Harbour Board Streets and Lands Act of 1892, and that particular clause which dealt with the shelter-sheds was just as per- missive upon the City Council in the uses to which it should be put as this section 2 of the present Victoria College Bill, because the sec- tion read thus : - " It shall be lawful for the Corporation to plant with trees or shrubs any portion of the said land, and to fence in the area so planted, and to erect any public conveniences thereon." Now, the Wellington City Corporation con- strued that in its permissive character, and acted upon it, thereby coming into conflict with the Premier; and he in this House and elsewhere, and frequently, had declared that their so acting was a direct and absolute breach of the spirit and letter of the Act. Anticipating the possibility of such another #cc-zero breach, that he (Mr. Hutcheson), in the name of the Wellington City Council, desired to avoid, he asked that proper satisfaction should be given to the City Council by incorporating in the Bill these two clearly and distinctly specified provisions before there was thrown upon them the onus of interpreting such a clause as was now in this Bill in the same manner as they had interpreted the other clause. Because this clause reads thus : "The Wellington City Council is hereby em- powered to convey or transfer to the Victoria College Council," et cetera. Now, they were only empowered to convey it ; but if the Act passed, and the conditions which they stipu- lated for on the part of the Government were not carried out, they might take it upon them- selves, if power is left them at all, not to do it, and the Premier would consequently accuse them at some later time of a breach of good faith and a direct attempt to outwit or over- ride him. They did not want to be put in that unpleasant and unfortunate position, and they wanted to deal fairly and squarely with the Premier, as he (Mr. Hutcheson) desired to do. It was the Premier's duty to embody in the Bill those conditions which the City Council by resolution declared were the two conditions upon which they were prepared to convey the land. In the first place, he did not think it ton College even of that ten acres of elbow- room on the east side of its reserve. Mr. SEDDON .- They want the Wainui-o- mata Reserve as well. Mr. HUTCHESON said he felt quite sure that if the Premier went to the vicinity and saw the surroundings and nature of the land held by the two bodies-the reserve in the hands of the Corporation on the eastern slope, and that which is proposed to be conveyed by the Bill on the western slope-he would see it did not affect the City Council who that land belonged to. They could make no use of it. If the Premier wanted to obviate any danger of any misunderstanding, or these recriminatory actions, let him by all means carry out the letter and spirit of the conditions upon which the Corporation were prepared to transfer the Salamanca Road Reserve, and let the College Council go to work at once and build an insti- tution to be the permanent home of the Victoria College. He did not think the Premier had any reason to be aggrieved or indignant about this matter, for as soon as the City Council were aware of the nature of this Bill they imme- diately took action. The Mayor of the city was absent from Wellington, but the Deputy-Mayor and Council, as soon as they received the Bill for perusal, held an emergency meeting, and took what steps were necessary to protect the interests of the city, and at the same time go on with the negotiations for the final housing of the

College. He did not want to introduce hostility, but he must do what he could to insure for the City Council fair play and no more. Mr. FISHER (Wellington City) said he would not express himself very definitely one way or other in regard to this Bill, for anything he might say was not at all likely to be received with approval either by Sir Robert Stout, the Chancellor of the Exchequer, or whatever he was, of the Victoria College Council, or by Mr. J. G. W. Aitken, the Mayor of Wellington. But the petition pointed out that in exchange for the reserve known as the Salamanca Road Reserve the Corporation was to receive land of equal value within the city. He would ask honourable members to mark the words " land of equal value within the city." Now, he would show honourable members where this "land of equal value within the city " was situated. He held in his hand the map of the City of Wellington. The land of "equal value within the city " was situated along the ridge extending from Mount Victoria down to the boundary of the Wellington College land, and that was the land, or the ridge, which was to be given to the city in exchange for the land on Salamanca Road taken by the Government under this Bill. One side of the land looked toward Wellington, the other looked toward Kilbirnie. He would ask whether that was " land of equal value within the city," He was not going to take any part in this feud between the two bodies. If the Corporation had not given the Premier fair warning that objection would be raised to the

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he would point out this argument : that this House had always on previous occasions paid great attention to the representations of the Wellington City Corporation, and, having pointed that out, he was done with the Bill. He did not care which way it went. But he wished particularly to call attention to this : that the persons who drafted the petition had, without sufficient knowledge and without suffi- cient astuteness, as a matter of tactics, brought into the petition the question of the Wainui- o-mata watershed, and had offered to take the fee-simple of the watershed as an ex- change for the Salamanca Road Reserve. Was there ever a greater piece of stupidity? Per- haps some day members of the Wellington City Council would get older and would acquire some knowledge of men and of the world. The forest reserve at the Wainui-o-mata watershed was an inalienable forest reserve, and no Go- vernment was at all likely at any time to touch it. Knowing the right honourable gentleman so well, he knew that the petitioners, having mentioned to him that the preservation of this watershed was their heart's desire, he would say to them, whenever they came to him with a request of any description whatever, "You had better be careful ; I will take your Wainui- o-mata watershed." Thus they fell in. The members of the Wellington City Council, per- haps, would some day get older, and become possessed of a greater knowledge of men. Then, possibly, they would understand the Premier. So far as he was concerned, the House could deal with the Bill as it pleased. Captain RUSSELL (Hawke's Bay) did not know what arrangement the city fathers and the members of the Victoria College Council had decided upon in regard to the site. He was unable to follow the description of the honourable member for Wellington City (Mr. Fisher) as to where the land to be exchanged for the site was, but he understood it was somewhere between the top of Mount Victoria and Kilbirnie. But, be that as it may, he did not think the question of whether the site should be in the centre of the town or in some easily accessible position was of vital con- sequence. Wellington was a city which would contain some two or three hundred thousand inhabitants before very many years were over, and whether they selected one site or another at the present moment seemed to him to be of no great vital importance ; but it was im- portant that they should select a site which would fulfil hereafter the requirements of the University, which no small site would be likely to do. He understood they were training more students at the Victoria College than at any other University College in the colony of New Zealand. The University area comprised, he believed, the Provincial Districts of Tara- naki, Hawke's Bay, Wellington, Marlborough, and Nelson, and the students attending the University College would be largely increased in number in the course of the next ten or twelve years. But there was no provision for funds, and until provision for funds was made Mr. Fisher There ought to be now, while there was still time, a

large endowment of land set aside for the maintenance of the Middle District Uni- versity, if the University itself was ever to be a pronounced success. They could not expect, merely as a labour of love, to get professors. They must have the funds to meet the ex- pense incidental to carrying on a large Uni- versity, and without loss of time a con- siderable area of Crown land in the hands of the Government should be set aside as an endowment. This would be no waste of Govern- ment money, because the Governors of the Uni- versity would in all probability take greater care of the interests which might be consigned to their care than any Government department would be likely to take, and the land would go on increasing in value, so that in twenty or thirty years, instead of the Governors of the University pleading to Parliament in forma pauperis for assistance, they would have an ever-increasing valuable reserve, which would be sufficient for all its purposes. It did not appear to him that this Bill met what he believed to be the essential requirements of the University. He would have to be guided by the Wellington members as to how he should vote, as presumably they had instructions from those they represented as to what was best in the interests of the University; but he thought that the essential question, which was not met in this Bill, was the question of pro- viding a suitable endowment. Mr. ATKINSON (Wellington City), in reply to the honourable member for Hawke's Bay. might say that the members for the City bad had no instructions or communications what- ever from the Victoria College Council uron this subject, and the Premier had had instruc- tions and communications from no one else. On the other hand, the City members had had instructions from the City Council ; but the Premier apparently had received no communica- tion from them, except for the informal depu- tation a few days ago, which dealt with a point not raised at all by this Bill-the Wainui-o-mata Reserve. If the Premier had been made ac- quainted with the arrangement made between the two Councils he would never have intro- duced such a Bill. Mr. SEDDON .- Do you want the Bill with- drawn ? Mr. ATKINSON said he would certainly pre- fer the Bill withdrawn altogether, unless an alteration he was about to suggest could be incorporated in it. The Right Hon. the Pre- mier, in all good faith, had been misled as to the understanding between the two bodies. Mr. SEDDON said the Bill was permissive. Mr. ATKINSON .- That was so ; but it per- mitted the Wellington City Council to do some- thing which it had no intention of doing, and would not do if the Bill was passed ; and the falsity of the position in which the Council would be placed was well put by his colleague. in that it would throw the onus of rejecting this arrangement on the City Council. Now. it was very undesirable it should be put in tha:

Bill withdrawn altogether than that it should be passed as a mere futility, and only put the Council in a very false position. The ideal site, no doubt, was the Mount Cook site, but it was not worth while discussing that now. The Victoria College Council had hung on to that site as long as possible, and, finally, one member of the Council in the pay of the State proposed, and another member who was also in the pay of the State seconded, a resolu- tion that the views of the Government, which were opposed to the views of the Wellington City and the whole of the Middle District, should be adopted, and that Mount Cook should be abandoned. The Council had selected this as the second best site. It got the consent of the Wellington City Council to an arrangement that the Council would vest this land men- tioned in the Bill in the Victoria College, on the condition that land of equal value was vested in the City Council in exchange, as a public reserve, and that the College buildings were to be proceeded with within a period of five years. The Premier had signified his intention of accepting an amendment to give effect to the latter condition ; but unless the former condition was incorporated also the Bill would be so much waste paper. A sort of triple exchange was authorised by clause 2, which, when analysed, worked out thus : the Victoria College got a big property for nothing; the Wellington College parted with a small property for nothing; and the Wel- lington City got the small property in ex- change for the big one. This transaction was facetiously referred to in the margin as : " Exchange of land between Wellington City Council and

Governors of Wellington College." An Hon. MEMBER .- What is the comparative value of the exchanges ? Mr. ATKINSON .- We knew that a low estimate of the value of the Salamanca Road site, which the City Council was to vest in the Victoria College, was £10,000. What the value of this reserve along the hilltops was he really did not know, but it could not be a tenth of the sum named. The Premier suggested $5,000, which was absurd ; but, even if it was correct, £5,000 was hardly a fair exchange for £10,000. At any rate, it was not the intention of the Go- vernment, in introducing the Bill, to throw the cost of endowing the College on the City of Wel- lington ; but, on the honourable gentleman's own admission, it had that effect to the extent of at least £5,000. He could suggest a way out of the difficulty if they were to legislate at all this session. Clause 3 empowered the Hospital Trustees to convey some land to the Victoria College Council, and provided that the value should be assessed by the Valuer-General, and should be paid to the trustees out of the Con- solidated Fund. That was fair and reasonable. Victoria College got the land, and the Govern- ment paid the price. The same procedure should be prescribed for the exchange under clause 2. The Valuer-General should assess the values of the two parcels of land, and the City Council should be paid from the Consolidated Fund land over the other. He hoped the House understood that this Bill at present merely gave permission to the Wellington City Council to provide for the endowment of the Victoria College with a 'site at its own expense. This it would not do. If the Bill went through, no charge could be brought against the city for breach of faith after all its representatives had pointed out that the effect of the Bill was to permit the City Council to do a thing which the City had no desire and its trustees had no right to do. Bill read a second time. The DEPUTY-SPEAKER said, In reference to his statement that the Greymouth and West- port Harbour Board Bills were local Bills- which fact the Premier doubted the correctness of-he found, on reference to the Journals of 1884, that, on the motion of Sir Julius Vogel, it was ordered, "That the Standing Orders re- lating to local Bills be suspended in order that the Westport Harbour Bill and the Greymouth Harbour Bill may be proceeded with as general public Bills." It was not often the Premier was found to be mistaken. Mr. SEDDON (Premier) said that both Mr. Deputy-Speaker and himself were right. What he (Mr. Seddon) said was, that they were not local Bills but Government Bills, and he now repeated it ; but, in order to allow them to be taken as Government Bills, it seemed the Standing Order was suspended. The Bills did not appear on the statute-book as local Bills. IN COMMITTEE. Clause 1 .- Short Title. Mr. SEDDON (Premier) moved, To add the following words after the word " Site" : " and Wellington College and Girls' High School and Wellington Hospital Trustees Empowering." Mr. LAURENSON (Lyttelton) moved to re- port progress. The Committee divided. AYES, 26. Lethbridge Arnold Parata Pirani Massey Bennet Buddo Mackenzie, T. Smith, G. J. Mckenzie, R. Colvin Symes McNab Ell Tanner Fraser, A. L. D. Millar Thompson, R. Hornsby Napier! Tellers. Houston O'Meara Laurenson Palmer Willis. Lawry NOES, 30. Allen, E. G. Guinness Rhodes Hall Russell, G. W. Atkinson Russell, W. R. Hall-Jones Barclay Carncross Herries Seddon Hutcheson Thomson, J. W. Carroll Collins Ward Lang Witheford. McGowan Duncan Tellers. Field Meredith Mills Fisher Flatman Monk Fraser, W. Hogg. Graham Majority against, 4. Motion to report progress negatived.
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man leave the chair. Motion negatived. Mr. PIRANI (Palmerston) moved, That pro- gress be reported. Motion agreed to. Progress reported. TOUR OF THE DUKE AND DUCHESS OF CORNWALL AND YORK. A message was received from His Ex- 7.30. cellency the Governor transmitting the draft of the following cablegram from the Right Hon. J. Chamberlain, Secretary of State for the Colonies, dated London, 5th November, 1901 :- "Your telegram of the 2nd November has been laid before His Majesty and His Royal Highness the Duke of York, who desire their cordial thanks to be conveyed to both Houses of the Legislature for kind congratulations, which are warmly appreciated." Mr. SEDDON (Premier) moved, That the message be recorded in the Journals of the House. Motion agreed to. # PUBLIC HEALTH BILL. A message was received from His Excellency the Governor, transmitting the draft of a Bill

to amend "The Public Health Act, 1900." On the question, That the message be referred to the Committee of the Whole, Mr. HERRIES (Bay of Plenty) asked the Minister of Public Health to explain the pro- visions of the Bill. Sir J. G. WARD (Minister of Public Health) said the Bill was necessary to provide certain amendments to allow of the proper adminis- tration of the Health Department, particularly in connection with the arrival of ships from foreign places, and other matters. Mr. HERRIES .- Nothing about vaccination in it ? Mr. PIRANI (Palmerston) asked if the Minis- ter was making provision in this Bill so as to allow persons having conscientious objections to vaccination to get certificates of exemption, and proper notice being given, especially in country districts, of the extension of the provision with reference to certificates of exemption from vaccination. No proper notice had been given last year-especially in the back-blocks-of this privilege. Sir J. G. WARD said he proposed to take the necessary authority to have that done. He thought it was provided for in the Bill, and if not he would be glad, with the concurrence of the House, to insert such a provision in Com- mittee. Resolution agreed to, reported to the House and agreed to, and Bill read a first time. # OLD-AGE PENSIONS BILL. A message was received from the Legislative Council, intimating that the Council do not insist on its amendments in this Bill. A message was received from the Legislative Council, forwarding the following reasons for insisting on its amendments in this Bill :- " Definition of ' young person ' in interpreta- tion clause : The alteration in the age from eighteen to sixteen is made because if the age of eighteen is retained the working-hours of men will be seriously affected, whilst no hard- ship will accrue from boys over sixteen being allowed to work forty-eight hours. "Clause 18, subsection (1) (c) : While no hardship is inflicted by extending the hours in subsection (c) of clause 18 to five hours, the re- tention of four and a half hours would in many instances cause inconvenience both to men and employers. "Clause 19A : The restriction of boys' and women's work in woollen-mills to forty-five hours would necessitate the loss of three hours a week for all hands. " Clause 20 : The reason for this amendment is that there seems no necessity that men engaged in sawmills should be treated dif- ferently from men engaged in other mills. "Clause 32: It seems reasonable that, for the purpose of publishing a weekly paper, this privilege should be granted." Mr. SEDDON (Premier) moved, That the House does not agree with the reasons, and that a Conference be asked for; and that Mr. Millar, Mr. Hutcheson, Mr. McNab, Mr. Tanner, and Mr. Seddon be appointed Mana- gers on behalf of the House. Motion agreed to. NELSON HARBOUR BOARD BILL. Mr. McNAB (Mataura) brought up the re- port of the Joint Committee on Bills on this Bill, to the effect that the Bill was a public Bill. He moved that the report do lie on the table. Mr. GRAHAM (Nelson City) said that when the Bill was moved this afternoon by the Hon. the Minister for Railways he asked Mr. Deputy - Speaker's ruling whether the Bili was a public or a local Bill, and Mr. Deputy. Speaker said he was disposed to think it was a local Bill, but he would refer it to the Joint Committee on Bills for a report. There were nine members of the Joint Committee on Bills out of ten present at the meeting, and the Premier, although not a member of the Com- mittee, was present, and spoke very little as to whether the Bill was a local or a public Bill. but a great deal on the merits and objects of the Bill. The Premier said it related to the Bill passed last year constituting the Nelson Harbour Board, and he said that Bill formed part of "The Harbours Act, 1878." He (M: Graham) pointed out that the Act of last year was a special Act, and should be read subje! to the Harbours Act, but it was not an amend- ment of the Harbours Act at all. The Hon. the Premier then said that cutting through the Boulder Bank was a matter of grave national concern, and that this Bill was in the interest of the colony. The Premier also said that tenders for the work of cutting through

Government before acceptance of any contract, and that the Government should have power to discontinue the work. All these matters were provided for in the Harbours Act, which governed all the harbours in the colony. If it had suited the Premier to look at clause 156 of that Act the honourable gentleman could have seen, in subsection (1), that, - "(1.) Before commencing the making or construction

of the work such Board shall deposit at the office of the Marine De- partment a plan in duplicate of the whole work, showing all the details of the proposed work and the mode in which it is proposed the same shall be carried out. "(2.) If it appears to the Governor in Council that the proposed work will not be or tend to the injury of navigation, the Governor in Coun- cil may approve the deposited plan, with or without modification or addition, and subject or not to any restriction or condition necessary for the preservation of any public right. "(3.) The work shall not be made, con. structed, altered, or extended without the like approval; but any such approval shall not confer on such Board, body, or person any right to construct, alter, or extend any work which independently thereof it would not have had. "(4.) If any Board, body, or person acts in any respect in contravention of any provisions of this section in relation to any work, the Minister may, at the expense of such Board . take all necessary steps and proceed- ings and employ persons to abate and remove the work, and restore the site thereof to its former condition." The Premier ought to have known the Governor in Council not only had to approve of the plans, but had power to modify or add to them. He also pointed out that the Nelson Harbour Board Act of last year was a local Bill, and was duly advertised ; but the Premier said it was not advertised in the localities re- ferred to. The Standing Orders on local Bills provided what was required in reference to the advertising. It was provided that, in the case of there being more than one Magistrate's Court in a district affected by a local Bill, the Bill should be deposited at the Court in the most populous part of the district, and that the advertisement should be in a newspaper circulating in the district. Throughout the Waimea district there was no newspaper at all. The Bill was duly advertised in the city news- papers, and those newspapers were daily dis- tributed to all parts of the county, and the Bill was therefore properly advertised. He did not know why the Premier brought that matter up, but he did so. The Premier also brought up a letter, but did not state whom it was from, to the effect that the Nelson Harbour Board agreed to the provisions of the Bill. The Board had done nothing of the kind. They did not know the provisions, and that was why he (Mr. Graham) brought up the question of the Bill being a local Bill. It was true that certain matters in the Bill of last year were considered were desirous of being eliminated from the Nelson Harbour District. The fact was they had been brought under it owing to a misappre- hension on the part of the member for Mo- tueka, and when it was known that they desired to be excluded the Board were willing that they should be, and the Premier was written to to that effect. The Motueka people also sent in a petition on the matter. The Premier did not state, however, that the Bill contained a great · deal more. What the Motueka people asked for was to have their wharf relieved from the Nelson Harbour Board, and also to have the fore- shore in front of it, which was reasonable. The Bill provided not only to give the Motueka people what they wanted, but it also provided to take away from Nelson the foreshore that was given to it, from the Borough of Motueka to the entrance of the Waimea River. It took away from the Nelson Harbour Board a great portion of the endowment given to it last year. That was a proposal that ought not to have been made without letting the Board know that such was the proposal. However, the Committee met, and the Premier, instead of confining himself, as any other witness would have had to do, to the point before the Com- mittee, made a number of statements that were not at all pertinent to the question to be de- cided. The Chairman of the Committee, the Hon. Colonel Pitt, immediately on the Premier concluding, laid it down that the Bill was a public Bill, which was at once effectively com- bated by Mr. McNab, one of the most reliable and trusted lawyers in the House; and on a division being taken it was decided by five votes to four that the Bill was a public Bill. The voting was as follows: Ayes - Mr. Guinness, Hon. Mr. Kelly, Hon. Mr. Pitt, Hon. Mr. Walker, Hon. Mr. Williams. Noes - Mr. Fraser, Mr. Graham, Mr. McGuire, Mr. McNab. He wanted now to point out the strange posi- tion in which the House would be placed by the ruling of the Joint Committee on Bills by the majority of one vote-five votes to four. There were a large number of harbours in the colony, and a still larger number of Harbour Board Acts on the statute-book. Well, it had been decided that a Harbour Board Bill was a public Bill. Now, in "Curnin's Index " he found, under the

heading " Local Laws in force in New Zealand," that there were in Auckland twelve local Bills applicable to that district ; in Gisborne there were nine ; in Greymouth, three ; in Hokitika, four ; in Lyttelton, six ; the Bluff, five ; Mangawai, one ; Napier, eight ; Oamaru, seven ; Otago, eleven ; Patea, five ; Riverton, two; Timaru, eight; Waimakariri, two; Wairoa, two; Waitara, three ; Westport, three ; Wanganui, four ; Wellington, six ; and two private Acts : a total of 101 local Harbour Board Bills on the statute-book. The position then, was this : that under this ruling, if main- tained, an Act might be brought in by the Go- vernment, as had been done on this occasion, in the dying hours of the session, which would deprive any of these Harbour Boards of any or all of their rights. He could not believe that

did not know where the House would arrive, be- cause the Standing Orders stated distinctly that a local Bill referred to a locality. This Bill was no doubt characterized by all that pertained to a local Bill. His desire was to let the people in- terested know what was in the Bill before it was dealt with. At present they did not know. The Premier had read a letter showing that the people knew already what was in the measure. That was true only to a certain extent; but there were important matters in the Bill of which the people of Nelson knew nothing. He did not feel competent to take the responsi- bility of agreeing, on behalf of the Harbour Board and the people of the district, to some of the provisions of this Bill. If the Hon. the Premier would alter clause 7 so that it would include only the foreshore fronting the Borough of Motueka, as was agreed to by the Motueka people, he would agree-because that was what the Harbour Board agreed they should have, because they did not want to re- tain people in the Nelson Harbour District who did not want to be included. In addition to that, however, the foreshore proposed to be taken in excess was a considerable portion of the Waimea County foreshore, and the Waimea County Council objected to being taken and handed over to Motueka Borough. They had also objected to the wharf being handed over to Motueka. It appeared to him as if, when the Premier made up his mind to do a certain thing, that he would attain his object notwith- standing the Standing Orders. If it had suited the Premier to decide the other way, it would have been decided right off that this was a local Bill. He (Mr. Graham) still believed that it was a local Bill, and his object was to give the people of Nelson an opportunity of knowing what this proposed legislation was before it was passed. Mr. SEDDON (Premier) said all the Govern- ment desired to do in reference to this matter was to further a harbour for Nelson, and he thought if the member for Nelson City did what was just he would admit that following his advice had given them the machinery and opportunity of getting a good harbour. It was under his advice that, instead of taking the Railway Wharf or interfering with them, that legislation took place which enabled them to raise the rest of the money. If the Govern- ment had asked the House to vote another £1,000 for a harbour at Nelson it would never have passed the vote; but under his advice they had practically made, in cash and endow- ments, a present to the City of Nelson of £90,000. Now, two members of the four on the Committee had said that this was a mixed Bill-that was, that it was both a local Bill and a public Bill. He hoped the question raised by the honourable member would not prejudice the position of the Bill. One of the clauses in the Bill provided that, before tenders were accepted under the Harbours Act, the plans had to be submitted to and signed by the Governor on the advice of the Minister of Marine. The other question outside that Mr. Graham to be sent to the Minister of Marine. There was nothing wrong in that, and in fact he was not so sure whether there should not be an Order in Council before the plans were accepted, but that was open to doubt. He was only now try- ing to put himself right ; otherwise it might ap- pear that he had said in Committee something prejudicial to the Nelson Harbour, when he bad done nothing of the kind ; but considering that, according to the last report, a vessel had touched on the bar, and that the bar was silting up. something required to be done immediately. Then, as to the stoppage of the works. which was a most important work, it was on that point that he had said the Nelson Harbour was of national importance, and it was that, he held, that went to make the Bill a public measure. He repeated that there

were three districts interested in the Bill-namely, the Borough of Motueka, the Waimea County, ard the Borough of Nelson. One mistake that had been made last session was in taking in the Motueka Wharf, and in taking over the Motueka responsibility. The local body was not con- sulted, and it was taken for granted that they would accept it. The member for the district took that responsibility. Now they wanted to be relieved from the responsibility ; and the honourable member would admit that the Harbour Board said by resolution that that should be done. The honourable member had written to the Government saying that it should be done, and it was embodied in the Bill. He did not think the Motueka people should be placed in a better position, but te thought they were entitled to a reserve or endowment. Mr. DEPUTY-SPEAKER said that question could not be discussed at this stage. Mr. SEDDON said Harbour Bills which af- fected localities only had been passed through the House as public Bills on previous occasions. The New Plymouth Harbour Bill was one of them, and as this Bill affected three districts, and dealt with public reserves, that was sufficient to make it a public Bill. However, he did not think the financial position of the Harbour Board should be prejudiced any more than that they ought to give back to Motueka a portion cf the foreshore, and leave to the Nelson Harb ur the remainder. He trusted the Bill would be allowed to proceed, and when they came to the Schedule let them adjust the question. The Government did not wish to injure the Nelse Harbour project-quite the reverse: and the honourable gentleman could take that assur- ance from him. Mr. ATKINSON (Wellington City) said he knew nothing about the merits of the Bill, but it seemed to him that the last remark of the right honourable gentleman, suggesting cori- promise, showed that, whatever might be the technical position, substantially this was s measure entitled to protection by the Standirz Orders. The right honourable gentleman said the Government had no desire to injure the Harbour Board, and that, if any clause d:d injure the Board, he would be glad to have the

tion had the Harbour Board in the House ? Except by telegraphing this Bill to either of the two districts concerned, and getting a reply by telegram, it would be impossible to get any local expression of opinion in regard to the Bill, which was only put in print yesterday. Mr. SEDDON said he would explain to the honourable gentleman that, on the petition of R. Hursthouse and others, the Committee recommended,- "That the Borough of Motueka and the portion of the Waimea County, for which the Motueka Harbour is the natural outlet, be withdrawn from the Nelson Harbour District, and that the Motueka Harbour and Wharf, with all assets and liabilities, be vested in the representatives of the Waimea County Council and the Borough of Motueka, and that the necessary legislation for the purpose be passed this session." It was on reference to this that action was taken. Mr. ATKINSON said that Mr. Hursthouse was not the Board. He understood there were things in the Bill that Mr. Hursthouse did not agree with. So far as the House had any offi- cial knowledge, both of the localities con- cerned might disagree entirely with the Bill, for the reason that they had had no opportunity whatever of seeing it. The right honourable gentleman said it was not a local Bill ; but he could not see, on looking through the Bill, that there was a single part of it that could not properly be described as local. It amended a local Act passed only last session. The first operative clause affected the area under the jurisdiction of the Board ; the next clause al- tered the representation of the Board ; the fourth clause gave them power to deal with the cutting through the Boulder Bank ; the sixth clause related to the Motueka Wharf; and the seventh clause altered the endow- ments. He would defy any honourable mem- ber to point out any reason against these five clauses, which were practically the whole Bill, being held to be a local Bill. If this was not a local Bill he did not know any other Bill that, by the same liberal interpretation, could not be excluded from the operation of the Standing Orders relating to local Bills. He was glad to think that of the five members of the House on the Committee four voted that the Bill was a local Bill, and only one against ; and that it was only the influence of the Premier, exerted on the representatives from the other Chamber, that, by a narrow majority of one,

the Com- mittee considered this was not a local Bill. He thought the decision of the Committee was most regrettable. Mr. FIELD (Otaki) said the speeches of the last three speakers were enough to show that the position of our Standing Orders, in so far as they attempted to define local Bills, was very unsatisfactory. For the purposes of illustration he might refer to a previous case earlier that session, where a measure introduced by him, the Wellington Harbour Board and Corporation Empowering Bill, that was to his mind a local by the Committee to be a private Bill. This was the decision referred to by the Deputy- Speaker when referring the Nelson Bill to the Joint Committee on Bills. He would not say that private or improper influences had been at work on that occasion ; but, in order to obviate any such case occurring in the future, the Standing Orders ought to be altered to make plainer what were public Bills, private Bills, and local Bills. In the case of the Nelson Bill, this also was a local Bill amending a local Bill, and the Committee had declared it to be a public Bill. It would be much more satisfac- tory to the House and to the country, and the two cases that had arisen that session made it very evident that in that respect the Standing Orders ought to be revised. At present the Standing Orders were not by any means a suffi- cient guide to the Bills Committees, who were consequently left to use their own judgment in cach case, and to practically make a law unto themselves. Mr. G. W. RUSSELL (Riccarton) said that the Bill was intended to amend the Nelson Harbour Board Act of last year, and how any- body could say that a Bill amending what had been passed by Parliament as a local Bill could, by any process of reasoning, become a general Act he could not possibly conceive. He had introduced local Bills himself ; they had been duly advertised in the locality, and drawn up according to the Standing Orders; and by what process the Government could take up as a Government measure, and pass as a general Act, a Bill that was intended to amend and alter a local Act certainly required explanation. The Schedule, which occupied about a page, was lifted almost word for word from last year's measure. It seemed useless to have Standing Orders in a case of this kind. The Standing Orders required that any locality affected by a Bill should have notice given to it, and now, in the dying hours of the session, it was proposed to put a measure like this on the statute-book. Mr. R. MCKENZIE (Motueka) pointed out that the Government had granted £1,500 a year in hard cash for the next thirty years for the construction of Nelson Harbour, and it was certainly the duty of the Government to see that this money was to be used to the best advantage to the district and the colony. Was that large amount of money to be handed over by the Crown to the Nelson Harbour Board, and the Government to have no control of it ? If the Board appeared to foolishly waste the money, the Government should have the power to say whether the work ought to be carried on as proposed by the Board, or whether it ought to stop. As to the foreshore, he would like to say that the Nelson Board had about ninety miles of it, and the proposal was that only about ten miles of it should be taken away. Motion agreed to. Interrupted debate on the question, That the Bill be now read a second time, Mr. GRAHAM (Nelson City) said he 1.0. hoped it would be possible to come to an understanding which would enable the

stated, the Motueka Wharf was included in the Nelson Harbour Bill of last year, but only after the member for Motueka had explained to the member for Nelson City that Motueka desired it to be so ; otherwise the Motueka Wharf would never have been included ; and they had many concessions granted them in addition in last year's Act, which would be taken away from them if this Bill passed, and which very pro- perly would be taken away. Some of the Motueka people were desirous of retaining the wharf. They had petitioned the House, and their Mayor attended the Committee and gave evidence, and he (Mr. Graham) agreed person- ally to have Motueka and its wharf eliminated from the Act in accordance with the request which was made; and the Nelson Harbour Board also by resolution agreed to that. As to the provision in clause 2, the people of the county had never been asked whether they desired to be excluded or not. It was only the Borough of Motueka that expressly desired to be excluded. The Bill provided for taking away

a portion of the harbour district, which meant a considerable reduction in the rating area. That was unfair to those who remained. There was no objection to the alteration in clause 3. The Harbour Board had agreed to it. Then, he did not know that there was any serious objection to the provision with re- ference to the Boulder Bank if " specifications " were substituted for " tenders." He hoped the Premier would explain why he considered it necessary in the case of Nelson to put a provision in the Bill which compelled tenders to be sub- mitted and approved by the Minister of Marine before the Board could enter into a contract, after the Government had approved of the plans. Why did the Premier wish to make an exception of Nelson, in saying that they should not accept tenders, even after the Government had made such modifications as might be considered necessary and as they thought proper? That was a provision which had not been inserted in any other Harbour Board Bill in the colony. Then, the next clause provided that the Go- vernment might order a discontinuance of the work. That might place the Board in a serious position, because the Board might call for ten- ders, the Government might approve of those tenders, and the work be carried on to a certain point, and then the Government might sud- denly step in and order a discontinuance of the work. That appeared a very dangerous provi- sion to insert in the Bill. If the Government took every precaution to see that the plans were right before they approved of them, that ought surely to be sufficient. This provision might have the effect of increasing the price of the contract. The Premier said his desire was to assist Nelson to get a good harbour. His words and actions did not appear to agree. Was it because the Premier had not confi- dence in the members of the Harbour Board that he wanted to have power to say whether the tenders might be accepted or not? Be- cause, if that were so, he, for one, would not remain upon the Board ; and, when he re- Mr. Graham Board, he believed they would be of the same mind. The Premier said that, if these clauses were objected to, he did not see why they should remain in the Bill. He asked the Pre- mier not to bind them by statute to such things as this, which were not made to apply to any other Harbour Board in the colony. This work was estimated to cost £60,000, ard then the harbour would be better beyond com- parison than any of those harbours which had each cost over half-a-million of money. It was the Nelson people who would have to pay for the work, and not the Government, if the work was to be discontinued. They would have to pay for undoing what had already been done. and possibly compensation for breach of con- tract. Now these objections had been empha- sized, he hoped the Premier would agree :0 strike out or modify these clauses, and show whether he possessed confidence in the Nelson Harbour Board or not. Now, in reference to clause 6, which read as follows : "The Motuex) Wharf shall not, after the passing of this Act. be deemed to be vested in the Nelson Harbour Board "-there was no objection whatever to that provision. But clause 7 read,- "All foreshore and mud - flats within the Motueka Electoral District, between the bon- dary of the Nelson City Electoral District and the entrance of the Motueka River, are hereby declared to be endowments for the Motueka Wharf, and shall be administered accordingly by the Motueka Wharf Board." That was a part in the Bill he strongly et- jected to, and it must be modified before the B ... should pass. The plan which he had jus: handed to the Premier showed the Motueks Borough and the foreshore attached to it. I: showed what was required, and what the Motueka people had asked for. The Nelson Board had passed almost unanimously resolu- tions expressing their willingness that the Motueka Wharf should be entirely eliminated from the Nelson Harbour District, and some inhabitants of Motueka had asked that thea wharf and the foreshore in front of it should ie so eliminated. He hoped the Premier would give the Motueka people what they asked for. and that he would not be a party to taking fr. r. the Nelson Harbour Board so large a portion :! the Nelson foreshore in order to give it to some one else simply because the member for Motueka said it must be so. If it was decided to give them an endowment it should not be taken from the endowment given to the Harbour Board last year, and the Nelson Harbour was of pri- mary importance in this matter. The Premie: had already admitted the gravity of the sitca- tion, and had expressed a desire that the harbour should be improved at the earliest pr- sible moment. He (Mr.

Graham) had procured from the Commissioner of Crown Lands a schedule of what was delineated on the plars. which he hoped the Premier would agree to put in the Schedule of the Bill, as it described what was asked for by the Motueka people, and then one of his principal objections to the Bi. would have gone. He believed the Premier

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means in his power, but he did not believe the stead of two members as at present.) honourable gentleman knew that this Bill pro- posed to deprive them of so large a portion of their endowment. Now, the Bill had been Borough representative.) only circulated the previous night, and it would take more than a Philadelphia lawyer to tell what the Schedule meant without a plan, and assets and liabilities in the Board, and pro- plenty of time to study it. He himself knew vides that wharfage on goods in and out of nothing about the Bill until that day, and the Motueka shall be paid at Motueka, and be ex- Hon. the Postmaster-General had informed him empt from wharfage at Nelson.) that the exigencies of the public service required last line of clause 7." that the colony should resume certain portions of the foreshore around the Government Wharf Borough of Motueka from the Nelson Harbour at Nelson and where the other wharfs were situated which had been given to the Board, Board district.) and that they should be revested in the Crown. officer of the Board, should have sent that This meant, if it meant anything, a loss of resolution to the Minister; but he did not revenue to the Board of nearly $500 a year. Sir J. G. Ward told him that, although the think it had reached the department yet. Government was going to revest these small Then there was a petition sent over here, and portions of foreshore in the Crown, he per- signed by almost every taxpayer interested in sonally had no intention whatever of depriving the Motueka district, praying to be taken out of the Nelson Harbour District. Mr. Hurst- the Harbour Board of the revenue it now derived from it, and that, as far as he was house, Mayor of Motucka, and an ex-member concerned, he would see that the Board still of the House, came over in support of the derived the revenue. But when that foreshore petition, and the member for Nelson City at- was revested in the Crown it carried the revenue tended at the Committee and fought against and everything else with it. While he believed this petition as strongly as he was objecting to the Minister would carry out his promise if the Bill now. The petitioners prayed that the within his power, still a time might come when Motueka Harbour and Wharf be removed from he would be no longer head of the department, the control of the Nelson Harbour Board and and therefore it was necessary that some pro- vested in the Motueka Borough Council. And vision should be made to provide that the the report of the Committee was as follows :- revenues from the foreshore, or their cash equivalent, should be continued for the enjoy- mittee recommends that the Borough of ment of the Board. He hoped the Premier Motueka, and the portion of the Waimea County for which the Motueka Harbour is would give the necessary undertaking to make that provision, without which it would be his the natural outlet, be withdrawn from the duty to oppose the Bill by every constitutional Nelson Harbour District, and that the Motueka means in his power until and unless the Go- Harbour and Wharf, with all its assets and lia- vernment promised to maintain the present bilities, be vested in representatives of the financial position of the Nelson Harbour Board. Waimea County Council and the Borough of Mr. R. MCKENZIE (Motueka) said the Motueka, and that the necessary legislation for member for Nelson City would lead the House the purpose be passed this session. to believe that something monstrous and out- rageous was about to be perpetrated on his constituents by this Bill. With regard to sub- there was nothing else in it concerning the mitting the plans of harbour works to the Go- Motueka District. The honourable member vernment, he might point out that in every told the House that he had a schedule pre- Harbour Act in the colony there was a clause pared to deal with the Motueka Wharf and to that effect at the present time, and in every Harbour. Did the honourable member imagine Government specification at the present day for a moment that he was going to allow him members would find this clause permitting to take it under his tender and grasping care, Government to stop the works if

considered or even leave it under the management of the expedient. And therefore he did not see there Nelson Harbour Board as it was at present ? If so, he could disabuse his mind of that fallacy was any hardship in submitting the tenders to the Government, because the Crown found the immediately. money for the Harbour Board. The member for value of the Waimea County was double that of the City of Nelson, it must be admitted that Nelson City told the House that the members the county ratepayers had the whip-hand, and of the Harbour Board knew nothing about this Bill. Here was a motion carried at a meeting would doubtless use it ; unless this Bill passed of the Nelson Harbour Board, of which the there was no probability of a Nelson Harbour loan being sanctioned. However, he was will- honourable gentleman was Chairman, some ing to meet the honourable gentleman in any- months ago :- thing that was reasonable. The honourable "That the Government be recommended to amend the Nelson Harbour Board Act as fol- member for Nelson City also complained about lows : In clause 3, subsection (3), insert the word the endowments that were to be taken away ; but the fact of the matter was that his complaint . three ' instead of ' two ' in the first line. "Repeal subsection (5) of clause 3. (This would do away with the Motueka " Repeal clause 6. (This clause vests the Motueka Wharf with "Strike out the words ' and Motueka ' in the (The effect of this would be to exclude the The honourable gentleman, as executive "I am directed to report that the Com- "WALTER SYMES, Chairman." Now that was all this Bill was going to do ; Considering that the rating

an upright or perpendicular bluff-so that the Board would lose nothing. The Nelson Har- bour Board had eighty or ninety miles of foreshore, and several thousands of acres of an endowment ; and yet the honourable member wanted what justly and naturally should be an endowment for the Motueka Wharf, and his avaricious demands would simply be an injustice to the Motueka people. Any one had only to look at the rate- payers' petition, or at the map of the locality, to see what was the proper position of affairs, and that petition the honourable gentleman had not referred to in his remarks. The Go- vernment, he repeated, would not be looking after the interests of the public if they did not keep a hand on the expenditure on these works -works for which they would have to find large sums of money during the next thirty years. The honourable member had said the work would cost $65,000 : but, as a matter of fact, if he persisted in carrying out the present proposals the amount would be nearer £165,000. and even when the work was finished it would most probably prove useless. A gentleman who was consulting marine engineer to nearly all the Harbour Boards and to every Government in Australasia had reported on the proposed work ; but the Harbour Board had ignored his adverse report, and, acting mostly on their own amateur conclusions, they decided to proceed with the work which this eminent authority had reported against, the result of which must inevitably be that in years to come the Harbour Board would have to come on the colony for assistance. Mr. SEDDON (Premier) said the difference between the parties could be easily adjusted. The Government were desirous of getting some- thing done to separate the two parties. It was, as it were, a divorce case-Nelson against Mo- tueka-on the ground of incompatibility of temper. Mr. GRAHAM .- Of interest, not of temper. Mr. SEDDON said it seemed to him a pity the delay had taken place. At any rate, the member for Nelson City was one who was always convinced by precedent, and if the honourable member would refer to Hansard, July to August, 1888, page 118, he would find that a question was there raised as to whether a Bill affected a certain locality, and as to whether it should not be made a local Bill. Mr. Speaker, in deciding on the point, said,- " The honourable member for Christchurch South should move his amendment when the motion for committal had been made. With regard to the point of order raised by the honourable member for Gladstone, he had always-and he thought his predecessors had done so too-in interpreting these rules regard- ing local Bills given them a liberal interpreta- tion : that was to say, where a Bill referred to more than one locality, as this Bill did, it should not be regarded as a Bill affecting a particular locality, but one of a wider nature ;

and the Bill was one that, in his (Mr. I Mr. R. Mckenzie public measure. This Bill referred to the Manawatu, Waimate, and Ashburton districts. This point had been often raised. For instance, the Bill relating to the Education Boards of Greymouth and Hokitika had always been held to be a public Bill. He proposed, therefore, to deal with the Bill before the House as a public Bill." That would show that he (Mr. Seddon) had good ground for the action he had taken, aud that precedent was against the honouraole member for Nelson City. As to the Bill, be wished to say that the question of Nelson against Motucka, and the reserve at Motueks, was a local matter which had been brought in, because when the Government brought in the Bill they knew nothing of the trouble between the parties. With the Government it was a question of conserving the interests of the colony : that was all it was desired to effect. Ob jections were taken, and the request for the alteration and separation came from the Nel Do Harbour Board itself. With respect to tenders being submitted to the Government, he Leid that the Act did not go the length of giving the Government power to see the tenders. They had to approve of the plans, but not the specifications. The object in inserting the provision he had referred to was simply in order to safeguard the Nelson Harbour and al- the colony. The honourable member ask. d him whether the Government distrusted the Nelson Harbour Board. His answer was, No. The next question was as to stopping the works. He did not know that that power was absolutely necessary. At the same time con- tingencies might arise, and the Government would have to watch carefully what happened. He had great anxiety respecting the work ; be trusted the work would be a success. The latest advice was that the water was shoalny on the bar, and that vessels had a difficulty in getting in and out. He trusted the member for Nelson City and the member for Motuess would come to a settlement respecting this matter. Unless some adjustment was come to the Government might not be able to agree to plans or anything else. Mr. HUTCHESON (Wellington City) said this Bill was certainly the most remarks. it Bill he had ever seen. There were two pro- posals in the Bill which were studied insults, not only to the local governing body, but to every citizen in Nelson. This Bill contained every characteristic of a local Bill, although. by & process which did not inspire every honomr. able member of the House with confidence. it had been declared a public Bill. The Schedule of the Bill alone was such as to warrant the most searching investigation by a Select Com. mittee, such as the Local Bills Committee. To ask the House to discuss such a Schedule as was contained in the Bill was simply preps terous, and the Premier had placed a studied insult on the Nelson Harbour Board in bring- ing the Bill down in this secret and surrep- titious manner without consulting them. The ought to be entitled " An Act to repeal the Neisco

abrogate the principal functions of that body. He could only imagine that, in requiring ten- ders to be submitted to the Government for its approval, there must be some ulterior motive, and if he were the honourable member repre- senting the City of Nelson that Bill should only pass over his corpse. The Bill said,- "The Board shall not enter into any contract for the construction of a channel through the Boulder Bank until the tenders for the work have been submitted to and approved by the Minister of Marine." Now, the Minister of Marine informed the Committee that the Government had power in all contracts let by governing bodies to compel them to submit their tenders for Government ap- proval, and that peculiar statement was indorsed by the member for Motueka. Those honour- able gentlemen, however, could quote no au- thority for such a statement. The Harbour Board was duly constituted and incorporated by the Harbours Act of 1878. Section 156 of that Act said,- "Before any Harbour Board or any other body or person shall commence to make, con- struct, or erect any harbour works or other structure of any kind on, in, over, through, or across tidal lands or a tidal water, or the sea- shore below low-water mark, or in the bed or bottom of any port or harbour, by virtue of this or any other Act, the following provisions shall have effect :- (1.) Before commencing the making or con- struction of the work, such Board, body, or person shall deposit at the office of the Marine Department a plan in duplicate of the whole work, showing all the

details of the pro- posed work and the mode in which it is proposed the same shall be carried out." Now, the honourable gentleman, who was Chairman of the Nelson Harbour Board, has he went along by inserting the humiliating assured the House that those conditions had been fully complied with. The other condi- tions were- " (2.) If it appears to the Governor in Coun- cil that the proposed work will not be or tend to the injury of navigation, the Governor in Council may approve the deposited plan, with or without modification or addition, and subject or not to any restriction or condition necessary for the preservation of any public right. "(3.) The work shall not be made, con- . structed, altered, or extended with- out the like approval ; but any such approval shall not confer on such Board, body, or person any right to construct, alter, or extend any work which independently thereof it would not have had. " (4.) If any Board, body, or person acts in any respect in contravention of any provisions of this section in rela- tion to any work, the Minister may, at the expense of such Board, body, and proceedings and employ persons to abate and remove the work, and restore the site thereof to its former condition. " (5.) No person who, with such approval as aforesaid, constructs, makes, or erects any harbour work or structure, shall be liable for indictment for nuisance or perpesture on account thereof." The Minister ought to know the powers vested in him as administrator of the Marine Department ; and why should this insult and injury be placed upon the people of Nelson ? They had still greater indignity in 2.0. clause 5, which said,- "The Governor may at any time by Order in Council prohibit the continuance of any work which in his opinion is likely to affect the Nelson Harbour injuriously, or may by such Order permit the continuance of such work subject to such conditions or modifications as he deems expedient." Now, a high legal authority had told him (Mr. Hutcheson) that the technical meaning of the phrase, "prohibit the continuance of any work," was that the Governor in Council might not only order the stoppage of the work, but also that any work done should be undone, and that any structure erected should be re- moved. The Premier told them to-night, in justification of the necessity for this wretched measure, that the Harbour of Nelson was silting up. Now, that exactly demonstrated the neces- sity for the scheme the people of Nelson had entered into to make a new entrance. In re- gard to the foreshore, he thought the Harbour Board ought to control the foreshores within an area covered by a radius of ten miles. He did not suppose the House would object to divorcing the Motueka Wharf from the Nelson Harbour Board, but the Premier was getting a back- handed slap at the Nelson Harbour Board as conditions in clauses 4 and 5. Of course, when they got into Committee he had copious amendments to move to the Bill, and if they succeeded in making it a good Bill, and divorced this incompatible couple, and struck out or modified clauses 4 and 5, he would give it all the assistance he could. Major STEWARD (Waitaki) moved the ad- journment of the debate. The House divided. AYES, 23. Rhodes Arnold Lang Lethbridge Russell, G. W. Atkinson Smith, G. J. Bennet Massey McNab Steward Buddo Meredith Tanner. Collins Millar Tellers. Ell Monk Herries Fisher Hutcheson. Graham Pirani NOES, 26. Allen, E. G. Hall Duncan Hall-Jones Field Carncross Flatman Heke Carroll Fraser, A. L. D. Houston Colvin

Parata Tellers. Lawry McGowan Seddon Barclay Mckenzie, R. Mills Symes Majority against, 3. Motion negatived. Mr. PIRANI (Palmerston) said the Bill was practically a local one. It was of little im- portance except to the locality of Motueka. The Act of last year had been deposited at the Magistrate's Court in the Town of Nelson, other preliminary steps had been taken in connection with it, and it had afterwards passed the ordeal of the House. Despite all this no flaw had been found in it. Indeed, the member who was doing his utmost to get the Bill through was the one who asked last year that the Motuoka Wharf should be in- cluded in the Bill; and yet this year they found him persuading the Government to take up his local Bill, and take out of the Nelson Harbour Act the very thing he had got put in himself. There were many measures of in- finitely greater importance which the Govern- ment had decided not to proceed with. The House divided on the question, "That the Bill be read a second time." AYES, 31. Allen, E. G.

O'Meara Hall Palmer Arnold Hall-Jones Barclay Heke Parata Houston Rhodes Bennet Kaihau Carncross Seddon Ward Carroll Lawry Witheford. Lethbridge Duncan Field McGowan Mckenzie, R. Tellers. Fisher Millar Flatman Colvin Fraser, A. L. D. Mills Symes. NOES, 19. Smith, J. G. Lang Atkinson Laurenson Steward Buddo Massey Tanner. Collins McNab Ell Fraser, W. Meredith Tellers. Graham Herries Monk Hutcheson Russell, G. W. Pirani. Majority for, 11. Bill read a second time. # IN COMMITTEE. Clause 1 .- "The Short Title of this Act is ' The Nelson Harbour Board Amendment Act, 1901,' and it shall form part of and be read together with 'The Nelson Harbour Board Act, 1900' (hereinafter called ' the principal Act ')." Mr. GRAHAM (Nelson City) moved to strike out the word "Nelson," in the first line, with a view of inserting other words. Sir J. G. WARD (Minister for Railways) moved to report progress. Motion agreed to. Progress reported. This Bill was read a second time, and com- mitted. # IN COMMITTEE. Mr. SEDDON (Premier) moved the insertion of the following new clause :- "The Westport Harbour Board may from time to time apply such portion of its funds as 1 it thinks fit, not exceeding one thousand pounds in any one year, in prospecting for coal on its endowments." New clause agreed to. Mr. SEDDON (Premier) moved the excision of the Schedule, for the purpose of substituting the following Schedule :- "All that area in the Nelson Land District. containing by admeasurement 400 acres. more or less, situated partly in the Borough of West- port and partly in Block III., Kawatiri Survey District. Bounded towards the north-east and north generally by the ocean : towards the east generally by the Orowaiti River : towards the south generally by a public road being the con- tinuation in an easterly direction of Cobden Street, Township of Westport ; by a municipal reserve to Derby Street ; thence by Derby Street to a point in line with the northern side of Bright Street ; thence by a line to and along the northern side of Bright Street to Palmers- ton Street ; thence by Palmerston Street to s point in line with the northern side of Ken- nedy Street, and by a right line to and by the northern side of the last-mentioned street to the Buller River : and towards the south-west by the said river: excepting from the above- described area all freehold land, education re- serves, and Native reserves, and also a strip of land being a reserve for defence purposes (New Zealand Gazette, 1886, page 786) : as the said area of 400 acres, more or less, is delineated upon the plan marked S.G. 47203, deposited in the Head Office, Department of Lands and Survey, at Wellington, in the Wellington Lard District, and thereon edged with blue." Amendment agreed to. . Bill reported, and read a third time. PUBLIC HEALTH BILL (No. 3). This Bill was read a second time, and com- mitted. IN COMMITTEE. Sir J. G. WARD (Colonial Secretary) moved the addition of the following new clause :-- " Part IV. of the principal Act shall be con- strued subject to the following provisions for exemption, that is to say :- "(1.) At any time within four months after the birth of a child, or, in the case of a child born before the first day of November, Che thousand nine hundred and one, then st any time within four months after the said day, the child's parent or custodian, if con- scientiously of opinion that vaccination would be prejudicial to the child's health, may apply to any Stipendiary Magistrate or Regis- trar for a certificate of exemption. " (2.) If satisfied that such conscientious ot- jection exists, the Magistrate or Registrar may

custodian a certificate of exemption from Part IV. of the Principal Act in the form numbered nine in the Third Schedule to the principal Act. "(3.) When issuing the certificate of exemp- tion the Magistrate or Registrar shall transmit a duplicate thereof to the Vaccination Inspec- tor of the vaccination district in which the child is resident, and the Inspector shall enter a minute thereof in his register. "(4.) The application shall be supported by a statutory declaration and by such other evi- dence as the Magistrate or Registrar in each case thinks reasonable, and no fee shall be payable in respect of either the application or the certificate. "(5.) The effect of the certificate shall be to exempt the parent or custodian named therein from all liability under Part IV. of the principal Act in respect of the non-vaccination of the child named in the certificate : " Provided that where the child's parent or custodian is resident outside of a borough the application for exemption may be made to and the certificate granted by a Justice of the

Peace. "Section one hundred and seventy of the principal Act is hereby repealed." Mr. FISHER (Wellington City) moved the excision of the proviso. The Committee divided on the question, " That the proviso stand part of the clause." AYES, 32. Allen, E. G. Flatman Massey Arnold Fowlds Meredith Atkinson Fraser, A. L. D. O'Meara Barclay Graham Rhodes Buddo Guinness Smith, G. J. Carroll Hall Tanner Collins Hall-Jones Ward Colvin Houston Witheford. Duncan Hutcheson Tellers. Ell Kaihau Hornsby Field Lawry Pirani. NOES, 11. McNab Seddon. Herries Lethbridge Millar Tellers. Palmer McGowan Fisher Mckenzie, R. Russell, G. W. Fraser, W. Majority for, 21. Proviso added, and new clause added. Bill reported, and read a third time. TIMBER EXPORT BILL. A message was received from His Excellency the Governor transmitting the draft of a Bill intituled " An Act to impose a Duty on the Exportation of Timber," and recommending the House to make provision accordingly. On the question, That the message, together with the Bill, be referred to the Committee of the Whole for consideration, Mr. FISHER (Wellington City) said 4.30. he would take that opportunity of pointing out that this proceeding was entirely irregular. This was a Tariff Bill-a Bill affect- VOL. CXIX .- 77. by Act. It could not be introduced in this irregular way. Attention having been called to the matter, that was sufficient for him. If difficulty hereafter arose under this irregularity the honourable gentleman himself was alone responsible. Mr. PIRANI (Palmerston) said he understood the Bill proposed an export duty of 3s. per 100 superficial feet on logs (round), logs squared with axe or saw, and half-logs, or such higher duty, not exceeding 5s. per 100 superficial feet, as the Governor by Order in Council deter- mines; and an export duty of 3s. per 100 superficial feet on flitches of any particular kind, or pieces of such size as the Governor by Order in Council from time to time determines, or such lesser duty as the Governor by Order in Council determines. Sir J. G. WARD .- Cannot you see the reason for that ? It is in the interests of the country. Mr. PIRANI was not talking about the ad- visability of imposing a duty. The only point he wanted to direct attention to was that the Governor in Council had power to move the duty up or down as the Ministry pleased. It seemed to him an extraordinary thing that the Government could not find out at once what was a suitable duty. Mr. SEDDON (Premier) said he might be able to solve the little knot they were getting into if he said that it might not be necessary to impose any duty at all. He hoped it would not be necessary. There was just a possibility that might be so ; but if matters remained as they were it might be in the interests of the colony to take action. All the people in the timber trade in Auckland, Hawke's Bay, Taranaki, the West Coast, Marlborough, and Southland-all interested in the industry-advised the course the Government were now taking. Mr. HERRIES .- They did not advise that the Government should have absolute power. Mr. SEDDON .- They advised us to do it. Mr. HERRIES .- Let us do it straight out, then. Mr. SEDDON said, No; that would not do. This was, as it were, an Act of reciprocity be- tween the Commonwealth and New Zealand. As for the reason for the measure coming down at that time, he wished to say that there was a no-confidence motion on in the Common- wealth Parliament last week, and to have done anything that might have prejudiced either of the parties would have been ungenerous and unfair; and even at the present time he would not like to pass an export tariff, because it might be used against the colony by either party in Australia. It was desirable to keep on friendly terms with our neighbours, and it would be an unfriendly act, until we saw exactly what they were going to do, to pass an export duty. He was taking the double security of introducing the Bill into Committee of Ways and Means and then the Committee of the Whole; and he wanted to put the Bill on the Order Paper that night, so that it might bo circulated immediately.

vernment had received any communications from the Conference of sawmillers. Mr. SEDDON said this was the result of that Conference. Mr. MASSEY .- Is this what they recom- mend ? Mr. SEDDON said, Yes ; and he might say that others who were able to advise were strongly of that opinion. Mr. DEPUTY - SPEAKER said he would have to rule that a resolution which would have the effect of imposing taxation

must be passed by the Committee of Ways and Means. Mr. SEDDON moved, That the House re- solve itself into Committee of Ways and Means, with a view of adopting the Schedule to the Bill. Motion agreed to. IN COMMITTEE. Mr. MASSEY said he understood the duty was to be not more than 3s. per 100 ft. Mr. SEDDON .- It could be less. Mr. MASSEY said, If the House fixed it at less ; but, so far as he understood the resolution, the Governor in Council only had power to alter between 3s. and 5s. Mr. SEDDON said the resolution provided for logs, round or squared with axe or saw, and half-logs, 3s. per 100 superficial feet, or such higher duty, not exceeding 5s. per 100 superficial feet, as the Governor by Order in Council determines. Flitches of any particular kind, or pieces of such size as the Governor by Order in Council from time to time determines, 3s. per 100 superficial feet, or such lesser duty as the Governor by Order in Council de- termines. Mr. MASSEY said, So far as he understood the provision, it was for logs, round logs, or squared with axe or saw, and half-logs, a mini- mum of 3s. per 100 superficial feet, or such higher duty, not exceeding 5s., as the Governor in Council determined. The provision for flitches was 3s. per 100 superficial feet, or such lesser duty as the Governor in Council de- termined, the maximum in the latter case being 3s. Mr. SEDDON said the House could fix a lesser amount in each case if it liked. Mr. HERRIES (Bay of Plenty) asked the Acting-Chairman if he ruled that, when the Bill came before the House, it could be amended by striking out "(Governor in Council." He did not want "Governor in Council" here at all. The ACTING-CHAIRMAN said the House could amend the Bill, or reduce the amount proposed to be levied. Mr. HERRIES said it was unconstitutional to give the Governor power over the purse, and he must express his disgust at a Liberal Minis- try throwing away the rights of this House to levy taxation, and putting the power in the hands of the (Governor or Governor in Council. Sir J. G. WARD (Colonial Secretary) said the wonder to him was that the honourable member should so repeatedly make assertions that had nothing in them. If the honourable posed in the Bill, he would see it was the only way to conserve the interests of the country. If he would but recollect, so far the Customs tariff of Australia had not even been definitely fixed, and that it required to be reviewed by the Federal Parliament in Committee there. They might lower the duty on timbers from New Zealand, and, if they did so, it would not be necessary to fix a duty of 3s. on the export of timber from New Zealand. It might be that they would have to put on no duty at all. They were simply trying to protect the timber in- dustry, and at the same time to wait till they know what the duty in Australia would be. This was the only way to protect the interests of the colony. He would like any honourable gentleman to suggest a better way than the way proposed in the Bill. Mr. SEDDON (Premier) said they gave the same powers to local bodies that the honourable member said should not be given to the Governor in Council. The power was given to local bodies to impose taxation. Resolution agreed to, and reported to the House and agreed to, and Bill read a first time. # ADJOURNMENT. Mr. SEDDON (Premier) moved, That the House at its rising adjourn till eleven a.m. Mr. FISHER (Wellington City) moved to strike out " cleven a.m.," with the view of ir- serting " half past two p.m." The House divided on the question, " That ' eleven a.m. ' stand part." AYES, 26. Kaihau Arnold Palmer Rhodes Lang Atkinson Seddon Buddo Massey McGowan Smith, G. J. Carroll Mckenzie, R. Ward Duncan Fraser, W. McNab Witheford. Meredith Tellers. Hall-Jones Mills Houston Collins Hutcheson Monk Hornsby. NOES, 11. Barclay Thompson, R. Lawry Lethbridge Ell Teilers. Pirani Fisher Field Hall Russell, G. W. Fraser, A. L. D. Majority for, 15. Amendment negatived, and motion agreed to. The House adjourned at seven minutes past five o'clock a.m. (Thursday). #