

LEGISLATIVE COUNCIL. Thursday, 10th October, 1901. Third Reading-Industrial Conciliation and Arbitration Act - Assembly Library - Royal Visit Expenses Bill-Money-lenders Bill. The Hon. the SPEAKER took the chair at half-past two o'clock. PRAYERS. THIRD READING. Charitable Gifts Bill. INDUSTRIAL CONCILIATION AND ARBITRATION ACT. The Hon. Mr. RIGG asked the Minister of Education, If the Government will supply each member of the General Assembly with a copy of the volume intituled "Awards, Recommendations, Agreements, &c., made under the Industrial Conciliation and Arbitration Act from 1894 to 1900"? He had no doubt it came as a surprise to members of the Council to know there was such a Government publication in existence, and it was only while reading an article in an American paper dealing with the Conciliation and Arbitration Act that he became aware of its existence. He saw a note

<page>344</page>

obtained on application to Mr. Tregear, at the Labour Department, Wellington. He thought members would agree that such a work would be most useful, more especially for members of Parliament, and that it should be circulated in the same way as was the "New Zealand Official Year-book " and other official publications. The Hon. Mr. W. C. WALKER was not aware himself of the existence of the volume, but he had no doubt it would be of great value to honourable members if circulated among them. He would confer with his colleagues, with a view to seeing if each member of Parliament could be supplied with a copy. The Hon. Mr. JENKINSON said the honourable member's question only referred to a certain period. He would like to know if the different numbers would be available for members as they came out. The Hon. Mr. W. C. WALKER had already said he was not aware of this particular compilation, but he would endeavour to make it as public as possible. # ASSEMBLY LIBRARY. The Hon. Mr. RIGG moved, That the following resolution, as reported from the Joint Library Committee, be agreed to, namely : That the Right Hon. the Premier be asked to secure the sanction of Parliament to the payment of the \$500 Watson fine to the Library. It would be within the memory of members of the Council that a few years ago Mr. Watson, then manager of the Bank of New Zealand, was fined \$500 for contempt of Parliament. . According to the Standing Orders of the House of Representatives, it would appear that all fines were to be paid to the credit of the Library Fund. That had not been done in the case of this particular fine. The matter was brought before the notice of the Joint Library Committee a few weeks ago, and he had been instructed, as Chairman, to make application to the Premier for this money. The reply he received was that the amount had been paid into the Consolidated Fund some years ago, and that it could not be transferred without the sanction of Parliament. Now, it did not seem to have occurred to the mind of the Premier that there was no one in a better position than himself to test the feeling of Parliament, with a view of seeing whether or not it would give that sanction. It seemed to him that the reply sent was really an evasive one. However, the matter was again considered by the Joint Library Committee on Tuesday last, and the resolution which was embodied in this motion was passed. If the Council could see its way to indorse this resolution, he hoped that the Premier would waive any mere

formal objection he might have, and allow Parliament to have an opportunity of saying whether or not it would sanction a transfer of the amount to the Library Fund, to which he believed it properly belonged. The Hon. Mr. W. C. WALKER was not present the other day, he was sorry to say, when this matter was discussed by the Library Committee. He only arrived at the meeting at the Hon. Mr. Rigg's fringe of it. But he did not think the Library Committee could get over the Standing Orders of both Houses of Parliament. He could not conceive that any reading of our Standing Orders could connect the fines of the description of Mr. Watson's with the fines referred to in the Standing Orders. He did not know whether it had been the practice that fines such as Mr. Watson's had always been paid in the past to the Library Fund, but, reading the Standing Orders of the Council with those of the other Chamber, he could not see any warrant for supposing that such fines were alluded to at all. Their Standing Orders Nos. 240 and 241, to which he referred, related entirely to members, and there was a similar rule in the Standing Orders of the other place. Standing Order No. 240 said, " Any member adjudged by the Council, for any of the causes mentioned in any of these Standing Rules and Orders, guilty of contempt, shall, upon motion made with notice, be censured by the Speaker, and such censure shall be entered on the Journals of the Council ; and such member may be fined in a penalty." Then No. 241 said, " All fines shall be paid to the Library Fund." Well, that was perfectly clear and conclusive. He had not the Standing Order of the other House before him, but the wording of it was very much the same. It went no further. It simply dealt with fines to which members were liable if they were adjudged to be guilty of contempt ; and how Mr. Watson's fine could be dragged in under these Standing Orders was more than he could imagine. Of course, Mr. Watson's fine of \$500 was paid into the consolidated revenue, and it could only come out of that by a vote of the House. Therefore, it was a little hard that this should be proposed now, because last year a special vote of 5500 was passed by Parliament for the Library Fund, though it was certainly for a particular purpose -namely, to strengthen the reference part of the library. He thought, if conscience money was required from the Consolidated Fund, the conscience money had been paid very fairly by the vote of \$500 of last year, of which he was glad to say they were receiving the benefit by the increased number of papers they had this year on their tables. He was sorry he could not accept the honourable gentleman's proposal as a fair interpretation of their Standing Orders, or as a reasonable request to make. The Hon. Mr. SCOTLAND thought it would be as well if this motion were withdrawn. He had seen in one of the papers a report of what had been said in another place, from which it appeared that the Premier stated that if money was required by the Library Committee the Government would be only too glad to have it voted. They had better be satisfied with that, and the Hon. Mr. Rigg should withdraw the motion, as no good could come from it ; and, reflecting, as it appeared to do, upon what had been done in the other House, he thought it was itself rather open to criticism. The Hon. Mr. BOWEN said it was pretty

<page>345</page>

library, but he thought the interpretation of the Standing Order by the Government was incorrect. The provision in their Standing Orders was practically the same as that in the Standing Orders of the other House. Now, Standing Order No. 240 provided for dealing with any member guilty of contempt, and for fining him any sum not exceeding \$50. The succeeding Order, No. 241, was to the following effect : " All fines shall be paid to the Library Fund." If Order No. 241 only referred to fines under No. 240 it would have provided that "such fines " should be paid to the library. The Order was the same in both Houses. It appeared to him to cover any fine that was inflicted by either House. There was reason for supposing that the idea in the minds of honourable members when making these Standing Orders was that the fines should not go to the general revenue of the country, whose representatives inflicted the fine, but that the money should be applied to some useful purpose connected with the Parliament outside of the amounts voted from public revenue. There was nothing in the Standing Orders to differentiate between the destination of fines for contempt committed by members and contempt committed by strangers.

However, as he had said, from all that one could gather, they would not get the money : that had found its way into the public Treasury. What the Hon. Minister of Education had said was true : they did get \$500 last year for the library. He appeared to think that that amount was voted as being the amount of the fine ; but it was not so stated at the time, nor did the Library Committee so understand it. He believed \$500 was voted last year altogether independently of any idea of that fine. The Hon. Mr. SHRIMSKI said they had no power to enforce a refund of this money. The Library Committee was perfectly justified in trying to get it from the Consolidated Fund, but there was no power to take it, and so they were practically out of court. The Hon. Mr. T. KELLY said that for this claim he thought there was very good foundation. because if the money was derived in the way of a fine inflicted for contempt of Parliament it belonged to the Library Fund, as other fines did. It should not go to the Consolidated Fund. It was not money that was revenue of the Crown ; it was provided by Parliament itself in accordance with the Standing Orders. Therefore he thought it ought to have been placed, if there was any doubt at all, in a suspense fund until Parliament decided what should be done with it. He thought the proper way was to invite Parliament to deal with the fine, and then it might be given to the Library Committee, or to the Consolidated Fund, as Parliament determined. Of course, it was now in the Consolidated Fund, and could not be taken out of that fund except by Act of Parliament. It must be by a tack on the Appropriation Bill, or by a special Bill dealing with it. As had been stated, the Library Fund had secured \$500 from the Consolidated Fund, and intended to recoup this amount. An Hon. MEMBER .- No, he did not say so. The Hon. Mr. T. KELLY thought that was stated ; but, at any rate, it would require an Act of Parliament to deal with it. He should vote for the resolution, as he thought the money should have gone to the Library Fund, although, perhaps, there was no special Standing Order on the subject which gave implicit directions to do so. The Hon. Mr. REEVES would point out that it was six years since the fine was inflicted, and that last year the Government had paid the Library Committee \$500. As the Hon. Mr. Scotland had pointed out, the Premier, in another place, had said that if the Library Committee required further funds he would be only too happy to supply the funds necessary to carry on the work of the library. That, he thought, was all that was required, and that they were making a mountain out of a molehill to talk about this \$500 fine of Mr. Watson. They had already received this \$500. Last year they received that sum from the Consolidated Fund, and, in his opinion, there was no getting away from that fact. The Hon. Mr. McLEAN thought there was no doubt that the Library Committee had good grounds for their contention. The one Standing Order was not to be read with the other at all. It was not the same section, and each order was complete by itself : and one of them provided that " All fines shall be paid to the Library Fund." It did not say members' fines. The Hon. Mr. W. C. WALKER said they were all under the one heading, "Contempt." The Hon. Mr. McLEAN said that Mr. Watson's fine was also for contempt. All fines were for contempt. There was no doubt about it-the sum belonged to the library and should have gone to the library. That was his reading of the matter. But, with regard to the resolution, he did not know that it was any good beating the air about it. The fine had gone into the consolidated revenue. The question was not raised by the Library Committee at the time, as it should have been raised ; and he was afraid there was no good in raising it now. If the Library Committee wanted funds the better way would be to go to the Government and say they wanted certain funds-that this amount had gone and they did not want to dispute it, but that in future they would say that all fines should go to the Library Fund ; but as they wanted money for books, they asked the Government now to put a sum on the estimates for the purpose. He did not think there was any good to be done by raising a dispute about a matter that had so long gone past, though he was quite clear that according to their Standing Orders every fine for contempt should go to the Library Fund. The Library Committee should see to it that this was done, and they ought to have done so at the time the fine was imposed. The Hon. Mr. RIGG was sorry he could not accept the suggestion of the Hon. Mr. Scotland that he should withdraw this motion, because,

sense, he had none in another. The resolution was one of the Joint Library Committee, and the question was whether the Council would uphold its decision or treat it with contempt. The question of withdrawing the motion was beyond his control. Reference had been made to the Standing Orders, and a strained interpretation had been put upon them. It was contended that the Standing Order of the House No. 436, which provided that "All fines are applied to the Library Fund," referred only to the preceding rules, Nos. 433 to 435, which referred to fines imposed on members of Parliament. Why was the interpretation of rule No. 436 confined only to certain rules which preceded it? Standing Order No. 244 of the House of Representatives was as follows:—"In any case, the neglect or refusal of a witness to attend in obedience to an order of the House, or of a Committee having power to summon witnesses, or in obedience to a warrant of Mr. Speaker, will be censured or otherwise punished, at the pleasure of the House." This rule also preceded Rule 436, and it was in accordance with this rule that Mr. Watson had been fined; then, why was an interpretation invented to make Rule 436 apply only to fines on members of Parliament. He held the interpretation placed on the Standing Orders of the House was an unfair one, and the Library Committee were justified in claiming the money as a right to which they were entitled. With regard to the \$500 special vote of last session: at the time it was voted the Watson fine was probably not thought of at all; it had dropped out of sight; and that sum was voted for certain purposes—principally to fill up the blanks in the different classes of literature in the library, because complaints were made that many sections were not at all complete, and they could not be completed out of ordinary revenue. The question of the Watson fine was never taken into consideration at all on that occasion. If honourable members looked at the resolution of the Joint Committee they would see it was a very modest one; it simply asked the Premier to give Parliament the opportunity to say whether or not the Committee were to have the money. There was surely nothing unreasonable in that, and therefore the motion should commend itself to the Council. At any rate, he would remind the Council that it was for them to say whether or not they would uphold the decision of the Joint Library Committee or reflect upon its discretion by rejecting the motion. The Council divided. AYES, 19. Arkwright Smith, A. L. Jones Kelly, T. Bolt Swanson Kelly, W. Taiaroa Bonar Twomey McLean Bowen Pinkerton Feldwick Walker, L. Rigg Williams. Gourley Jenkinson Hon. Mr. Rigg Baillie Jennings Shrimski Barnicoat Louisson Smith, W. C. Harris Reeves Walker, W. C. Majority for, 10. Motion agreed to. ROYAL VISIT EXPENSES BILL. The Hon. Mr. W. C. WALKER.—I hope this Bill will not trouble the Council very much. Within the last few months the colony was, partly by its own wish, and partly by the desire of our present King, following out the wishes of his late mother, favoured with a visit from the Heir-Apparent and his wife. It was undoubtedly a case where the colony had to rise to the occasion, and where it had to do all it could to receive the Royal pair in a proper manner. Parliament last year expressed its willingness to meet all necessary expenditure. His Excellency the Governor was asked by Ministers to act as host on the occasion, and Ministers assured him the colony would recoup him the extraordinary expenditure he was put to on that occasion. Bill read the second time. MONEY-LENDERS BILL. IN COMMITTEE. Clause 3. - Reopening of transactions of money-lenders. The Hon. Mr. FELDWICK moved, That progress be reported. The Committee divided. AYES, 13. Shrimski Arkwright Kelly, W. Barnicoat McLean Swanson Feldwick Pinkerton Taiaroa Gourley Reeves Twomey. Kelly, T. NOES, 10. Louisson Smith, W. C. Bolt Harris Walker, W. C. Rigg Smith, A. L. Williams. Jenkinson Jennings Majority for, 3. Motion agreed to, and progress reported. The Council adjourned at five o'clock p.m. HOUSE OF REPRESENTATIVES. Thursday, 10th October, 1901. First Reading - Second Reading - Central Otago Railways - Government Lime-kilns at Mabeno - Accommodation for Select Committees, &c. - Midland Railway-Ammunition for Volunteers and Rifle Clubs-Parliamentary Library South African War - Walter Delaney - New Zealand: Colony or State - Disfranchisement of Wellington-Opposed Returns - Public Service: Particulars re Names, &c. - Legislative Council Appointments -

Departmental Land and Buildings - Morris Tubes - Rifles for Ride Clubs - Forest Planting-Precedence-Railway from Avondale to Karaka Bay-Temperance Wall-sheets-Native Birds of New Zealand - Lunatic Asylum Attendants - Harbours - Auckland Oyster dishes-Free Railway-pasees for School-children -Graduated Receipt-stamp and Cheque Duty-
<page>347</page>

Tamaki Block -Maori Census-Otaki Native School Reserve - District Court, Dannevirke - Returns of Drunkenness-Execution of Crimi- nals: Press Representatives - Crown Tenants' Rent Rebate Act - Rabbit-poisoning - Elective Laud Boards-Auckland Crown Lands-Road to Petone Property-Customs Department Super- annuation - Trade with South Africa - Steam Service between New Zealand and South Africa -Otago Central Railway Rates - Orari-Timaru Railway - Mortgages of Land Bill - Factories Bill-Patea Election Petition. Mr. DEPUTY-SPEAKER took the chair at half- past two o'clock. PRAYERS. FIRST READING. Fisheries Encouragement Bill. SECOND READING. Cornwall Park Duties Exemption Bill. # CENTRAL OTAGO RAILWAYS. On the motion of Mr. BENNET (Tuapeka), it was ordered, That there be laid before this House a return showing the tonnage of all goods carried during the last financial year on, -(1) The Otago Central Railway, for Central Otago ; (2) the Lawrence Railway, for Central Otago ; and (3) the Lawrence Railway, to Law- rence. # GOVERNMENT LIME-KILNS AT MAHENO. On the motion of Mr. MILLAR (Dunedin City), it was ordered, That there be laid before this House a return showing,-(1) The total cost of production of lime at the Government lime-kilns at Maheno; and (2) the selling-price per ton of such lime. # ACCOMMODATION FOR SELECT COMMITTEES, ETC. Mr. FISHER (Wellington City) brought up the following report from the Public Accounts Committee :- "The Public Accounts Committee have the honour to report that, at a meeting of the Com- mittee held this day, the following resolution was carried : ' The Committee complains of the inconvenience to which it is subjected through the constant change of rooms in which its meetings are held ; and that better arrange- ments should be made. That this matter be reported to the House." " All the Committees, he understood, were being buffeted about in the same way. Com- plaints had reached him from other Com- mittees of the same inconvenience. He moved, That the report lie on the table, and be re- ferred to Mr. Speaker for his consideration. Mr. HERRIES (Bay of Plenty) said the Goldfields Committee also had a complaint -namely, as to the constant change of clerks. The same difficulty, he understood, had been found by other Committees. The fact that the clerks were being changed so constantly mili- tated against the proper arrangement of the work, and the clerk who attended one meeting did not know what had transpired at the pre- vious meeting. He trusted that Mr. Speaker would also take that question into consideration. Mr. PALMER (Ohinemuri) said that since they had the inconvenience that morning ho had, as instructed by the Committee, seen the officers of the House, and the matter had been arranged satisfactorily. Mr. DEPUTY-SPEAKER said, In reference to this matter, honourable members were aware that he was only acting as Deputy-Speaker, and, as it was probable that Mr. Speaker would be able to resume his duties in a few days, he did not think it was his province to inter- fere and make permanent arrangements that might not be approved of by Mr. Speaker. For the information of honourable members, he might state that there were eighteen Com- mittees sitting, and there were only eight Com- mittee-rooms, and consequently it was only by the exercise of great ingenuity that the officers of the House were able to provide rooms for these Committees. However, a resolution had been proposed, and, if adopted, would be attended to by him. Motion agreed to. # MIDLAND RAILWAY. Mr. SEDDON (Premier) moved, That the Public Accounts Committee be directed to report on the petitions of the debenture-holders and shareholders of the Midland Railway, and that the report of the Royal Commission on the Midland Railway be referred to the said Com- mittee for the purpose of enabling the Com- mittee to decide in respect to the said petitions. Honourable members would recollect that a petition came to the House from the debenture- holders of the Midland Railway, and another petition also came from the shareholders of

the Midland Railway Company, and these two petitions were referred to the Public Accounts Committee. The Public Accounts Committee, after taking considerable evidence, and hearing counsel upon the matters contained in the petitions, made an interim recommendation, and the result was that a Royal Commission was set up. The report and evidence of that Commission had been laid on the table of the House, and was now in the possession of honourable members, and it was only courteous on the part of the House that there should be a definite reply sent in respect to the petitions that had been presented. Practically, the petitions had never been reported on by the House, and, of course, the wider questions involved outside the Commission's report and findings might be deemed necessary for the Committee to report upon, and he had taken this course-in fact, he might say it had been the course that he had marked out from the commencement. Without going into the merits of the matter now-he thought it would be out of place to do so-he would formally move that these petitions should be dealt with now by the Committee. He only regretted that the time of the Committee was taken up with regard to other matters that were not very important, but which they were bound to deal with. Motion agreed to.

<page>348</page>

RIFLE CLUBS. Mr. McGUIRE (Hawera) asked the Minister of Defence, Whether it is true, in responding to the toast of "the Defence Minister " at a recent function, the Right Hon. the Premier said he was in favour of an increase of ammunition being served out to Volunteers and rifle clubs for practice, and that it only required pressure being brought to bear on the Defence Minister, when he had no doubt there would be no trouble in obtaining a further increased supply of ammunition, so that Volunteers and rifle clubs might make themselves more proficient in shooting? He had no doubt the Minister of Defence would be able to give a satisfactory answer to this question, and that he would favour the increase of ammunition to our Volunteers and rifle clubs, as suggested by the Right Hon. the Premier. Good marksmen had done more effective service in South Africa than the artillery with all their big guns. The Premier, who was an ardent student of passing events, had evidently made a mental note, and hence the suggestion. Lord Roberts, the present Commander-in-Chief, had also spoken very highly of good shots. Should this country ever be attacked or invaded by an enemy, our expert riflemen, he was satisfied, would give a good account of themselves. The Premier saw the necessity for supplying more ammunition to our Volunteers and rifle clubs, and he had already stated that, if a certain amount of pressure was brought to bear, he had no doubt the Defence Minister would see his way to grant an increased supply. He would like to know from the honourable gentleman, when replying, what amount of pressure would be required in order to obtain this very desirable concession, so that our own Volunteers and rifle clubs might make themselves more proficient. He trusted it would be sufficient to bring the matter under his notice in order that he might consult with the Defence Minister, when an order would be given to increase the supply, so that our men might have an opportunity of becoming experts with the rifle. Mr. SEDDON (Minister of Defence) said the mind of his colleagues and himself was made up some little time ago to grant an increased amount of ammunition to Volunteers, but he was still hesitating, because he dreaded the consequences of what was to be brought before members in respect to a reduced defence expenditure. It was with fear and trembling that he now announced to the House, despite that proposal for reduction, that they did intend to give increased ammunition to the Volunteers and rifle clubs of the colony. At the same time it was disheartening to hear the remarks they did after they had increased the Volunteer Force of the colony beyond their most sanguine expectations, and after they deemed it necessary that these men should be well drilled, and were doing what they believed to be in the best interests of the colony. Members had pressed the Government to establish corps in their districts, and to give increased facilities for volunteering, and to establish rifle-ranges ; and when they must and ought to have rifle-ranges spotted all over this country, because a great deal depended upon straight shooting-a good deal more, he believed, than on riding or drill-and they could not expect him to have this

done without it costing the colony some money ; and it was with pleasure, as he said, despite fear and trembling, after carefully re- considering the position, the Government still thought the country could afford the extra ammunition being given both to Volunteers and rifle clubs. PARLIAMENTARY LIBRARY. Mr. T. MACKENZIE (Waihemo) asked the Government, Whether they will favourably consider the propriety of enlarging the scope of the parliamentary library free list, so as to include ex-members of both branches of the Legislature? He thought the Government might favourably consider this question. He was of opinion that ex-members should have the privileges of this excellent library ; and when one considered the value of the library and the little use it was put to, and that the privileges were largely confined to a few outsiders, it seemed to him that the library ought to be more widely used than it was at present, especially by students and others. Regarding ex-members, he would point out that members were occasionally defeated, and afterwards re- elected ; yet during the interval they were deprived the advantages of studying political history. Mr. SEDDON (Premier) admitted that there was a great deal of force in the honourable gentleman's contention. Of course, hitherto there had been regulations under which the library had been opened, and if there was to be an extension of the privileges of the library he thought that should come from the Library Committee as a recommendation to the House, and then the House should decide the matter. He might say he would be happy if the Com- mittee took this matter up, and if they recom- mended it he would be most happy to meet the decision of the Committee in that respect. As the House was in session, he thought the first action should be taken by the Library Com- mittee. He would suggest to the honourable member that he should move the Committee in the direction he had indicated. SOUTH AFRICAN WAR. Mr. FISHER (Wellington City) asked the Premier, Whether his attention has been called to a pamphlet entitled " An American View of the South African Situation : How Australasia might help Great Britain," which has recently been extensively circulated throughout Aus- tralia and New Zealand; and whether, in order to counteract the influences insidiously sought to be instilled by the circulation of this pam- phlet, he will cause to be reprinted and circu- lated the pamphlet entitled " The British Case against the Boer Republics," and the pamphlet containing the speech delivered by Mr. Drage, late member for Derby in the House of Com-
<page>349</page>

some of the Elements of the Final Settle- ment "? He called the Premier's attention to this question for reasons which should be obvious, and which ought to command the special attention of the Government in view of what had transpired within the last week in reference to the Boer war and the operations of the British troops in South Africa, and the expressions of opinion which had taken place in the English Parliament and in the English Press. Simultaneously with the rekindling of the fire -the renewed energy which had been thrown into the war in South Africa by the Boers- there had been spread broadcast throughout the Australian Colonies and New Zealand a pamphlet which, for its literary ability, its high tone, its seductive language, its insidious power, was unequalled by any pamphlet which had been circulated in this colony for very many years. It was an anonymous pamphlet. The people behind those who were circulating this pamphlet throughout the length and breadth of Australia were evidently possessed of very considerable means -- Mr. Kruger took away from South Africa seven millions and a half of money - and he asked that the Govern- ment. having regard to the importance of the question and the influences which were being opposed to the English nation, should, as far as possible, counteract those influences by reprint- ing and circulating the other pamphlets referred to in his question. The first pamphlet was one entitled "The British Case against the Boer Republics." That was a carefully prepared and very powerful pamphlet dealing with the sub- ject from the opposite point of view to that taken by the American pamphlet. Then, there was another pamphlet containing a very power- ful speech by Mr. Drage, late member for Derby, England, which had also been circulated in England, New Zealand, and Australia. Mr. Drage was a man who had visited this country before he became member for Derby in the 'House of

Commons, and he took great interest in all matters affecting the welfare of the British nation. The language of the pamphlet was terse and temperate-as was the language of the American pamphlet-and it ought to be printed and circulated as an antidote to the statements contained in the American version. But more important than either of those two pamphlets was one recently circulated in South Africa, entitled "The Birth of the Bond," which was a translation of a secret Dutch manifesto published for the guidance and instruction of the Dutch people in South Africa in 1882. This secret document had only come to light within the past six or nine months, and the loyal people of Capetown, having discovered this secret document, had printed it in English and circulated it broadly. One important fact proved most convincingly by this pamphlet was that the war in South Africa was not originated in the interest of capitalists or of wealthy mine-owners. It showed clearly that the war was a war of race-a bitter war of race-and that the very children before their birth were inoculated the Dutch people of South Africa to take advantage of the fact that the Gladstone Ministry was in power in England-to take advantage of the weakness of the Gladstone Ministry. Now, he asked the Premier whether, having this material at command, he did not think it advisable to circulate some information, added to all the information they already had in their possession, which would give the lie to the statements contained in the American pamphlets he had referred to. Mr. SEDDON (Premier) hoped the House would accord to him the same privileges that had been given to the honourable member. He might say that his experience in respect to publishing pamphlets, or publishing matters in newspapers or periodicals, had been peculiar. He still had a very lively recollection of what occurred not long ago. He could not refer to a past debate in the House ; he could not refer to what the honourable member himself said, and the attitude he took upon the question : but, at all events, in respect to this question of upholding the Empire, instead of being a party to or encouraging in the slightest degree the pro-Boers, or aiding anything connected with them, he had here a letter that he had received, and, as it bore on the question, he would take the opportunity of reading it. It was as follows :- " I have not yet seen the text of the debate in your House of Representatives on the arrangements Mr. Seddon made with the Review of Reviews for Australasia, as to taking for distribution a certain number of copies of the issue which contains an article on ' New Zealand at the Beginning of the Century,' but I gather by the cablegrams from England that the latest version of the story is that Mr. Seddon paid the Review of Reviews for Australasia a sum of money for an article which is practically a puff for himself. I cannot imagine that any sane New-Zealander will believe this story, whatever may be the case in England. The article was one of a series designed to give a picture of each of the great Australasian settlements at the beginning of the new century in turn, and the whole series, it was hoped, would, when completed, form a book of permanent interest and value. New Zealand came third on the list. As there was very considerable expense attached to the many illustrations which accompanied the article, the New Zealand Government was asked to take a certain number of copies for distribution in England and elsewhere, on the ground that the article would be of public service to New Zealand. Mr. Seddon expressed no wish whatever as to the character of the article, and never saw a line of it till it was published." Mr. MASSEY (Franklin) rose to a point of order. He wished to ask Mr. Deputy-Speaker whether the Premier was in order in reading an article from a newspaper having reference to a debate that had taken place in the House this session. Mr. DEPUTY - SPEAKER said, Of course, that would not be in order.

<page>350</page>

order, wished to ask the Premier if, through Mr. Deputy-Speaker, he would kindly answer his question. Mr. SEDDON said he was giving a reason why the Government should be very careful before giving any further orders for newspapers or pamphlets; and at the same time, in view of his recent experience, he must be very careful to see that the honourable gentleman, in putting this question, was not laying a trap for him. He had therefore been giving reasons ; but, as they appeared in a newspaper, of course he could

not possibly do so after Mr. Deputy-Speaker's ruling. However, he thought the House would have extended to him the courtesy that was generally extended to other members. Mr. T. MACKENZIE said it was contrary to the Standing Orders. Mr. SEDDON said there were many besides himself who transgressed. One of the most frequent transgressors was the member for Wai-hemo. Mr. FISHER said he would do without an answer to his question. Mr. DEPUTY-SPEAKER said the honourable gentleman had asked the question, and could not very well withdraw it now. Mr. SEDDON hoped it would not be a case, on the honourable gentleman's part, of doing a certain thing in haste and repenting of it at leisure. He was now about to give a more favourable reply, and, since it showed that one pamphlet at least had given satisfaction, the honourable member, no doubt, would listen to it with pleasure :- "I see there has been a second edition of photos and descriptions of Mr. Seddon's tour among the Islands issued. I am not aware if the book be for sale, or only for private distribution ; if the former, I would like to purchase a few copies according to the price. If there are plenty to be had, you would oblige me by sending, say, three copies, and if I think they would be of interest to my friends in Canada or the Old Country, and easily obtainable, I could get some more. I should much like one copy to send to Sir Oliver Mowat, Lieutenant Governor of Ontario." That was the Premier's trip to the Islands. It showed that, in consequence of what had been said in the House, there was now a demand for this work right through the colony, and he took it that had been the intention of honourable members. They naturally wanted to create inquiry for it. And he thought the honourable member to-day, in putting this particular question, was doing so not so much expecting the Government to deal with it as desiring himself to draw attention to the other two pamphlets on the same subject of whose existence honourable members were not aware. He (Mr. Seddon) knew they were a most complete answer to the American publication. If that was the object of the honourable gentleman, he thought in calling attention to these pamphlets he had done a very proper thing. He would say, further, that if the honourable gentleman felt disposed to move that these two pamphlets would treat it as a motion for an unopposed return, with a view to their being published throughout the colony, and would raise no objection to it. He thought the House should take the responsibility, and not the Government. He did know that the pamphlet to which the honourable member had more particularly drawn attention was well written and concise, and was valuable not so much for what it said, as for what you were led to infer after reading it. Even though the course he had suggested might not be followed, he would commend to members, particularly the member for Dunedin City (Mr. Barclay) and the member for Wellington City (Mr. Hutcheson), the last two pamphlets mentioned by the member for Wellington City (Mr. Fisher) for their favourable consideration, and hoped they would read, mark, and inwardly digest them. He trusted the honourable member was now very pleased at the answer he had given him. Mr. HUTCHESON (Wellington City) asked leave to make a personal explanation. He might inform the right honourable gentleman that, had he been as thorough and impartial in his reading on this subject as he (Mr. Hutcheson) had been, he perhaps would have taken a more lenient and tolerant view of the opinions of others who differed from him. He had read carefully books and pamphlets written from both points of view, in his search for information, and he had even read studiously "The Transvaal from Within," by Mr. Fitzpatrick, so that he did not suffer, if any other member of the House did, from want of reading on the other side. Mr. SEDDON was very glad to hear it, and gave the honourable gentleman credit for it, and now he commended this pamphlet to his favourable consideration. Mr. FISHER would like to say that he had two copies of the suppressed first edition of the right honourable gentleman's trip to the Islands, and he would bring them down to the House and read some passages from them that were far more interesting than anything which appeared in the second edition. Mr. SEDDON had also some interesting matter connected with the trip in the "Hinemoa" of the honourable member to the Campbell, Macquarie, and other Islands, which he likewise would give to the House when put in pamphlet form. Mr. BARCLAY (Dunedin City) was quite familiar with two of the

pamphlets referred to by the honourable member. He was not familiar with the last pamphlet referred to that had been produced, and he could only say that, like the member for Wellington City (Mr. Hutcheson), he had been endeavouring to read, mark, and inwardly digest everything that had a bearing on and was worth reading about the war. He could only say that the result of his reading, which was as impartial as it could be, had been what it was, and what he had already expressed both in the House and elsewhere.

<page>351</page>

the question and answer in reply to the last question had very prominently brought under his notice Standing Order No. 81, and he would read it for the information of honourable members and Ministers, namely :- " Questions and the replies thereto are not to contain arguments, nor are any facts to be stated beyond what are necessary to elucidate such questions and replies." Honourable members, therefore, would take notice that he would have to stop them submitting arguments or stating facts beyond what were necessary to elucidate such questions or replies. WALTER DELANEY. Mr. FISHER (Wellington City) asked the Government, Whether they will place on the supplementary estimates, in accordance with the favourable recommendation of the Public Petitions A to L Committee, a sum in recognition of services rendered by Mr. Walter Delaney to the colony in the time of the Maori war ? The Committee took a lot of evidence in regard to this man's case, with this result :- "No. 386 .- Report on the Petition of W. M. Delaney, Wellington. " Petitioner prays that he be granted some remuneration or compensation for military services. "I am directed to report that the Committee recommend that this petition be referred to the Government for favourable consideration. "3rd September, 1901." He might say this man had been in hospital for a considerable time, and was very much in want of the assistance the Committee recommended he should get. He hoped the honourable gentleman would see his way to place a sum on the estimates for the benefit of this man. Mr. SEDDON (Premier) said the same course would be followed in this case as in all others- namely, that all matters referred to by petition and reported upon by the Petitions Committee would be dealt with by the Government immediately prior to the supplementary estimates coming down. This matter was now before Cabinet. NEW ZEALAND: COLONY OR STATE? Mr. NAPIER (Auckland City) asked the Government, If they will consider the desirability of introducing legislation this session to provide that henceforward New Zealand shall be officially styled a "State," and not a "colony " ? The term "colony," by virtue of the Imperial Act 28 and 29 Vict., c. 63, sec. 1, includes all of His Majesty's possessions abroad in which there shall exist a Legislature as defined by that section, except the Channel Islands, the Isle of Man, and such territories as may for the time being be vested in His Majesty under or by virtue of any Act of Parliament for the government of India. He thought New Zealand had now attained to a position in which the term " colony " should be discarded. the parent State who had settled upon foreign territory. Such a description was no longer applicable to this young "nation." The importance and position of New Zealand and the status it had acquired in the world seemed to him to be such that we ought now, as a people, to be styled by a term which constitutionally was a more dignified one. The colonies of the Commonwealth of Australia had discarded the term "colony," under the Commonwealth Act, and he thought the time had arrived when New Zealand also should abandon the term, which, though suitable in early colonising times, had ceased to recognise in its signification the growing greatness of this country. Mr. SEDDON (Premier) did not agree with the honourable gentleman at all. He said the one mistake we had made was that when we abolished the provinces we did not name ourselves as the Commonwealth of New Zealand. We were then in the same position as Australia was to-day. Now, of course, the States in Australia were looked upon as being our sub-ordinates, and to bring us down to the level of one of the States of Australia would be reducing the status of New Zealand and New-Zealanders. He contended now that we held a position equal with the Commonwealth itself, and we were entitled to that position, and what the honourable member was endeavouring to do was to give us

a secondary place, and he did not believe in that at all. He liked the term "colony " and the term "colonial," because they carried back with them pleasant associations and were well recognised in the Mother-country. He would like to see that in the title of our King the word "colony " should be included. He did not trouble himself about this State business; it had too much of the American about it, and he would rather, as a Britisher, be a colony. Mr. NAPIER might explain that the right honourable gentleman misunderstood him, in his statement that he (Mr. Napier) wished to reduce New Zealand to the level of one of the States of Australia. That was not his object. The term " State " applied to countries like France, Germany, Russia, and all the countries of the world. It was not with a wish to diminish the importance of New Zealand, but to enhance its importance, that he put the question. Mr. SEDDON said, Then, he thought it would have a lowering tendency, although that was not intended by the honourable gentleman. He looked upon the position as that the Governor of New Zealand should take the first position after the Governor of the Commonwealth ; and to term us a State would place us on the same level of one of the States of the Commonwealth. At all events, he did not like the name of "State "; he preferred " colony."

DISFRANCHISEMENT OF WELLINGTON. Mr. NAPIER (Auckland City) asked the Government, If, owing to the fact of the City of Wellington being the seat of Government, and -

<page>352</page>

exercises in the political affairs of the colony, consideration will be given to the desirability of disfranchising those residing in that city, as is the case with reference to the residents of the capital city of the United States of America ? This was a serious question, and it was put with a serious purpose. It had no relation, he might explain, to existing controversies. It had struck him, and more particularly since he had been a member of this House, that with the extension of the activities and functions of the State the power of Wellington over the centralised administration and Government would rapidly become excessive, if it had not reached that position already ; and, as we had seen in other countries, it might happen that the extraordinary power of the capital might become a menace to the liberty of the people of the rest of the colony. There were all the Ministers of the Crown resident in Wellington, and all the heads of departments resided here, and practically what was the brain of the State organism was always here. The consequence was that we saw that a very great amount of influence was exercised by Wellington which was not exercised relatively by other portions of the colony. Now, he thought in this matter we could not do better than refer to the example of the United States of America. The first article, section 8, subsection (17), of the American Constitution said,- "The Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of Government of the United States." Mr. Bryce, in his work "The American Commonwealth," said :- "The District of Columbia is a piece of land set apart to contain the City of Washington, which is the seat of the Federal Government. It is governed by three Commissioners appointed by the President, and has no local Legislature nor municipal government, the only legislative authority being Congress." He adds : - " It is a gain that the multitude of no one city should be able to overawe the Executive and the Legislature." The spending-power of the colony, with the extension of the business of the State, was likely to become so great that the monetary question would be the question that would dominate the politics of the colony, and they ought to take time by the forelock and give this matter consideration. Possessed of the great benefits of a central administration, it was open to question whether Wellington should also have political representation. He hoped the Government would give a favourable answer to the question. Mr. SEDDON (Premier) could not agree that the entire brains of the Civil service were centred in Wellington. They had good men in Wellington, he admitted; but in the public service in other parts of the colony there were men who were equally as good. As to the political aspect of the matter, there was some- Mr. Napier the honourable member. The rivalry existing between Wellington and Auckland made it very awkward

sometimes for the Administration. The change that was proposed would, of course, affect the representation of Wellington, and the action of the members who represented the city. He had had taken out the number of speeches made and the time occupied by the Wellington members from half-past seven to half-past ten during the session, and when he told the House that the time occupied many evenings between half-past seven and ten o'clock by the Wellington members was 75 per cent. it would be understood how unduly they trespassed on the consideration of other honourable members. Of course, members made due allowance, because from half-past seven to half-past ten the Wellington representatives had their constituents largely in the galleries, and some members were unkind enough to say that this time was taken up in speaking to the gallery, and not to the members. At all events, he could say, in answer to the question, that a great deal would depend on the action of the members for Wellington City during the remainder of the session. If they were considerate to other members, and allowed other members to get away home in decent time, we might overlook it ; but if they persisted in blocking the business of the country, as had been done in the past, it would then be a matter for the Government and the House to consider what should be done. Mr. HUTCHESON (Wellington City) made bold to say that the statement of the Premier was absolutely misleading, and he challenged the honourable gentleman to the proof of it. Mr. SEDDON said he would, if necessary, lay the return on the table. # OPPOSED RETURNS. Mr. J. ALLEN (Bruce) asked the Premier, Why Returns Nos. 20, 21, 23, 24, 25, and 28, on pages 711 and 712, Order Paper No. 52, are opposed by the Government ? Some of the returns dealt with the "Tagus" incident. One of them dealt with the papers which the Premier quoted from on a previous occasion, and which he had promised four or five times in the course of the debate to lay on the table. He (Mr. Allen) asked the honourable gentleman to fulfil that promise and to lay the papers on the table, and also to lay on the table other papers asked for in connection with the transport of troops by the "Tagus." He also asked the honourable gentleman to lay on the table a return dealing with the accidents and deaths which had occurred in the coal-mine in which he (Mr. Allen) was interested. Mr. SEDDON (Premier) said the honourable gentleman was an adept at misrepresenting and misleading : but it would not do as far as he (Mr. Seddon) was concerned. No one knew better than the honourable member that the Government were not opposed to, and had not opposed, the laying of these papers and returns on the table. The honourable member knew that he had read most of the telegrams respecting the "Tagus." The other returns were

<page>353</page>

be laid on the table. No one knew it better than the honourable member, who also knew this fact, which he was trying to stifle : that he did not want any debate on the question- he did not want anything said about this question at all. He wanted surreptitiously, and with design beforehand, to have returns laid on the table so that he might use them in his own way. He (Mr. Seddon) had every desire to lay the papers on the table for the purpose of having a debate on them, and, as far as he was concerned, they would go on the table as unopposed returns. Of course, any question that required to be debated could not be put on the table as an unopposed return. Mr. J. ALLEN (Bruce) wished to make a personal explanation. He accepted the Premier's challenge, and would be glad if the honourable gentleman would set apart a day for the discussion of the papers connected with the troopship "Tagus." As to putting the notices of motion on the Paper to deliberately burke discussion, he might say the notices of motion were not at the present moment on the Order Paper. He had allowed them to go off, so that he might get an opportunity of discussing the subject on another occasion. Mr. SEDDON (Premier) said, What the honourable member had stated would prove to the House he was not sincere in asking for the What was more, the honourable member wanted to take credit for forcing the hand of the Government to lay the returns on the table of the House. He might tell the honourable member that he knew that he went to a trooper the other day and asked him to give him some information on the question. He could name the trooper and

the place where the meeting took place; and if that was the conduct of the honourable member, and he thought he could get at him (Mr. Seddon) in that way, he was very much mistaken. Mr. J. ALLEN challenged the Premier to name the trooper. Mr. SEDDON .- Lieutenant Ferguson. Mr. J. ALLEN .- I did not go to him. Mr. SEDDON .- You went to the hotel where he was staying, and spoke to him, and asked him for evidence. Mr. DEPUTY-SPEAKER .- This discussion cannot proceed further. PUBLIC SERVICE : PARTICULARS RE NAMES, ETC. Mr. HOGG (Masterton) asked the Premier, Whether there is any objection to the course followed by the Post and Telegraph, Railway, and Education Departments, of publishing particulars giving names, service, and salaries of officers and employés, being adopted in connection with the remaining departments of the public service ? The information was desirable in the interests of the officers of the departments. It had been alleged that some of the departments were stuffed with relatives and family connections. That might or might not be the case. In all probability, the public service of the colony was as free from nepotism VOL. CXIX. - 22. Majesty's dominions ; but, if faults existed, he thought that, in the absence of information, there was a great danger of those faults being magnified or exaggerated. Consequently, in the interests of the public service the information should be given. Mr. SEDDON (Premier) said this matter had been receiving the attention of the Postmaster-General ; but he might say, as regards the other officers, that they were not classified as the Post and Telegraph Department were classified, and whether or not this could be done was an open question. He saw, himself, no serious objection to it, and they would consider the matter. # LEGISLATIVE COUNCIL APPOINTMENTS. Mr. COLVIN (Buller) asked the Premier, Whether, when recommending to His Excellency the names of those to fill the vacancies in the Legislative Council, he will take into consideration the claims of the Buller and Motueka electorates ? The population of the Buller and Motueka electorates were principally engaged in mining ; and, as the mining industry was not represented in the Legislative Council, he hoped that, when the Right Hon. the Premier was recommending fresh appointments to the Council, he would give favourable consideration to the claims of this important industry. Mr. SEDDON (Premier) said it went without saying, of course, that his sympathies were with this industry and those who followed it, and he thought that on the goldfields one found a greater amount of intelligence than in any other part of the colony. All he could say in regard to the question was that, when they came to deal with the vacancies in the Legislative Council, certainly the claims, if there were any, of the Buller and Motueka electorates would be taken into consideration. He might say that at the present time he had had no claims from there. He did not know whether there was any one there who could be spared to go to the Council, but what they would do after the next election he did not know. # DEPARTMENTAL LAND AND BUILDINGS. Mr. HERRIES (Bay of Plenty) asked the Premier, When the return ordered on the 7th September, 1899-that is, "That there be laid before this House a return showing the total value of buildings and land occupied by the following departments- namely, Post and Telegraph, Customs, Marine, Defence, or by any other department which will, if New Zealand joins the Commonwealth of Australia, be taken over under section 85 of the Commonwealth Bill "-will be laid on the table of the House ? This was a very important return concerning the question of the position of New Zealand if federated. He saw in the report of the Federation Commission that one or two witnesses in Australia had given valuable tables as to the financial position New Zealand would hold if

<page>354</page>

lack of information from New Zealand. One witness-Mr. Nash-for instance, says, " I have no data as to the value of New Zealand property which would be transferred, and I have taken it roughly at nearly \$2,500,000." The return would not be an expensive one, and it had been ordered by the House two years ago. Mr. SEDDON (Premier) said, At the time the honourable member moved for this return there was probably existing a better feeling than existed to-day, and that, whatever possibilities there might have been previously, the action of the Commonwealth as far as this colony was concerned was calculated to

widen the gap, and render impossible what might have been conceivable at a reasonable time. At all events, the returns were all in now except the one from the Defence Department, and as soon as he got that return he would lay it on the table, as ordered by the House. . Mr. HERRIES .- This session ? Mr. SEDDON .- Yes. # MORRIS TUBES. Mr. WITHEFORD (Auckland City) asked the Minister of Defence, If the Government will provide Morris tubes equipment for Volunteers in order to encourage shooting during winter months ? Mr. SEDDON (Minister of Defence) said the Commandant stated that he could not recommend that the Government should provide these for issue to corps free of cost, but that he was of opinion that they might with advantage be purchased out of corps funds, and that the Government should import some. #cc-zero They had now on order for sale to Volunteer corps 250 tubes for .303 rifles, 50 tubes for carbines (.303), and 250,000 rounds of ammunition for them. RIFLES FOR RIFLE CLUBS. Mr. MONK (Waitemata) asked the Minister of Defence, If he has any objection to inform the House,-(1) What is the price charged to members of rifle clubs for Martini-Henry and Martini - Enfield rifles respectively ; and (2) whether arrangements will be made in the immediate future to replace the Martini-Henry rifles with up to date weapons on the difference betwixt the value of the old and the cost of the new weapons being paid by the member of the club receiving the same? He had been requested to speak about this matter, because the rifle clubs of the colony, who regarded themselves as perhaps the most important part of the defence preparations of the colony, thought they should be enabled to practise with the very best weapons. They thought it unreasonable that they should be practising with a weapon that would be useless in the case of actual warfare, and they claimed that they ought to be practising with the actual weapon which they would have to use in the event of their having to fight. With regard to the second part of the question, Mr. Herries know whether the Government would facilitate them in changing for the best weapons by the means indicated in the question. Mr. SEDDON (Minister of Defence) said that no Martini-Henry rifles were sold to rifle clubs. The price of the Martini-Enfield rifles sold to rifle clubs, complete with bayonets and scabbards, was £2 5s. 9d. There were not any Martini-Henry rifles to replace. Mr. MONK asked if he was to understand that no Martini-Henrys were being supplied, but that they were Martini-Enfields only. Mr. SEDDON said, That was so. # FOREST PLANTING. Mr. T. MACKENZIE (Waihemo) asked the Government, Whether they will, in order to encourage the planting of useful timbers, exempt from taxation lands so used? He recognised that the Government were spending a great deal of money for the purpose of reforesting a large portion of this colony, and in 1871 and 1872 the Forest Encouragements Act was passed for the encouragement of planting private properties. That gave two acres for one ; but the weakness of it was that the planted land was not always continued as a forest. It seemed to him that if there was country that was no use for any other purpose, and the people devoted it for the planting of real good forest-trees, the Government might favourably consider the propriety of freeing such land from taxation. This idea had emanated from a miner in that intellectual district called Waihemo, and, judging from the remarks the Premier had made this afternoon about miners, he was sure that this suggestion would commend itself to him. Mr. SEDDON (Premier) said, As the honourable member was aware, the Forest Act passed during the Vogel Ministry made provision in this direction. We were doing very little, and were injuring posterity and their prospects by denuding our forests of timber, and not planting. It was one of the most serious mistakes they could make, and there ought to be more tree-planting. Vast tracts of country were fit for very little else, and if planted now would in years to come meet requirements. He thought they should set apart lands for the purpose, and have a well-organized department to deal with the question. As to private enterprise stepping in, there was, he thought, not much to be done in that respect. In the past where assistance had been given to private enterprise the money had been wasted. If this were applied to Central Otago there would be self-preservation, as owing to climatic and other conditions there was a necessity for planting. He did not know whether exemption from taxation would be a sufficient inducement, but it was worth

looking into, if for the sake of the land-tax people could be induced to plant trees. The planting of trees would be more valuable than the amount of the tax. He would consider the matter favourably.

<page>355</page>

Mr. MEREDITH (Ashley) asked the Premier, Whether he will state why he objects to the following motion for a return, standing in the name of the member for Ashley, namely : "That there be laid before this House copies of all correspondence which has passed between the Government and the Colonial Office, London, during the past twelve months in reference to the question of precedence ?" He would be satisfied if the Premier would place the correspondence on the table, so that the members and the country could draw their own deductions. Mr. SEDDON (Premier) said it rested with the honourable gentleman to state that there had been correspondence; he was waiting for the honourable gentleman to give the House some particulars. He had no objection to returns; the more the merrier ; but, in connection with an unopposed return, first of all there must be the material, and it might be necessary for some explanation to be given, which the honourable member in this case had not given. Mr. MEREDITH said, If the honourable gentleman would now state that no correspondence had passed, or no despatches, between the Government and the Colonial Office on a question of precedence he would be quite satisfied. Mr. SEDDON said the honourable gentleman practically admitted now that he was only on a fishing expedition ; he had probably heard some whispering and thought this was a good way of getting at the facts, and instead of asking him to say " Yes " or "No " he moved for a return. Mr. MEREDITH .-- I am asking now. Mr. SEDDON said, No; the honourable gentleman's question was, why a return of some correspondence, the existence of which he was not satisfied, was not given. # RAILWAY FROM AVONDALE TO KARAKA BAY. Mr. BOLLARD (Eden) asked the Minister for Public Works, If he will reconsider the question of constructing a branch railway from Avondale to Karaka Bay, on the Manukau Harbour, in order to hasten the delivery of the San Francisco and inland mails? He had asked this question last year. He understood that a survey had been made, and an estimate of the cost. He was told on good authority that it would be a very cheap line to make-in fact, for about half the cost required to dredge the Onehunga Harbour. The branch line required to be made was only a mile and a half from the Kaipara line at Avondale to deep water in the Manukau Harbour. Steamers could then leave at low water. He thought the matter was worth inquiring into, as to whether it would not expedite the delivery of mails-especially the San Francisco mails -- from Auckland to the South. There would be no such thing, if this were done, as a vessel having to wait for five or six hours at Onehunga for the tide. Mr. HALL - JONES (Minister for Public Works) said he was not aware of a mail-steamer having to wait five or six hours for the tide. A boat of the "Ngapuhi " class should go to the present wharf at Onehunga at any time of that the Government should make this railway and the necessary wharf to enable the Frisco mails to be delivered some two hours earlier. If that was to be tacked on to the cost of the Frisco mail-service the honourable gentleman was not taking a course in the interests of Auckland, and he doubted if the House would agree to the construction of a railway for that purpose. The Public Works Department did not know of any existing survey of the line, nor had their attention been directed to this matter until last year. Under present circumstances, with so many works in hand, he could hold out no hope of provision being made for this work. Mr. BOLLARD said the very fact of the survey having been made showed that there was something in it. It had been done by the District Engineer in Auckland. Mr. HALL-JONES said it was evident that the line was not worth making. TEMPERANCE WALL-SHEETS. Mr. ELL (Christchurch City) asked the Government, If they will have prepared and printed for distribution to the public schools " Temperance Wall-sheets " similar to those issued by the Education Department of Victoria ? He thought there was not much need to advance any arguments in favour of such a desirable work being undertaken. An Hon. MEMBER .- Have you got the Victorian sheets ? Mr. ELL said he had copies of the sheets issued in Victoria, and would show them to the Minister of Education. They could not too strongly impress

upon the minds of the young the evils of intemperance, for such impressions tended to benefit them in after life. Mr. HALL-JONES (Minister for Public Works) said he had not had the pleasure of seeing the wall-sheets referred to, but he might say that the Minister of Education was waited upon by a deputation a short time ago, and he had now the matter under consideration. It might perhaps be advisable to have something of the kind done as suggested by the honourable member-of course, omitting all controversial matters-but it was a question whether pamphlets relating to public health would not be best. As he had said, the matter was now under the consideration of the Minister of Education. NATIVE BIRDS OF NEW ZEALAND. Mr. ELL (Christchurch City) asked the Government, If they will have coloured pictures of the native birds of New Zealand printed for distribution amongst the public schools ? It would be a good thing if the children attending our public schools were made familiar with the native birds and flowers of New Zealand. He had spoken on the subject to teachers, and they had expressed a wish that they might have pictures of the native birds of New Zealand, and also of the flowers, so that when they were giving object-lessons-and he might say, by the way, that children enjoyed such lessons, and they were most important to young minds-

<page>356</page>

trating the birds and flowers of the colony. In the schools they had pictures of the birds and animals of other countries, but they had no pictures of New Zealand birds. And in districts where the bush had almost entirely disappeared, or was far removed from the homes of the young people, unless the children had the means of travelling to where the birds were they had no means of knowing anything about our natives birds or flowers. He ventured to say that, in the neighbourhood of Christchurch, there was not one child out of two hundred-except, perhaps, those who visited the technical museum-who had even a small knowledge of the beautiful birds of New Zealand. Mr. HALL-JONES (Minister for Public Works) said he had no doubt it would be very desirable if illustrations of the native birds and flowers of New Zealand were exhibited in our public schools. He might point out, however, that the preparation of such sheets would involve the expenditure of a very large sum of money. Mr. ELL .- The expenditure would not be recurring. Mr. HALL-JONES said, No; but there were many more urgent calls for expenditure. The Government would consider later on whether these illustrations should be prepared. LUNATIC ASYLUM ATTENDANTS. Mr. BOLLARD (Eden) asked the Government, If they will consider the question of shortening the hours of officers and attendants at lunatic asylums, and increasing their salaries? This question was one that deserved the consideration of the Ministry. The work of these officers and attendants was hard, and it was of a most wearying and trying nature -- almost more so than any other class of work. Whilst other officers and workmen in Government employ had had their salaries raised, almost nothing had been done in that way for the officers and attendants in this department. Dr. MacGregor, the Inspector-General, recommended in his annual report that the salaries should be raised, and he (Mr. Bollard) thought the Government ought to take this matter into consideration and reduce the hours of duty of these officers and attendants, and pay some attention to the question of increasing their salaries. All the attendants, both male and female, have been badly treated in our lunatic asylums in the matter of hours of work and salaries. Mr. HALL-JONES (Minister for Public Works) said this was only another illustration of many other cases brought before the House, which, if the request were granted, led to increased departmental expenditure. The honourable member asked that the hours of labour of these officers should be shortened, and that their salaries should be increased. If the Government reduced the hours of duty to eight hours a day that would mean that they would have to increase the number of attendants by 25 per cent. Mr. ELL be made an exception of ? Mr. HALL-JONES said, Because they had exceptional privileges. The position was this : that these officers had a full day's holiday every fortnight. That meant twenty-six days in the year. Then, they got a clear month's holiday every year. They also got alternate Sundays ; and, besides that, they received liberal leave during the week. He might say

he did not believe in excessively long hours for lunatic asylum attendants. Although the work, to his mind, was not hard, still it was very wearying and trying; and he promised a short time ago to have the whole matter thoroughly gone into. As to the question of salaries, the honourable member had referred to what Dr. MacGregor had said in his report. The honourable member would note that on the estimates that recommendation had to a considerable extent been given effect to, and the consequence was that it had increased the estimates. An increase of £25 a year was to be given to artisan attendants, and that was a fair increase for one year. The question of dealing with the hours of the attendants - shortening the holidays or increasing the number of attendants-would be considered by the Minister in charge of the department. # HARBOURS. Mr. E. G. ALLEN (Waikouaiti) asked the Minister of Marine, If he will take steps to furnish the British Admiralty with reliable information regarding the depth of water and other facilities for accommodating in the principal harbours of New Zealand war-vessels and other ships under the control of the Imperial authorities, in order to obviate a repetition of the disappointment caused by the refusal of the commanders of the "Ophir," "Orient," and "Tagus," and the flag-ships on the Australian station, to visit the southern ports of the colony? The people in Otago and South land had reason not to be satisfied with the way in which they had been treated in respect to the visits of ships under the control of the Imperial authorities. When the "Orient" came to Port Chalmers with the Imperial troops she anchored inside the heads, and the troops had to be transferred to tugs and were then taken on to Dunedin, while at the same time there was plenty of water to accommodate that ship, or even a ship of much larger draught, at the wharf at Port Chalmers. Through that vessel not being taken to the wharves very bitter disappointment was caused to the people of Port Chalmers. The people there had made provision for entertaining the troops, and they were thus prevented from doing so. Then, there was the case of the "Ophir." The fact that this vessel did not visit Port Chalmers caused disappointment to the people of Otago. The commander of the "Ophir" absolutely refused to bring the ship to Port Chalmers. The consequence was the visit of the Royal party was curtailed by one day. The commander of

<page>357</page>

the "Tagus" also refused to take his ship to the Bluff, although there was plenty of water at that port. There was 26 ft. of water at Port Chalmers alongside the wharves at dead low water, and there was 31 ft. on the bar at dead low water. Then, again, with regard to the visit of the flagships of the Australian Squadron, they had never had one of those vessels in the harbour either at Port Chalmers or at the Bluff, although there was any amount of water to accommodate ships of that description. In fact, it was only seldom that they had visits from war-vessels even of a smaller class. He thought they had every right to expect a fair share of visits of these warships. He did not know whether this was due to ignorance or obstinacy, or whether it was the result of red-tapeism; but he knew that justice was not done to the ports he had mentioned. He hoped the Government would communicate, through His Excellency the Governor, with the Admiral on the Australian station, with a view of insuring that these ports should get an equal share of visits from the warships when they came to New Zealand waters. Mr. HALL - JONES (Minister of Marine) said every opportunity was taken of distributing information which reached the Marine Department in connection with the harbours of New Zealand-that was, as to the depth of water, the wharves, and all matters concerning them. This information was published in the Gazette under the heading of "Notices to Mariners," and these notices were sent to the Admiralty, the chief Marine Boards, the Board of Trade, and to the Admiral in charge of the Australian station. Then, any alterations would be embodied in the new edition of the "New Zealand Pilot." It was ten years ago now since the issue of the last edition of the "New Zealand Pilot," and the department had expected to have received the new edition before this. All the necessary information had been sent on to the Admiralty, but so far it had not been published. However, he had given instructions, pending the issue of the revised "New Zealand Pilot," that all the information published in the notices to mariners in connection with the

different ports should be collected, printed, and sent to the Board of Trade in Australia, and also to the Admiralty. He thought the department had done all it could to advise the shipping world of any changes that had taken place in our waters ; and he could not understand why the commanders of the vessels referred to refused to visit the ports mentioned by the honourable member when there was an ample depth of water for their accommodation. AUCKLAND OYSTER-FISHERIES. Mr. FOWLDS (Auckland City) asked the Minister of Marine, Whether he has received any report from the Inspector of Fisheries regarding his recent inspection of the Auckland oyster-beds ; and, if so, will he state what steps he proposes to take in order to conserve the said oyster-fisheries? He understood the Inspector of Fisheries not long ago paid a visit of inspection to the oyster-beds in the Auckland Province, and he would like to know from the Minister whether he had received any report from the Inspector as the result of that visit ; and, if so, whether he would lay the report upon the table, and what further steps he proposed to take in order to conserve the said oyster-fisheries. He understood that about twenty-five years ago these beds were capable of supplying, and did supply, a very large quantity of oysters, but that during recent years they had been almost denuded. He believed some of them had been closed for a good many years, and yet, notwithstanding that official closing, the beds were still being stripped instead of recuperating. He saw recently in the Auckland papers an account of the arrival of some excursionists from the coast, and that a good many of them had sugar-bags full of oysters with them. Unless some steps were taken the oyster-beds would be very soon cleared out altogether. He was perfectly satisfied that this was an industry capable of almost indefinite expansion, but it would never be extended until a new method was adopted in reference to the treatment of these beds. He would suggest that the fisheries should be let in sections to people whose interests it would be to preserve them, and also to attend to their propagation. It was quite an easy matter where a place was suitable to propagate oysters, but that would never be done until a radical change was adopted in the method of dealing with them. He would be glad to hear what the Minister proposed to do. Mr. HALL-JONES (Minister of Marine) said, Some time ago he had instructed Mr. Ayson, the Inspector of Fisheries, to visit Auckland and report on the position with regard to the oysters. The report had reached him since the House had been sitting, and he had not had time to properly look into the question. However, Mr. Ayson had made several recommendations of a radical nature. For instance, his recommendation on the question of leasing the whole of the oyster-beds, while it might be satisfactory in some directions, would lead to a lot of friction in others. The most important suggestion he had made was to reduce the open season from eight months to six months. Then, under the present regulations the oyster-fishing license-fee was 10s. for the season, and he recommended that it should be increased to £2; also, that all boats should be registered and numbered. His (Mr. Hall-Jones) main object in sending the Inspector to Auckland was that we now have large subdivisions for oyster districts, which are open or closed according to the condition of the oysters in each subdivision, and it had been considered that it would be very much better to make further subdivisions, so that the beds would be better controlled, because where in one subdivision the oysters might be very plentiful the fishing could be continued, and in another subdivision, where they were scarce, the ground could be kept cleared until they became more plentiful. Another suggestion was that the revenue derived

<page>358</page>

into the Consolidated Fund. At present they were paid to the local bodies. Now, as the department had to pay the salaries of Inspectors and the cost of administration generally, these fees would to some extent meet the cost of administration. Mr. Ayson then suggested that if the oyster-pickers caused waste by not picking properly they should be liable to have their licenses cancelled. He considered that a very proper recommendation. The report also referred to the taking of oysters from the rocks in Wellington, and further recommended that an experimental oyster farm should be established. It might require legisla-

tion to give effect to some of the suggestions. He had not this year had an opportunity so far of bringing down legislation on the subject, and he questioned whether it was not now too late for this year. He proposed, however, to work on the lines that he had now indicated—that was, the further subdivision of the existing districts so that better control could be obtained. As for the question of fees, it would have to be dealt with by legislation, and the question where those fees would go to he was sure would cause some controversy in the House. As far as he could do it by the present law he intended to protect these oyster-beds, leaving over until next session what legislation might be required. The report referred to was a departmental report, and there was not much in it beyond the summary he had given. ## FREE RAILWAY-PASSES FOR SCHOOL-CHILDREN. Mr. MEREDITH (Ashley) asked the Government, Whether they will make provision during the present session of Parliament to enable scholars who have passed the Fifth or Sixth Standards in our primary schools to have free railway-passes to attend the nearest high school, and thereby make a reasonable concession to country boys and girls in the prosecution of higher education ? When the Education estimates were in Committee of the House on last Tuesday night he had an assurance from the Minister in charge of the estimates that Cabinet had acceded to his (Mr. Meredith's) request embodied in this question, and the Minister of Education stated he would have regulations framed with a view of giving effect to it. He was satisfied with that reply, and he therefore did not think it necessary for him to go into the question any further. If the honourable gentleman would give him the assurance that he had understood him correctly on the occasion to which he referred he would be perfectly content. Mr. HALL - JONES (Minister for Public Works) said, what he had stated upon this matter was that, in regard to district high schools and scholarship holders, provision would be made for the issue of free railway passes, and he had expressed the opinion that the distinction between a district high school and an ordinary high school was so little that he thought both should go together. Provision was to be made to extend the privilege to children attending district high schools even if over fifteen years of age, and to grant the same privilege to holders of scholarships attending high schools proper. Regulations were now being framed by the Railway and Education Departments dealing with this matter. The question of still further extending the concession brought in another matter :—that was, the children had to pay fees in going to the high school, and if they still retained the fees, but gave them free passes, this did not amount to free education at the high schools. He wanted, and he hoped to see the day when they would have, the secondary schools as free as the public schools, and this question of extending the privilege which he had mentioned to the ordinary scholars of ordinary high schools was mixed up with the question of the reductions or the remission of the school-fees. So far as the district high schools and the holders of scholarships at ordinary high schools was concerned provision would be made. Mr. BUDDO. - That is, the nearest high school. Mr. HALL-JONES. - Yes. Mr. MEREDITH asked, Would the honourable gentleman indicate the date when this would come into effect. Mr. HALL-JONES said he would request his colleague to have the matter put through as quickly as possible. GRADUATED RECEIPT-STAMP AND CHEQUE DUTY. Mr. LAWRY (Parnell) asked the Commissioner of Stamps, If he will this session or early next session introduce a Bill providing for & graduated receipt-stamp and cheque duty ? He thought the Colonial Treasurer would realise he was making a very valuable suggestion to him in asking this question. They had the principle of the graduated stamp duty established already in this colony in the matter of promissory notes ; also on the graduated stamp duty on mortgage-deeds, and on the duty on the sale of shares and mining transfers. It seemed to him a monstrous thing that a tradesman who was sending out shop bills at the end of the month, amounting in the aggregate to £10, should have to pay 5d. when these bills were receipted, while the man who would give a cheque for \$5,000 should only be called upon to pay 1d. He could claim the support of his honourable friend the member for Christchurch City (Mr. EII) in respect to the principle he was laying down, and he could also claim the influence of the member for Ashley. He had himself very

frequently given a cheque in Auckland for \$500 for cattle he had bought, and the man who had taken this cheque had said, "I can afford to give you a drink" ; but if he had had to pay 1s. 6d. or 2s. by way of stamp duty he would say, " I cannot afford to give you a drink because of this increased stamp duty." The whole thing was based on the truest principles of political economy-upon justice, and equity, and truth, and he hoped the Commissioner of Stamps would see that when a man had to pay 1d. when he gave a receipt for £2,

<page>359</page>

then a man should pay 2s. when he gave a receipt for the value of the land within the sixteen years receipt for £100. Mr. CARROLL (Commissioner of Stamps) was indebted to the honourable gentleman for the suggestion he had made, whereby the revenue could be, no doubt, materially increased. As the Government considered most things from that standpoint, on the face of it the honourable gentleman might expect a favourable answer; but there were other considerations which had to be viewed by the Government. He might tell the honourable gentleman that successive Governments had for years considered the question of a graduated duty on receipts and cheques, but owing, no doubt, to the impossibility of correctly estimating what the increase would be to the revenue, and partly also to the inconvenience and annoyance such a change would occasion to the commercial community and the general public, the idea had always been abandoned. However, we lived in progressive times, and he did not put the question raised by the honourable gentleman beyond the range of Government consideration. He might say that, as a matter of policy, the Government had not yet dealt with this question in order to express any definite view thereupon ; but, the honourable gentleman having brought it up, he (Mr. Carroll) would take a note and refer it to his colleagues. # TAMAKI BLOCK. Mr. HALL (Waipawa) asked the Native Minister, If he will cause the unpurchased balance of the Tamaki Block to be purchased ; and, failing which, will he arrange for an early sitting of the Native Land Court to define the Government's interest in the said block ? The Native Minister would know something about the Tamaki Block, to which his question related. This particular block was leased by the Natives to the Hawke's Bay Timber Company, and he believed the lease had something like twelve or sixteen years still to run. The Hawke's Bay Timber Company had cut out a great portion of the timber upon that block; and they had made offers to the Government to sell out their interests to the Government in order that the land might be settled in the usual way. He would like to point out to the Native Minister that there was something like twenty thousand acres of good dairying country in that block. The timber was now cut off, and if the land was not purchased and settled by the Government it would have to remain some sixteen years further unproductive to the colony. There were some eight thousand acres still unpurchased by the Government from the Natives, and he would like to ask, Would the honourable gentleman cause these eight thousand acres to be purchased ; and, if he could not do that, would he get the Native Land Court to sit there and apportion the area which really belonged to the Government ? If the honourable gentleman would do that, there would be some hope of the Government listening to the overtures of the Hawke's Bay Timber Company, and they would have a productiveness from that block which would be half a dozen times greater than to come. Mr. CARROLL (Native Minister) said, No doubt this was a very important question, not only to the province generally, but especially to that district the honourable gentleman represented. There were difficulties, however, standing in the way of making a complete purchase of the entire block. One was what the honourable gentleman had already referred to-that was, that the land was under lease to the Tamaki Timber Company, which lease had yet twelve years to run. In any case, it would be necessary to make terms with that company as to their conveying their interest on reasonable terms to the Government before effecting further purchases. Next to that, the question had to be considered as to the possibilities of the Government buying up the outstanding interests owned by the Natives in that block. The Government were prepared to buy whenever such interests were offered for sale, but would not unnecessarily press

the Natives in that direction against their wishes. If that contingency was a remote one, then the Government would take early steps to have the interests already purchased by them in that block defined by the Native Land Court, which, providing satisfactory arrangements were made with the company aforesaid, could be cut up and offered to the public in the interests of settlement. At any rate, the Government would move in the direction of having a sitting of the Native Land Court held there as soon as possible, for the purpose of apportioning the land that should belong to the Government, and every other facility would be also given to enable what the honourable gentleman desired being done. # MAORI CENSUS. Mr. PARATA (Southern Maori) asked the Native Minister, Whether he will give instructions that the census return of the Maori population of New Zealand taken during the year 1901 be translated into the Maori language ? Mr. CARROLL (Native Minister) said, Yes. OTAKI NATIVE SCHOOL RESERVE. Mr. FIELD (Otaki) asked the Government, Whether they will make inquiry into the administration of the Otaki Native School Reserve and other similar reserves throughout the colony ; and, if it is found to be defective, whether they will introduce legislation or take other means to secure the proper administration of such reserves ? This was, he understood, one of a number of reserves which had been given by Natives in old times for the purpose of establishing schools, most of which were under the control of the Church of England. It was felt throughout the Otaki district, by Europeans and Natives alike, that this school was not doing the good work it should do. The land forming the reserve was, he believed, about six hundred acres in extent, and was all first-class land, some of it being very valuable. There were on the property large and commodious

<page>360</page>

and also a large residence for boarders and other buildings, all in good order, and he believed the residence was capable of accommodating seventy boarders. There was also a fine recreation-ground. The land and buildings at present were practically going to waste. The land was used for sheep-grazing purposes, and the revenue, he understood, was between £250 and £300 a year. The school was no benefit to the large Native population on the coast. The school at present was, he was informed, attended by something less than a dozen children, none of whom were boarders. The desire of the Natives, and of the settlers also, was that a college should be established there for the purpose of teaching Native boys. Money could be raised, in addition to fees that probably some boys would pay, by selling a portion of the land if necessary, and probably something could be obtained from the educational vote. It seemed to him that the time had now come for the Government to take the question of the administration of this and other similar reserves in hand, and do something in the direction he had indicated. In asking the question he need hardly say he was casting no reflection on the teacher of the Native school, who, he believed, was very capable, and if the school was placed on a better basis he hoped that teacher's services would be retained. Mr. CARROLL (Native Minister) said that on this particular subject he was in entire agreement with the views expressed by the honourable gentleman. It was a very large question, and he had all along felt that some better form of administration should be applied to all reserves which had been given by the Natives some years ago as endowments for educational purposes. The best use had not been made of those endowments, and, so far as the results were concerned, the Natives for whom the benefits derivable therefrom were intended had been the greatest sufferers. He would certainly suggest to his colleagues to make it a Government matter, and have some inquiry made into the administration, not only of this particular reserve, but of every Native educational reserve, in order that some scheme might be devised which would place the whole control and administration of those reserves on a better and more satisfactory basis. DISTRICT COURT, DANNEVIRKE. Mr. HALL (Waipawa) asked the 4.30. Minister of Justice, Whether he will establish a District Court at Dannevirke ? The Hawke's Bay District extended from the East Cape to the Manawatu Gorge, a distance of about three hundred miles, and in the whole of the district there was not one District Court. As a result, those persons in the

out-of-the-way places had to ride very long distances if they wished to bring any matter before the Supreme Court. But much of the inconvenience would be removed if a Court were established at Dannevirke, as it would serve the requirements of a large population lying between the Ruahine Ranges and the East Coast. Mr. Field had much pleasure in causing inquiry to be made with regard to the establishment of a District Court at Dannevirke, but he felt bound to say to the honourable gentleman, and to all members of the House, that if Courts were established in all the places where it had been suggested to him they should be established, it would mean a considerable increase in expenditure. If such Courts were established at Dannevirke, Pahiatua, Stratford, et cetera, then other comparatively small towns in the colony would make similar applications, and if the requests were complied with it meant an increase in the number of Magistrates, and a considerable increase in the cost of the administration of justice. The desire of the Government was to meet the public to the best of their ability by complying with reasonable demands, and when a good case was made out, and it was shown that the public required what was asked for, the request was at once granted. It would have to be shown, however, that the business would warrant such a course being taken. As far as the particular case of Dannevirke was concerned, he would have further inquiries made.

RETURNS OF DRUNKENNESS. Mr. ELL (Christchurch City) asked the Minister of Justice, If he will have shown in the returns of drunkenness the number of native-born charged with drunkenness ? Mr. McGOWAN (Minister of Justice) said the question involved more than appeared on the face of it. The information asked for was already given in the annual returns so far as it referred to those committed to prison for the offence, but it did not show the number who were punished by the infliction of a fine ; therefore the figures would not represent the full number of cases, and would be misleading. As to giving the place of birth of offenders, he did not know if it would be advisable. There was a possibility of unnecessary annoyance being caused by requiring such information. Mr. ELL .- Why ? Mr. McGOWAN said, Because certain invidious distinctions would be made, and it would be said that Natives or others were addicted to the failing. As he had already stated, there was no record kept of the birthplaces of many of the offenders, and to give the information the honourable gentleman asked for would require a considerable alteration in the method of compiling the criminal statistics. If the birthplaces were given it would simply tend to an undue discrimination, which would not be wise. Mr. ELL said it was done with regard to other statistics. Mr. McGOWAN admitted that was so; but this was a more difficult question than the honourable gentleman seemed to think. For instance, some people regarded drunkenness as a crime; but, for himself, he did not so regard it, and therefore he did not want to make any invidious distinctions. He would make inquiries, and if the return could be furnished without needless expense it would be supplied.

<page>361</page>

REPRESENTATIVES. Mr. LAURENSEN (Lyttelton) asked the Minister of Justice, Whether he will have a regulation made under " The Execution of Criminals Act, 1883," which will prevent Sheriffs from barring the representatives of public newspapers from attending the execution of criminals? Hitherto in the colony it had been the custom when a criminal was being executed to give permission to representatives of the local papers to attend. An execution took place lately in Lyttelton, but no representative of either of the morning papers was admitted. He thought it was wise that when the last penalty of the law was being carried out the representatives of the papers should be present to see that matters were properly managed. It was a great mistake to leave it to a Sheriff's whim to say whether or not Press representatives should be admitted to an execution. There should be a definite regulation saying whether the representatives of papers should have access or not. Mr. McGOWAN (Minister of Justice) said the section of the Act dealing with the question read as follows :- "The Sheriff, the Gaoler, any of the officers of the prison whose attendance the Sheriff may require, and a medical practitioner shall be present at every such execution, together with any Justices of the Peace and ministers of religion who may desire to

attend, and such military and police guard, and also such other male adult spectators not exceeding ten unless under permission from the Governor, as the Sheriff may think fit to admit, but no other persons whatsoever." It appeared from that clause that the Governor had power to authorise persons to be present at an execution ; but the practice had been to leave the matter in the hands of the Sheriff, who was responsible for the conduct of the execution. It was clear the Governor had power to grant permission to any one desirous of witnessing an execution, but as no application had been made the matter had been left entirely to the Sheriff. As far as his own views were concerned, he thought representatives of the Press should be admitted to an execution. He did not say that all representatives of the Press should be admitted, because it was the practice with some newspapers to give descriptions of executions that were no credit to the newspapers in which they appeared. That did not apply, however, to the Press of New Zealand ; and, as far as our own newspapers were concerned, he thought it would be quite right and proper that certain of their representatives should be admitted. He did not think the evil-if it was an evil-called for such a remedy as the honourable gentleman suggested. At any rate, he did not think it was necessary to make any alteration in the law. So far he considered that sufficient publicity had been given to the executions that had taken place in the colony. If a newspaper thought it was absolutely necessary that it should be represented at an execution, so that an account might be given of the proceedings, it could obtain access-namely, by making application to the Governor.

CROWN TENANTS' RENT REBATE ACT. Mr. FISHER (Wellington City) asked the Minister of Lands, Whether he will this session introduce an amendment to " The Crown Tenants' Rent Rebate Act, 1900," so as to include those Crown tenants who lease small grazing-runs within the operation of the provisions of the said Act, and thereby give them the benefit of the 10-per-cent. rebate in their rent for prompt payment ? He was afraid that on a former occasion, when he asked a similar question, he did not make himself sufficiently clear. Since that question was put and answered in the House he had received two letters from two small-grazing-run tenants. One said this :- "I noticed that in replying to your question re rebate to small grazing-runs the Hon. Mr. Duncan misled you, just in the same manner as he did the Hon. Major Steward on a former occasion. According to the newspaper report the honourable gentleman said that grazing-runs generally paid 22 per cent. on capital value. That is true so far as it goes, but it is a statement calculated to deliberately mislead the House as to the position. While grazing-runs which have never been alienated from the Crown pay 2½ per cent., those grazing-runs created under and held under the Land for Settlements Act pay 5 per cent., just exactly the same as those who hold land under the lease-in-perpetuity system. Then, why not bring this second class of grazing-runs under the Rebate Act ? We of the grazing-runs have decidedly the worst of it. We have a twenty-one years' lease only, against the 999 years of other tenures. At the end of twenty-one years we are liable to revaluation, or subdivision if the Government of the day think fit. For obvious reasons the revaluation is not likely to be less. Any advantage we had through not being rated on our improvements we have lost by the carrying of an unimproved-value poll in this county. To crown all, we are refused the rebate given to holders of other tenures, and pay 5 per cent. rent, while those holders of other tenures who pay up within one month pay 4½ per cent. Naturally we are not pleased at the Government making fish of one and flesh of another. You are perfectly at liberty to show this to the Hon. Mr. Duncan, or to make any use of it you may think fit. He will probably tell you what clause in such-and-such an Act excludes us from the loaves and fishes ; but I venture to say that he cannot tell you just why two men who pay exactly the same proportion of rent to capital value should not both receive a rebate of rent, if one or other receive it. When I say that £58 sterling is the amount of rebate I would and should receive, you will see that it matters a good deal. My own opinion is that Seddon is so hard up that he intends to repeal the Act and get that 10 per cent. which he gave away last year." The other letter said :- "I have to thank you for asking the question

in the House re the Rebate to Crown Tenants Act and the lessees of small grazing-runs. The answer you received from the Minister of Lands was not correct—at least, as far as I myself and my neighbours are concerned. I pay 5 per cent. 'on the upset value of the section I hold, and the lease is for twenty-one years, with the right of renewal for another such term at a valuation.' These letters were from persons who had to live under the provisions of the Act, and, of course, they were in a better position to explain their situation than he could be. He hoped the honourable gentleman would understand from these letters what these men meant. Mr. DUNCAN (Minister of Lands) said it was only latterly that any small grazing-run leaseholders had come under this category, and there were not many of them. These men were evidently men who had taken up land that had been bought under the Land for Settlements Act. Mr. FISHER said, Yes ; Waikakahi. Mr. DUNCAN said that if the honourable member, in putting the question in the first instance, had stated that it was land for settlement he would have known how to answer it. His answer was right, as far as it went, because it referred to small grazing-runs that paid 2½ per cent. generally. He did not state land for settlement. These land - for - settlement runs paid 5 per cent. He thought it had been a mistake in not including them under the Rebate Act, but he supposed they had been overlooked and not included because there were so few of them. He would read a letter he had got, perhaps from the same man as had written to the honourable member. He says :- " Waikakahi, 5th September, 1901. " Hon. Mr. Duncan. " DEAR SIR, -- Why do you persist in making lying statements to the House in order to mislead them over the grazing-runs and the Rebate Act? You have done so twice this session. I am done with you, and I will not hesitate to denounce you every chance I get. I have written to Fisher explaining the true state of affairs, so you may probably hear more yet about it. If you do not hear any more from him I shall take steps to explain the position, and also your position, through the Press in Wellington. - I am, &c., "C. D. FLEMING." This was a brother-in-law of the man who opposed him for Oamaru at the last general election, and he had written to the member whom he believed to be the most able to denounce him (Mr. Duncan) in the strongest language possible and to uphold this opinion of his. The bulk of the question was never properly put before, for the most of the runs were only paying 2½ per cent. ; and he defied Mr. Fleming, or any one else, to prove what he said to be incorrect. It was not to be wondered at that small grazing-runs were not included, as they were so few in number. Mr. FISHER asked if this mistake could be rectified. Mr. Fisher Mr. DUNCAN said that it could, by legislation. He thought it was only fair that this should be rectified, because there was no reason why, if a farmer paying 5 per cent. got a rebate, a small-grazing-run leaseholder paying 5 per cent. should not also get a rebate. That ought to be remedied, and he thought the Premier would be justified in bringing in legislation to do so. # RABBIT-POISONING. Mr. T. MACKENZIE (Waihemo) asked the Minister of Lands, Whether he has yet decided the date when rabbit-poisoning operations shall temporarily cease, as promised last session, and the duration of such cessation of poisoning ? He knew the Minister took a very great interest in this question. Many well qualified to express an opinion thought that there should be a period during which there should be a suspension of poisoning, so that there might be no chance of anything going out of the country that could not be well guaranteed. In his opinion, if poisoning were suspended for a time, at its close there should be a concurrent systematic and vigorous trapping and hunting down, and destruction by every possible means. It was well known that by the vigorous trapping that had occurred in many parts the pest had been enormously decreased. The rabbit pest had never been so vigorously attacked in the South as when the price of rabbits justified numbers of children and grown-up people trapping rabbits when they could make wages out of them. They had it on the authority of the Premier and others that rabbits had been sent out of the colony in a state they never ought to have left it in. The Agent-General at Home was attacking these rumours, and replying to them. But there were those who said it openly to destroy the export trade. He thought it a pity anything should arise to damage the export trade if they could secure by these means a better diminution of the pest. He would be the very last man to suggest any

means that would not be efficient in the destruction of rabbits. He had been in communication with many men well qualified to express an opinion, and who said they believed in a vigorous system of trapping; others, on the other hand, especially those with large properties, said that trapping was not a success, and was not the best method. The Minister of Lands had apparently met the House last session in a fair spirit, but his promises remained unfulfilled. Last year he had replied to a question put by him (Mr. Mackenzie) as follows :- "He thought four months would be rather long to grant. He fancied three to three and a half months was all that could fairly be allowed." Then, on the 7th September the honourable gentleman dealt with the question, referring to the friction between landowners and Inspectors, when an honourable gentleman interjected, "Will you allow trapping on Crown lands?" He said, - "Yes; anywhere during the trapping season. I will give them at least two months, or pos-

<page>363</page>

sibly three, during which they may trap anywhere. "An Hon. MEMBER. - And no poisoning during that period?" Mr. DUNCAN. - No poisoning during these months by the department; that is the way to work this." These promises, evidently given in good faith, had never been fulfilled, and he now asked the Minister to redeem his obligations. Mr. DUNCAN (Minister of Lands) said it was very doubtful if trapping was going to do what was stated by the honourable gentleman, because the reports he had received this spring from the Inspectors went to show that rabbits had not been thinned out by trapping, and there were more rabbits now than in this month in any previous year. What the honourable gentleman wanted was going in the direction of farming the rabbits; and they were not cleared out by trapping properly in the winter. The trapping season must close early, so that poisoning could be done before the spring grass came on, or the country would be again overrun and the result would be disastrous. Two-thirds of the valuations in the Otago District had been lost, and unless strong means were adopted they would lose the rent from Crown lands altogether, as the rabbits were increasing everywhere in districts where trapping had been indulged in. In districts like Hawke's Bay, Wairarapa, and Kaikoura, where they were at one time swarming, the runholders poisoned systematically, and the rabbits had almost been exterminated. This matter required very close watching and careful handling or disastrous results would follow.

ELECTIVE LAND BOARDS. Mr. FLATMAN (Geraldine) asked the Minister of Lands, If it is his intention to introduce legislation this session with the object of making Land Boards elective? He thought in all cases the Commissioner of Crown Lands should be a member of the Board, but the rest of the members might be elected. There was a growing feeling that the members of Land Boards favoured their constituents. He did not say the report was true; he hoped not. The way to remove this idea would be to make the Boards elective. Honourable members had heard, in an indirect way, complaints as to the small pittance paid to members of Land Boards for services rendered, and he thought the whole matter should be looked into at once. Mr. DUNCAN (Minister of Lands) said this was a question which wanted very careful consideration. Land Boards were more of the nature of judicial tribunals to see the law administered. If the members of the Boards were elected, he thought it would lead to a lot of conflict between the Board, the Commissioner, and the department generally. He thought, however, that certain alterations might be made. As he had said, he did not think it would be advisable to have members of the Boards elected, because conflicts would arise, and he would not like to be Minister of Lands if Land Boards were elected. He thought the position would be intolerable and unworkable. It was far better to keep the matter in hand as close as possible. The House should be able to keep the Minister and the department under control; and the law would then be carried out, and reforms should be made where such were deemed desirable. He could not see his way to bring in such legislation at the present time. Mr. FLATMAN said the Minister must admit that the question was a most important one, and, if he could not see his way to introduce a Bill providing for the election of members of Land Boards, probably he could see his way to remove members of the House of Representatives from holding positions on Land

Boards. He thought reform in that direction would be acceptable to the people of the colony. Mr. DUNCAN might state that that was the opinion of his predecessor, Sir John Mckenzie, who had told him more than once that, in his opinion, a member of the House of Representatives should not be a member of a Land Board, because, he said, in addition to his enforced absence during the session, his constituents and friends would often put him in an awkward position, even if they did not try to get a thing done that was outside or straining the law; and, that being so, it was better for the member himself that he should not be a member of a Land Board. AUCKLAND CROWN LANDS. Mr. WITHEFORD (Auckland City) asked the Minister of Lands, What steps are being taken to open Crown or other lands for settlement in the Provincial District of Auckland ? The Government had a magnificent asset in the Crown lands of the colony if those lands were properly administered, and he might say that he did not think they had been properly administered in the past. If the Crown lands were settled and made productive they would add greatly to the population and to the exports of the colony. He thought the Government should put more spirit into their administration of the land in order to bring about increased settlement. We should first make proper use of our own lands, and then, when they were settled, our surplus population could go to the islands of the Pacific if necessary. Personally, he had expressed his opinion as to the ability and character of the present Minister of Lands. He had said that the honourable gentleman was the "Abraham Lincoln " of the present Government, and when he made that comparison he was sure that all honourable members were pleased at such a compliment being paid to a Minister, because there was no doubt that Abraham Lincoln was a grand man. Last year he asked the Government to survey the Crown land in the King-country, and issue a pamphlet with plans giving the particulars of the land which was available for settlement ; but such particulars had not yet been issued, so that one could not send information as to the land that was available for settlement to one's friends or relatives either in the colony or at Home. Nothing had been done to encourage people to come from England to settle

<page>364</page>

Islands that our energies might very well be directed to the settlement of our own Crown lands. In respect to the question of the seat of Government, he would make a suggestion to the Minister of Lands, and that suggestion, if it were carried out, would to a wonderful extent add to the wealth and prosperity of the colony, and would add to the fame of the present Government. In fairness to the Wellington representatives, he might say that he had always been treated by them with the greatest kindness and courtesy, and he was quite sure that no Auckland member could say otherwise. He had nothing to say against Wellington or the people of Wellington, because he liked Wellington and the Wellington people, and did not desire that they should be disfranchised. He would suggest that the Government might establish the seat of Government-the Federal City-on land in the interior of the country, and, of course, the Government Buildings would be there, and the surrounding land could be leased or sold, and a considerable revenue would be derived from it. For instance, the block of land between Te Kuiti and Kawhia, comprising sixty thousand acres, might be selected as a site for a city for the seat of Government. What would be the effect of that upon the rest of that Crown land ? There would be no need to borrow money to buy the land. There was a good harbour, abundance of coal, and, if the Maori Relics Bill were passed, a central museum could be established there, because it would be a very suitable place. At present the best collection of Maori relics in New Zealand was in Auckland. If the capital were established on that block of land, it would be in accordance with what had been done in some other countries, for the capital would then be inland, and out of reach of the enemy's guns. He considered that in many respects the progress of the colony depended upon the successful administration of the Minister of Lands. He hoped the reply of the Minister would be satisfactory, and that he would be able to show that our Crown lands were being administered in the best interests of the people of the colony. Mr. DUNCAN (Minister of Lands) had given instructions early in the season to push this matter of surveys

forward, and he believed in a short time they would have about sixty thousand acres ready for settlement. With regard to the proposal to put the seat of Government in the centre of this sixty thousand acres, that would require a resurvey and the laying-off of a township in the most suitable place. There was a road laid off between Kawhia and Te Kuiti, but the country was far too broken for a city anywhere between the two places; but at Te Kuiti there was plenty of level land for a city. The surrounding land was first-class grazing land, and no doubt there would be a rush for settlement as soon as it was opened. The department expected to have it opened before the end of the year. The lands in the Auckland District opened for selection since the 31st March, 1901, amounted to about sixty- Mr. Witheford in the same period were about fifty-six thousand acres. The number of surveyors employed in the Auckland District was forty-two, of whom eight were employed solely on Native Land Court work; the others were preparing land for settlement. He thought the Auckland District was very fully manned at present. Mr. McKerrow, Land Purchase Commissioner, stated that five estates in the neighbourhood of Auckland, aggregating a thousand acres, had quite recently been acquired under the Land for Settlements Act for workmen's homes.

ROAD TO PETONE PROPERTY. Mr. WILFORD (Wellington Suburbs) asked the Government, When they intend commencing the construction of the road giving access to the property purchased by them at Petone? Quite recently he was informed by the Mayor of Petone, Mr. Mothes, that the Government had handed over to Petone what he might call a legacy of liability; they handed over to Petone the control of a certain road which had been made to the Korokoro Settlement. Just previous to the handing-over nine or ten slips occurred on the road, and these slips would cost the Borough Council of Petone something like \$50 or £60 to clear away. The first thing, therefore, that the Petone Borough Council had to do in connection with this legacy which had been handed over to them was to spend \$50 upon it, the road not having been properly constructed in the first instance. There was not sufficient care taken to provide against such slips, and the consequence was that the cutting had come down in different places. There was another property purchased near the house of a Mr. Chapman, and that property was not roaded. There were in Petone a number of men who were applying to him for work, and, as the roads which had to be made to this property had not yet been started, he would suggest to the Minister the advisability of at once going on with the construction of the same, in order to create a new avenue of employment for men with families dependent upon them who were deserving and hard-working. In the winter just passed people who had small holdings had a great deal of difficulty in getting to their properties on account of the sticky and soft nature of the new road. If the Government could put in train the work of roading this property they would give employment to those needing it, and at the same time would give the holders of sections an easy means of access to their homes. He hoped the Minister would no longer delay the prosecution of this necessary work. Mr. DUNCAN (Minister of Lands) said the engineer in charge of these roads stated that they would be put in hand with the least possible delay. With regard to the slips, it appeared to him that cuttings on roads would slip no matter what amount of care was taken in their construction. It depended entirely upon the nature of the soil. They knew that along the railway-lines slips occurred, and they were quite unable to prevent that.

<page>365</page>

man did not think the Government should reimburse the Council the £50 expenditure. Mr. DUNCAN said, If this was a new road which had been taken in hand by the Government, it should be properly cleaned up by the Government before it was finally handed over.

CUSTOMS DEPARTMENT SUPER-ANNUATION. Mr. WITHEFORD (Auckland City) asked the Commissioner of Customs, Whether he will consider the advisability of introducing a Bill dealing with the superannuation of the officers of the Customs Department on the same lines as the one which is being introduced in the interest of the officers of other Government departments? He might say that the officers of this department considered they should be treated on the same basis as it was proposed to treat those in the other departments of

the Government service, on the principle that what was good for Peter was good for Paul. Mr. MILLS (Commissioner of Customs) said that all the officers of the Customs Department who joined the service previous to the year 1871 were provided for by pension, while those who joined between 1871 and 1894 had no right to a pension at all, but if their services were dispensed with received a retiring-allowance. Those who joined the service after the year 1894 had a reduction made from their salaries to provide for their insurance policy, and also for annuities when they retired at sixty-five. The Government had not received any pressing reasons for dealing with this matter this session, but the Government had had under consideration the advisability of adopting some scheme whereby all those officers in the service who were not provided for by Act should come under one general scheme.

TRADE WITH SOUTH AFRICA. Mr. T. MACKENZIE (Waihemo) asked the Government, If they will advise Parliament of the terms entered into between them and the shipping companies regarding the despatch of steamers to South Africa ? Sir J. G. WARD (Minister for Railways) presumed by this question the honourable member meant an arrangement in connection with the steamers owned by the three shipping companies who had been alternately calling at South Africa en route to England. There had been no fixed arrangement between the steamers of these companies and the Government—that was, no agreement of any kind existed. The Government was advised it was their intention to put on one each of the three companies' steamers and despatch them alternately to South Africa from various ports of the colony ; but there was nothing in the shape of subsidy or, as he said, agreement of any kind existing between them and the Government.

STEAM SERVICE BETWEEN NEW ZEALAND AND SOUTH AFRICA. Mr. T. MACKENZIE (Waihemo) asked the Government, Whether they are aware that no steamer goes to South Africa, and that merchants, after entering into contracts for the shipment of produce, are at the last moment notified that the vessels are taken off ; and, if so, will they (the Government), at an early date, endeavour to establish an actual regular service between this colony and South Africa ? This was a very important matter to the producers and agents in this country. They understood, of course, that something like a regular service would be established between this colony and South Africa. As a matter of fact, we were really lagging behind in so far as concerned established communication with South Africa. Australia had got very much ahead of us, and was shipping great cargoes of produce there, and he thought the time had quite arrived when a steam service should be established upon which reliance could be placed by shippers. Now, the steamer " Indradivi " was on the berth here some little time ago for South Africa. Although shippers were approached by agents, and urged to find cargo, and they entered into contracts with the factories for the delivering of produce to be placed on board that vessel, yet, without any other notice, after they had entered into these contracts, they were quietly notified that the ship was taken off the berth. This was not fair business. If a service was to be established it must be regular and reliable, and that, of course, would entail expenditure. The Government must place a sum on the estimates to recoup the shipping companies if there was not sufficient trade coming forward. What had been done in connection with the subsidising of vessels elsewhere for the purpose of opening up trade relations was this : As at first there was not sufficient cargo to pay the boat, they computed the cost of the voyage to the shipping company and paid any difference there might be between that cost and what the company received in freights. For instance, let them take the cost of a voyage to South Africa to be £5,000. If the cargo came to £5,000 in value, then the Government paid no bonus, but they undertook to make good to the shipping company the difference between the amount which the shipping company obtained from the shipments and what they estimated to be the value of the voyage; and he thought if the Government could see its way to do something of that sort a more regular trade would be the result, and our shippers would know exactly where they were.

Sir J. G. WARD (Minister for Railways). agreed with the honourable member as to the importance of the matter, and he was also aware of the unsatisfactory nature of the attempt which had been made by the three shipping companies to provide for a suitable

service between this colony and South Africa by each of them laying on a steamer alternately. He had no doubt that they had done their best, but shippers in New Zealand were not satisfied at all. There had been several complaints received by the Government from the shippers in connection with this matter, and they

<page>366</page>

of their being able to carry on a trade in consequence of the owners of the steamers desiring that they should go on to London after reaching South Africa, and they stipulated on the South African bills of lading that they were not responsible for overcarrying the goods or produce; and that was really the stumbling-block to the attempt under existing conditions to carry out such a service. It was impossible under such a system for the service to be carried on satisfactorily or successfully. If any proposal were made by the Government to pay the difference between the estimated freight to the shipping companies and the cargo actually carried, it could only be on the condition that the steamers would go to South Africa and then return to this colony. The only reason for this colony giving a subsidy at all for steamers to open up trade with South Africa was in consequence of there being no return cargo, or very little, from South Africa for New Zealand. If the steamers were to go from South Africa on to London, and not return to New Zealand, no contribution ought to be paid by the colony at all, because in that case the steamers must and would subordinate the South African trade to the larger earnings they got from the regular trade of going on to London. A subsidy ought to be offered to obtain a suitable class of steamers to trade between the colony and South African ports and return thence to New Zealand ports, and, if we were to have any good from them at all, that was the only way it could be done. The only reason for offering a subsidy was in consequence of the steamers coming back having little or no cargo for this country. However, the whole question had been under the consideration of the Cabinet on more than one occasion, and it was engaging the attention of Ministers now, and he hoped the matter would be submitted to the House during the session in order to see whether they could establish a service that would be useful to the colony as a whole and beneficial to the producers of the colony. We had lost a good deal of the trade in this direction owing to the superior freight arrangements for carrying on the trade between South Africa and Australia, and that gave both merchants and producers a great advantage over the shippers of this colony. He would like to see that overcome if it was possible to do it; and, if we were to get and to hold a fair share of the important trade that was developing there, it was absolutely essential that we should have a good and regular steam service available for all parts of New Zealand.

OTAGO CENTRAL RAILWAY RATES. Mr. T. MACKENZIE (Waihemo) asked the Minister for Railways, Whether he will reconsider the official reply given to petitioners who requested a reduction in rates charged on goods conveyed over the Otago Central Railway, and grant their reasonable demands? He was pleased to read that when the Premier was addressing the farmers at Pahiatua some time Sir J. G. Ward for the earning of heavy dividends. Now, there were special charges levied for the carriage of goods on the Otago Central Railway, charges largely in excess of those imposed for the carriage of goods going over another branch line into the same interior—that was, the Lawrence line. Now, if the merchants of Central Otago were to compete with the merchants at Lawrence, they felt that they should not be thus unjustly handicapped by having higher rates levied on their goods than was paid by the competing tradesmen. They thought they should be placed on an equitable footing. It had been shown to him that the rates on goods from Dunedin to Ranfurly amounted to something like £2 7s. 10d., and that wagons would take the goods up for a little addition to the difference. There was this difference also, that the Railway charged for measurement, whereas the wagons gave them an absolute ton weight when they professed to carry a ton. The Railway gave nothing of the sort, and often charged a rate and a half on goods. He thought the Minister ought to endeavour to do something to redress this grievance. Of course, he recognised the Otago Central was a very expensive line to make, but that should not be a reason for

handicapping the people up there, seeing that it was largely a political railway, so far as the route was concerned ; and had it been taken by the way suited by nature such wasteful expenditure would never have occurred, so that the percentage return on the cost of this line had no bearing on the equity of the case. Sir J. G. WARD (Minister for Railways) said the rates charged on the Otago Central were classified rates which were applicable to the railways of the colony as a whole. What the honourable member desired was that the department should accept as a basis of arrangement on the Otago Central the rates that were charged only on the Lawrence Branch. He might tell the honourable gentleman that such a system as that could not be justified. It could not be restricted to the Otago Central; but, if adopted there, it would require to be made applicable to every district in the colony where competitive rates were existing. There was competition at present on the Lawrence line as against the railway, and it was owing to that competition that the rates were lowered, and that lowering of the rates could not be generally extended without much loss of revenue. Mr. T. MACKENZIE .- How about the road competition ? Sir J. G. WARD said, If the traders carrying on business in Central Otago should by competition bring about a condition of affairs similar to that now existing on the Lawrence line, then, of course, they would be compelled to compete on a similar basis there also. It was only by lowering the rates on the Lawrence line that they got a portion of the traffic. Mr. T. MACKENZIE said they had only got the land traffic. Sir J. G. WARD said they had got competi-

<page>367</page>

Railway which was obtained for the year ending 12th September, 1896, showed that the net revenue on capital cost for that year was only } per cent. ; and, although the traffic had increased to some considerable extent since that date, the department was satisfied that the line was not paying anything near 3 per cent. on the capital cost, and those results also were a further difficulty in the way of considering any exceptional concessions to a line circumstanced as it was not the fault of the people that was. of the district, or the fault of the merchants of the district, or the fault of the Government, but there were the greatest difficulties in the way of attempting to make special concessions in the direction the honourable gentleman indicated. ORARI-TIMARU RAILWAY. Mr. FLATMAN (Geraldine) asked the Minister for Railways, When the public will be supplied with a better class of carriages than those at present attached to the train running daily between Orari and Timaru? It was two years since he had put a similar question to this on the Order Paper, and the then Minister for Railways promised, as soon as possible, to put better rolling-stock on this important line. He might mention that a fortnight ago he was down south, and had then ridden in a second-class carriage on this line. The discomfort was practically unbearable, the noise was so great passengers could scarcely hear each other speak, and it was simply agony to ride in the old rattle-traps of carriages that were not fit to be converted into cattle-trucks. He felt certain the Minister did not know the class of rolling stock that was on this line, or he would have better carriages placed upon it, carriages which would afford to passengers some degree of comfort. Sir J. G. WARD (Minister for Railways) said he was quite sure, after the representations made by the honourable member, the condition of affairs to which he had referred ought to be remedied at the earliest possible moment. It would be some satisfaction to the honourable gentleman, no doubt, to know that the four- and six-wheel cars, right over the whole section of our railways, were being converted into bogie cars. He hoped at an early date to be able to remove the difficulty mentioned by the honourable member, and to give all reasonable comfort and facilities to passenger traffic on that line. MORTGAGES OF LAND BILL. On the question of the consideration 7.30. of the amendments made by the Legislative Council in this Bill, Sir J. G. WARD said,-Sir, the only amendment made by the Legislative Council in this Bill is in the Second Schedule, the 7th clause of which they have struck out, and have substituted a new clause which is an improvement, and provides for two months' notice instead of the proposal contained in the Second Schedule that- " Seventhly, that where the mortgagor makes default for the space of two months

in payment of the principal sum and interest, or in the observance of any other covenant expressed or implied in the mortgage, and at least one month's notice in writing of his intention to do so has been given by the mortgagee to the mortgagor, or is left upon the said land or at the usual or last known place of abode in the colony of the mortgagor, the mortgagee may sell the said land, or any part thereof, either altogether or in lots, by public auction or by private contract, or partly by either of such modes of sale, and subject to such conditions as the mortgagee thinks fit, and may exercise such other incidental powers in that behalf as are conferred upon mortgagees by 'The Land Transfer Act, 1885,' or by 'The Property Law Consolidation Act, 1883,' as the case may be." The amendment providing the two months' notice is, I think, an improvement, and I move, That the amendment be agreed to. Motion agreed to. FACTORIES BILL. Mr. SEDDON (Minister of Labour) .- Sir, I move, That you do now leave the chair, in order that the House may go into Committee on this Bill. I think I shall be consulting the wishes of members if I simply go through the Bill and point out the amendments of the existing law. It is, of course, mainly a consolidating Bill. Beginning with section 2, members will note that the Committee have made certain alterations in the interpretation of the Arbitration Court, and I may say that I propose to accept that amendment. I also intend to adopt the alteration in the interpretation of " District Health Officer " in regard to the sanitary provisions of the Bill. Mr. MASSEY .- Do you intend to adopt the alteration in the interpretation of "Factory"? Mr. SEDDON .-- Yes. In subsection (1) the alterations are in accordance with what I think is necessary. I may say that, practically, I approve of the amendments made in this section. Members will note that there is a definition of " Young person," to mean a boy or girl under the age of eighteen years. The principle in our past legislation and in the law as it stands now is that women and children are treated differently from men in regard to concessions. As the Bill was brought down it caused some considerable criticism, as the word " person " was substituted in lieu of " women and children," as the result of the operation of the Act of 1894 and the principal Act. I may say that was not done with my approval, because when I was made aware of the alteration that had been made I immediately notified that I should go back to the original law in that respect. The Bill provides for women and children the shorter period of forty-five hours a week, and forty-eight hours are fixed by the Act for men, and any concession from that period is to come from the Arbitration Court. There are no other material amendments until

<page>368</page>

Those subsections are struck out, with the exception of part of subsection (4), which now reads : " After the decision on such appeal to the District Health Officer has been given the Inspector shall," et cetera ; so that the proper person to decide as to the sanitary condition is the Health Officer, and not the Inspector. Members will find a new clause in clause 17A. It carries out the existing law, and is preferable to the law as it stood. It says,- " Subject to the provisions of this Act, a week's labour for every male worker shall not exceed forty-eight hours, and no male worker shall be employed in or about any factory for any longer time than eight hours and three-quarters in any one day. Every male worker employed over and above the before-mentioned hours shall be paid therefor at not less than one-fourth as much again as the ordinary rate of wage paid to such male worker: Provided that the foregoing limit of hours shall not be deemed to apply to any male worker employed in getting up steam for the machinery or the making of preparations for the work of the factory, nor to the trades exempted in the Schedule to this Act, nor to such other trades as may from time to time be added thereto by the Arbitration Court. No male worker shall be employed for a longer time than four hours and a half without an interval of at least three-quarters of an hour for dinner." In the schedule it will be found that the works and factories exempted under section 17A are freezing-works, dairy factories, fellmongeries, fish curing or preserving establishments, jam - factories (during the small- fruit season), and bacon factories. We found _ it was impossible to propose anything else ; it was best to put the schedule in. In Committee it may be thought

that additions should be made to the schedule ; but, at any rate, we have met the cases we thought were necessary. In the meat-freezing works, as was shown incontestably by the evidence, the men in the busy season are practically working during the whole of the time the works are going, and they are not working anywhere else in the interval. It is necessary that the whole time should be worked, otherwise they could not cope with the work that has to be done, and the equipment of the works would not allow more men to be employed ; nor could men be taken on to work overtime, as there would not be sufficient work for them. Under the circumstances, then, the Committee have come to the conclusion that the proposal of clause 17A is the proper way to deal with the difficulty, and I think it will meet it in a way satisfactory to all concerned. An Hon. MEMBER .- Do you accept the whole of clause 17A ? Mr. SEDDON .- Yes, the whole of it. Then, clause 19 deals with restrictions as to deductions from wages, et cetera. There is no new principle in the clause. I agree to the amendment which substitutes "woman " and " young person " for the word " person." Sections 25 and 26 are the existing law. Under section 28 members will note that we have done two Mr. Seddon which is the existing law ; and we have said that there shall be an increase annually of 2s. per week. It is a strange commentary upon our law, when by statute we say that there should be a minimum wage, that the employers have not thought fit in the great majority of cases to increase that ; and it seems to me that it is no use leaving it to their generosity, for we find the same thing occurring as if there were no minimum wage at all, and, instead of giving the increased wage that might naturally have been expected to be given after the youth has become perfected in the trade, they were told to go on at the minimum wage or take the street for it. An Hon. MEMBER .- That was only in some cases. Mr. SEDDON .- Quite so; but the Committee, at all events, thought the best thing to do was to make this proposal. Take a youth getting 5s. a week at sixteen years of age, with five increments of 2s. per week, when that boy gets to the age of twenty-one years he is only receiving 15s. per week, and I do not think there can be any complaint about that. There will still be a danger of some not being kept on; but that is a matter more for the Committee to deal with. I think the general principle will be admitted, and which seems sound, that, while providing for a minimum wage, we should also provide for the annual increase. Under section 30 members will see that we have struck out paragraphs (a), (b), and (c) of subsection (2). In respect to the holidays, I may say that the evidence given to the Committee was overwhelming as against paying the men for a large number of holidays given to men engaged in factories. It was proved by some of the employers that most of their present profits, and in some cases more, would be eaten up in payment for these holidays, and they would have nothing for themselves. Under such circumstances as that the Committee-very properly I think-have come to the conclusion that payment for the ordinary holidays was as much as could be asked for; and not only that. but I am pleased to say that a number of the workers themselves, who tendered evidence, said that they preferred not to be under the obligation of taking money from their employers that they had not earned. Subsection (4) of section 46 contains an important departure which experience has rendered necessary. It is this : While the premises of the factory itself are bound to be maintained in a sanitary condition, sometimes there are places adjoining the factories which have been found to be in a most insanitary condition, to the great injury of the people working in the factories. Cases have been brought under my notice where the smell arising from some premises has been such that the employés of the factory, instead of breathing fresh and unsullied air, have to breathe a vitiated atmosphere. We therefore thought it right to give power to the Factory Inspector and the Health Officer to insist on the premises adjoining the factory being kept

<page>369</page>

a power, and is necessary in the interests of the people as well as those employed in the factories. Then, there is a question affecting the position between tenants and owners, and a new clause has been inserted by the Committee, as follows :- " When the occupier, not being the owner of the property, is

required to make any alteration of the building for sanitary purposes only under this section he may recover the cost of the same from the owner thereof." I suppose it will be a matter for the terms of the lease, but it is a matter of some moment to the occupier of the premises. In conclusion, I hope that members will agree to allow the Bill to proceed. It is necessary we should have the consolidation of our factory laws, which at present cover three or four statutes, which in some instances seem to clash. There has been a necessity for a slight alteration of the law, and in this Bill certain objections that were taken are met. The employés, I think, are generally satisfied with what is now proposed, and I do not think the employers can possibly take exception to it. I should like to arrive at a stage when the laws referring to factories and industries will be made as perfect as possible, and will not require further amendment. It is in the interests of those who invest capital in industries that they should know where they are, and it is also in the interest of the workers that our laws should be made perfect and remain so. All sorts of things have been written about this Bill, but the writers have written many of them not knowing that what they have been criticizing has been the existing law for four or five years, and has not been taken exception to by the employers. The principal objections were in respect to holidays, and in respect to reducing the working-hours of the men employed. I have not heard it disputed by any employers that, in respect to the health of women and children, and for other reasons, it would be wise to bring the hours down to what they were in the original Act of 1894, and that is all we now propose to do. There will probably be some exception taken in respect to some industries, that if women and youths are not allowed to work then the men cannot work. I do not see how that objection can be met, unless there is to be in the Bill a section in respect to particular industries, dealing with it. It is the woollen industry that I allude to, and my own opinion is that an arrangement could be made if they would make up their minds to do so; and I say that the principle we have to consider is whether or not it is wise that women and children shall be worked longer hours. I say that working longer hours would be detrimental to the health of the rising generation, and that ought to outweigh any consideration as to keeping a few women and youths working in order that we may keep a certain number of them employed. I think they can make arrangements, at all events, that a certain number may be employed. Whether they take it in rotation, or by what means they like to organize it, I need not say. A decision can be made, and that we should fix as a principle that women and children should not be required to work more than forty-five hours a week. I beg to move, That the Bill be committed. Mr. HUTCHESON (Wellington City) .- There is no doubt, Sir, that the Bill now in the hands of members is a measure as different from the Bill originally submitted to this House as night is from day. I do not know any labour measure ever submitted to Parliament that caused so much resentment and exasperation throughout the whole of the colony as this Factories Bill did; and, though I am entirely averse to raising one discordant note in connection with this labour legislation, I have a solid complaint to make against the Minister of Labour, in that he has himself confessed that he has not given the personal care to this and similar measures which they deserved. Mr. SEDDON. - The honourable member knows that I never shirk responsibilities. After I had an assurance twice that the principle of the Bill was the same, that prevented me from going carefully through the Bill myself. Mr. HUTCHESON. - I am actuated neither by a carping nor fault-finding disposition, and I respect the Premier for that quality more than any other which he possesses - namely, that he puts his own shoulder under the load and relieves the strain from those who are working under him. That is not the complaint I have to make. I desire to make myself clear. I am credibly informed that recently some people interested in this labour legislation asked several Ministers of the Crown some elementary questions in connection with the intended scope of the Factories Bill, and both Ministers frankly confessed that they knew nothing whatever about it - that they had never seen the Bill, and had never been consulted in respect to it. My complaint is that the Premier, who is Minister of Labour, has not taken his colleagues into his confidence, and that this Bill has not been considered in Cabinet. I do not know whether it is the custom of the present

Cabinet to discuss policy measures in Cabinet; but I have always understood that these Bills were dissected and criticized by the Cabinet before they were sub- If the Premier had mitted to Parliament. gone through the Bill, or if it had been con- sidered in Cabinet, I feel quite certain that his own and his colleagues' sense of the fitness of things would never have permitted this Bill to be submitted to the House in the form in which it was brought down. Is it part of the scheme of things to induce panic, or is it simply due to Whatever the cause the culpable negligence ? Premier is equally blameworthy. But how far can this and similar legislation go? 8.0. I submit that it is only possible to have legislation of this character just so far as the prompting of the liberally minded, humanely disposed employer of labour, with a full sense of the responsibility which attaches to the employing of others, would induce him without the force of law to go. Just so far

<page>370</page>

that in this Bill originally there were provisions that not even a liberal minded, humanely dis- posed man could accept compulsorily, and one was the payment for services never rendered. The other members of the Labour Bills Com- mittee will bear me out in saying that several employers of labour declared that, while they paid their employés the extra rate for all work done in overtime, they also paid them for all the statutory holidays, and all casual holi- days as mutually agreed upon in the locality. Now, these men said they would feel aggrieved if they were compelled to do that which they were hitherto voluntarily doing. This Act, imperfect as it has been in the past, has done more real good for the body and mind and the material welfare of the people, I believe, than any other legislation we have on the statute-book. It has removed conditions even during the short time it has been in operation which would scarcely be credited. In the City of Wellington, some very few years ago, men and women were working under conditions that now would cause the most anti-labour member in this House to shrink from con- templating. Men were working in a low shed with an iron roof, with no protection from the radiation of the sun's heat during the long summer afternoons, the roof not being 7 ft. from the ground level, on an earthen floor, and almost knee-deep in the debris of their trade- working their machinery just like other slaves, with an imperfect drain a few feet away, and insanitation of every description surround- ing them. Mr. TANNER .- We know. Mr. HUTCHESON .- I have been at it my- #cc-zero self, and I know what I am speaking about. Now, every member of the Labour Bills Com- mittee agreed upon several crucial points, and I believe that they largely embodied the con- sensus of their views in the amended Bill. First of all, they agreed in striking out that restriction on the employment of adult males in the case of emergency for overtime work. They said that, as there was an Arbitration Court and a Conciliation Board dealing with these matters, they preferred to allow that question of overtime to be dealt with by those bodies. They also agreed, by a consensus of opinion, that there should be no departure from the restriction imposed upon the working of females and young persons in overtime. They also agreed that young persons and women ought to be paid for holidays, and that their working week should be restricted to forty-five hours, and that of adult males to forty-eight. Now, for the rest, there was really nothing of the new matter in the Bill to commend itself to the sense of the Committee or the House. I do not wish to seek to fit that mistake upon any particular shoulders, because the Premier has made his statement, and that is enough for us. But I rose particularly to-night to say that if the Premier had bestowed more personal care on this Bill it would not have shocked and out- raged the sense of justice of the employers of the colony and caused such an accession of indig- .Mr. Hutcheson and from every industry in the colony, to wait upon the Labour Bills Committee with fear and trembling that something disastrous was going to happen to the industries. I make bold to say that the enlargements of the present Act by the provisions I have referred to are all that the sense of the colony will stand at the present time in connection with the Factories Act. I myself have no objection to a forty-four hours week. I would as soon see that condition, as far as I am concerned, more universal in the colony than it is at present-sooner, in fact, because I believe it would give a large amount of relief to

overworked employers, who very often do work, hour by hour and side by side with their own employés, in addition to the burden of management. I say, as far as I am concerned, I view with equanimity the advent of the day when the hours of work for factory employés will be reduced to forty-four hours a week—that is, eight hours on the five working-days and four hours on the half-day holiday, be it Wednesday, Thursday, or Saturday. But the difficulty which has prevented this coming about is, How many of these small industries which are not directly on all-fours with the principal established industries of the colony are to be brought in ? How many of them can economically carry on their work within the limits of that hard and fast rule ? As the Premier pointed out in one case, it is utterly useless to trust to the magnanimity and the generosity of those employers who can only be compelled to comply with the canons of decency. The very fact that you have to legislate to bring them to reason by fear of law is proof positive that 1 they are neither amenable to the feelings of generosity nor of magnanimity, and so, perforce, the fair-minded and straight-dealing employer has to kiss the same legal rod as the least worthy in the community. But, notwithstanding that fact, I do not want to miss this opportunity of saying that the Factory Inspectors are in a large measure to be thanked for the smooth working of the factory laws already on our statute-book. I say, without fear of contradiction, that had the local Factory Inspectors chosen to exercise all the powers vested in them under the existing Factory Act they could have made the condition of employers intolerable throughout the whole breadth of their jurisdiction. I say they have shown a forbearance, together with a persistence, and a discrimination, together with a strength of will, that have made the Factory Act up to the present time the success it has been. I make bold to say that there is not a single factory in this industrial district in respect to which it would be impossible for an Inspector, thoroughly conversant with the powers vested in him by the existing law, to find some cause of complaint or another in the course of the year. Necessarily, there is the overlooking some little observance or other, constituting a misdemeanour under the law, which I will not say has to be winked at, but has to be passed over without complaint being made or lodged, a simple reprimand or reminder from

<page>371</page>

enough for them. At the same time they have brought operative cases before the Magistrate's Court, and carried them further even, to the Court of Appeal, and they have found they were powerless in the face of direct and deliberate breaches of the law—breaches of the most contemptible character. For want of proper machinery and power to enforce the penalties they found themselves impotent in the matter ; and such offences as the evasion of payment for overtime for poorly paid girls has gone on, owing to this want of power to enforce the penalty. That, I believe, is remedied and dealt with in this Bill. There was an important case here in Wellington City that involved the Government in very considerable expense, and, aided by the ablest legal advice, to prosecute the case even to the Court of Appeal, in order to prove that the machinery of the Act was abortive, in that it did not give the power to enforce penalties for the infringement of the law. Now, there is only one provision I have some little doubt about, and that is the annual rate of increase in the minimum wage of women and young persons. The minimum wage has been equalised for both sexes, and that is what was advocated by myself and others in the House when the Employment of Boys or Girls without Payment Prevention Bill was before the House ; but, recognising the peril to the Bill, we consented to a compromise. What I have now some doubt about is whether the minimum yearly increase of 2s. will not have the effect of setting a standard lower than that which is now paid in numerous cases. Here, again, we have the fair-minded generous employer pitted against the miserable curmudgeon, who will pay nothing more than the law compels. I know there are many places where considerably larger increases are given than 2s. a year; and the question is whether it will not weigh with some in setting a standard for the annual increases. I know it will not in the case of fair-minded employers. But a minimum increase is obviously necessary, and, as the defects the Premier has pointed out are in vogue, I believe it is necessary that some minimum annual increase should be provided. Now.

there is one matter that the whole of the Labour Bills Committee, without regard to political views, were agreed upon, and that was the absolute necessity to retain-to decrease if possible, but at least to retain -- the amount of overtime that could be worked by women and youngsters. It is within the knowledge of the local Inspector, and of many others interested, that a great number of the young girls who are employed in factories live in the distant suburbs. Most of the overtime is during the winter months, and members will see how undesirable a thing it is that these young women should be emptied out of the factories on to the dark streets of Wellington after nine o'clock at night to find their way to the summits of the hills in the suburbs of Brooklyn and Vogeltown, to say nothing of those at the Newtown end of the district, where in many cases they are without male escorts to see them home. For by women and young persons under the age of eighteen years, the better it will be for future generations. I am sorry to say that I feel physically very unfit to deal adequately with the question ; but, however badly I may feel, I think it my duty to point out that the Committee had a very difficult task to undo the spoiling of last year's work, because they practically had the Bill last year in the terms in which it is now submitted to the House. The work of the whole ten weeks in which they have been closely and earnestly engaged upon it, has been largely devoted to the taking of evidence and restoring the Bill to the condition in which it was left at the rising of this House last year. I feel sure that the Bill now submitted to the House is such a compromise between the extreme opinions and theories of members of the House that it will recommend itself to the great majority, if not to the whole, of the members of the House. Barring some minor details that I am aware are necessary to make the Bill what it purports to be, and to give effect to the desire of the Select Committee on the Bill, I think the Bill an improvement on existing legislation, and with these exceptions the Bill generally will commend itself to the good-sense of the House, and will, I trust, have an even passage through Committee. Just before sitting down I would invite the attention of the Premier to a very material amendment that is necessary in section 21. He will there find it necessary to restore the title of that subsection to the condition in which it left the Committee-namely, to strike out "Overtime for women or young persons," and substitute "Overtime" only, and exempt others than women or young persons from the restrictions provided in the overtime clause, leaving any extension to the custom of the trade, mutual agreement between employer and employed, or award of the Court. That I think the Premier will see is necessary. For the rest, I feel sure this will be a real consolidating measure, and that it will give in its operation industrial order and peace, and satisfaction to all parties concerned. Mr. HOUSTON (Bay of Islands) .- Sir, I do not wish to say very much, but simply to give my reasons for voting against the Bill. When the original Factories Bill was before the House in 1894 there were clauses in that Bill which are re-enacted in this Bill, and it is because of that that I shall record my vote against this Bill. These are clauses 25 and 26. Clause 25 is applicable to "sweating " in factories, and clause 26 says,- " For all the purposes of the last preceding section every merchant, wholesale dealer, shop- keeper, agent, or distributor who lets or gives out textile or shoddy material to be made up into garments or other articles for sale, shall be deemed to do so as the occupier of a factory, and the provisions, obligations, and penalties of that section shall extend and apply accordingly." Now, Sir, the effect of this in country districts has been that private enterprise has been

<page>372</page>

from factories, have been in the habit of making material for the different storekeepers in districts, and they have been on the whole remarkably well paid. The result of the Act has been that all this is stopped, and these persons have been deprived from earning an honest living. Now, I want to know how it is that the Parliament of New Zealand should enact a law that deprives people from making an honest living. That has been the effect of this law in the country districts, and especially in the district I represent. Why, a shoemaker who has two sons working now must be constituted a factory, and these people are deprived now from making a living unless they come under the Factories Act, which I say would be most

irksome in the country districts, and, as a country member, I must raise my protest against the passing of this Bill. I admit that much good has been derived from the passing of the Factories Act in the large centres where large numbers of hands are employed ; but I say that the Labour Department, in trying to force this measure on the country, is doing a great injustice to the country. There was a case which came under my notice in Auckland some time ago in reference to the working of this Act. A large factory there is run by Archibald Clark and Sons- perhaps one of the largest factories of the kind in the colony-and they employ a large number of girls. Most of these girls live in the country districts about Auckland, and they have an hour for lunch. The result was that they implored the manager of the factory to allow them to have only three-quarters of an hour for lunch, and to work the extra quarter of an hour in order to enable them to get away home on Saturday at a much earlier hour than they otherwise would. Having to go to the country districts, they were obliged to take 'busses leaving town at a certain hour to give them the whole afternoon at home. This was the unanimous wish of the girls, and the manager agreed with them. And this system was found to work smoothly and well until some busybody reported the matter to the Labour Department in Wellington, with the result that instructions were issued from Wellington that the girls had to take the whole hour. The consequence was that, as they did not spend the full hour in eating their lunch, they spent the remainder of the hour in trotting round the town. It was a great injustice to the girls, and I say it was the result of nothing but the arbitrary act of some of the officers in Wellington. Therefore I hold that country members should protest against such an Act being forced on the country districts. I do not object to the measure being applied to large centres, but I say that no injustice should be inflicted on the country settlers, who earn their living in an honest way, and all the country members in the House should raise their voices against the measure. Sir, I shall vote against the Bill. Mr. G. J. SMITH (Christchurch City). - Sir, before this measure is dealt with I should like to say a few words. I think the House is Mr, Houston Labour Bills Committee for the revising work they have done in connection with this Bill. I did not see the Factories Bill of last year, but, from what a member of the Labour Bills Committee told me about it, that Committee last session did a considerable amount of work in connection with it, and had got it to such a state that in all probability it would have given satisfaction to both employers and employes throughout the colony. When the House met this year the members of the Labour Bills Committee and the House understood that they were given the Bill as it had left their hands last year, and I can only say that, while the Premier accepts the responsibility in connection with the alteration of the Bill, I think he is accepting a responsibility that he might very well disclaim. I sympathize with him in the fact that, although he thought the Factories Bill as introduced this year was simply the Bill of last year, yet to protect some of his officers he shoulders the responsibility of the alterations in the Bill. I think the Premier is dealing in an exceedingly generous manner with some officer of the department, who has very distinctly misled him and misled the House. I was very disappointed to hear some of the Premier's opening remarks. I admit at once that there are employers in the country who deserve very severe restrictive legislation, but I was sorry the Premier, in referring to the employers, referred to them generally as being practically void of generosity. The Premier did not mean that, I am confident ; because he must know, as I know, that there are employers in the colony who are as generous as any other class of men. Mr. SEDDON .- I quite admit that. It is the few who cause the trouble. Mr. G. J. SMITH .- I am delighted to hear the Premier say so. I was convinced that was his opinion ; but in speaking he did not say he was dealing with the few, and I was going to say it would be just as fair for the employers of the colony to assert that all working-men were bad because a few of them are bad. Mr. ARNOLD .- The employers say so. Mr. G. J. SMITH .- I challenge the honourable member to prove that statement. The employers of the colony have never charged the workmen of the colony with being a bad lot. There is, I suppose, a small percentage of the workmen of the colony whom even the member for Dunedin City (Mr. Arnold) will not support in all their contentions, and there is a small percentage of the employers who

deserve strict repressive legislation. But, in dealing with a Bill such as this, it is only fair to say that the restrictive legislation proposed is for the few who, unfortunately, do not and will not treat their employés fairly and justly. I am not a member of the Labour Bills Committee, but, as far as the question of payment for holidays is concerned, I venture to say the bulk of the workers of the colony do not ask to be paid for the holidays as proposed originally in this Bill. I believe that the workers of the colony only want to be paid for the work they actually do, and I think that will be found to be in accord-

<page>373</page>

mittee. The Bill itself is a consolidating Bill, and when it gets into Committee it will be necessary that a few points will have to be dealt with by the House; but, as far as the Bill generally is concerned, its principles have been accepted by the colony, and it simply means now that we have to adjust any differences of opinion on minor matters as soon as possible and get the measure into good workable shape. I would like to indorse the remarks of the honourable member for Wellington City (Mr. Hutcheson) as far as the Inspectors of Factories are concerned. I think the Government have been distinctly fortunate in the appointments they have made, at any rate, as far as the Canterbury District is concerned. We have had Inspectors there permanently appointed, and we have had Inspectors relieving, and in every case there has been, I think, exceedingly little friction, and the large powers intrusted to them have been exercised fairly. In many cases, of course, they have had to point out where the provisions of the Act were not being complied with; but they have done it in such a way as to cause as little friction as possible, and the consequence has been that the whole work has gone on very amicably, and I think it is to the credit of the Government that that is so. As far as the embodiment in this Bill of the principle of eight hours as a day's work is concerned, I would like to say that I am heartily in favour of it. It has been a bone of contention for some time, but I think it is well that provision for an eight-hours day should be embodied in our statute law, and I hope it will go through the House and be a distinct advantage both to employers and employés. There are several other points in connection with the Bill that I might speak on, but I think it will be better if I reserve any-thing I have to say further until the Bill is in Committee. With that reservation, I hope the Bill will get into Committee and go through, so that the employers and workers may know what the Factory law of the colony really is. Mr. BOLLARD (Eden). - As one of the Labour Bills Committee, I would like to say a few words on this Bill. The Committee have spent a very large amount of time on it, and we believe we have made it as nearly perfect as it is possible to make it. The provisions of the Bill as it came before the Committee were such that no reasonable man could accept, and I think it was a great blunder that the Premier, as Minister of Labour, did not go into the Bill more carefully, and have certain obnoxious clauses excluded from it before he brought it down to the House. Now, Sir, the effect of the careless manner in which the Bill was brought down caused a great deal of unrest throughout the colony, with the result that I suppose no Bill has caused more unrest and agitation than this one. It is well known to members of the Committee, and also to members of the House, that a very large number of employers attended the Labour Bills Committee from all parts of the colony at their own expense. The provisions of the Bill were perishable commodities could not possibly observe the Bill without doubling their expenses. The extra expense-100 per cent. - would be taken out of the producer; the farmers would have to pay the extra expense of double shifts in freezing-works and fellmongeries and other trades in the schedule of the Bill. We had it in evidence before us that it would be impossible for persons engaged in certain trades dealing with perishable goods to carry on business without having a double set of men, which would, of course, cause double expense. The employés engaged in these trades do not wish it, because at certain seasons of the year they earned large wages, while at other times they are practically idle, and it would be an injury to them, as well as being extra expense on those engaged in the trades. It was a mistake that so many people were put to the expense and trouble of coming to Wellington to protest against the provisions of this Bill. It was promulgated by the trades-unions. It was admitted by a leader of the

trades-unions that it emanated from them, and they wanted the whole Bill and nothing but the Bill. An Hon. MEMBER .- What was the name of the witness ? Mr. BOLLARD .- I do not remember his name, but he is an employé of the Government Printing Office. The Bill as brought originally before the Labour Bills Committee was so drastic in character, that had it passed in this House as printed, there would have been a war between capital and labour ; but now the Committee has taken the sting out of it. There is no limit to overtime, but, if worked, time and a quarter is paid. This is quite fair, and enables workmen at certain seasons to do an extra amount of work to make up for the time their work is slack. In regard to women and young persons being confined to forty-five hours a week, and the amount of overtime they get, I agree with that as fair and reasonable, and it should be accepted by all employers of humane principles. Another provision of the Bill as it now comes before the House is that, in addition to the trades mentioned in the schedule, other trades can be added to the schedule if so directed by the Arbitration Court ; so that in the working of this Bill, if it becomes law as it now stands, there are trades outside the trades mentioned in the schedule which may be added. That would enlarge the scope of the Bill to that extent, and I also think that is very fair. I can tell the House a very extraordinary circumstance in connection with this Committee. During the whole of our deliberations on this Bill-practically from the commencement of the session until the present time-we had not a single division in Committee on the Bill. We were satisfied with the Bill as altered, and I think I am correct in saying-the Chairman of the Committee will correct me if I am wrong-we had not a single division on a clause of the Bill. I think that shows that we went into the matter with heart and soul in order to make it as perfect a measure as we possibly could. So far as I am

<page>374</page>

ought to be satisfactory to both employers and employés. I think it is a fair compromise, and I am satisfied that every employer who is worthy of the name will accept the Bill in its present form, and I think that all fair-minded employés will be of the same opinion. I therefore hope that when we get into Committee the Bill will commend itself to the minds of honourable members, and that we shall not waste much time over it. Mr. SEDDON (Minister of Labour) .- I do not know that there is any Bill which I have moved the second reading of that has received at the hands of the House the attention that has been given to this Bill ; and, as stated by the member for Eden, the conclusions arrived at are really the conclusions which will commend themselves to the great majority of employers and employés in the colony. I have nothing to reply to except to defend myself as against what has been said respecting the Bill as it came down originally. I can say nothing further, than that my instructions were that the Bill is such as it was left by the Committee. It seems that some clauses as it passed the Committee were contradictory, and it was supposed that the direction in which they were thought to go would be in widening the operation of the Act. That, as I say, is the conclusion that was arrived at, -and I have no hesitation in saying it,-by the responsible parties, and that was under the belief that they were doing what was right. All the same, I have reason to complain, because my attention ought to have been called to it. If a Minister directs that a measure as it leaves a Committee is to be the measure which is to be submitted to his colleagues and to Parliament, and then there is a material departure from that, the Minister has reason to feel aggrieved. I might have gone through the Bill, but unless I had compared line for line and word for word it would have been of no use. It was the taking-out of the words " women and children," and the introduction of the word "person," in one clause that caused all the trouble, because it made it apply to all works whether men, women, or children were employed. That caused a great deal of the friction that would not otherwise have arisen. I was very much amused at one of the reasons that was given me, and which I would now apply to the member for Wellington City (Mr. Hutcheson), and also to other members of the House. I allude to the question of holidays. Have we not heard it said time after time that the Conciliation and Arbitration Act and the Factories Act should apply to the Government ? Very well ; the parties thought they were going in

the right direction by making holidays apply to those in private employ just the same as they do in the Government service, because the Government pay for all holidays. If we proposed that private employers should pay for holidays what a terrible howl there would be. And, immediately, you follow out what they are driving at in respect to putting the Government in the same position as private employers. Mr. Bollard paying more money. At all events, that phase of the question has struck me, and it has been very amusing. Mr. HUTCHESON .- You have still a lot to learn about the conditions of employment. Mr. SEDDON. - Why, then, are you and others so keen to bring the State in under this legislation ? Mr. G. W. RUSSELL. - Why are you so keen to keep it out ? Mr. SEDDON. - I do it on constitutional grounds. I contend that you cannot deprive yourselves of your responsibilities, and that the payment and wages in regard to persons working for the State can only be fixed by Parliament and by the Crown, and you cannot depart from it. You cannot give to an irresponsible person the right to impose upon the taxpayers of the colony any burden. Even the House of Representatives cannot do it, because the Council is another branch of Parliament. You cannot give to a Judge of the Arbitration Court or to the Court itself, or to a Conciliation Board, the power of fixing payments which are to be made by the Crown; and I will give you a reason why it should not be done by an Arbitration Court. You have the representative of the employers sitting, and you have the representative of the employes also sitting, and, as these are elected by the employers or the employed, where does the State come in ? The State will have no representation at all. An Hon. MEMBER .- The State appoints the Judge. Mr. SEDDON .- The Judge, of course, is neither an employer nor an employe, nor is he a representative of the State. He has to be there, just as is a Judge of the Arbitration Court under the Public Works Act. He is there by virtue of his office. Well, then, you go to the Conciliation Board and you have the same thing again. I tell you straight out, in my opinion, that if ever you put the colony in the position of having the demands made upon it decided by a Conciliation Board or Arbitration Court the colony would have no friends, and my opinion is you would have awards that would startle you. There are only one or two exceptional cases, but generally where the Crown has to appear before Arbitration Courts it goes to the wall. That has always been my experience, and I have always kept away from the Arbitration Court if I possibly can. It is only in extreme cases where I advise going to it. I prefer to settle matters myself rather than leave them to an Arbitration Court to settle. However, that is my reply with respect to that interjection. Now, notwithstanding all that has been said, the result of our labour legislation and our Factories Act has really been to improve the condition of the workers. The result has been to improve the buildings in which they are employed, the factories themselves ; and I challenge any one to say it has been detrimental to the employers. My own view of the matter is this: that both the employers and employed have been lifted on to a much higher plane, that the

<page>375</page>

and that the bringing of employers together -which has been another result of our labour legislation-has led to their being strengthened in their positions, and they have done better amongst themselves. We have had evidence before the Committee of arrangements being come to between the employers. Take the foundries, for instance, here in the City of Wellington. We had evidence tendered to the Committee that they work together and fix a central price, and if any one wants any engineering work done they simply arrange amongst themselves a price to put in for that work. That was given in evidence before the Committee this session with respect to the engineering trade in the City of Wellington. I ask, What has brought that about ? I believe it can be said it has been our labour legislation. Then, I come to the number of factories, leaving outside alterations, and the reducing of the number of persons constituting a factory. Leaving that out altogether, we have the fact that within five years the number of factory-hands has been doubled. They have gone up from twenty-five thousand to over fifty thousand. I say that fact speaks for itself. My own opinion is that the Legislature can give a lead, and if the spirit reflected in the speeches

delivered by Mr. Bollard and those other honourable gentlemen who have spoken to- night upon this question is followed, and if we continue on these lines, we give a lead to the employer and the employé ; and we shall, in my opinion, give a lead outside them, and alto- gether it means the good of the colony, it means the good of the workers, it means safety for capital and benefit to the employers. say, if we work together, and do not raise this question which has been raised before of one section against another section, and one part of the colony against another part of the colony, but all work together and pass laws which are humane and have an elevating tendency, and aim at the benefit of all, we are doing good, and it is in that spirit I commend the passing of this legislation and the placing of it on the statute-book as recommended by the Labour Bills Committee, for I am sure it will prove to be in the best interests of all concerned. I move, with pleasure, Sir, That the House go into Committee on the Bill. Mr. HUTCHESON (Wellington City) .- In a somewhat diffuse and involved manner the Hon. the Premier has charged me with some inconsistency in denouncing the principle of payment for holidays by outside employers, and in seeking in some way to compel the Government to pay their employés. Well, I would have the Premier understand this : that there is a wide gulf between those em- ployed by the hour and paid overtime and those employed by the week and not paid over- time for any little service over and above the ordinary day's work, such as stock-taking. The custom which has prevailed in the one case is to pay for overtime and not for holidays, and in the other case-the case of those employed by the week or permanently throughout the year- out any payment, but they receive payment for the holidays and usually when sick. Now, I wish the Premier would keep those two classes in their respective categories, and then his mind will be a great deal more clear upon the ques- tion of payment for holidays. Mr. SEDDON .- The honourable gentleman evidently forgets that in our classified depart- ments-the Railway Department and others- the employés are paid for overtime. Mr. G. W. RUSSELL .- Will the Premier agree to the Inspector of Factories visiting and inspecting the workshops ? Mr. SEDDON. - I could not answer that question without consulting my colleague the Minister for Railways ; but I should say, gene- rally, the conditions under which men are working for the colony ought to be improved, and superior conditions obtain to those under which men work for private employers. That is my opinion. Mr. G. W. RUSSELL .- That is not always the case. Mr. SEDDON .- Well, it ought to be. Motion agreed to, and Bill committed. # IN COMMITTEE. Clause 2, subsection (1) .- " Factory ' means, -(1) Any building, office, or place in which two or more persons are employed, directly or indi- rectly, in any handicraft, or in preparing or manufacturing goods for trade or sale (but does not include any building in course of erection, nor any temporary workshop or shed for workmen I engaged in the erection of such building) ; but (whatever the number of persons employed therein) includes." Mr. MASSEY (Franklin) moved to strike out "two," and insert " three." The Committee divided on the question, "That the word 'two ' be retained." AYES, 34. Russell, G. W. Allen, E. G. Giffedder Seddon Arnold Hall-Jones Smith, G. J. Hanan Barclay Hogg Stevens Bennet Ward Hutcheson Buddo Wilford Kaihau Carncross Willis Laurensen Carroll Witheford. McGowan Collins McNab Colvin Tellers. Mills Duncan Millar Napier Ell Tanner. Palmer Fisher NOES, 21. Russell, W. R. Allen, J. Houston Bollard Symes Lang Thompson, R. Flatman Lawry Thomson, J. W Fraser, A. L. D. Mckenzie, R. Tellers. Meredith Graham Lethbridge Monk Hall Heke Massey. Parata Hornsby

<page>376</page>

For. Against. Fowlds Herries O'Meara Mackenzie, T. Smith, E. M. McGuire. Majority for, 13. Amendment negated. Mr. G. J. SMITH (Christchurch City) moved the following new subclause :- " Every building, office, or place in which two or more persons are employed, directly or indirectly, by any Government department or officer in any handicraft, except as to payment of wages or any expenditure of money." The ACTING-CHAIRMAN ruled the clause out of order, as affecting the prerogative of the Crown. "(3.) Every building or place in which steam or other mechanical power or appliance is used for the purpose of

preparing or manufacturing goods for trade or sale or packing them for transit ; and also." On the motion of Mr. SEDDON (Premier), the word " them " was omitted in subclause (3), and "such goods " inserted in lieu thereof. " " Local authority ' means the Council of the borough or county or the Board of the town district in which any factory is situated." On the motion of Mr. PIRANI (Palmerston), the words " road or " were inserted before the words " town district." Clause as amended agreed to. Clause 8 .- " (1.) A person shall be deemed to obstruct an Inspector in the execution of his duties under this Act who- "(a.) Delays an Inspector in the exercise of any of his powers or duties under this Act ; or " (b.) Fails to comply with a requisition of an Inspector made under any such power, or to produce any document which he is required by this Act to produce ; or " (c.) Conceals or prevents, or attempts to conceal or prevent, any person from appearing before or being examined by an Inspector. " (2.) Every person who obstructs an Inspector in the execution of his duties under this Act is liable to a penalty not exceeding five pounds; and, where an Inspector is so obstructed in or about a factory, the occupier thereof is liable to a penalty not exceeding five pounds, or, when the offence is committed at night, not exceeding twenty pounds." Mr. PIRANI (Palmerston) moved to insert, after " who," at the end of the first paragraph, the words " without reasonable cause." Amendment negatived. Mr. WILFORD (Wellington Suburbs) moved to insert "Without reasonable cause " before the word " Delays," in paragraph (a). Amendment agreed to, and clause as amended agreed to. Clause 10 .- " (1.) Except as hereinafter provided, it shall not be lawful for any person to occupy or use as a factory any building, office, or place unless the same is duly registered as a factory under this Act. A person who commits a breach of this section is liable to a penalty not exceeding five pounds for every day during which the factory is unregistered." Mr. MEREDITH (Ashley) moved to insert the word "knowingly" before "commits," in subsection (2). Amendment negatived. Mr. HOUSTON (Bay of Islands) moved to insert, before "commits," the words "after being notified by the Inspector." Amendment withdrawn. Mr. SEDDON (Premier) moved, as a proviso to the clause : "Provided that, in the case of a first failure to register, no prosecution shall be instituted without the permission of the Chief Inspector." Motion agreed to, and clause as amended agreed to. Clause 18 .-- " (1.) Subject to the provisions of this Act, no woman or young person shall be employed in or about a factory- "(a.) For more than forty-five hours, excluding meal-times, in any one week ; nor " (b.) For more than eight hours and a quarter, excluding meal-times, in any one day ; nor " (c.) For more than four hours continuously without an interval of at least one hour for dinner ; nor "(d.) At any time after one o'clock in the afternoon of one working-day in each week as hereinafter mentioned ; nor " (e.) In the case of females, at any time between the hours of six o'clock in the evening and eight in the morning : " Provided that, with the written consent of the Inspector, seven o'clock in the morning may, during such months as are specified in such consent, be substituted in lieu of eight o'clock in the morning, but so that the hours of work are not extended beyond eight hours and a quarter ; nor (f.) In the case of boys under sixteen years of age, at any time between the hours of six o'clock in the evening and a quarter to eight o'clock in the morning. "(2.) In order to prevent any evasion or avoidance of the foregoing limits of working- hours, all work done by any person employed in a factory for the occupier elsewhere than in the factory (whether the work is or is not connected with the business of the factory) shall be deemed to be done whilst employed in the factory, and the time shall be counted accordingly." Mr. PALMER (Ohinemuri) moved to add, at the beginning of subsection (c), " Except in regard to the working-day mentioned in subsection (d) hereof." Amendment negatived. Mr. G. J. SMITH (Christchurch City) moved to add " and a quarter " after " four hours," in subsection (c). Amendment agreed to.

<page>377</page>

strike out "one," and insert "three-quarters of an," in lieu thereof. Amendment agreed to, and clause as amended agreed to. Clause 19 .- " With respect to the employment of women or young persons, the following rules shall be observed in every factory :- " (1.) In the case of a woman, or of a young person

under the age of eighteen years, the occupier of the factory shall not be entitled to make any deduction, set-off, or counter-claim against a claim for wages or other remuneration for work actually done, except to the extent of the special damage (if any) which he proves that he has suffered by reason of the unlawful act or default of the claimant in leaving the employment or being absent from the employment after the work was actually done as afore-said. " (2.) A woman, or a young person under the age of eighteen years, shall not be employed in any factory in which wet spinning is carried out, unless full and satisfactory provision is made to protect each of them from being wetted, and, where hot water is used, to prevent the escape of steam into any room in which any of them are employed. "(3.) A woman shall not be employed in any factory during the four weeks immediately after her confinement." Mr. MILLAR (Dunedin City) moved to strike out " In the case of a woman, or of a young person under the age of eighteen years," in subsection (1). Amendment agreed to, and clause as amended agreed to. Clause 20 .- " With respect to the meals and meal-times of women or young persons, the following rules shall be observed in every factory :- " (1.) A woman, or a young person under the age of sixteen years, shall not be permitted to take any meal in any room in which any handicraft or manufacturing process is being or within the previous two hours has been carried on, or any person is or during the previous two hours has been engaged in work. " (2.) A woman or young person who under this Act is entitled to an interval for meals shall not be permitted to do any work or to remain in any work-room during such interval. "(3.) In every case where not less than four women, or young persons under sixteen years of age, are employed in the factory, the occupier shall provide a fit and proper room in which they may take their meals : "Provided that the Inspector may authorise a place of shelter within the factory, other than a room, to be | four hours continuously without having an that it is reasonably sufficient for the purpose, and is sufficiently secure from the weather and from public view. " (4.) Such room or place of shelter shall be furnished by the occupier to the Inspector's satisfaction with seats and tables, so as to permit of the meals being taken with reasonable comfort and security, and shall not be used for the storage of materials or goods." Mr. FOWLDS (Auckland City) moved to strike out of subsection (2) the words " or to remain in." The Committee divided on the question, "That the words be retained." AYES, 33. Hall-Jones Allen, E. G. Napier Barclay Hardy Palmer Bollard Heke Seddon Hornsby Stevens Carncross Tanner Carroll Hutcheson Collins Kaihau Ward Duncan Laurensen Wilford Ell McGowan Witheford. Field Tellers. McKenzie, R. Flatman McNab Arnold Fraser, A. L. D. Mills Millar. Hall NOES, 11. Buddo Monk Willis. Houston O'Meara Tellers. Smith, G. J. Lawry Fowlds Meredith Symes Massey. Majority for, 22. Amendment negatived, and words retained. Mr. MILLAR (Dunedin City) moved to strike out subsection (3), with the view of inserting in lieu thereof- " In every case where the number of women and young persons under sixteen years of age employed in the factory exceeds four, the occupier shall provide a fit and proper room in which they may take their meals." Amendment agreed to. Mr. SEDDON (Premier) moved to add, after subsection (3) : " Provided that in the case where four women or young persons, or less, are employed in the factory, the Inspector may authorise the said persons to take their meals in the workroom and remain therein." Amendment agreed to. Mr. WILFORD (Wellington Suburbs) moved to strike out of the proviso to subclause (3) the words " other than a room." Motion agreed to, words struck out. and clause as amended agreed to. Clause 21 .- " (1.) The prescribed number of working-hours may from time to time be extended, but not- "(a.) More than three hours in any day ; or " (b.) More than two days in any week ; or "(c.) More than thirty days in any year ; or "(d.) On any holiday or half-holiday. " (2.) On every such occasion a woman or young person shall not be employed more than

<page>378</page>

refreshment. "(3.) Every woman or young person who is employed during such extended hours under this section shall be paid therefor at not less than one-fourth as much again as the ordinary rate : "Provided that when the ordinary rate is by time, and not by piecework, the overtime rate shall not be less than

sixpence per hour for those persons whose ordinary wages do not exceed ten shillings a week, and ninepence per hour for all other persons so employed ; and shall be paid at the first regular pay-day thereafter. " (4.) The occupier of a factory shall at all times keep a record-book, called the ' Overtime-book,' wherein shall be entered a correct record showing, in the case of each person who is employed during such extended hours under this section, the name of the assistant, and the respective dates and periods of such employment. "(5.) The overtime-book shall at all times be open to the inspection of the persons employed and of the Inspector. " (6.) The Inspector may at any time require the occupier to verify the entries in the overtime-book by statutory declaration in such form as may be prescribed by regulations." Mr. MILLAR (Dunedin City) moved to add the words, after "extended," in subsection (1), " but such extension shall not, in the case of women or young persons, be." Amendment agreed to. Mr. MILLAR (Dunedin City) moved to strike out from subsection (2) the words " woman or young person shall not be employed," and insert in lieu thereof "no person shall be employed for." Amendment agreed to. Mr. MILLAR (Dunedin City) moved to strike out from subsection (3) the words " woman or young." Amendment agreed to. Mr. MILLAR (Dunedin City) moved to strike out from subsection (5) the words " of the persons employed and." Amendment agreed to. Mr. BARCLAY (Dunedin City) moved to insert new subsection (7), as follows :- " All overtime wages shall be handed to the Inspector, and by him paid to the persons entitled." Amendment negatived, and clause as amended agreed to. Clause 22 .- " With respect to the employment of boys or girls the following rules shall be observed in every factory : - "(1.) A boy or girl under fourteen years of age shall not be employed except in special cases authorised in writing by the Inspector : " Such authorisation shall not be given in the case of a factory in which the total number of persons employed exceeds three. " (2.) A girl under fifteen years of age shall not be employed as type-setter in any printing-office. shall not be employed in any room in which there is carried on- "(a.) Any dry - grinding in the metal trade ; or "(b.) The dipping of matches of any kind. " (4.) A girl under sixteen years of age shall not be employed in any factory in which there is carried on- " (c.) The making or finishing of bricks or tiles, not being ornamental tiles ; or "(d.) The making or finishing of salt. "(5.) A girl under eighteen years of age shall not be employed in any room in which there is carried on- "(e.) The process of melting or annealing glass. "(6.) A boy or girl under eighteen years of age shall not be employed in any room in which there is carried on- "(f.) The silvering of mirrors by the mercurial process ; or "(g.) The making of white-lead." Mr. HORNSBY (Wairarapa) moved to add the words " or women " after " boys or girls." Amendment negatived. Mr. HORNSBY (Wairarapa) moved to substitute for subsection (2) the following : " No female shall be employed as a type-setter or operator of a linotype machine in any printing- office." The Committee divided on the question, "That the subsection be retained." AYES, 34. Palmer Allen, E. G. Hall-Jones Barclay Seddon Hardy Bollard Smith, G. J. Heke : Houston Buddo Stevens Carncross Kaihau Symes Ward Carroll Lawry Duncan Wilford Massey Field Witheford. McGowan Flatman McKenzie, R. Fowlds McNab Tellers. Fraser, A. L. D. Mills Arnold Hall Napier Millar. NOES, 7. Collins Tanner Tellers. Willis. Ell Hornsby Laurenson Hutcheson. PAIR. For. Against. Hanan. Gilfedder. Majority for, 27. Amendment negatived. Mr. SEDDON (Premier) moved to strike out the following words in subsection (6) : " A boy or girl under eighteen years of age shall not," and insert " No woman or young person shall." Amendment agreed to. Clause 26 .- " For all the purposes of the last preceding section every merchant, wholesale dealer, shopkeeper, agent, or distributor who lets or gives out textile or shoddy material to

<page>379</page>

sale, shall be deemed to do so as the occupier of a factory, and the provisions, obligations, and penalties of that section shall extend and apply accordingly." Mr. HOUSTON (Bay of Islands) moved to strike out the clause. The Committee divided on the question, "That the clause be a clause of the Bill." AYES, 28. Fraser, A. L. D. Seddon Allen, E. G. Hall Smith, G. J. Arnold Hall-Jones Barclay Tanner Bollard Hardy

Ward Wilford Laurensen Buddo Carroll Mckenzie, R. Witheford. McNab Collins Millar Duncan Tellers. Hutcheson Mills Ell Field Napier Stevens. NOES, 8. Flatman Lawry Tellers. Monk Houston Fowlds Massey. Willis. Heke Majority for, 20. Clause retained. Clause 28 .-- "In order to prevent persons being employed in factories without reasonable remuneration in money, the following provisions shall apply :- "

(1.) Every person who is employed in any capacity in a factory shall be entitled to receive from the occupier payment for the work at such rate as is agreed on, being in no case less than five shillings per week for boys and girls under sixteen years of age, and there- after an annual increase of not less than two shillings weekly till twenty years of age. " (2.) Such rate of payment shall in every case be irrespective of overtime. " (3.) Such payment shall be made in full at weekly intervals. ** (4.) If the occupier makes default for seven days in the full and punctual pay- ment of any money payable by him as aforesaid, he shall be liable to a penalty not exceeding five shillings for every day thereafter during which such default continues. ** (5.) Without affecting the other civil reme- dies for the recovery of money pay- able under this section to a person employed in a factory, civil proceed- ings for the recovery thereof may be taken by an Inspector in the name and on behalf of the person entitled to payment in any case where the Inspector is satisfied that default in payment has been made. " (6.) No premium in respect of the employ- ment of any person shall be paid to or be received by the occupier, whether such premium is paid by the person employed or by some other person ; and if the occupier of this subsection he shall be liable to a penalty not exceeding ten pounds. " (7.) In any case where a premium has been paid or received in breach of the last preceding subsection, or where the occupier has made any deduction from wages, or received from the per- son employed or from any person on his or her behalf any sum in respect of such premium or employment, then, irrespective of any penalty to which he thereby becomes liable, the amount so paid, deducted, or received may be recovered from the occupier in civil proceedings instituted by an Inspector in the name and on behalf of the person concerned." Mr. SEDDON (Premier) moved to strike out " weekly," in subsection (3), and insert " not more than fortnightly " in lieu thereof. Amendment agreed to, and clause as amended agreed to. Clause 31 .- " (1.) Nothing in the last pre- ceding section shall be deemed to prevent,- "(a.) Any person being employed in a print- ing-office up to the hour of half-past four of the clock in the afternoon of the half-holiday for the purpose of printing or publishing an evening newspaper ; nor " (b.) The substitution of other working- days as whole holidays in lieu of Easter Monday and the Sovereign's birthday, in the case of persons em- ployed as type-setters ; nor "(c.) Any boy being employed on the half- holiday in the publishing or delivering of a newspaper. "(2.) For the purposes of this section ' news- paper ' means a paper containing public news, printed for sale and published in New Zealand periodically, or in parts or numbers at intervals not exceeding twenty-six days between one publi- cation and the next." On the motion of Mr. PALMER (Ohinemuri), it was agreed to delete the words " the last pre- ceding section, " and substitute " this Act " ; and, in subsection (a) of such subsection (1), to delete the words from and inclusive of " up to" till "afternoon of, " and substitute the word "on " ; and in subsection (b), after the words "Easter Monday," to insert the words " Labour Day " ; and in same subsection (b) to delete the words "as type-setters," and substitute the words " in the printing and publishing of newspapers." Clause as amended agreed to. Clause 32 .- "(1.) Wages for each whole or half-holiday shall in the case of each woman or young person be at the same rate as for ordi- nary working-days, and shall be paid at the first regular pay-day thereafter. "(2.) For the purposes of this section ' wage- earner,' with respect to any specified whole holiday or half-holiday, means any person who is paid by time-wages, whatever the time, and has been employed in the factory for at least twenty days during the six months next pro-

<page>380</page>

days during the month next preceding the half- holiday, whether such employment has been on consecutive days or not, and whether the wage-earner has been continuously in the ser- vice of the

occupier or not." Mr. MILLAR (Dunedin City) moved to strike out from subsection (2) " For the purposes of this section ' wage earner,' with respect to any specified whole holiday or half holiday, means any person who," and insert "This section shall apply to every woman or young person who " in lieu thereof. Amendment agreed to. Mr. MASSEY (Franklin) moved to strike out "six months," and insert " four weeks." Amendment agreed to. Mr. MILLAR (Dunedin City) moved to strike out "wage-earner," and insert "person em- ployed " in lieu thereof. Amendment agreed to, and clause as amended agreed to. Clause 36. - " In every case where there occurs in a factory an accident causing death or serious bodily injury to any person employed therein the following provisions shall apply :- "(1.) The occupier shall forthwith serve the Inspector and also the medical au- thority with written notice specifying the nature of the accident, the name and residence of the person killed or injured, and the place, if any, to which he has been removed. " (2.) If the notice is not duly served as aforesaid within twenty-four hours after the accident occurred the oc- cupier shall be liable to a penalty not exceeding ten pounds. " (3.) As soon as practicable after receiving the notice the medical authority, and also the Inspector, shall proceed to the factory and make full inquiry into the cause and nature of the ac- cident, and the nature and extent of the injuries. " (4.) Within twenty-four hours after making such inquiry the medical authority shall send a written report thereof to the Inspector. "(5.) For the purpose of such inquiry the medical authority shall have all the po . ers of entry, investigation, ex- amination, and otherwise which by this Act are conferred upon an In- spector, and may exercise the same not only at the factory, but also in any room, building, or place to which the person killed or injured has been removed. " (6.) In respect of each accident inquired into and reported on by the medical authority he shall be entitled to re- ceive from the Board such fee as is pre- scribed by regulations under this Act. "(7.) For the purposes of this section the expression ' serious bodily injury ' means an injury which is likely to incapacitate the sufferer from work for at least forty-eight hours." to omit "twenty-four," in subsection (2), and insert " forty-eight " in lieu thereof. Amendment agreed to, and clause as amended agreed to. Clause 59 .- " With respect to requisitions under this Act by the Inspector to the occupier of a factory, the following provisions shall apply : - "(1.) The requisition shall be in writing under the hand of the Inspector, and shall be addressed to and served on the occupier as defined in section two hereof, under his usual business name or style. " (2.) The requisition may be served either personally or by posting it in a regis- tered letter addressed to the occupier at the factory. "(3.) The requisition, when served as afore- said, shall bind every person who by section two hereof is included in the definition of 'Occupier.' " (4.) If the occupier considers the requisition to be unreasonable, he may appeal to the Stipendiary Magi- trate, by filing in the Magistrate's Courthouse near- est to the factory a notice of appeal in the prescribed form, setting forth with reasonable particularity the grounds of the appeal. "(5.) The appeal shall be void unless the notice of appeal is duly filed as afore- said within three days after service of the requisition. "(6.) Upon the notice of appeal being duly filed, the Magistrate shall fix a time for the hearing of the appeal, being the earliest convenient time, and the Clerk of the Court shall, by notice in the prescribed form, notify the appel- lant and the Inspector that the appeal will be heard by the Magistrate at the Courthouse at the time so fixed. " (7.) On the hearing of the appeal, the Magistrate may by order confirm, reverse, or modify the requisition as he thinks fit, and the order shall be final and binding on all parties. "(8.) When the occupier, not being the owner of the property, is required to make any alteration of the building for sanitary purposes only under this section he may recover the cost of the same from the owner thereof." Mr. G. J. SMITH (Christchurch City) moved to omit "three," in subsection (5), and insert " seven " in lieu thereof. Amendment agreed to. Mr. MILLAR (Dunedin City) moved the fol- lowing new clause in substitution for clause 17A as submitted in the Bill :- "17A. (1.) Subject to the provisions of this Act, a male worker shall not be employed in or about a factory,- " (a.) For more than forty-eight hours, ex- cluding meal-times, in any one week ; nor

quarters in any one day ; nor "(c.) For more than four hours and a half continuously without an interval of at least three-quarters of an hour for dinner. " (2.) The foregoing limits of working-hours shall not be deemed to apply to any male worker employed in getting up steam for machinery in factory, or in making preparations for the work of the factory, or to the trades referred to in the Second Schedule hereto. "(3.) Where in any award of the Arbitration Court, whether made before or after the passing of this Act, provision is made for limiting the working-hours in any trade, this section shall in respect to such trade, and so long as such award continues in force, be read and construed subject to the award." Clause agreed to. Mr. G. J. SMITH (Christchurch City) moved the following new clause :- "The provisions of this Act, exclusive of those referring to payment or expenditure of money and the infliction of any penalty, shall apply to any building, office, or place in which two or more persons are employed directly or indirectly in any handicraft, occupied or owned by the General Government of the colony or any officer thereof." The Committee divided on the question, "That the clause be read a second time." AYES, 8. Ell Tellers. Hutcheson Laurensen Collins Fowlds Smith, G. J. Hornsby Massey. NOES, 29. Allen, E. G. Hall-Jones Palmer Arnold Hardy Seddon Bollard Heke Stevens Buddo Kaihau Symes Carncross McGowan Ward McKenzie, R. Wilford Carroll McNab Witheford. Duncan Millar Flatman Tellers. Barclay Fraser, A. L. D. Mills Napier Hall Tanner. PAIR. For. Against. Gilfedder. Hanan. Majority against, 21. New clause negatived. Mr. WILFORD (Wellington Suburbs) moved to insert the following new clause :- "The Inspector and every other person who may be dissatisfied with the judgment of the Court on any summary proceedings under this Act may appeal to the Supreme Court or to a District Court in the manner provided by ' The Justices of the Peace Act, 1882." Clause agreed to. Schedules .- Third Schedule : - " Works and factories exempted under the operation of section 17A :- "1. Freezing-works. "2. Dairy factories. "4. Fish curing or preserving. "5. Jam - factories (during the small-fruit season). "6. Bacon-factories." Mr. BUDDO (Kaiapoi) moved to insert the words "including creameries " after " Dairy factories." Amendment agreed to. Mr. G. J. SMITH (Christchurch City) moved to insert "and pelt - works" after " fell- mongers." Amendment agreed to. Mr. SYMES (Egmont) moved to add the words " Bush sawmills " Amendment agreed to. Mr. WILFORD (Wellington Suburbs) moved to add " Sausage-casing manufactories." Amendment agreed to. Mr. FLATMAN (Geraldine) moved to add the words "Agricultural-implement manufactories (during the harvest months)." Amendment withdrawn, and Schedule as amended agreed to. Bill reported. On the question, That the amendments made in Committee be agreed to, Mr. NAPIER (Auckland City) said that an amendment had been made in the Bill-in- advertently, he thought-to the effect that those employed in bush sawmills should be exempted from the operation of section 17A. Section 17A provided that a week's work for every male worker should not exceed forty-eight hours, and by exempting those workers in the bush sawmills from that section it meant that those men might have to work an unlimited number of hours for a week's pay, and without any payment for overtime. That would break down the whole system of the eight-hours day, because there would be an agitation arising throughout the country for the purpose of having other workers exempted from the operation of the eight-hour clause. The honourable member who moved that amendment, he understood, believed that he was merely introducing an exemption from the prohibition of working more than eight hours a day, but he did not know that the workers, if the amendment passed, would not be paid for overtime. If that were so, he did not think that the amendments made in the Bill ought to be agreed to now, but that the Bill should be recommitted, so that the amendment to which he referred might be excised, and the principle of the eight-hour day preserved in its integrity, not only for the city worker, but also for the workers in the country. In the northern portion of the colony they had a number of bush sawmills, more, he thought, than in the district represented by the honourable member who moved the amendment, and he would regret if those workers were sent back to the condition from which they emerged many years ago, or that their last state should be worse than their first. Mr. SYMES (Egmont)

said it was not his intention to alter the forty-eight hours a week. His intention was that the ordinary week should

<page>382</page>

chance to make up their work, which they would not have unless included in the Schedule. After they had worked the ordinary week provided for in the Act, all after that should be paid for as overtime. Mr. HUTCHESON (Wellington City) said he was sure it was not the intention of the member for Egmont that the inclusion of that one particular class in this unfortunate Schedule of exemptions would have the effect that it was clear it would have. Its harm was immediately perceptible, because there were dozens of these bush sawmills which had machinery for finishing timber for building purposes, for cutting architraves, mouldings, and every kind of dressed timber down to tongued and grooved stuff. When the city sawmill employees cite their employers before the Arbitration Court, the defence the city sawmillers would have was that they were subjected to the active competition of sawmill people engaged at the trade right at their very elbow, who were absolutely exempted from the obnoxious restrictions of the Factories Act. They were absolutely exempt so far as the hours of labour and payment for overtime were concerned, and this amendment would lead to the destruction of much of the good work of the Committee. It would certainly be most disastrous to those employed in sawmills. He had stayed this length of time, although suffering from illness, to see this Bill through ; but in this particular instance what was done was a mistake, and it was done with the best intentions in the world, to effect a compromise between those holding different views in this Committee. It was a mistake to tamper with the Schedule at all, and the Premier must recollect, if he took his memory back to the time when the Eight Hours Bill was passing through Committee, that when they began to meddle with the table of exemptions it proved its undoing. Mr. G. J. SMITH (Christchurch City) thought the confusion had arisen because a section 17A was originally printed in the Factories Bill. But that was not moved, and instead of it the new clause on Supplementary Order Paper No. 58 was moved. The original section of the Bill provided for the payment of overtime, but in the clause that appeared on the Supplementary Order Paper referred to that was taken out, and the overtime question was dealt with in the general question of the Bill. He understood the Premier was going to have the amendments printed, and he would like to have an opportunity of looking at the amendments made in Committee before the Bill was finally dealt with. He would also like to point out that, in the new clause 17A, provision was made for the Arbitration Court dealing with the various industries in the Schedule. Mr. SEDDON (Premier) said he was generally of a practical turn of mind, and therefore he was about to suggest that the best way out of the difficulty was that some member should move the recommittal of the Bill in order to strike " sawmillers " out of the Schedule of the Mr. Symes they wanted to do, to exempt the sawmillers from the forty-eight-hours week. What they for overtime from the sawmillers. It was just as well to rectify that at once, and any member could move the recommittal. Mr. ELL (Christchurch City) did not think the member for Egmont, in moving his amendment, desired to do bush sawmillers any harm at all. Mr. SEDDON would suggest to the honourable member that he should move the recommittal of the Bill for the purpose of considering this Schedule, and striking " Bush sawmillers " out. Mr. ELL moved, That the Bill be recommitted, with the view of considering the Second Schedule. Bill recommitted, to consider the Second Schedule. IN COMMITTEE. Mr. NAPIER (Auckland City) moved, That the words " Bush sawmills " be struck out of 1 the Schedule. Motion agreed to, and words struck out. Bill reported, with amendments, and amendments agreed to. # PATEA COUNTY PETITION. Mr. DEPUTY-SPEAKER .- It is my duty to communicate to the House the fact that I have received this evening, from his Honour the Chief Justice, and Mr. Justice Williams, a certificate in the matter of the Patea election petition. The certificate is as follows :- "In the Supreme Court of New Zealand. "In the matter of ' The Election Petitions Act, 1880,' and of the election of a member for the House of Representatives, holden at : Patea on the 18th July, 1901. "WE, the undersigned, the Judges

duly appointed to try the election petition filed by William Parker, a duly registered elector of the Patea Electoral District, and one who voted at the above election, do hereby certify to the Honourable the Speaker of the House of Representatives as follows :- "(1.) That the petition of the said William Parker was duly heard at Wanganui, on the 7th, 8th, and 9th days of October, 1901, at the time and place appointed for the hearing of the same. "(2.) That we determined that Frederick Henry Haselden was not duly elected as & member of the House of Representatives for the said Patea Electoral District, and that the said election so held on the 18th July, 1901, was void. " As witness our hands this 9th day of October, 1901. "ROBERT STOUT, C.J. "JOSHUA STRANGE WILLIAMS, J." Mr. MASSEY (Franklin) .- I would like, Sir, to call the attention of the Premier to the unfair and unfortunate position in which the Electoral District of Patea is placed, that constituency being practically disfranchised.

<page>383</page>

before the House, and I am not going to move a motion at this hour of the night. If there is anything to be said, it is better that it should be said when I move the motion that writs should be issued. Mr. MASSEY .- I was going to ask the leader of the House to move a motion providing for the issue of the writ at the earliest possible date, in order that the new member, whoever he may happen to be, may take his place in Parliament. Mr. HALL - JONES (Minister for Public Works) .- I would point out to the honourable member that it is now half-past four o'clock, and that it is entirely new business to ask questions. The honourable member objected the other night to a new order of the day being called on at three minutes past twelve o'clock, and I must object to questions being put at this late hour, Mr. MASSEY .- I have done my duty by suggesting that there should be no delay. Mr. SEDDON .- I am not going to commit a breach of the Standing Orders. No new motion can come on after twelve o'clock, and if I were tempted to do it the honourable member would no doubt take exception to that. What we have to do is to confine ourselves to the Standing Orders. Mr. MASSEY .- Then, I hope we shall continue to confine ourselves to the Standing Orders. The House adjourned at half-past four o'clock a.m. (Friday).