

LEGISLATIVE COUNCIL. Wednesday, 31st July, 1901. First Readings-Third Reading-Government Insurance Office-H K. Taiaroa's Petition -Training- ship for New Zealand Boys-Land for Settlements

Bill-Referendum Bill-Statutes Revision Committee. The Hon. the SPEAKER took the chair at half-past two o'clock. PRAYERS. FIRST READINGS. Woodville County Bill, Invercargill Reserve Leasing Bill, Ashburton County Council Empowering Bill. THIRD READING. Cyanide Process Extension Bill.

GOVERNMENT INSURANCE OFFICE. The Hon. Mr. SHRIMSKI asked the Minister of Education,-(1.)

Whether it is a fact that the officers of the Life Department of the Government Insurance Office are carrying on the accident insurance business ? (2.) If so, what amount has been paid or allowed to the Life Department by the Accident Department for the expenses of offices, et cetera ? (3. Whether the Government intend to give any explanation of the meagre profits allowed to the policy-holders of the Government Life Department compared with the profits allowed in other insurance companies ? He had put this question at the desire of a great many policy-holders of the Government Life Insurance Department, who were dissatisfied with the working of that institution. The Hon. Mr. W. C. WALKER said. in reply to the first part of the question, that it was a fact that the Life Department of the Government Insurance were carrying on to a certain extent the accident insurance business, As to the second part of the question, he might explain that the two businesses were kept quite distinct, and if there was any loss on the first year or subsequent years of the Accident Insurance Department the Consolidated Fund was made liable, and not the Life Insurance Department. As regards the share of the expenses, office services, officers, et cetera. those amounts would be adjusted each year as the expenses accrued. As to the third part of the question, there was a great deal in it that was contentious, and he was not prepared to admit that the profits were meagre as far as the Government Life Insurance was concerned. There was no doubt that the premiums paid in the Government Life Insurance

<page>95</page>

posals of the Government Life Insurance, as it was proposed to insure at as low a rate as possible, in

order to enable every one who wished to get cheap life insurance on the best security in the world-namely, the security of the colony- to do so. But even with the low premiums charged profits had accrued, and the policy- holders had benefited to a substantial amount in the way of bonuses. The Hon. Mr. McLEAN .- They do not com- pare with the A.M.P. The Hon. Mr. W. C. WALKER .- The Go- vernment Life Insurance Department was not a business that touted like other offices. They were prepared to stand on their merits and leave the public to judge what the merits were. The only otce which could be compared with it in any shape or form was the A.M.P., and that was a very much older company. Its premiums were a great deal higher, and they had had in addition to that twice the length -he forgot how many more years' opportunity of investing money ; and also the magnitude of their business enabled them to give, he admitted, larger bonuses than did the Government Life In- surance. But, as he explained, it was not the original intention of the Government Office to go in for the bonus business at all. It. had grown on them simply because, with the low premiums they charged, profits accrued which bad to be divided. And he maintained that he must be a very unreasonable person if he was not satisfied with the management of the Go- vernment Life Insurance Department, con- sidering its low premiums and its very sub- stantial bonuses-added to which the security of the State was at the back of all its contracts. He trusted the answer he had given would be satisfactory to the honourable gentleman. ## H. K. TAIAROA'S PETITION. The Hon. Mr. TAIAROA asked the Minister of Education. When the Government intend to bring in a Bill to give effect to the recommenda- tion of the Native Affairs Committee on the Etition of H. K. Taiaoroa (No. 15, 189-), He reported upon on the 19th October, 1899? was sorry to have to repeat his question so often. but he trusted the honourable member would admit it was not his fault. He had not had an answer to it, although he had asked the question for two years. The land to which he referred was leased from about the year 1>60 by the Commissioner of Reserves, and there was no mention in the leases as to improvements : that was to say, there was no provision that the lessees were to be paid for the improve- ments on the land. Before the term of lease had expired he and his fellow-owners had is-ued to them the Crown grants for portions of the reserves, and about the same time there was passed by Parliament " The Westland and Nel- son Native Reserves Act, 1887," and that Act deprived the owners of the land of all the im- provements which had been made on their land. When the original leases terminated the land provements to the outgoing tenant. This had the effect of reducing the rent which the owners received from the land. This matter was then brought up by petition, which was gone into by the Native Affairs Committee, and was reported favourably upon. Part of the report read thus :- " From the evidence submitted to the Com- mittee it appears that the petitioners' interests in the land referred to (Subdivisions 1A and 2A, Arahura Native Reserve) have been injuriously affected by the operation of the statute referred to ('The Westland and Nelson Native Reserves Act, 1887'), which by its retrospective action has deprived the petitioners of the full control of their land, and also deprived them of the improvements made on the land, to which im- provements they would otherwise have been entitled." He would like to remind honourable mem- bers that at the time that Bill was before the Council he pointed out that the owners of the land would suffer injustice by the passing of the Act. He spoke so vehemently on the subject that the Speaker told him to resume his seat. The Hon. Mr. W. C. WALKER was sorry he could not give the honourable gentleman any assurance that the matter would be taken up by the Government. As far as he was in- formed, although it was true that an Act was passed in 1887 which the honourable gentle. man contended took away rights which were his before that time, still the Supreme Court and the Court of Appeal held that the absolute ownership of the land did not vest in the honourable gentleman and his family, and that the tenants held their right to renewal that meant prior to the passing of the Act, although it was confirmed by the Act of 1-87 - and that the land was to remain under the control of the Public Trustee. That was a long time ago. The property had been managed by the Public Trustee ever since, and he thought it would be only holding out false hope to the honourable gentleman if

he were to say the Government would consider the matter of bringing in legis- lation to alter his position. Many other Native lands were similarly situated, and the Govern- ment believed that, in the interests of both races, it was better not to disturb the present position of affairs. ### TRAINING-SHIP FOR NEW ZEALAND BOYS. The Hon. Mr. JENNINGS moved, That the unanimous recommendation of both branches of the Legislature in farour of the establishment of a training ship for New Zealand boys be given effect to by the Government as speedily as Sir. the motion standing in my possible. name is one of such great importance that I crave the sympathy and support of honourable The proposal members of this Council for it. for the establishment of a training-ship for the colony has already met with a great degree of

<page>96</page>

favour of it, and every member of both Houses of the Legislature that I have had conversa tion with is willing to support the establish- ment of such a vessel. Now. Sir. I maintain that the business of transporting passengers and merchandise is as much a productive one as the raising of wheat or the smelting and forging of iron. It therefore behoves us that, in regard to the training of our colonial vonth, they should have the same facilities for making themselves perfect in seamanship as in other occupations. The immense coast-line that exists about New Zealand. the deep waters that we have, and the other opportunities that exist indicate our destiny as a nation to become a maritime people. Moreover, the opportuni- ties that are presented to the boys of New Zea- land to learn occupations are, in my opinion, to a very great extent lessened, owing to a variety of causes. The great improvements that have taken place in machinery during recent years, and the general use of it in nearly all produc- tive industries, may be adduced as one reason. In the days of my youth boys were employed at many occupations in which they are not required at the present time. The expensive machinery required to produce a newspaper is such that the employers will not employ any but the most highly skilled and expert labour, as the value of the machinery will not allow boys to be employed to any extent. Now, in regard to the proposed establishment of a training-ship, the whole success of the experiment depends upon its being conducted in a proper manner and on correct lines, and I can only instance the case of the "Sobraon," the marine reforma- tory ship of New South Wales. I understand that several honourable members, during a recent visit to Sydney at the Commonwealth celebrations, inspected that vessel, and I trust that they will give the Council the benefit of their experience. The results achieved there prove what one man can accomplish when he has his heart in the work. Members will be surprised when I tell them that 93 per cent. of the lads who have passed through Commander Mason's hands have turned out to be good mem- bers of society: so that it can be safely said that the " Sobraon " training-ship experiment has turned out a monumental success. If Iam wedded to the proposal that the training-ship should be a marine reformatory, it is because I feel that on a training-ship a career of honour- able distinction lies open to the larrikin or truant. It is mere recklessness of spirit that in many instances leads the larrikin to the edge of degradation and crime. therefore they should not be readily condemned and the brand of criminality placed upon them. Honourable members have probably read Kipling's book called " The Fore and Aft," in which a read- able story is told of the two little blackguard drummer-boys, fourteen years of age, who, had been picked up from the gutter, and who with patriotism strong within them, by their courage and example, absolutely saved the regiment Hon. Mr. Jennings doubt whatever that many of those youths that are supposed to be refractory, or are truants and absconders, have feelings of patriotism, and would turn out good men in time of war. Sir, it may be asked, what would be the cost of obtaining a vessel or vessels necessary for the purpose indicated by my motion. I think that a vessel suitable for a marine reformatory could be obtained as a gift if a request were made to the Imperial authorities by our Government. 1 had the opinion of a gentleman holding a very high position in His Majesty's navy that no difficulty would be placed in the way of obtain- ing an obsolete war - vessel. It

would be a gracious act on the part of the British Government to present one of these vessels to our colony. It will probably be asked what would be the expense of working a vessel and paying a master and crew for, say, a hundred boys. I have worked the figures out. The cost of a hundred boys at \$20 per head per annum would be \$2,000; I would allow 5500 for contingencies, such as repairs, paint, et cetera; and for master, mate, and crew another \$1,000 would be required. Therefore the total cost for the vessel would amount to \$3,500 per annum. In regard to the question as to whether a second vessel should be used as an auxiliary to the larger vessel. I think that a properly equipped vessel similar to the one just built for the New Zealand Government, called the "Countess Ranfurly," should be obtained. Supposing that a vessel of 60 tons were built, the cost of building per ton being \$20, we should get a vessel for £1,200. The master, crew, and supernumeraries for this auxiliary vessel would cost about £1,000 per annum; and the cost for the maintenance of fifty boys on this vessel for the year would be \$1,000. I therefore estimate the total cost of both vessels per annum at about £7,000. The larger vessel should be moored in Wellington Harbour, where the classification of the neglected and refractory boys could take place. They would be under strict discipline and cut off from shore communication. As they became advanced and showed a desire of benefiting themselves they could be drafted to the auxiliary vessel. The real criminal children—those that would be found in the industrial homes badly tainted—I would keep in one of the industrial homes on the land, and would not allow them to mix with those on the vessels at all. Sir, after a certain time on the auxiliary vessel I should allow the Government department to have the right to put these boys on vessels—to apprentice them on vessels that are registered in New Zealand and are trading here, or, if they desired it, on vessels trading to Home ports. We could also utilise a number of them on our own fleet. At the present time. I am glad to say, our fleet is increasing. We have the "Hinemoa," the "Tutanekai," the "Countess of Ranfurly," and the "Ellen Ballance." The lads could be utilised as time went on on our own Government vessels, and they would prove useful in this and in other

<page>97</page>

tunity of entering the British navy if of good of them. And the report of the officer in charge character, according to a statement made by Captain Leah before the Select Committee that was set up some two years ago. Sir, I have found out that the number of boys in residence in industrial homes in this colony—and at first I could hardly understand what that meant—is as follows: At the end of the year the number was 337, and the cost per head per annum for each boy was from \$18 to \$21 10s. I have also a return from the Customs Department, which gives the figures of registered vessels employed in home—that is, coastal—and foreign trade at the 31st December, 1900. They are as follows: Sailing-vessels, 301; gross tonnage, 43,585: steam-vessels, 219; gross tonnage, 94,182. These figures do not include steamers in river service. Sir, I may say that the Ports of Auckland and Dunedin stand out distinctly in the Customs returns, as I find that, out of a total of 520 vessels registered throughout New Zealand, 350 are registered in the Ports of Dunedin and Auckland. The number of persons employed in the vessels registered total 3,704. This does not in any way fully give the number of persons connected with marine occupations. Let me instance the fisheries, and the Jumpers, and men connected with shipping offices. I think I am safe in saying there must be fully ten thousand persons gaining their living in this colony from being attached to maritime pursuits. Sir, I will not trouble this honourable Council any further. The question has been debated fully on previous occasions, and it has always met with the acceptance of members of each branch of the Legislature. I submit the motion to my honourable friend who represents the Government, hoping and trusting that something will be done in regard to this important question, which is of very great interest to many in this Colony of New Zealand. Sir, I move the motion standing in my name. The Hon. Colonel PITT.—Sir, I have much pleasure in supporting the motion of the Hon. Mr. Jennings, to which he has just addressed himself. I, probably with other members of this Council, had the opportunity when in Sydney lately of being on board the "Sobraon," and witnessing the great success that ship is in dealing

with the reformatory question in that State. There are, I understand, some three hundred and fifty boys on board the vessel, and each of those lads has been committed by a Magistrate. Any one seeing them must be struck with their cleanliness, with their discipline, with their health, and with the general good that is accruing to those boys through the manner in which they are dealt with on board that ship. Their education is attended to. They are taught some part of a sailor's life, not, perhaps, so much as might be were they on board a different class of ship, for it is more a school than a naval training-ship, but their physical development is attended to. They have their cricket-ground, their football-ground, their swimming-bath, and everything that conduces VOL. CXVII .- 6. of the ship, Captain Mason, is such as proves incontestably that the very greatest benefit is derived, not only by the lads but by society, from the establishment of that ship. And, Sir, it has this advantage, to my mind : it is the best solution that I have heard of yet of the industrial school difficulty. On board that ship these lads are mixed together. all creeds are there, and the spiritual instructors of all the denominations go on board that ship - - Roman Catholics, Church of England, and other denominations visit the ship at different times and give religious instruction there. The lads are also taken ashore from time to time to attend their different places of worship, and there is no difficulty whatever ; the whole thing goes on in perfect harmony. They have a splendid band on board, and the perfection of the drill on the "Sobraon " is such that I venture to say I have not seen better anywhere. If you speak to the officers of the ship they will tell you that very few of these lads ever relapse into crime, and that a great many of them have turned out really useful members of society. I believe the proportion of them who go to sea is, perhaps, not so large as might be expected. Probably that is because the "Sobraon " is simply moored in the harbour, and they are not trained to the more active portions of a sailor's life. They are taught knotting and splicing and sewing canvas, and other things of that kind, and manning the yards, but they are not exercised in the practical working of a ship. Now, what I think we ought to do in this colony - what, with all respect, I think the Government ought to do ; and I suppose that no time in our history have we ever been in a better position to do it- is to ask the British Government to place one or two obsolete sailing-vessels at the disposal of our Government, and then all the advantages which are enjoyed by the lads on board the "Sobraon " in Sydney could be enjoyed by lads placed on board those vessels here. And, more than that, if a vessel of the class of the "Skylark " or the " Nautilus," naval brigs which, probably, members have seen sailing out of Plymouth -- if one of such vessels was engaged here the lads could be put on board and taken short cruises, say, from here to Lyttelton and back, or elsewhere. Then, our mercantile marine could be recruited from these boys ; and, as the Hon. Mr. Jennings has said, the Imperial navy would probably draw a great many very useful recruits from our training-ships. I know it has been asked, Why cannot all the advantages boys get on board a training-ship be obtained on shore? Well, perhaps that is a difficult question to answer. I merely answer it by the light of our experience. Our experience shows that it cannot, for I venture to say that our experience of industrial schools throughout the colony has not been that they are a very pronounced success ; but if we get from a training-ship the same results that they have got in Sydney from having a training-ship there we ought to be satisfied, and it is no answer to say that you could get the same

<page>98</page>

training-vessel. And we should not forget, also, that we are a maritime colony, that we are a colony circumscribed with a coast-line, and we ought to look forward, I think, to developing lads trained and with a taste for a maritime life. Not only could we recruit our ordinary mercantile marine, but also we should be able to some extent to assist the recruiting of the Imperial navy. I do not know how it is, but evidence was given before the Federation Commission by, I think, witnesses either in Wellington or Dunedin in reference to the young New Zealand lads who are apprenticed to mechanical engineering ; whether it is from the education they receive here in the school, or from their natural mental capabilities, or from the mode of instruction they receive in the foundries I cannot tell, but the evidence given most emphatically

before us was that any young man in these foundries, after he has passed his apprenticeship-or what is tantamount to his apprenticeship - is always sure of a good position on board a steamer as an assistant in the engine-room, and I have no doubt what- ever that a very large number of our youths from New Zealand hold very good positions in the mercantile marine of this and other colo- nies and throughout the world. Therefore I am very strongly of opinion that it would be an excellent thing for this colony if we could get one or more of these training-vessels here, and it is well worth the trouble of the trial. I do not think the expense to the colony would be very large, and I should hope and believe that the Imperial Government would place at the disposal of the Government of this colony freely and cheerfully one or more of the obsolete ships, which would be the very thing we want in this colony for this purpose. The "Sobraon" is a very large vessel, and cost the New South Wales Government, I think, some £12,000. We do not want so large a vessel, and we could begin modestly at first. I am one of those sanguine in the matter, and I believe that ultimately it will turn out a great success. hope this resolution will be agreed to by the Council, and that the Government will give effect to it. The Hon. Mr. W. C. WALKER .- I think I have already stated this session that when in Sydney I was very pleased to go and see the "Sobraon," and what our party witnessed there was most encouraging. The boys were bright, well-controlled, clean, happy, and all that boys ought to be, and it was a sight that I would not have missed for a great deal. But the honourable gentleman who has just pre- ceded me has asked the question that I have asked myself, What is there that makes the difference between a training-ship and an indus- trial school on shore? That is the difficulty. Because, given good managers, the same re- sults ought to accrue either on shore or on the water. An Hon. MEMBER .- Oh. no. The Hon. Mr. W. C. WALKER .-- Well then, if you do not admit that, you must admit that Hon. Colonel Pitt on shore, and that humanity generally-even adult humanity -- is better and purer on board ship than on shore. Of course, if you admit that, you admit certainly a great part of the premises. Possibly masters and teachers are better on ship than on shore ; but that is the problem that I have been unable to get a satis- factory answer to. We do our best to fit up industrial schools on shore, with good managers and teachers, and we do all we can to make the instruction useful and the discipline sound and good, and surely if we have got the right men we ought to get just the same results as they do on board ship. There are, I will admit, two points of difference. In the first place, senti- ment, of course, has a great deal to do with boys' lives, and I believe, myself, that the clothing of these boys in the King's uniform -- for they are dressed like little men-of-war's- men-has an unconscious effect on their lives. and that they try to live up to what they believe to be the traditions of the profes- sion. I quite admit that ; but, still, we can put our young fellows in a uniform on shore and see if that would not have the same effect. Of course, there is another advantage in having the school on the water, and that is that it is a prison, and yet it does not look like one. Bows cannot run away from a ship, even though it is anchored in a harbour, whereas it is a con- stant trouble with a certain class of cases that on shore they are always trying to run away. and we are compelled to treat them absolutely as prisoners, which is the very last thing we want to do. I admit on those two points there is something to be said in favour of the in- dustrial ship as against the industrial school on shore. As regards it being a school which will in any shape or form add much to our growing maritime population, I do not believe. The Sydney authorities could not give me much that was very convincing on that point. In fact. they admitted that they sent boys into the country, and that the number that finally I went to sea was comparatively small. I am quite certain that last year, in proportion to the number of our population, we sent as many boys to the sea as the Sydney people did. I believe we are sending away as many boys to the sea as can get away in any case, and certainly as great a proportion as the Sydney people do. Therefore I do not think there is much in the argument that we would be adding to our sea-going population. much as I admit the desirableness in a country like this of our doing everything to encourage a sea - going population ; because the sea is our privilege. it is our heritage, and it is our defence, besides being the means of livelihood for many of us. So that from every

point of view we ought to consider our obligations to the sea, and we ought to always keep in view the propriety of training as many of our sons as are suitable for it to do their work on the salt-water. I do not think the Sydney experience will encourage me to say that there is very much difference whether we have our school

<page>99</page>

said the expense, I look upon it that that is almost beside the question, because I feel quite certain that, if the country were satisfied that a training-ship should be established, neither the country nor the Government would grudge the expense. What is more, it would be only the initial expense, because once the ship was established it could be managed just as economically as an institution on land. So I do not attempt to answer that part of the question at all. But I wish to be certain, in the first place, that there exist good reasons why we cannot train these boys -as most of them go to farming pursuits -and that we cannot train them better and make better men of them here on shore than if we tried to put them on the sea. I think we ought to. There is another point, suggested both by the Hon. Mr. Jennings and the Hon. Colonel Pitt, and that was as to the possibility of the training on these ships being an entrance to the Royal navy. That is absolutely impossible. They will not take into the royal navy a boy who has been committed by a Magistrate, nor from a school where committed boys are admitted. Therefore I do not think it is possible to consider that view of the matter at all. However, I must leave the decision as to this motion to the Council. It is an important subject, and it is one that the Government feel to be important. I have stated my views, but I shall listen with respect to the views of honorable members, because my only desire is to see these schools made a permanent good to the community and to the boys who are committed to their care. The Hon. Mr. SCOTLAND. -- I have been very much impressed by what I have heard from the honourable gentleman who has just sat down. From my point of view as well as from his there really is little or no difference between a training-ship moored in a harbour and the establishment on shore of a reformatory for young criminals. Something like the scheme sketched by the Hon. Mr. Jennings, I remember, was tried many years ago at Kohimarama, in the neighbourhood of Auckland, and, if I am not much mistaken, the scheme came to grief. I think there were many cases of young people abounding from the ship because the discipline on board was rather too severe. However, the Hon. Mr. Jennings. I have no doubt, knows more about that training-ship than I do. It was given up a great many years ago. As far as a ship moored in the harbour is concerned, I venture to say that it is no nursery for seamen. Putting a number of boys on board, and teaching them to go up and down the ropes like so many monkeys or acrobats, is not training them to become hardy seamen. Look at the lives of some of the greatest of England's seamen, who distinguished themselves at a time when it was not the custom to look to the Government to initiate everything. Men were then left more to their own initiative. Take the life, for instance, of Captain James Cook-a man whose name I ran away from his home or his employer I forget which. Of course, I do not approve of boys running away, as a rule, from homes. He then got on board a collier on the coast of England, and there he led a rough life for some years, until he became a thorough, hardy British seaman. Or take the case of Horatio Nelson, a man born in a different class of life to Captain James Cook. Where was the beginning of his training laid ? In the same manner as the beginning of James Cook's life. He went on board a vessel on the coast of England : he actually entered the merchant service before his father, or his uncle, obtained for him a commission in the British navy. That was the way to train sailors ; and I only wish that there was more self-reliance amongst us nowadays, and that we did not so continually look to the Government to spend large sums of money to begin experiments of different kinds. I do not see that there is any obstacle in the way of a boy who wishes to go to sea in New Zealand. Look at our ports, and the number of coasting vessels you see about, and the vessels trading to the Islands : what is to prevent a boy getting a berth on one of these vessels ? I am sure many captains would be glad to take a respectable boy on board. An Hon. MEMBER

-- They cannot take more than they have. The Hon. Mr. SCOTLAND -- I do not believe that there would be any obstacle in the way. If a boy were determined to get on board a vessel he could get on board, even as a stowaway -- that is, if he were determined to be a sailor. As to establishing a training-school for the British navy. I think there is too much of this talk in New Zealand just now. People are going Imperialistic mad almost. Look at the number of young men who have returned from the war in South Africa, and who are thrown back on our hands in New Zealand. Will a majority of those young men go back to their old pursuits and settle down to steady industry ? I venture to say that a great many of them- and I say it with sorrow- are, by too much coddling and flattery, spoilt for life : too many of them will want to be officers and gentlemen, and to be maintained at the Government expense, or to have Government billets found for them. If they cannot get such billets what is to become of them ? I think it is a very serious outlook. I say, if we are to train young men to the sea, let it be for the mercantile marine of New Zealand. I only hope that if we do establish a training-ship here it will not form the nucleus of a New Zealand navy. We really do not want it. But, as we are sometimes told that money is no object for us, who can foretell what extravagance we may not enter upon ? We have got the nucleus of a standing army already. The arguments for this training- ship seem very specious. Some honourable gentlemen can say a good deal in favour of the proposal, no doubt ; but, so far as arresting young people on the road to serious crime goes. I think the words of the honourable the Minister of

<page>100</page>

harbours. They may be useful to teach the boys habits of cleanliness, respect for discipline. and deference to superiors, but all that can be brought about by establishments ashore, some of which we have at present, and we can have more, if the necessity arises for them, which I hope will not be the case. The Hon. Mr. McLEAN . - - I hope that the honourable gentleman who has brought this matter forward will go on pressing it until he succeeds. Sir, it deserves much more encouragement than was given to it by the Minister representing the Government in this Council. That honourable gentleman bogged the question entirely, and the last speaker has evidently not been paying attention to the Bills which we have been passing, and which he has helped to make. He ought to know that, if it were not for the Bills passed by this Council, we would not require a training-ship, for we could then train our own sailors. The honourable gentleman should therefore look into the legislation that is being passed, and he will see why boys cannot be taken aboard our ships and steamers. That being so, why should the Government refuse. to establish a training- ship for our young men ? This being a maritime country, surely this is the place where we ought to train our own sailors. I am sure there are very many of our boys who would readily take up the profession if they had the opportunity afforded them of doing so. They would not require to run away like Captain Cook and Lord Nelson, as described by the Hon. Mr. Scotland, The Minister of Education said that as many boys went to sea from our industrial schools as went from the " Sobraon." I maintain that very few of our industrial school boys go to sea, and I would like to have a return upon the subject. What is wanted for our boys is a training-ship to take them from port to port ; this would give them a knowledge of what the sea is like. Under these circumstances, they would take to the sea kindly, and the sailors turned out from such a ship would be very good indeed. The other day we had here an Argentine ship which was on a cruise round the world for the purpose of training officers. That was an example for our Government. An Hon. MEMBER . - They were being trained for war. The Hon. Mr. McLEAN . - For war or anything else. If they are discharged from the warships they make good sailors. I feel that our boys should be encouraged to go to sea, so that they might become man-o'- war's men if they felt that way inclined. Even if parents had to pay a premium to get their boys on to a training-ship it might be a success, if the criminal class were put aside altogether. Plenty of the boys committed to our industrial schools have no taint of crime, nor have their parents. A large number of such boys could be selected from our industrial schools. Therefore I feel | young men in the ships, and we ought to get Hon.

Mr. Scotland ship at Kohimarama was carried on would say that it could be made a success. Judging by the way the school was managed, I am perfectly satisfied that it was never intended to make a success of it. It is only such people as the Hon. Mr. Jennings and others like him, who take a deep interest in these things, by visiting the ships and encouraging the people on board, that make a success of them. I do not wish to enter any further into this question, but I would urge the Government to look into it in quite a different way from what they have done. I hope they will see the necessity of manning our own ships with our own boys. Moreover, they should not be debarred from entering any of the trades. Our industries are slipping from us one by one for the want of encouraging our boys to enter them. If we are to deal seriously with this matter, technical education will have to be taken in hand in quite a different way from the present system. With all the workshops in the colony open to train our boys in the trades, there should not be any necessity for getting a hundred railway carriages from America. They should have been made by our own boys. I again say that all our own sailors should be trained here. What is happening now? Why, we are shutting up our boot and shoe works. Every one knows that one apprentice to three journeymen will never half maintain our industries, let alone increase them. Something must be done to stop our industries declining. I would now like to say, in regard to the Arbitration Court, that they have taken a new departure in connection with the boot trade. The flood-gates have been opened, and the country has been inundated with boots from outside factories. They are now taking steps to try and retrieve our lost position, and I hope they will succeed ; but I doubt it. When you once open the flood-gates it is not easy to shut them. Well, Sir, we cannot train our boys for the sea on our vessels, and therefore we claim that the Government should get a training-ship. and train these boys, so that we shall have sailors belonging to New Zealand. There are boys all along the coast of New Zealand who would make splendid sailors if they were only taught on a training-ship that might go from port to port. By that means we would have splendid sailors, and we could have them trained at no great expense. How is it that such a number of firemen have taken to the sea from New Zealand ? There is no trouble in getting firemen in New Zealand. Young New-Zealanders -- the sons of "cockatoos " and others- who have worked for their fathers without any pay for years, offer for this work, and the steamers are being filled with them. Now that the vessels are filled with this class of people, you do not hear of ships being stopped and unable to get to sea because of the men being away drunk. You do not hear much of that now. These are the benefits that have arisen from having our own --

<page>101</page>

have to scrape up the "seum " from the outer world, from any port where you can get them ; for when they were employed ships every now and again were stopped, and you had to hunt everywhere for your firemen in order to get them on board. Now, what I plead of every one is: to open the gates of our industries to our own young people, train them up to our own industries, and do not let us rely on the outside world for people to do what we can train up our own young people to do for us. The Hon. Mr. JENKINSON. . I am very glad indeed to be able to give my hearty support to the motion of the honourable gentleman. Like some other honourable members, I, too, had the privilege and satisfaction of visiting the "Sobraon " in the Sydney Harbour, and I must say that, although I was before convinced of the urgent need we had in New Zealand of a training-ship, I came away from that vessel more fully determined to give my strongest support to the Hon. Mr. Jennings, who has taken a prominent part in this matter, whenever the question came up, to get it pushed further on. I hope that this time, at any rate, his efforts will be successful, though I am very much afraid not. The Council, I think, from the remarks of approval that we have heard going round, is fairly convinced that a training-ship is a necessity in New Zealand, and that honourable members will lend the honourable gentleman every support, as I shall do myself. Now, Sir, I was talking to two or three of the leading lights in the engineering world regarding the boy question : it was more in reference to the question of 32106019788246 apprentices, and the number

of applications from boys who are willing to be apprenticed to the different trades, and my information from them was that the number of boys who wished to enter the engineering trade in preference to any other trade simply arises from the fact that when engineers have served their time they have a better chance of going to sea, and they state that the boys are anxious to go to sea, and that they drift into engineering as a means of getting there. As the Hon. Mr. Mbean has pointed out just now, I believe there is no other means of their getting there except, perhaps, as firemen; but then they must be beyond a certain age, at any rate not boys. I think that most of the ships already have the number of boys allowed by law, so that there is no way of their getting to sea until they have served their time as engineers, and then they can get a job in the engine-room. Regarding the institution of a vessel on the same lines as the "Sobraon." I do not know that it would altogether suit the views even of the Hon. Mr. Jennings. It is, I think, too much on the lines of a reformatory. As far as I can remember, every boy on the "Sobraon" is committed to that ship by a Magistrate, and is kept there for a number of years he is committed for-two, three, four, or five. An Hon. MEMBER.- The Superintendent can't his discharge when he is fit to go. at a very young age, very young indeed; and we were surprised to find the oldest boy on board was not over the age of fifteen or sixteen. I do not think that would meet exactly our views with regard to a training-ship. As the Hon. Mr. McLean has said, for a training-ship to be of any benefit to us, we must have a sailing ship, for use in conjunction with the training-ship, in which the boys can gain some practical knowledge of navigation and seamanship. I should like to see the Government steamers now made more use of for training lads in seamanship. Now, they do not get that on board the "Sobraon," and I do not think it is intended they should get it. They are kept there just as they would be in a prison; but it occurred to me that I had never seen a happier looking lot of lads. They did not seem to have any fear of the officers who were above them, and they seemed to do their drill with pleasure, and, as the Hon. Colonel Pitt has stated, one could not see better drilling anywhere. Of course, discipline reigns supreme; that is one of the strong points of the school, and so it ought to be. I do not think the honourable member intends that we should have no industrial schools in the colony. I am in favour of having both a training-ship and industrial schools; and I think the industrial schools should be for a different class of boys to those we put on board a training-ship. As to the matter of the expenditure, the Hon. the Minister has said that he did not consider that at all. Well, I am glad to hear that, and I wonder why the Government have not taken the matter in hand, when the expense is so trivial. It is only the question of getting a ship or a couple of ships to start with; and we know-for it has been proved to us beyond doubt by the success of the training-ship in Sydney - that the outcome will be beneficial. I cannot understand why the Government has not obtained a training-ship before. They could get one easily, I am sure, from the Admiralty, and it would not cost much to put it in working order and to place the boys on it. I am quite sure that, if the Bill we have before us were on the statute-book-the Referendum Bill-and the question was submitted to the people, a very large majority would vote in favour of having a training-ship at once. I only hope the Government will take some practical action in this matter. It is all very well for the Minister to say he is in favour of it to a certain extent. I would hope that all the Ministers in the Cabinet are in favour of a training-ship. If all the members of the Cabinet would pay a visit to the "Sobraon," I believe they would come away fully convinced of the excellence of such an institution, and be unanimously in favour of it, and then we should have a training-ship at once. I hope the honourable gentleman who moved the motion will go on, and, although I have my doubts that he is going to be successful this time, I am willing to give him every aid I can in the matter, because from what I saw of the training-ship over there -the very excellent way it is managed and

<page>102</page>

one in New Zealand. I will support the motion. The Hon. Mr. BOWEN.-- The Hon. Mr. Scotland asked whether boys could not be as well trained on shore as on ships. Well, that is really the whole question.

There is a certain class of boys who have been found unmanage- able in existing institutions, and we have had a very large experience of all sorts of industrial schools on shore. Discipline is better managed at sea than on shore, and it is easier. The boys recognise that there must be discipline at sea, whereas on shore they seem to have the notion that it is a tyranny-that every kind of discip- line is tyranny ; and so they become mutinous and run away, or get out of control one way or another. At any rate, it has been found that as yet no industrial school in New Zealand has been managed satisfactorily, or in such a way as the ship " Sobraon " is managed. But even there a serious shortcoming was pointed out by the honourable gentleman who introduced this motion. He informed us that the " So- braon " is only a stationary ship, and that provision should be made besides for a sea- going ship. I have no doubt that that would very greatly increase the value of the system. Again, it was suggested -- I think it was by my honourable friend the Minister - that if you put boys into a uniform on shore they would be just as well pleased as with the uni- forms at sea. I think it would be quite a dif- ferent thing. They would feel that the uniform on shore was only a sham -that they were not, and were not intended to be, soldiers. But they do believe they are being made sailors on sea, and have a right to the dress of sailors. They begin to feel that they are learning the busi- ness that may be their occupation for life, and are proud of their profession. Although a good many of them do not stick to it afterwards, the influence of the training in the ship is good. This system of training is not confined to Aus- tralia. There are training-ships in England, and they have been the greatest success pos- sible. As far as the navy goes, I have heard naval officers repeatedly bear testimony to the worth of the men from the training-ships. They say that the British Navy never was better manned than it is now, and that these young men are as good fighting material as any of the old salts who fought our battles a century ago, and far more steady. Training-ships have turned out a great success as far as the navy goes. The only fault is that there are not enough of them, but it is intended to establish them on a much larger scale. Then there are also the training-ships for the mercantile ser- vice. There are two distinct sorts of training- ships-in fact, there are three. There are ships for those who are being trained for the rougher work of the service; there are ships for the training of those who hope to get into the higher ranks of the service; and there are also the penal training-ships. The penal ships are not just such as we have known in this hemi- sphere, even the "Sobraon " and others. That Hon. Mr. Jenkinson No one ever believed for a moment that it was being carried on on a system that would make decent sailors. There was not even good discipline, and the whole thing was an absolute failure. But I have known of no case where boys were put into a ship to be trained as seamen, and disciplined accord- ingly, that they have not turned out better men than they would have done under any other system. We can only judge from what we have seen, and I think every honourable gentleman will admit who has seen it -- and I had some opportunity of seeing it in England - that, in every case where a fair sea-training has been given and the boys have been put under sea discipline, they have improved immensely, and that there were very few relapses ; whereas Goodness knows how many relapses have taken place in the reformatory schools we have had ashore. As here, so in England : such training schools on shore have not succeeded as well as those at sea. Therefore I do hope that the Government will make further inquiry into the matter, and I trust that my honourable friend who has brought the matter up will bring it forward again and again, until a fair trial is given to training-ships. The Hon. Mr. MONTGOMERY .-- I think the Hon. Mr. Jennings deserves great credit for his perseverance, and the knowledge he has brought to bear on this subject. I have lis- tened to what honourable members have said about this country being a maritime country. Well, Sir, I am not so sure of that, for the present generation at all events. I am going to vote for my honourable friend's motion : but what we want to consider especially in regard to these training-ships is what kind of boys are going on them. Are they boys who are merel; guilty of what my honourable friend calls truancy, or is it for those convicted of petty larcency, because I earnestly hope that they will not make our sailors from those guilty of petty larceny. It

should be an honoured profession, and if we are going to send those convicted of petty larceny to be sailors, I say that those who go from that training-ship will not be regarded with much favour. If you expect boys to go to these ships you must say what are the inducements for them to go, and what are the inducements for them to remain at sea. Boys get from 12s. 6d. to 15s. a week on farms, and they are engaged as fast as they offer. What inducement is there, as far as wages are concerned, for those boys who go to sea. and what is the inducement for fathers and mothers to send a boy away out of their own ken to go aboard a ship? I point this out in- cause I do not think a training-ship will induce boys to go voluntarily aboard that vessel. I come back to the point, and I will ask the Government to consider, if this proposal is carried, that they are not going to mix up truant boys with those guilty of petty larceny. If it is those boys who have been neglected by their fathers and mothers -- who are, strictly speaking. orphans dependant upon the care of the State-

<page>103</page>

board that ship than is provided in the reformatories on shore ; and I also agree that instead of boys being discontented, as they are in some cases on board ship, they will consider that they have a future before them, and endeavour to do their duty in a straightforward and honourable way. Debate interrupted.

LAND FOR SETTLEMENTS BILL. The Hon. Mr. W. C. WALKER .-- Sir, this Bill deals with a question that is, to some extent, a matter of urgency. The sooner matters of this kind are dealt with the better, because the Bill is, to a certain extent, the result of experience. It has been found that certain parts of the machinery relating to the acquirement of land for settlement requires amending. I believe that a Bill of this nature always goes to the Waste Lands Committee for report, and, therefore, perhaps the Council will not be disposed at the present stage to debate the second reading. If the Council will allow it to go to the Committee I will refrain from going into the details of the measure at the present stage. I beg to move, That the Bill be read the second time, and be referred to the Waste Lands Committee. Bill read the second time. # REFERENDUM BILL. ADJOURNED DEBATE. The Hon. Mr. JENKINSON .- When I moved the adjournment of the debate yesterday I did so in the hope that my honourable friend Mr. Jones would be here to-day to discuss the question. but I regret to say he is still unable, through illness, to be present. I know that he had made preparations to discuss it at some length, and I was also living in some hope that he would have given us some good reasons for voting for the Bill. I must confess that after reading the Bill very carefully, and after listening to the debate yesterday, I am bound to admit that there is very little in the Bill itself to cause a person to say that it is required at all : quite the opposite. There are one or two clauses which were touched on by the Hon. Mr. T. Kelly and other honourable members, providing that certain questions may be submitted to the people ; but we have that now, because it was suggested recently that a certain question-namely, that of federation -- should be submitted to the people, so that even these clauses seem to be unnecessary. Therefore, I cannot conceive why this Bill should be brought forward at all. It appears to me to be thoroughly unworkable, and if it is read a second time it will, in my opinion, have to be entirely altered in Committee. As to the referendum as contained herein, even if a measure is passed twice by one House, how could an intelligent answer be got from the country as to why every word of it should be- ! direct vote of the people upon ? None at all, Sir. before this Council, and the House has probably had to amend Bills coming from this Chamber before they could be put on the statute-book. If one or two Bills that I am thinking of had been referred to the ballot, it is difficult to say how they would have been treated. I do not see any provision whereby any necessary amendment in such a Bill could be made after it has been referred to the people ; and to say that a Bill, after passing the House a second time, should go to the country, and, if a majority is found to be in favour of it, that it should absolutely become law without Parliament having power to amend it, is, in my opinion, a wrong proceeding, and I do not think that any honourable member in his sober senses I was hoping that my would agree to it. honourable friend Mr. Jones would give us some reasons why we should vote for the

measure. We have had none yet, and, unless honourable members who follow me give good reasons why this so-called Referendum Bill should be supported, I must vote for the amendment of the Hon. Mr. Arkwright. The Hon. Mr. KERR .- Sir, I rise with some diffidence to speak to the question before the House. It has taken me some time to come to consider whether or not it has been sent to this House with sincerity. I am rather inclined to the opinion that it has been sent here for the purpose of employing our time, and also, probably, to give us a little amusement. It certainly appears to me to be somewhat farcical. I think that we have already referendums sufficient for the requirements of the country. The referendum of the general elections is, in my opinion, sufficient for all purposes. We know very well that when candidates do not keep their promises to their constituents they seldom come back again. That was demonstrated last general election, when a large number of those who held positions in the House were retired to make way for those who were more in accord with the views of the people, and who were prepared to advance the liberal measures for the prosperity and good of the country. That is a referendum we have an opportunity of exercising every three years, and, unless the term of Parliament is extended, I say that each general election is often enough to take a referendum on general questions. It is a well-known fact that this is the first time a so-called reform of this kind has been submitted to the Council, and I would ask where is the necessity for it ? This Council has never refused to sanction any measures that have been truly and earnestly advocated by the people. Measures have been sent back once or twice until they were more conversant with them, and more in touch with the subject they had to legislate upon ; but there is no Bill that the country made a determined effort to pass which did not eventually pass. What have we done in the way of legislation during the past few years ? Are there any Bills that we should have got a

<page>104</page>

people ; and that have in many ways placed us in a position far before that of the other colonies. That being so, why do we want the referendum ? Is it for the purpose of undoing the good we have done ? Surely not. We have passed the cheap money law, which has been a godsend to a great number of people in the colony; and not only has money been distributed to those who applied to the Government for it. but the price of money generally has been brought down, so that any man who wants an advance can now get it on reasonable terms. We have also passed the Factories Act, which is one of those Acts that stand out prominently for the good of the workmen. Owing to the labour laws that have been passed, workmen are now sure of a living wage ; their hours are regulated, and much has been done to elevate them to a higher level. This Council has advanced with the people in promoting laws for the general good. If more referendums are wanted, then it is within the power of the people of the colony to have a referendum. There is the right of petitioning Parliament, and we know that petitions had a great effect some years ago when the question of granting the suffrage to women was under consideration. I believe that it was owing to the number of petitions in favour of that measure that a number of honourable members in this Council saw there was a general desire on the part of the women of the colony to have the franchise, and they accordingly voted for the measure in the end. In passing. I should say that I did not vote for that measure; and I may add that I believe, if a referendum had been used then, the question would have been negatived. Further, we have Royal Commissions to see what is the will of the people, and they go round the country taking evidence. We have labour unions and other different associations banding themselves together, and, when any question affecting their interests is before the country, they make their voice heard, and take care that every consideration is given to it. Therefore, unless there is some ulterior motive for the promotion of this Bill, I cannot see that it is required at all. There is an old saying, "Trust the people." Why, Sir, the people have trusted Parliament-they have sent men here to do their duty, and if they do not. do so they will not be sent back again. But are they doing their duty? It seems as if they cannot trust themselves, for, according to this Bill, they require to be

instructed. They wish to go to the people and say, " We are in a dilemma ; we wish your advice on this question. We are unable ourselves, from all the evidence we can obtain, to come to a conclusion." What will the constituencies say ? They will say. .. We selected you as men of ability, as men of knowledge, and we sent you to do your duty for three years ; do your duty and come back to us, and we will tell you whether you have gained our confidence or not ?" That is a referendum that should be sufficient for any one. Hon. Mr. Kerr majority of the voters should be. We will say there are 100,000 voters in New Zealand, and if a question were put before them -- probably a question involving many technicalities-one-half of the population would not vote, nor do I think would one-twentieth of the population ; but still we must go to an expense of \$30,000 or \$40,000 to obtain from merely a section of the voters an expression of their opinion. The thing is preposterous, for the expense involved would be as great as for a general election of members of Parliament. Can this colony afford to throw away money like this ? Take, for instance, the question of " Whether brother Bill should marry deceased brother Harry's widow." Would not that be a nice question for the colony to get a vote on by referendum ? Not one in a thousand people would ever trouble themselves to vote on the question, notwithstanding the fact that it had been before this Council on two or three occasions. Members, however, saw that there was no great harm in it, and it was passed ultimately. Then, take such a question as the Divorce Bill- a Bill that I was strenuously opposed to. I ask, Are you to put such questions as these before the voters of the country, at an expense of \$30,000 or \$40,000 ? The thing is monstrous, and we should not be doing our duty if we permitted a Bill to pass that would permit this to be done. I hope such a law will never appear on our statute-book. Now, in thinking over this matter it struck me that it is proposed to make drastic changes and alterations in the Constitution, because, as sure as this Bill is passed, I am certain it is only " the thin end of the wedge " for something else. It provides-that is, if people care to have it so -that "the tail should wag the head." If drastic measures are wanted. why not abolish the Upper Chamber altogether, and have thirty men chosen from the different constituencies to represent them in the Lower House ? Then let those representatives elect an Executive and submit every paltry little question that comes before them to the people, and let the people instruct them. Why, Sir, if we pass a Bill like this, we are not representatives of the people at all ; we are simply automatically worked by some of the people ; for I am confident that not one out of twenty of the people would go to the poll on many questions : but if they did. and if there were two or three questions on the ballot-papers, there would be as many informal as valid votes. At the present time, when the ballot-papers are so simple that there can scarcely be any doubt as to the intention of the ballot, there are a number of informal votes on every occasion. For these, and for many other reasons. I strongly oppose the Bill. Now, I am not generally given to opposing Bills that emanate from the other House I am generally inclined to support them ; and. of those Bills which I have supported, I can shake hands with myself and say that every one of them has been of benefit and of use to the colony. I have striven strenuously to advance

<page>105</page>

it for that purpose ; but when it comes to this Bill it is a different matter. It does not concern me personally, for before this Council is abolished I shall very likely be abolished myself, and many honourable gentlemen are in the same position ; but still I believe this Bill has a clause in it by which this Chamber could be abolished without its own consent. I do not approve of it. I believe we are as Liberal as the members who occupy seats in another place ; that we are as closely in touch with the people of the colony; and that we can now even give those members a lead in matters of Liberal politics : and while we are in a position to inquire, to alter, and to make suitable their Bills, I think we have the right to remain here, and to do the good work we are called upon to do. Sir, without saying anything further, I shall support the amendment and vote against the motion for the second reading of this Bill. The Hon. Mr. T. KELLY. Sir, speaking to the amendment. I wish to correct a statement I made on a former occasion. I

stated there was no national Government that I was acquainted with where the referendum was adopted. I was then corrected by my honourable friend Mr. Rieg, who said that it was in Switzerland. On looking over the Constitution of Switzerland, I find that I was, to a certain extent, in error. Although the Federal Government itself has not the option of the referendum, it can be compelled by the cantons to use it before Federal laws which may be objected to have legal effect. Article 89 of the Federal Constitution states : --- " Federal laws shall be submitted for the acceptance or rejection of the people if the demand is made by 30,000 active citizens, or by eight cantons. The same principle applies to Federal decrees which have a general application and which are not of an urgent nature." To a certain extent I was wrong in making the statement. I also stated I was in favour of this Bill going into Committee; but upon examination of the Bill I find that it is of such a dangerous character that I will vote to reject it on the second reading. And my reason is this : I can see in this Bill a latent power which may possibly be used to abolish this Council without this Council's consent. That is possible under the Bill. If a Bill is brought into the other House by Governor's message to abolish the Council, if that Bill passed the other House and is rejected by the Council, and again passed by the House of Representatives, and again rejected by the Council, it may, under the Bill, be sent to the electors by referendum. and if the electors confirm it, then the Bill is placed in the same position as though it had been passed by both branches of the Legislature ; but, being a repeal of a section of the Constitution Act, it has to be reserved for His Majesty's assent. and if that assent was given this Council would be in a fair way of being abolished without its consent. Now, I think that is a power contained in the Bill which does not appear on the face of it. I Debate adjourned. STATUTES REVISION COMMITTEE. The Hon. Mr. W. C. WALKER asked leave to move, without notice. the addition of names to the Statutes Revision Committee. He found out this morning, after the Committee met, that the other House had added five names to their list of members. The practice was that the Committee was composed of an equal number of members from each House, and he would therefore ask the Council to pass the following motion : "That Standing Order No. 162 be suspended, and that the names of the Hon. Mr. Aikwright, Hon. Major Harris, Hon. Vir. Louisson, Hon. Mr. Pinkerton, and the Hon. Mr. Scotland be added to the Statutes Revision Committee " Leave to move without notice given. The Hon. Mr. FELDWICK, while seconding the motion, thought it his duty to call attention to the great evil that was arising. The Council was under a system of having to cover whatever number of members for joint Committees the other House chose to put down. The effective numerical strength of the Council was only two-thirds (or less) that of the House, and it was exceedingly inconvenient. In the case under notice, the joint Committee would consist of over thirty members -- a little Parliament in itself, and very similar to the Education Joint Committee set up many years ago, which, in the end. as the result of additions, numbered between thirty and forty. He could not, by any possibility, understand what object there was in making the Committees so large. If they could go in the direction of reducing the number of members on the Committees of both Houses they would be doing a very good thing. His own view was that, so far as joint Committees were concerned, there should be about seven from each House The Hon. Mr. BOWEN quite agreed that the number appeared to be very unwieldly ; but there was no doubt that the Minister had been forced into the position of moving the addition of the names by the fact that the House of Representatives had added five names to the Committee, and it was necessary that the Council should be represented by an equal number. That was the universal custom. A joint Committee of thirty members was exceedingly unwieldly, especially for the revising of statutes; but it would never do for the Revision Committee of each House to sit separately, because the great value of a joint Revising Committee was that members of both Houses consulted together, and those who attended that Committee could make the same explanations to their respective Houses as to the reasons for any proposed amendment. The progress of Bills through both Houses was thus greatly facilitated. That advantage would be lost if the Committees sat separately. The Hon. Mr. SHRIMSKI said, Nodoubt they

were justified in protecting themselves against

<page>106</page>

for the other Committees, and there must be neglect somewhere. He agreed with what was now being done to protect their own interests, but they were short of a great number of members to attend other Committees. Motion agreed to. The Council adjourned at twenty-five minutes to five o'clock. # HOUSE OF REPRESENTATIVES. Wednesday, 31st July, 1901. First Readings-Third Reading-Officers of Local Bodies - Rabbits and Rabbit-skins- Leases in Perpetuity - Supreme Court Returns - Government Advances to Settlers Act-Maheno Lime-kilns-Crown Tenants' Rebate -- Survey of Crown Lands-Public Debt of the Colony - Government Advertisements-Roads and Railways Expenditure, &c. - Conciliation and Arbitration Cases- Railway Department Revenue - Privilege-Returned Troopers' Fare from Sydney - New Zealand Ensign Bill - Arbitration Court-Governor of Fiji's Speech -- Members of Returned Contingents -- Mangatoro Estate - Old Solniers' Claims - Rangiora Railway-station - McLean's Railway-station-Mail-delivery-Casual Railway-hands-Telephone at Kimbell -- Bulls Post-office -Single Railway Tickets-benny Postage for Newspapers-Rivers Commission - Royal Visit : Rewards to Police Force-Lake Ellesmere-Slygrog Selling at Port Albert-Coal Commission- Awamioko Stream - Supreme Court Judges' Salaries - Duty on Glass-making Machinery- Advances to Settlers Office-Local Bodies' Valuations -- Compiction of Valuation rolls - Stone-crushing Machinery - Collingwood - Ferntown Bridge - Proposed Scale of Teachers' Salaries, &c. - Subsidising Public Libraries - Railway to Alexandra - Kawakawa-Whangamomona Railway -. Hansard Reprints - Kiourangi Point Lighthouse - Tadmor Bridge - Waimate High School Cadet Corps - Co-operative Workers - Wellington Customhouse- River-beds- Redcliff and Takitu Small Grazing-runs-Sir. A. H. Chapman-Ostrich-farming-Maruia Hot Springs-Nine-mile Punt, Buller River - Inangahua River Bridge -- Veterinary Surgery-Dehorning of Cattle -Orepuki-Waiiau-Longwood Road -- Wool Classing and Grading-Importation of Bones and Bonedust-Settlers' Fire Insurance Bill- Representation Bill- Divorce Bill-School Attendance Bill (No. 2). Mr. SPEAKER took the chair at half-past two o'clock. PRAYERS. # FIRST READINGS. Fire Brigades Bill, Kairanga County Bill, Rating on Unimproved Values Bill (No. 2), Cook Group and other Islands Extension Bill. THIRD READING. Ashburton County Council Empowering Bill. OFFICERS OF LOCAL BODIES. On the motion of Mr. HOGG (Masterton), it was ordered, That there be laid before this House a return showing the names, status, salaries, and allowances of all officers of Borough Councils, Town and Road Boards, and County Councils, together with their net revenue from rates. Hon. Mr. Shrimski House a return showing the quantity and value of the export of rabbit-skins, frozen rabbits, and preserved rabbits, and the various ports of the colony from which the same have been shipped, during the years 1894 to 1900. # LEASES IN PERPETUITY. On the motion of Mr. McNAB (Mataura), it was ordered, That there be laid before this House a return showing the number of leases in perpetuity which have been surrendered or forfeited, and the form of tenure under which the surrendered or forfeited sections have been selected. # SUPREME COURT RETURNS. On the motion of Mr. PIRANI (Palmerston), it was ordered, That there be laid before this House a return showing the number of persons committed for trial from Foxton, Palmerton North, and Feilding districts at the Supreme Courts at Wellington and Wanganui, and the cost to the colony of such trials ; also, the number of civil cases from the said districts heard at Wanganui and Wellington Supreme Courts : both returns to be for the year ending 31st March, 1901. # GOVERNMENT ADVANCES TO SETTLERS ACT. On the motion of Mr. J. ALLEN (Bruce), it was ordered, That there be laid before this House a return showing the amount of fees in each provincial district collected by solicitor» from borrowers, or intending borrowers, under the Government Advances to Settlers Act. # MAHENO LIME-KILNS. On the motion of Mr. MASSEY (Franklin). it was ordered, That there be laid before this House a return showing, -(1) The cost of construction of the railway to the lime-kilns at Maheno ; (2) the revenue and working-expenses of the railway for the last twelve months; (3)

the capital expenditure in constructing the lime-kilns and preparing for the production of lime ; (4) the cost of production per ton of lime: (5) the price at which lime is sold per ton ; and (6) the total production and sales to date, with total receipts and expenditure. # CROWN TENANTS' REBATE. On the motion of Mr. R. THOMPSON (Marsden), it was ordered, That there be laid before this House a return showing the number of Crown tenants in each provincial district of the colony who have been allowed a rebate of 10 per cent. off their last two half-yearly payments of rent, due in January and July, 1901. ## SURVEY OF CROWN LANDS. On the motion of Mr. WITHEFORD (Auckland City), it was ordered, That there be laid before this House a return showing the number of surveyors employed last year surveying Crown lands in the North Island for the purpose of opening the same for settlement.

<page>107</page>

House a return showing, for the year 1901, the particulars of the public debt of the colony, in continuance of B. - 18, 1900. # GOVERNMENT ADVERTISEMENTS. On the motion of Mr. MASSEY (Franklin), it was ordered, That there be laid before this House a return showing, -- (1) The amount paid to each newspaper in the colony for Government advertisements during the year ended the 31st March, 1901 ; (2) the amount similarly paid for Government printing, stating to whom paid : (3) the amounts expended for advertising New Zealand scenery (a) in the colony, and (b) outside the colony, stating to whom the same have been paid. # ROADS AND RAILWAYS EXPENDITURE, ETC. On the motion of Mr. PALMER (Ohinemuri), it was ordered, That there be laid before this House a comparative return between the North Island and the South Island, showing respectively for each Island up to the end of the last financial year, -- (1) The total expenditure for roads and bridges : (2) the total cost of railway-construction ; (3) the acreage of land acquired under the Land for Settlements Acts, and the total cost to the Crown in settling people upon these lands ; and (4) the total amount paid by the New Zealand Government for all other lands acquired by the Crown, and the total amount received by that Government for all of these lands disposed of by them. # CONCILIATION AND ARBITRATION CASES. On the motion of Mr. MONK (Waitemata), it was ordered, That there be laid before this House a return showing all cases cited to appear before the Conciliation Boards and Arbitration Court, giving details of the claims made by the unions and the result of the awards, the return being from the time the Act was brought into operation until now. RAILWAY DEPARTMENT REVENUE. On the motion of Mr. G. W. RUSSELL (Riccarton), it was ordered, That there be laid before this House a return showing the amount of revenue received by the Railway Department from each department of the public service during the financial year ended 31st March, 1901, showing in different columns the amount for (a) passengers, (b) season tickets, and (c) goods traffic. # PRIVILEGE. Mr. PIRANI (Palmerston). -- Sir, before the reports of Select Committees are considered I desire to raise a question of privilege. This morning I was in attendance at a meeting of the Counties Bill Committee in the Joint Committee Room. When that Committee had terminated its deliberations a meeting of the Public Accounts Committee was held. I did not upon public accounts -- which is not very much -as one can get in this House. The Clerk commenced to read the minutes, when the Premier interposed and said that he objected to any member of the House being present while the Committee were hearing the minutes read, and he proceeded to elaborate at some length his objections to my presence, in a way I considered to reflect upon me as a member of the House. He said, if a member was not on the Committee and was present when the minutes were being read he would know what had taken place at the previous meeting, and he might thereby become acquainted with matters which it was not right that those outside the Committee should know. He thereupon asked the Chairman, Mr. Fisher, to order me to withdraw. In accordance with his desire, the Chairman did so. Mr. SEDDON. - You are leaving out the resolution as passed by the Committee. Mr. PIRANI. - I am coming to that. I am giving you an accurate account of the proceedings. I refused to withdraw, mainly on account of what the Premier had said, and I stood on my right as a member of the House to be present during the

deliberations of a Committee of the House. The Premier then moved that the Committee proceed to deliberate on the 1st clause, as he called it, of the minutes. The motion was solemnly put to the meeting by the Chairman, and a division was taken, when, I think, three or four members voted for it, and two against. The Chairman then acquainted me with the decision of the Committee, and said they were deliberating, and that in accordance with the rule I should withdraw. I again refused to withdraw from the Committee-room, standing on my rights as a member of the House, and I said I would not leave the Committee until the Chairman produced a Standing Order showing his authority to order me to withdraw. The Committee looked around and up and down, and did not seem to know what to do. The Premier then proposed another motion -that the Committee should proceed to deliberate on clause 2 --- I think it was --- of the minutes. This was also solemnly put by the Chair, although, with the exception of the Premier, all the other members treated it as a great joke. That was again carried with the same numbers as in the case of the previous motion, and the Chairman very politely acquainted me with the resolution, and suggested that I should withdraw. I again stood on my ground, and pointed out to the Committee that my action was not without precedent -- that at a meeting of the Bank of New Zealand Committee the same attitude was taken up by a member of this House, and that attitude had been upheld. The Chairman of the Bank of New Zealand Committee, who is a member of the Public Accounts Committee, was to-day asked by Mr. Guinness what his opinion was of my action, and he very clearly and unmistakably said that I was right. After a lot of trouble a

<page>108</page>

Committee is examining witnesses, but with- : would do it at his own risk. Of course he did draw by courtesy when the Committee is : not choose to risk it. But I do say it is a deliberating." I stated that, as the Committee had shown me no courtesy, in accordance with the Standing Orders, I did not intend to show them any, and I maintained my right to be present at the meeting. I have since also looked up the authority on these matters, and I find that May, 1593 edition, is stronger even than our own Standing Orders. On page 886 of May it is stated, - " Members of the House of Commons have claimed the right of being present as well during the deliberations of a Committee as while the witnesses are being examined ; and, although, if requested to retire, they would rarely make any objection, on the grounds of established usage and of courtesy to the Committee, they ought immediately to retire when the Committee are about to deliberate; yet it appears the Committee, in case of their refusal, have no power to order them to withdraw." And, further, on page 287 May points out, - " As members cannot be excluded from a Committee-room by the authority of the Committee, if the occasion should arise the Committee must apply to the House for power to effect their exclusion. At the same time it may be observed that such applications are not favourably entertained by the House." So far so good, and probably I should not have taken any offence at the action of the Committee had it not been for the subsequent proceedings. When members remember that on that Committee were present such burly specimens of humanity as the Premier, the honourable member for Wellington City (Mr. Fisher). and the honourable member for Caversham, they will understand that, at any rate, so far as physical proportions were concerned, there was no necessity to call for outside interference to expel me from the Committee-room. Still, there was some hesitation. The Premier looked first at the Chairman and then measured the proportions of the honourable member for Caversham with his eye, and said, " Well, we must do something to get this member out." But nobody seemed to know what that something was. Then the honourable member for Caversham moved that the Committee adjourn to take the opinion of Mr. Speaker : and the Chairman suggested that they should leave the room and leave me in possession, go to an adjoining room, and lock the door so that the honourable member for Palmerston could not get in. An honourable member pointed out that this could not be done, and then - which I consider the most offensive part of the proceedings the Chairman (Mr. Fisher) suggested that he .. should send for a policeman to enforce the desire of the

Committee. Of all members in the House to suggest such a thing, surely the junior member for Wellington City is the last. I do not think he meant Commissioner Tunbridge to be sent for, but he suggested they should send for a policeman; and the honourable Mr. Pirani breach of the privileges of this House that any member, no matter what position he holds, should suggest seriously on a Committee that, in defiance of our Standing Orders and May's rulings, a member of the House should be turned out of a Committee-room, so as to prevent his listening to the minutes, by a policeman. The House has come to something! I do not think it right in the interests of the House --- personally I do not care a button for any threats-but I do not think it right that a member of the Public Accounts Committee should be allowed to threaten a member of the House in the way the Chairman did. Mr. NAPIER (Auckland City) .-- What was the final result? Mr. PIRANI .- When the Committee had finished this little piece and found themselves utterly powerless I got up and said, "Now, gentlemen, as I have had my own way, by courtesy I will withdraw while you deliberate on your minutes." Mr. FISHER (Wellington City) .- I think it an unequalled parody and a gross abuse of the forms of this House that a trumpery incident of this kind should be elevated to the dignity of a question of privilege. One could understand if the honourable member had just reason for insisting that he should be allowed to remain to witness or to listen to the proceedings of a Committee-one could understand that he should be allowed to remain to witness the proceedings of a Committee if he had an honest desire in some manner to further the interests of the Legislature or the interests of the State -- one could understand the honourable member so persisting in remaining if he desired honestly or honourably to forward the interests of his constituents or of the public in general- one could understand all that if he were imbued with any honest intention; but throughout his conduct there was no semblance of such a desire. It was a parody, bereft of all sense or humour. When the Committee saw that the honourable gentleman remained in the room in an attitude of deliberate defiance, and not from a desire to honestly gain information from the proceedings of the Committee, they naturally felt very greatly annoyed. As I have said, there could have been no objection to any member remaining in the room for the purpose of gaining information: but one cannot understand an honourable member remaining in the room out of pure "cussedness," and a desire to set the Committee at defiance. Such conduct would irritate and annoy any Committee. True, the Committee was in a dilemma through the pranks-one cannot call them anything else of the honourable gentleman, and it is painful to me, when a member relates with pride and satisfaction such circumstances as the honourable member for Palmerston has related to the House to-day, that certain members who regard themselves as paragons of

<page>109</page>

Public Accounts Committee, should be found laughing merrily at the parody the House has been compelled to listen to this afternoon. A- any man of honourable mind and feeling - ins man of delicate susceptibilities - what his feelings would have been if his conduct had been of such a questionable kind that the Premier of the country and the Committee as a whole found itself compelled to request him to withdraw from the room. What, then, can be the character of a man who declines to withdraw from a room when requested to do so? I put it to the member for Bruce. Mr. Allen, and the member for Waka-tipu. Mr. Fraser, who encouraged the honourable member for Palmerston in the course he chose to take, that suppose I had been the member who persisted in remaining in the room, in opposition to their requests that I should withdraw, what would be their opinion of me? I think I know the character of the honourable member for Bruce sufficiently well to say that he would have considered me an impudent and impertinent person, and I add to that that he would have been quite justified in so classifying me. That is the view I take. I have been a member of this House for seventeen years. I have never intruded myself upon the proceedings of any Committee. Whatever may be my reputation on the floor of this House, I feel entitled to say that I have such respect for members of Committees and their proceedings that I am sure

no member can say that I ever intruded myself upon the proceedings of any Committee. Whenever I have appeared before a Committee, either in charge of a petition or as a witness, I have always paid the greatest respect to that Committee, and so ought every member of this House. We are bound by the Standing Orders of this House to pay the strictest regard to the rules of debate and the courtesies due from one member to another ; and we have a Speaker whose duty it is to see that no insult or contumele is offered to any honourable member. And, Sir, if the proceedings of this House are protected in this way, why ought not the proceedings of a Committee to be so protected .- particularly the Public Accounts Committee, which is generally conceded to be the most important Committee of the House? I say -- without heat or warmth or imparting any feeling whatever-I say the presence of the honourable member for Palmerston at the meeting of the Public Accounts Committee this morning was an unwarrantable intrusion, deliberately intended to be offensive; not because he - Mr. J. ALLEN (Bruce). - I rise to a point of order. I wish those words taken down : " an unwarrantable intrusion deliberately intended to be offensive." Those are words which ought not to be used in regard to any member of the House, and I wish them taken down. Mr. SPEAKER. - I do not think they are such unparliamentary words as that the House honourable member for Wellington City has done, but I am not disposed to order the words to be taken down. Mr. FISHER .-- I am so anxious to conclude that I must express my sorrow that the matter was brought before the House at all. I merely wish to add, since you, Sir, have expressed a desire that the matter should be brought to a conclusion as speedily as possible, that there was no business before the Committee in which any member outside the members of the Committee could have any possible interest. We had not proceeded beyond the reading of the minutes, and there was no business before the Committee on which any person other than the members of the Committee had any concern. Therefore there was no possible justification for the member for Palmerston remaining in the room while the Committee were deliberating upon the question as to the correctness or otherwise of the minutes of the business transacted at the previous meeting. Mr. SPEAKER. - I think it is regrettable that a conflict should have arisen between the Committee and the member for Palmerston, but still I must say that it appears to me that the honourable member was within his rights in insisting on staying in the room. At the same time I am bound to observe that, after long experience in this House, I have always considered it customary for members of the House to withdraw from the deliberations of a Committee when requested to do so. I think the honourable member for Palmerston seeks to make out that he was not asked courteously to withdraw, and he was incited by the manner in which he was asked to withdraw to uphold his right of remaining in the Committee-room. Mr. J. ALLEN .- His right was denied : that is the point. Mr. SPEAKER .--- It is clearly laid down in May's "Parliamentary Practice " that the Committee, in case of members' refusal, have no power to order them to withdraw. The general custom is, if a member is asked to withdraw, that he does so. I do not know whether there was any lack of courtesy shown to the honourable gentleman when he was asked to withdraw. He says he was treated discourteously, and then he was within his rights in insisting on staying. The Chairman did not make any reference to what I consider the most offensive part of the matter -- namely, the threatening to call in a policeman to remove a member of the House from the Committee - room. Probably the Chairman will explain that point. Mr. FISHER (Wellington City). - If you, Sir, paid careful attention to the opening remarks of the honourable member for Palmerston, which no doubt you did, you will remember that in those opening remarks he himself stated that the Chairman politely intimated to him what was the desire of the Committee - namely, that he should withdraw. Those are his own words, and that is the actual fact. I

<page>110</page>

that kind of language took place after the conversation had degenerated into a very poor kind of joking. Mr. SEDDON (Premier). . I am not going to be a party to elevating the honourable member for Palmerston and putting him upon the rack as a martyr, and making it appear to the world that he is an injured

individual. What occurred was this : The member for Palmers- ton had evidently been engaged in writing or doing something, and I thought he had not noticed that we were about to proceed with the business, having been in the room before the Committee met, and I then asked the Chair- man if he had not better call Mr. Pirani's attention to the fact that we were about to read the minutes. Mr. PIRANI .-- You are wrong ; it was after the minutes were read. Mr. SEDDON .-- No. We had not read any minutes at all. An Hon. MEMBER .- The Clerk was reading the minutes. Mr. SEDDON .- The Clerk had hold of the book. because you will remember I moved that the Committee should deliberate on clause 2 of the minutes ; and to say that we had read the minutes-well, I cannot understand why any one's memory should be so defective. I say we had not read a single minute. The Clerk had hold of the book. He took the book up in front of him, and I called the attention of the Chairman to the fact of Mr. Pirani being pre- sent. Mr. HERRIES .-- I rise to a point of order. Mr. Speaker having given his ruling on this subject, if all the members of the Committee give their version of what occurred the debate will be an interminable one. Will other mem- bers be allowed the same opportunity of speak- ing. in view of your ruling, Sir? Mr. SPEAKER .- If other members of the Committee who have not spoken manifest a desire to do so they will be in order in stating their views as to what occurred. Mr. SEDDON. - It is always the case that if he thinks he can obtain an advantage over me the member for the Bay of Plenty likes to do so, but surely, as my name was mentioned. I should be allowed to give my explanation of what occurred. I do not deny the same right to other members. I say there was no dis- courtesy intended, and there was no discourtesy shown. When the Chairman first asked the member for Palmerston to withdraw I had called his attention to the minutes, and I used these words : "If members, when we are deal- ing with matters of a delicate character, hear the minutes read they become acquainted before other members with the nature of proceedings which have to be laid on the table of the House, and this is not in accordance with the Standing Orders." If members go to a Committee and sit there until the minutes are read they be- come acquainted with the proceedings of the Committee, and are thus in a better position Mr. Fisher to keep to himself. An ordinary member of the House is not bound to do so. An Hon. MEMBER .~ Yes, he is. Mr. SEDDON .- An ordinary member of the House is not. I have heard that argument used before. We have had members of the House who considered themselves not bound by the deliberations of the Committee. The honourable member for Palmerston complained of the "policeman " proceedings. It was sug- gested that we should leave the room and go into another room and leave the member for Palmerston outside the door, but I said, "Certainly not. We will do nothing of the The best thing for us to do is to go sort. on, and let the matter be reported to Mr. Speaker, and take Mr. Speaker's opinion upon it." Then one of the members moved. I think, that we should adjourn and take Mr. Speaker's opinion on the matter, but we de- cided to go on. And I consider that this Stand- ing Order No. 224 is of a permissive nature. Members of the House may be present when the Committee is examining witnesses, but must by courtesy withdraw when the Committee is deliberating. That occurred. and the Chair- man said we were about to deliberate in respect to our minutes. I say that even now there is a dispute as to whether what took place at a meat - ing is correctly recorded on the minutes. But it really is only a matter as between the members of the Committee. As to what transpired. and regarding the confirmation of the minutes, there could be no objection on the part of a member to retiring until we confirmed the minutes. We expected that courtesy would have been shown to us; but, now that this matter has been brought up I say, as a member of the Public Accounts Committee, or of any Committee, that if members will go there while minutes are being read I shall not take these matters before the Committee, and I say further that it is owing to this that the utility of the Public Accounts Committee is entirely destroyed. I assure the House that but for this I would take the advice of the Committee on financial mat- ters. I should refer financial matters to them, and I would be quite prepared to leave the matter entirely to the Public Accounts Com- mittee and the members of that Committee, and I am quite prepared to alter the order of reference ; but if other members of the

House who are not on the Public Accounts Committee are to be allowed to come there when delicate financial operations may be under discussion, I say I cannot be a party to doing that under existing conditions. That is what I say. Mr. J. ALLEN (Bruce) .- Sir. I have only a few words to say. Practically the Chairman of the Committee has admitted all that the honourable member for Palmerston has placed before the House. He has not denied the details of what took place as given by the member for Palmerston, and I think the only point that wants clearing up, or one of the points, is this : that the member for Palmerston before he received

<page>111</page>

with a full knowledge of what took place, that it was only after the member for Palmerston had conceived, and rightly conceived, that the Committee had not a proper knowledge of the Standing Orders and of his rights, and desired to deny him his right, that the member for Palmerston showed any discourtesy whatever - not that I think he showed, even eventually, any discourtesy. What really took place was this : The Premier has said that the minutes were not read. He is partially right and partially wrong, for the minutes were being read, and it was after the reading of the minutes had been commenced that the Premier suddenly took notice of the member for Palmerston. He got up then and said, " I cannot allow the minutes to be read while the member for Palmerston is here." Mr. SEDDON .- I did not say that at all. Mr. J. ALLEN .- The Premier did say that. He said. "The member for Palmerston must withdraw "; and it was only when the Premier sought to deny the right of the member for Palmerston to be there that the member for Palmerston insisted upon his right. The honourable member actually got up and was about to quote the words of the Standing Order. before a copy of the Standing Orders was brought to us, that he could only be asked to withdraw by courtesy. And I believe the member for Palmerston was going to say that if his right to be present was not denied he was perfectly willing to withdraw. The honourable member was on the very eve of saying - when he was interrupted - that he would by courtesy withdraw if his right to be there was not denied. The point we want to establish is this, and I understand. Sir. by your ruling, that it is established : that a member of the House has a right to be present when the minutes are being read. The first question raised was on reading of the minutes ; and afterwards the question was again raised on an absurd motion moved by the Premier, that we should go into deliberation on the minutes clause by clause --- I do not know whether there were any clauses in the minutes with the object of showing and proving to the member for Palmerston that he had no right to be there when the Committee were deliberating. The Premier backed down on the ground of reading the minutes, and took up the question of the honourable member's right to be there when the Committee were deliberating. Now, Sir, I was astonished at the Premier going so far, because he must have some recollection of what took place a few years ago. Perhaps his memory does not go back to the year 1895, but I will refresh his memory in respect to 1895. He will recollect the Banking Committee of 1895, and a somewhat similar question cropped up at that particular time, and the Right Hon. the Premier is reported in Hansard, on page 230, to have : any member of such Committee, or by any other said as follows ;- " However, the Joint Committee has met, ; and we found this-and I am quite right, I now consider that the matter complained of think, in relating it : A member of the House the bank to remain." Sir, a member of the House is to be denied the right to remain when the Committee are deliberating, but the Committee are to have the right to ask an outsider to remain -- the President of the bank. And then, the Premier goes on to say ;-- "The member of the House then present refused to leave unless every one else left." " Mr. ALLEN .- Quite right too. "Mr. SEDDON. We believe that member was quite within his rights. A member can stop there if he likes; he only leaves by courtesy." Well, how different from 1895 is the Premier's action to-day. The member for Palmerston's right to be there when the minutes were being read was denied to him, and when he had to back down on this, the Premier took up the question of the Committee deliberating, and sought to deny then the right of the honourable member to be present. Sir, I am glad

you have ruled on the point. I am quite sure the member for Palmerston did not intend to be discourteous ; he would not have been had his right to remain not been denied, and had he been treated with courtesy. It was only after the way he was treated that he was forced to take up the position he did, and, I think, quite rightly too. Mr. SEDDON .- I rise to a personal explanation. It is quite customary when a statement has been made in this House to accept it. I deliberately stated in my few remarks that I was not in any way discourteous to the member for Palmerston. There was no feeling at all in the matter : and I said so at the Committee. My own opinion was that the member for Palmerston had not noticed that we were going on with our business. That is my own conviction, and I simply drew the Chairman's attention to it, and I did it without any feeling. I only did it because I considered -and still consider-that when the minutes are being read a member should by courtesy withdraw. If I had not I would not have taken the course I did in moving that the Committee proceed to deliberate on the minutes. Mr. PIRANI .--- May I be permitted to explain that the discourtesy of the Premier that I complain of -and he repeated it to-day in his remarks-is his statement, aimed at me, that a member, not a member of the Committee, would go about publishing the proceedings of a Committee. No more discourteous thing could be said than were in the remarks made by the Premier in face of Standing Order No. 229, which says,- "The evidence taken by any Select Committee of the House, and documents presented to such Committee and which have not been reported to the House, ought not to be published by person." Mr. SPEAKER. -- I think the House will have been sufficiently ventilated, and that the

<page>112</page>

although a member is within his rights in reminding in a Committee-room. still I hope the custom of Parliament will prevail, and that when a member is properly reminded that it is advisable he should withdraw that he will comply. ## RETURNED TROOPERS' FARE FROM SYDNEY. Mr. MCLACHLAN (Ashburton) asked the Minister of Defence. If it is true that his office is deducting from the pay of returned troopers of the First Contingent who came home by way of Sydney the sum of \$3 10s., being their passage-money from Sydney to New Zealand ; and, if true, why so ? He had received his information on this matter from one of the troopers who had returned to the colony by way of Sydney. After returning to the colony he was ill in bed for a time, and when well again . he made what he considered was a reasonable request for back pay. and was then informed that a sum of \$3 10s. had to be deducted for passage-money from Sydney to New Zealand. It was certainly most extraordinary that the Government should take up such an attitude in the matter. The men were sent away with every mark of jubilation, and were warmly welcomed back, but when they were landed in Sydney they had to pay their own fare to Wellington. He hoped the Premier would see that this money was not deducted from the men at all. Mr. SEDDON (Minister of Defence) said one story was good until another was told. The position in this instance was this : The Imperial Government arranged the passages of the men to Wellington, and when the men reached Sydney they left the transport of their own motion, and came over to New Zealand by another steamer. Consequently, they had to pay their own passage-money from Sydney to New Zealand. It was for their own convenience that the men left the transport. They gave orders for their passage-money ; and, that being so, why should the Government be called on to pay their fare over to New Zealand? It was a responsibility the men took on themselves. Mr. MCLACHLAN said the first steamer did not come to New Zealand-the " Harlech Castle." Mr. SEDDON said the "Harlech Castle " was to come to New Zealand, but the Government stopped her and made other arrangements. The departmental reply to the honourable gentleman's question was as follows : - " A deduction of \$3 10s. was made from the pay of certain men of the First Contingent for their passage from Sydney to Wellington by the s.s. ' Moana.' The men had guaranteed payment of their passages if allowed to return by that vessel." There was nothing more to add to that reply. It suited the men not to stay in Sydney, and they left by another steamer. They gave orders Mr. Speaker NEW ZEALAND ENSIGN BILL. Mr. MONK

(Waitemata) asked the 8.30. Premier, If he will reintroduce the New Zealand Ensign Bill for the purpose of altering the wording of section 4 into the phraseology which should be used, as directed by the Secretary of State for the Colonies, providing that the Act shall not come into operation unless and until the Governor notifies by Proclamation that it is His Majesty's pleasure not to disallow the same, and that thereafter it shall come into operation upon such a day as the Governor shall notify by the same or any other Proclamation ? At present the matter of the New Zealand flag was in abeyance, and nothing was being done to end the suspense that was at present existing. On reading the correspondence that had passed between the Premier and the Deputy Governor on the Ensign Bill the House passed last session, it seemed to him that they required clause 4 to be altered as shown in the question on the Order Paper, and there need be no delay in the passing of the necessary amendment this session. He hoped the Premier would put the matter in hand, because at present there was a great deal of doubt and confusion on the subject on the part of our public schools, municipalities, and the general public, and certainly the matter required a settlement, which would be effected by the alteration of clause 4. Mr. SEDDON (Premier) said the best way of answering the question would be to ask Mr. Speaker to allow him to give notice to introduce the New Zealand Ensign Bill. ARBITRATION COURT. Mr. J. ALLEN (Bruce) asked the Premier, If he will have more satisfactory arrangements made for the sitting of the Arbitration Court, or, failing this, if he will reorganize the Court so that the present long delays may be done away with ? A similar question was asked in the House a year or two ago, and we were then told that the pressure of business on the Court was passing away, and that the proceedings of the Court would be more regular. He feared that the pressure of business had not passed away, and one of the difficulties in connection with the Court- and as it at present existed there would always be this difficulty- was in hearing cases as soon as they ought to be heard. Some of his constituents had made complaint to him about the difficulty of getting a case heard in the Arbitration Court. Already nine months had passed away without their case being dealt with. He thought it was a case of breach of award. It was obvious that if nine months passed away without time being found for the hearing of a breach of award the Court was useless. The second part of his question referred to some reorganization of the Court altogether, so that those working under this law might have some benefit from it, and not be deprived of the benefits of the legislation.

<page>113</page>

cases dealt with within a short time they found them standing over for months. Against that, if they had appointed another Judge to take Arbitration Court work they might have orders and awards varying in different parts of the colony. Or, if they had a Judge appointed for the South Island and one for the North Island, there might be a difference in their awards. Hence it was necessary to have one Judge sitting as Judge of the Arbitration Court. He had thought, himself, and was led to believe, that the work would be overtaken, and he could only say that he would do his best to get that satisfactory position attained. He regretted the delays that had taken place, but, unfortunately, just after the appointment of the Judge of the Arbitration Court had been made, the absence of one of the Supreme Court Judges from the colony necessitated the work of the Arbitration Court being to that extent set aside ; and then, in addition to that, the Appeal Court sat, and these circumstances prevented the Judge of the Arbitration Court from overtaking his work there. However, he felt sure the President would do his best to overtake the work and remove the unsatisfactory state of affairs now existing. Apart from that, he thought that in respect to the Conciliation Board's proceedings there was room for improvement. In his opinion, so many cases and so many persons being cited meant riding the thing to death. He thought there ought to be more Court, less Board, and more conciliation. GOVERNOR OF FIJI'S SPEECH. Mr. HERRIES (Bay of Plenty) asked the Premier, When he intends to lay on the table of the House the answer to despatch No. 87 with regard to the speech of His Excellency the Governor of Fiji at the opening of the Wainibokasi Hospital ? Despatch No. 87, from His Excellency to the Secretary of State for the Colonies, was dated the 27th

November last, and enclosed a memorandum from the Premier himself, in which he called attention to this now celebrated speech. He (Mr. Herriest had looked into the despatches from the Principal Secretary of State for the Colonies, which had been laid on the table, and he saw no indication of any answer given to this despatch or to this memorandum. He thought it was important that they should have it. as they were about to discuss a motion, of which the Premier had given notice, with regard to the Governor of Fiji's speech. There was a despatch from the Secretary of State to the Governor of Fiji, and a copy of that despatch was, he believed, sent to His Excellency the Governor of this colony. He trusted that, if the Premier had had no answer to the other matter, he would agree to the copy of the despatch from the Secretary of State to the Governor of Fiji being laid on the table. VOL. CXVII .-- 7. honourable gentleman referred came under the head of " Confidential," of course he could not possibly lay it on the table of the House. What was intended was the reply to the despatch sent from the Secretary of State to the Governor of Fiji, and that would be laid upon the table. It was his intention to lay it on the table before proceeding with the debate on the Fijian resolution. He was only speaking from memory, but he was inclined to think there was some more correspondence, but that it was under the head of " Confidential. "

MEMBERS OF RETURNED CONTINGENTS. Mr. WITHEFORD (Auckland City) asked the Minister of Defence, If the Government will take steps to obtain a list of the names of members of returned contingents desiring to obtain employment in the colony? His reason for asking this question was that he believed the Premier only required to know the names and addresses of those members of returned contingents who were desirous of obtaining employment in the colony in order to provide them with that employment. On every occasion that he had communicated with the Government on this matter they had done their best to assist returned members of contingents in getting the employment they needed. He trusted the Minister of Defence would obtain the names of all members of New Zealand contingents who desired to obtain work. If the Minister of Labour would act in concert with the Minister of Defence, he was quite satisfied they would have this matter properly carried out. Mr. SEDDON (Minister of Defence) said a list of the names and addresses of members of contingents applying for work was made. The officers commanding the districts were also keeping lists of applicants and of employers requiring men. As to those returned troopers who were previously in Government employ, there was a standing instruction that they should take the places they left before going to the front. In regard to Government employ, it had been decided that preference should be given to members of returned contingents, other things being equal. Then, in respect to private employment, the Government were ascertaining where men were required, and were endeavouring to get them back to their ordinary avocations. The sooner they were enabled to take up their ordinary avocations the more pleasurable it would be for themselves and for the people of the colony. The Government would do their best in the direction indicated.

MANGATORO ESTATE. Mr. O'MEARA (Pahiatua) asked the Government, If they will acquire the Native rights of 11,000 acres at present held under lease by the Assets Board as part of the Mangatoro Estate ?

<page>114</page>

definite answer from the Premier, if it could be given without causing complications, as to whether it was the intention of the Government to acquire the 11,000 acres. He understood that there were only two Natives at present interested in this block, and they were desirous of selling it at a reasonable price, and, as they had plenty of land apart from this 11,000 acres, the Government would see all objections on that score were removed ; and, as negotiations were entered into with the Natives prior to the passing of the Native Land Act, legislative restrictions did not interfere with the purchase. Mr. SEDDON (Premier) said, if his memory served him aright, negotiations were proceeding ; but he was not going to bind the Government in reply to a question, otherwise the hands of the Government might be forced, and they might have to pay more for the land. The honourable member was within his rights, and was, no doubt, doing what his constituents required of him in calling attention to this matter, but he (Mr. Seddon) was also within his

rights when he said that this matter had not been overlooked, and that negotiations were proceeding. The Government, however, would take their own time and their own course, hoping ultimately to bring the matter to a successful issue.

OLD SOLDIERS' CLAIMS. Mr. HERRIES (Bay of Plenty) asked the Government, Whether they intend this session to bring in legislation to deal with outstanding claims of old soldiers ? Every session they had a crop of petitions from old soldiers, who, rightly or wrongly, thought they had been neglected. Many of them, he knew, had not been able to go before the last Commissioner appointed to inquire into these claims, owing to his visits not being sufficiently advertised. Many had been dismissed on mere technical grounds. He trusted the Government would settle these claims, and, if some of them had been thrown out on mere technical grounds, every consideration should be shown towards those who had done good and faithful service to the colony.

Mr. SEDDON (Premier) said a reference to the Order Paper would show that there was a fair amount of work for members to get through. He had answered this question in the negative on more than one occasion, and the honourable member would recollect that when they passed the last measure dealing with old soldiers' claims the House and the country were told it was to be final.

Mr. HERRIES .- Some of them were not investigated.

Mr. SEDDON said the Commissioner appointed travelled from one end of the colony to the other, and his salary and expenses amounted to something like \$2,000, and, as far as he (Mr. Seddon) knew, the work was Mr. O'Meara's way there might have been some few cases overlooked, the better course would be for them to petition the House. As to amending the law in respect to this matter, members had already so much work to do that he would hesitate to call upon them to deal with the question this session.

RANGIORA RAILWAY-STATION. Mr. BUDDO (Kaiapoi) asked the Minister for Railways, When he intends to authorise the erection of a new railway-station at Rangiora in place of the present antiquated and inconvenient accommodation ? The description of this station was not his own, but was embedded in a resolution that had been passed by the Borough Council. This was one of two railway-stations in North Canterbury that had had considerable additions in regard to goods-sheds and siding accommodation during the past five-and-twenty years, but nothing had been done for the accommodation of passengers. At this particular station at the present time there was only office-room. There was no accommodation for shelter. It was not fair to the travelling public of North Canterbury that they should have only the accommodation at these railway-stations that was necessary when the population was not half what it was at the present time. The station-buildings were inadequate, and were at too great a distance from the main-line. He trusted to get a favourable answer.

Sir J. G. WARD (Minister for Railways) was very sorry to hear such a condition of affairs existed in the honourable member's district, but he regretted to say, from the report he had upon the matter, that it was considered the present passenger accommodation was sufficient, and there was nothing to warrant the erection of a new station there at present.

MCLEAN'S RAILWAY-STATION. Major STEWARD (Waitaki) asked the Minister for Railways, Whether he will make provision for the erection of a grain-shed and improving the loading-bank and siding at McLean's Station, on the Waimate-Waihao Downs Branch Railway? A number of the settlers of Waikakahi had already approached the Minister upon this question, and he would like now to hear what the honourable gentleman had to say upon the matter.

Sir J. G. WARD (Minister for Railways) said the traffic at this station was not sufficient to warrant the department incurring the expense that would be necessary to give effect to this request. He was informed the existing accommodation was ample for the amount of business done at the station. The total amount of grain forwarded through this station during the last six months was 3,760 bags.

MAIL-DELIVERY. Mr. HOUSTON (Bay of Islands) asked the Postmaster-General, If he will take some steps

<page>115</page>

very of the Auckland mail in Wellington ? There had been frequent irregularity in the delivery of the mail from Auckland. No longer ago than last Monday the letters which arrived on that day at New Plymouth

were not delivered in Wellington till Tuesday morning, and some of them not until midday on Tuesday, and others on Tuesday evening. There must be something wrong with either the Railway or Postal Department. He believed it was the case that, although a steamer left Onchunga on Sunday, catching the through train on Monday morning at New Plymouth, the mails were sometimes sent by slow boat on the East Coast, arriving here on Tuesday night. He hoped the Minister would be able to see that some arrangement was made by which the mails would come to hand in proper time.

Sir J. G. WARD (Postmaster-General) said he would be very glad, and the department was only too anxious, to see every despatch in the delivery of mails, not only to members but to every one. The circumstances at the time the honourable gentleman referred to were very exceptional, because there were two heavy mails - one Australian and one from Brindisi - coming down on that occasion, with the result that the ordinary sorting, which took place in the train, could not be overtaken, and the officials of the department had to work through the night till the following morning. As soon as the sorting was finished the letters were sent on delivery. This was one of the few occasions when complaint had been made about the delivery from Auckland. It was quite right to inquire, however, and it showed the watchfulness of honourable members; but when they had the congestion of two heavy mails on the same day no ordinary arrangements could overtake the work. The honourable member having drawn attention to the matter, and having heard his answer, would see that the Postal Department was not more lax than in the past, and that every attention was given to insure the prompt delivery of letters.

CASUAL RAILWAY-HANDS. Mr. COLVIN (Buller) asked the Minister for Railways, If it is correct, as reported, that the number of casual hands employed on the Westport Section of the New Zealand railways is in proportion to the number of permanent employees as five is to one; and, if so, will he take steps as soon as possible to appoint to permanent positions all those casual hands whose length of service exceeds twelve months? It had been represented to him that the number of casual hands employed on the West Coast Section of the railways was out of all proportion to the number of permanent hands, and he hoped the Minister would at once take steps to place those casual hands who had been over twelve months employed on a permanent footing. He understood that some of the casual men had longer railway service than some of those employed permanently.

Sir J. G. WARD (Minister for Railways) said he would make inquiries into this matter. He thought the honourable gentleman was right in what he said, because in such cases as he alluded to there must always be a large amount of intermittent labour, and a large number of temporary as against those known as permanent hands. It would not do in any administrative department of the Government to make a hard-and-fast rule as to the number of casual hands to be employed in proportion to those who were permanent, and he was quite sure no member of the House would desire to force the Ministry into any such position. On the other hand, casual hands who had been in the service a certain number of months were given the same privileges as permanent men. He would point out that converting casual into permanent hands would not, in the event of a general reduction in the number of hands, give them any more right to remain in their position than the casual hands; because throughout the colony some of the best men in the workshops, and some of the best in the department, were casual hands, and in the event - which appeared to be in the minds of those who wished these hands to be made permanent - of reductions being made, it would require to be done fairly and impartially, and quite irrespective of whether they were permanent or casual hands. The casual men would be treated throughout the colony with equal fairness, and they had the same privileges after the short time he had spoken of as the permanent men.

TELEPHONE AT KIMBELL. Major STEWARD (Waitaki) asked the Commissioner of Telegraphs, When will he fulfil the promise made on 6th July, 1900 (see Hansard, Vol. 111, page 307), to establish a telephone bureau at Kimbell? He would refer the honourable gentleman to the specific promise made last year in this matter. He presumed it had been overlooked, and hoped the Minister would inform him when the work would be carried out.

Sir J. G. WARD (Commissioner of Telegraphs)

said he would be very happy to give effect to the promise that had been made. The department had been waiting for suitable free accommodation to enable the bureau to be established. If this could be obtained, it would be done at once. # BULL'S POST OFFICE. Mr. STEVENS (Manawatu) asked the Postmaster-General, If he will place a sufficient sum of money upon the estimates this session for the purpose of erecting a new post-office building in the Township of Bull's ? The present building had for a number of years been unsuitable. An application was before the Colonial Secretary for the purpose of having the name of Bull's changed to something more euphonious, and he hoped the Postmaster-General would see his way to place a sum of money on the estimates for a new post-office, so that it might be opened with the new name of Rangitikei or Arataumaihi.

<page>116</page>

gerer. However, if the place was to have such an unpronounceable name it ought to deserve some consideration. The department believed that a new post-office was obviously required ; but until the public-works estimates were finally considered by Cabinet, he could not pledge the Government to have it built during the coming year. It was, however, on the list recommended by the department for favourable consideration. # SINGLE RAILWAY TICKETS. Mr. WILLIS (Wanganui) asked the Minister for Railways, Whether he will extend the system of single railway tickets, which are now available for one day only, so that they shall be available for at least one week, as such alteration will be a great public convenience ? In asking this question he was anxious to know why the system of granting single tickets for one day only had so long prevailed. It was annoying to a passenger that, in the event of taking a through ticket, and finding it necessary to break his journey, he should have to take out another ticket next day. It was also troublesome to have to take two or three tickets for one journey, and made more trouble for the department. The cost of a return ticket was twice that of a single ticket, so that no loss would occur to the department if the concession were granted. He hoped the Minister would agree to his reasonable proposal. Sir J. G. WARD (Minister for Railways) said he had indicated a few days ago that the question of single tickets was now being fully considered by the Government. He recognised the great convenience it would be to people to be able to use their tickets beyond the limit under the existing system. The reason why the change had not been made was entirely owing to the difficulty of checking : that was what had to be got over. It would require the name of every station to be printed on the sides of the tickets right through the journey. The honourable gentleman would see, if a single ticket were to be used for conveyance to-day, and a person got out at a station forty miles away, and then desired to continue his journey the following day, the department would require to have the first stop checked. Mr. WILLIS .- They are used from 4.0. one to the other in America at present. Sir J. G. WARD said there were private companies in America, and very great competition amongst them. They had a way of conducting their railways in America that he should be very sorry to follow here in many respects. had not been feasible under the old system to take the matter up here, but now that they had a universal system of charging for single tickets, and return tickets at double these rates, he thought the check system could be adopted ; and as soon as arrangements were matured for bringing it into operation it would be put in force, but on a more liberal scale than was indicated by the honourable member. master-General, What is the result of the " communications sent by him to the different portions of the Empire" (see Hansard, Vol. 113, page 313) with a view to bringing into operation a general penny-postage rate for newspapers irrespective of weight ; and whether there is a probability of this being effected, and, if so, from what date? On the 29th August, 1900, he had asked the Postmaster-General whether, in connection with the penny-postage system for letters, he would also be able to arrange that newspapers might be forwarded to Great Britain, Canada, Australia, and Cape Colony at the same rate-namely, 1d. per paper. The postage at present on weekly papers was 3d. or 4d. for each copy, and a large number of persons who would be glad to send Home papers were prevented doing so by reason of the prohibitive rates. This

was one of the best means of advertising the colony, and the honourable gentleman, in 1900, in his reply, expressed his sympathy with the question, and said he was quite favourable to bringing into operation a penny newspaper rate within the Empire—that he was then communicating with London and other countries interested, and hoped for a favourable reply. He wished now to ascertain whether the result of his inquiries had been favourable, and if there was any prospect of this reform being carried out. Sir J. G. WARD (Postmaster-General) said he had communicated with the different portions of the Empire referred to, but he was sorry to say that in each case the reply was unfavourable, and there appeared to be no immediate prospect of inducing the countries named to accept our newspapers at the uniform penny rate. He was exceedingly sorry for this result, but the department had done its best in the matter. They had offered to admit the 1 newspapers from those countries at the penny rate if they would agree to take our papers at the same rate; but unfortunately the Postal Union, which was a very powerful organization, ruled in the matter; and, although representations had been made to that body, the reply had been unfavourable, and they would not agree to the suggestion. He would, however, keep on representing the matter, and hoped finally to succeed. # RIVERS COMMISSION. Mr. R. MCKENZIE (Motneka) asked the Minister of Mines, When does he intend to lay the report of the Rivers Commission before this House? This Commission had sent in its report some time back, and some members who were considerably interested in the matter were anxious to hear what the report was. He hoped the House would get it very soon. Mr. McGOWAN (Minister of Mines) said that the final report of the Rivers Commission was now in the hands of the Printer, and would be brought down and laid on the table as soon as it was ready.

<page>117</page>

Government, If it is their intention to grant three days' leave of absence to the whole of the Police Force on account of the Royal visit, or only to those who followed the visitors over the colony; and, if to the latter, why not to those members of the Police Force who left their homes to attend at the large centres during the stay of the Royal party? He had put this question in view of a communication he had received from a constituent, who was not a policeman, and who thought it a great hardship to some of the police that they had not been allowed the same concession as the police who actually followed the Royal visitors through the colony. He hoped the Minister would give him an explicit answer on the question. Mr. McGOWAN (Minister of Justice) said he was glad to be able to inform the honourable gentleman that not only those members of the Police Force who left their homes, but those who had done extra duty in connection with the Royal visit, would receive the consideration which was mentioned in the question, the order being to grant three days' extra leave to all members of the Force who were called upon to perform extra duty during the Royal visit. # LAKE ELLESMERE. Mr. RHODES (Ellesmere) asked the Minister for Railways, If he has yet come to any decision with regard to the request for a grant in aid of the permanent drainage works proposed to be constructed at the outlet to Lake Ellesmere? Shortly, the position with regard to the proposed drainage works was that the Minister of Lands had promised £1,000 towards this work on condition that the Minister for Railways would give \$700. He was not sure that the Minister for Railways had not already consented to this effect, and had so informed the Selwyn County Council. If so, he would not proceed further with the question. Sir J. G. WARD (Minister for Railways) said the Selwyn County Council had been advised that the payment of a sum not exceeding \$700 towards the construction of an outfall, providing the cost of the outfall alone amounted to \$4,000, with a proportionate reduction in the event of the cost of outfall being less than \$4,000, had been approved by the Government, on condition that the Railway Department incurred no liability for the future maintenance of the outfall; and arrangements were being made accordingly. SLY-GROG SELLING AT PORT ALBERT. Mr. MONK (Waitemata) asked the Minister of Justice, Whether he is aware of the particulars of two cases of sly-grog selling brought before Mr. Bush, S.M., and Mr. Hutchison, S.M.,

respectively, at Port Albert on the 25th August, 1893, and the 15th May last, and the contradictory decisions arrived at therein ; if so, what remedy will the Minister suggest for what seems a serious irregularity ? This question arose out of two cases heard at Port Albert. and the Stipendiary Magistrate, Mr. Bush, ruled that it should have been brought against the steward, who was practically the guilty person. Subsequently a similar case was brought before Mr. Hutchison, Stipendiary Magistrate : but it was held that the charge could not lie because the police had made the charge against the steward instead of the captain. The Minister would at once see that two such contrary decisions rendered futile the efforts of the police, who did not know what to do ; and it seemed to him that in the interests of justice such uncertainty should be put at rest by a definite decision being obtained from a competent authority. Mr. McGOWAN (Minister of Justice) said the case had not been brought before him until he had noticed it in the honourable member's question. He was now instituting inquiries into the matter in order to ascertain the position, and when that information was obtained it was possible some action would be taken. # COAL COMMISSION. Mr. R. MCKENZIE (Motueka) asked the Minister of Mines, When does he intend to lay the report, minutes of proceedings, and evidence of the Coal Commission before this House. He would be glad to hear that it was the intention of the Government to print this evidence, as it was of considerable importance, and especially in regard to the occurrence of a fire in the Cardiff coal-mine, which the Commission was sent down to report on. Mr. McGOWAN (Minister of Mines) said he was very pleased to be able to answer in the affirmative. The only delay in the bringing-down of the report was in connection with the accumulation of work in the Printing Office. As soon as that was overcome the report and evidence of this Commission would be laid on the table of the House. # AWAMOKO STREAM. Major STEWARD (Waitaki) asked the Minister of Mines, Whether it is intended to proclaim the Awamoko Stream as a sludge-channel in accordance with the petition of Maerewhenua miners to that effect ? Mr. McGOWAN (Minister of Mines) said this was a very important question. The position regarding this stream was that there were some forty-five claimants, and their claims amounted to over \$66,459. Besides this, there were objections from the Waitaki County Council, the dairy-factory proprietors, the farmers, and the Land for Settlements Department. Under these circumstances it was not intended to proclaim the Awamoko Stream a sludge-channel. SUPREME COURT JUDGES' SALARIES. Mr. NAPIER (Auckland City) asked the Minister of Justice, If the Government intend this session to afford the House an opportunity of increasing the salaries of Judges of the

<page>118</page>

the Empire. The same might be said of the Act so as to enable advances to be made to salaries paid to the District Court Judges, who settlers, merchants, and manufacturers on ap- were paid a salary which was about one-third proved shipments of New Zealand produce ? of that which was paid to the County Court He would like to point out that the system Judges of Great Britain ; and it was very much referred to was in force in South Australia, and less than was paid to the County Court Judges it had worked very satisfactorily there, and had in New South Wales, Victoria, and the other been the means of giving a great impetus to States of Australia. He trusted the honourable production and to the farming industry. He gentleman would see his way to afford the could not see that there was any inherent objection on the ground of principle to the extension of the functions of the Advances to Settlers which it could be done under existing circumstances was for a member to move a reduction of the salaries as an indication that he many produce merchants, and especially to desired them to be raised ; but that would be manufacturers, who had now, he thought, to most inexpedient in regard to high judicial pay excessive amounts for the purpose of getting officers, even though it was merely a formality. financial accommodation when shipping He trusted the honourable gentleman would New Zealand produce. see his way to give a

favourable reply. Mr. McGOWAN (Minister of Justice) would vances to Settlers Office) said it was not con- like to say, in reply to the honourable gentle- sidered advisable at present to extend the man, that, while it might be a fact that other working of the Advances to Settlers Office in countries paid high salaries to Judges and that direction. But the matter would receive County Court Judges, still the salary which attention in the future, and if the means could was at present paid to Judges here was suffi- be provided with safety to the State the pro- cient to command the services of the best men. posal would receive fair and reasonable con- not only in the colony, but, he thought, out of sideration by the Government. it. He might say that it was not the intention of the Government to make any alteration in the salaries of Judges. In regard to the District Court Judges, he might say that matter was under the consideration of the Government. vernment, Whether they will introduce legis- lation to allow local bodies to make their own DUTY ON GLASS-MAKING MACHINERY. valuations for local rating purposes ? He would Mr. WITHEFORD (Auckland City) asked like to point out to the Minister that very great the Government, Whether they will favourably dissatisfaction existed amongst the local bodies consider the advisability of granting a rebate in his part of the colony in regard to the Go- on duty payable on machinery imported by the vernment valuations. There was a meeting of New Zealand Glass Company for the purpose of local bodies held in the Palmerston district establishing the glass-making industry in this some months ago, and the representatives were colony? He might say that some very im- present from all parts of the coast, and not one portant machinery had been brought from of them had a good word to say for the Govern- abroad, and an industry had been established. ment system of valuation. It was faulty, the The sands in the North Island were very suit- cost was extravagant, there was a long delay, able for the manufacture of glasswork, and it and everything seemed to be done in such a looked as if there were the makings of a big way as to cause inconvenience to the local bodies. If the charges were reasonable, instead industry. of being so excessive as they were at present, Mr. MILLS (Commissioner of Customs) said matters might be different. Under the present it would not be possible under the existing law circumstances there were local bodies on the to meet their case as requested by the New west coast of the other Island who had the Zealand Glass Company. We were unable to right to make their own valuations, and it was allow the goods to come in duty-free ; but thought that perhaps the Minister might be apparently there was the nucleus of a very able to make regulations so that those local large industry in Auckland, which the Govern- bodies who did not want to use the Government ment would like to foster and encourage. As valuations might be allowed to make their own a great deal of the machinery the honourable valuations. gentleman referred to, required in the manu- facture of glassware, could not be made in the colony he should be very glad to submit the Government Advances to Settlers Office) said matter to Cabinet, and it would be for them to there was no intention to alter the present law, decide whether a sum equal to the amount of as, if the Government did so, most of the pro- visions dealing with the question in " The Go- duty the company had to pay to the Customs should be placed on the estimates when they vernment Valuation of Land Act, 1896," with its amendments, would need to be repealed. came down. Mr. Napier Mr. MILLS (Minister in charge of the Ad- LOCAL BODIES' VALUATIONS. Mr. PIRANI (Palmerston) asked the Go- Mr. MILLS (Minister in charge of the

<page>119</page>

Mr. PIRANI (Palmerston) asked the Govern- ment, Whether it is not possible for the Valua- tion Department to complete the local bodies' valuations so that they can have the rolls by the 1st April in each year? He would like to point out that in the case of the Palmerston Borough the Government valuation was not ready till the 1st July, with the result that the rate could not be struck before, and it was estimated that up to the beginning of August there was a loss in interest, through the fault of the Government, of £0. It was unfair that a local body should be mulcted in a loss like that. When the Act was passing through the House he suggested that the Government valuations should be made in January to

enable the rolls to be prepared and the Assessment Court to deliver its decisions, so that everything would be ready for the local bodies by the end of March. If that were done there would not be the same amount of friction that there now was under the present system. He would specially draw the attention of the Minister to the fact that, while the Government charged heavily for its valuations, there was nothing done to facilitate the work of the local bodies. The local body ought to be able to strike a rate in May, but at present they could not do so until July, which resulted in a very unfair impost being made on the local bodies. Mr. MILLS (Minister in charge of the Government Advances to Settlers Office) said that under "The Government Valuation of Land Act Amendment Act, 1900," section 29, (2), the following provision was made : That local authorities should levy their rates in accordance with the district valuation-roll as corrected up to the 31st March next preceding the levy. That being so, it was impossible to let any local body have their rolls by the 1st April. After the valuations had been made or amended the rolls had to be prepared by the office in Wellington and notices sent to the local bodies. The work of the Assessment Court had also to be undertaken, and this work all took up time. The local bodies were asked to say when they would levy the rate, and, as a matter of fact, every effort was made by the department to forward the rolls in sufficient time to enable the rates to be levied without delay or inconvenience. In reply to what the honourable gentleman said about dissatisfaction arising from the valuations, he would read to the House what instructions were sent out by the department. There seemed to be some misunderstanding spread abroad as to what they contained, and if the memorandum was read it would disabuse the minds of those who were of opinion that undue influence was used by the Valuer-General with the object of having the valuations raised to a value beyond what they ought to be. Mr. PIRANI said he never suggested anything of that sort. Mr. MILLS said it had been suggested at different times in the House, and it was as well to let honourable members know the position to every District Valuer :-- "From information received by the department it seems apparent that in some parts of the colony land is selling just now at very high prices, and the difficult question which the department has to solve is as to whether these high prices are likely to continue, or whether they are due only to causes which will not be lasting in their effect. " Without wishing in any way to influence District Valuers in their judgment as to values, I think it may not be out of place to caution them against valuing lands at their current market-value in places where there is any likelihood that the ruling prices may not continue. I have heard of land selling at :\$26 and £28 per acre for dairying purposes which a year or two ago was not valued at half that price. "I think in such cases it will be advisable not to be guided too closely by sale prices. In cases where districts require revision it is better, in my opinion, to raise the values by a gradual process, always endeavouring to keep within the selling-prices. It should be borne in mind that the department does not desire excessive values, and in cases where prices realised are considered by public opinion to be excessive we should not adopt these prices as an unalterable basis. I prefer that values should be low rather than that they should be in any way excessive." Honourable members would therefore see that fair and reasonable instructions were given to District Valuers before the valuations were made. He was aware himself that the Valuer - General was doing his best to get a bed-rock value for the whole of the colony. Of course, with the many large districts to value, it was a matter that would take some time. Mr. TANNER (Avon) asked, What about the scandalous charges made by the department - most iniquitous ? Mr. MILLS said it was easy for the honourable member for Avon to use those strong terms, but it was not so easy for him to justify them. Mr. TANNER said he was simply deluged with correspondence with respect to the excessive charges. Mr. MILLS said he had also had correspondence on the subject from the honourable member's district, and if the honourable gentleman would put a question on the Order Paper he (Mr. Mills) would tell him all about whether the charges were iniquitous or not. Mr. TANNER said he knew they were. They were three times what they formerly amounted to. Mr. MILLS said no doubt the honourable gentleman only knew what had been told or written to him; but in some cases the local bodies might not

have informed the honourable member that they were receiving a certain amount back again for the rolls they issued to other local Boards. Mr. TANNER said the honourable gentleman was speaking of the Sydenham case. He knew what the honourable gentleman meant ; but he (Mr. Tanner) was not referring to Sydenham.

<page>120</page>

Mr. MILLS said, exactly so. He was glad | the honourable member admitted one Board had not made a full statement of facts. The matter had been thoroughly investigated, and since a reply had been sent to that Board he had not heard any objection from them. However, he would be pleased to refer again to the real facts of the case. If the honourable gentleman would put a question on the Order Paper, or if the honourable gentleman would submit the correspondence in his possession to him, he would look into it, and if an injustice had been done he would see what he could do to remedy it. Mr. PIRANI (Palmerston) asked if it would not be possible to alter the date of the valuations so that they could be completed earlier in the year than they were at present. He did not say that under the Act anything better could be done at present, but he thought there should be an amendment. Mr. MILLS said if representations were made on the matter by some of the local bodies, and they were very numerous, he would bring the matter before Cabinet, and let the Government decide whether the alteration the honourable member suggested should be made. Mr. G. W. RUSSELL (Riccanton) said he would like to be allowed to read a letter bearing on the matter, which he had just received from the clerk of a Road Board in his district. The letter was as follows : --- "That this Board complains principally as to revision. In most cases the Board has to advise the department of alterations required, and is then charged for permission to make such alterations. The amount paid by this Board for revision in the past year is \$9 14s., which would have cost the Board nil if allowed to do it themselves. The department of their own knowledge know nothing of alterations in ten- Consequently, Road Board clerks pay expenses to supply information, for which the department charges the Board." Mr. MILLS .- Did you mention who that was from ? Mr. G. W. RUSSELL would give the honourable gentleman the letter. Mr. TANNER would give the honourable gentleman another letter -- half a dozen if he liked. Mr. MILLS said he knew there had been circular letters sent to different members. Mr. G. W. RUSSELL said this was not a circular. Mr. MILLS, at any rate, had seen circular letters that had been sent to different members on the same subject. They gave the same details in each letter, but they had only referred to one case. He might tell the House that he did not know of one single complaint now before the department. Some persons who felt aggrieved had been dealt with, and so far those who had been written to had not sent word to him that they objected to his explanation.

STONE-CRUSHING MACHINERY. Mr. BUDDO (Kaiapoi) asked the Minister of Customs, If he will favourably consider the question of the remission of Customs duty on stone-crushing machinery imported by local bodies, and which cannot be manufactured in the colony ? This was a very important matter to all local bodies throughout the colony which had anything to do with the care of roads. Now, it became a question whether it was politic on the part of the State to take such a large sum out of the pockets of these local bodies in the form of Customs duties on machinery that could not be made in the colony. The stone-crushers referred to in the question were charged a duty of \$48 10s., and it was an extraordinary charge on a necessity to good roads. Labour could not be obtained in the colony to crack stones, and he was very pleased indeed that it could not ; and they could not keep their roads in good condition with a covering of shingle, and unless the department remitted this impost it would no doubt lead to their roads not being maintained in that degree of efficiency which was essential for the well-being of our settlers throughout the colony. He hoped the Minister would state, in his reply, that he would be prepared to remit the charge made by his department on these stone-crushers. Mr. MILLS (Commissioner of Trade and Customs) might state, in reply to the honourable member, that it was impossible for him to do anything beyond carrying out the law. The law at present stated explicitly that there must be a duty of

20 per cent. charged, and therefore he had no option at all. He quite agreed with the honourable gentleman that the day had arrived when the local bodies must endeavour to keep in the van of progress, and endeavour to make their roads good, so far as they possibly could with the rates and fees at their disposal. He would take the opportunity of submitting this matter to the Cabinet, and he would acquaint the honourable gentleman afterwards what the decision might be in regard to a remission. It could only be done by placing a sum on the estimates to be voted by the House. There were some few other local bodies which had imported similar machines, and had paid these amounts; and therefore it opened up a broader question than that of dealing with only the one importation by one local body. Personally, he agreed with the remarks of the honourable gentleman. As far as local bodies were concerned, he knew from personal experience they had a lot of work to do and very little means with which to do it.

COLLINGWOOD-FERN TOWN BRIDGE. Mr. R. MCKENZIE (Motucka) asked the Minister for Public Works, What progress, if any, has been made by his department with the construction of the Collingwood-Ferntown Bridge ? Mr. HALL-JONES (Minister for Public Works) said it was necessary before plans were prepared to survey the site. This had taken some time. The plans were now complete, and the specifications were almost complete, and tenders would be invited in the course of a week or two.

1

<page>121</page>

Mr. BUDDO (Kaiapoi) asked the Government, If they will submit the proposed scale of teachers' salaries, and allowances to Education Boards for building and maintenance, to the Education Boards for consideration before giving effect to the recommendations? The Education Boards of the colony were naturally very anxious to know what would be their position after the amount had been agreed to in regard to teachers' salaries, and he thought perhaps it would be wisdom on the part of the department if they would submit to the Education Boards for their consideration the proposed scale of teachers' salaries, and also the allowances for building and maintenance. Building and maintenance was now the principal business of Education Boards, and he thought it was necessary they should be consulted before a decision was arrived at, to afford the Boards an opportunity of expressing their views on the matter. Mr. HALL - JONES (Minister for Public Works) said a Commission had been set up to deal with this matter, and representatives of Education Boards, of the school teachers, and Inspectors were appointed to that Commission. He believed the report of the Commission would be such as would satisfy the members of the House. He was afraid that if members of the Education Boards were now again called upon to express their opinions, before a decision were arrived at, it would lead to such delay that no colonial scale of salaries would be adopted this Parliament. However, after the report had been circulated among the Education Boards they could make what representations they pleased. But he, for one, would not delay the legislation that might be thought necessary merely for the purpose of obtaining the assent of all the Education Boards, or the majority of the Education Boards, to the proposals contained in the report. He thought the House had confidence in the gentlemen who composed the Royal Commission. When they had the report of that Commission before them they would know better what was the position, and be believed members would be justified in taking upon themselves any responsibility in carrying out the recommendations of the Commission. Mr. BUDDO asked, What about the allowances to Education Boards for building and maintenance. Mr. HALL-JONES said that would be gauged from the amount required towards cost of the teachers' salaries. Mr. G. W. RUSSELL asked when the report of the Commission would be circulated. He understood it was handed in yesterday. Mr. HALL-JONES believed it was now in the hands of the Governor. and as soon as it was returned it would be laid before the House, printed, and then circulated as speedily as possible.

SUBSIDISING PUBLIC LIBRARIES. Mr. LANG (Waikato) asked the Government, If it is their intention to continue to assist public libraries throughout the colony in the same manner as they have done

during previous sessions ? He hoped the Minister would reply to this question that the Government not only intended to continue the subsidy, but that they would increase it to the amount at which it formerly stood. He might remind the Minister that in 1883 and 1884 the sum paid by way of subsidy to the various libraries was €6,000 for each of those years. Considering the large amount of good the subsidy had done in the way of encouraging these public libraries, more particularly the small libraries in country districts, he hoped the Minister would see his way to say the Government would increase the subsidy to the former amount of \$6,000. Mr. HALL - JONES (Minister for Public Works) was very sorry that he was not able to give the honourable member the satisfactory answer that he desired- namely, that the vote for this purpose this year would be equal to \$6,000. He thought if the House voted an amount equal to that of last year- \$3,000 -he (Mr. Hall-Jones) for one would be satisfied. The local people must remember that it was a matter of duty with them to assist these libraries, and that the subsidy of \$3,000 from the Government was a very reasonable contribution.

RAILWAY TO ALEXANDRA. Mr. BENNET (Tuapeka) asked the Minister for Public Works, If an alternative survey of the railway from Chatto Creek, via Spring Vale terraces, to Alexandra can be made, with the view to obviate the necessity of crossing by means of three costly bridges over the Manorburn and Manuherikia Rivers and the consequent delay during construction? He asked this question at the request of a number of his constituents, who were under the impression that if a deviation of this route were found practicable it would save the cost of three expensive bridges, and there would also be a considerable saving in the cost of construction, and likewise in the time required for construction. Mr. HALL - JONES (Minister for Public Works) was obtaining additional information with regard to the portion of the route of the Otago Central Railway referred to by the honourable member. He was down there two years ago with the District Engineer, and to an outsider it appeared to be a more direct route ; but, although it might be a more direct route, the cost of construction alongside the river by the steep face of the cliff would be much in excess of the first survey that had been made. However, he intended to make further inquiry into the matter, but he did not think it would be a better route than that which had been surveyed. An engineer would be starting in a few days to test the matter.

KAWAKAWA-WHANGAMOMONA RAILWAY. Mr. NAPIER (Auckland City) asked the Government, If they will this session take the -

<page>122</page>

From the time constitutional government was list of authorised railways ? The authority for the construction of the line between Stratford given to this country up to the session of 1900 members of the House had enjoyed the privilege and Kawakawa had only been given for that and, indeed, the unquestioned right of having re- portion up as far as Whangamomona. It was desirable, therefore, that authority should be prints of their speeches for circulation amongst given for the completion of the line. The line their constituents ; but after the second reading would intersect the North Island Main Trunk of the Industrial Schools Bill of last session in- Railway at Kawakawa, and would bring the structions were given by the Minister in charge people of Taranaki into direct communication of the Printing Office that members were no with the City of Auckland. This route had been longer to have that right. During the present session he (Mr. Meredith) had sent a note to accepted by the Government, and the House were unanimous in approving of the determina- the Government Printer-not being aware that tion of the Government to construct this line that embargo continued in force-asking him to simultaneously with the North Island Main reprint a few copies of his speech upon a certain Trunk line. The land to be opened up was Bill, and he received from the Government very fertile, a large portion was in the hands Printer the following reply :- " In reference to your application for reprint of the Government, and another portion was Native land. The Minister himself had in- of your speech on Land for Settlements Bill, I beg to inform you that it has been decided spected the country some twelve or fifteen months ago in company with himself (Mr. not to reprint members' speeches for the future." Napier). At present he believed there was As each

member was only allowed sixty only one settler in the Ohura Valley beyond Whangamomona, and there was no doubt that copies of Hansard for circulation, very few out if this railway were constructed rapid settle- of an average number of ten thousand electors ment would follow. The initial step was, of in a constituency would be able to gain any course, the authorisation of the line, and he information of what actually transpired on the hoped the Minister would see his way to have floor of that House. He represented a country electorate extending from north to south about this done during the present session. Mr. HALL- JONES (Minister for Public two hundred miles, and from east to west about Works) said the authorisation of the line would eighty miles, and his constituents were scat- tered in small communities. If, therefore, he be of no use unless they had a vote of the House had not the right to reprint copies of his to enable the Government to carry out the work. Now, the honourable member had speeches many of his constituents would have pointed out that in the Ohura Valley there no opportunity of knowing what their repre- were only a few settlers, and it would be far sentative was doing in the House. He had better to expend the money where the country brought the matter before the House towards was well settled. In taking the line through the close of last session, but had not received a from Stratford to Kawakawa they had started favourable reply. He intended to press this from the Stratford end, where every acre of question until the restriction was removed. land had been taken up for some fifty miles Mr. HALL - JONES (Minister for Public along the route, and consequently there would Works) said the honourable gentleman ought be an immediate return upon the money ex- to know that this so-called " privilege " of re- pended. To commence work at the northern printing members' speeches had only been in end of the Ohura Valley would necessitate a operation for a comparatively few years. It smaller vote for the Main Trunk line, and he never was a right or privilege, but it appeared was sure the honourable gentleman would not to have been allowed as a matter of courtesy have a single pound diverted from that work to members of the House. If the honourable for the purpose of starting a new work at Kawa- member wanted to let his constituents know kawa through the valley. When the Main what he was saying in the House, he could go Trunk Railway was opened to Kawakawa it to any of the outside printing-offices and get would be time enough to consider whether they ten thousand copies of a half-hour's speech should commence the work at the northern end printed at a cost of 30s. more than he would as well as at Stratford. be required to pay at the Government Printing Mr. NAPIER did not ask that any money Office. And if a man considered that was too should be expended, but merely that this should much to pay, then he could let his constituents be placed on the list of authorised railways, go without the speech. He was advised that to do which would cost nothing. the Government Printer was responsible, per- Mr. HALL - JONES said he would, if the sonally and officially, for any libellous matter honourable member desired it, consider this that appeared in those speeches when reprinted phase of the question when bringing down any from Hansard. Authorisation Bill. Mr. MEREDITH .- When did you discover that ? HANSARD REPRINTS. Mr. HALL-JONES .- Last session. And it Mr. MEREDITH (Ashley) asked the Govern- was unfair to the Government Printer that he ment, By whom, and why, instruction has should be placed in the position of having to been given to the Government Printer not to run the risk of a prosecution in the event of any Mr. Napier

<page>123</page>

these had been from the honourable member, one was from a colleague of his (Mr. Hall- Jones), and one was from the Opposition benches. He had acted strictly in accordance with the legal opinion on the matter. He did not know whether Mr. Speaker would be pre- pared to act as censor, and to say whether or not certain speeches should be reprinted at the Government Printing Office and cir- culated. Personally, he would not take that position. It was the duty of the House to protect the Government Printer from any action that might be taken. Let the honourable member move in that direction. They had more work in the Printing Office this session than they had had for years past. Many of the reports were delayed owing to

the work of the Education Commission coming in late ; and then to ask that they should take up the time of the Office-apart from the legal liability -in printing reports of members' speeches when they could get them done nearly as cheaply in an outside office was undesirable. He was not aware it was a right any honourable gentleman could demand -it was a matter of courtesy ; and he would have been only too pleased to continue it if it had not been for the warning he had received last session. He considered he was doing his duty as the administrator of the When department in acting as he had done. the question had been referred to recently he had pointed out that a member's speech containing libellous matter printed separately might be held to be libellous, but that if an ordinary number of Hansard were circulated with the Government imprint it was privileged, and he had stated that he was prepared to issue the single number of Hansard at almost the same price as the single speech. That was a fair offer, and if the honourable gentleman wanted to circulate his speeches all he had to do, after he had made one of his eloquent addresses, was to notify the Government Printer that he wanted ten thousand copies of the number, and he would have them printed, and the honourable gentleman would be supplied with them at a cost not much in excess of that of the single speech. He failed, however, to see why liability should be thrown on the tax- payers of the colony, or why they should be called upon to defend any libel action, or why the Government Printer should be called on to do so, in order to satisfy the vanity of any member of the House. Mr. MEREDITH said the honourable gentleman was drawing a red-herring across the scent. Could he state any instance of a libel action being brought against the Government Printer for a reprint of members' speeches ? In the second place, he might be permitted to say. in reply to the honourable gentleman, that whenever he had a reprint of his speeches he had always paid to the full the account rendered by the Government Printer. He was under no obligation to the Government Printer ; and, notwithstanding the honourable Printing Office. Mr. HALL-JONES said he did not for a moment doubt that the honourable gentleman had always paid for the printing of his speeches ; and in regard to any action for libel being brought against the Government Printer, he did not know of any ; but he did know of the liability of that officer if what the honourable gentleman desired was to be given effect to, and it was his duty to protect him, and it was the duty of the House to protect him. It was open to any honourable member to get the whole number of Hansard, or to give the work to an outside printing-office at an extra cost of 30s. more per ten thousand copies of his speech. KIOURANGI POINT LIGHTHOUSE. Mr. R. MCKENZIE (Motueka) asked the Minister of Marine, What progress, if any, is being made with the construction of the Kiou- rangi Point Lighthouse ? Mr. HALL-JONES (Minister for Public Works) said very good progress was being made. The lamp and apparatus had been ordered, and was expected to reach the colony in November. Then, a contract had been let for the iron tower, also to be completed in November ; and the plans and specification of the other build- ings were now ready. # TADMOR BRIDGE. Mr. R. MCKENZIE (Motueka) asked the Go- vernment, If they will make provision on this year's estimates for the railway-bridge over the Motueka River at Tadmor being also made a road-traffic bridge. Mr. HALL-JONES (Minister for Public Works) hoped to make provision for the work referred to. The plans and specification were complete, and ready for inviting tenders. WAIMATE HIGH SCHOOL CADET CORPS. Major STEWARD (Waitaki) asked the Go- vernment, Why so long a delay-namely, eighteen months-has occurred in connection with the offer of the services of a cadet corps in connection with the Waimate District High School, and when the school authorities will be informed of the decision arrived at? He asked the question in consequence of having received the following letter from the head- master of the Waimate District High School :- "Waimate, 14th July, 1901. " DEAR SIR, -- I am in receipt of your letter of the 5th, for which many thanks. " In reply, I may say that the Government have not yet accepted the corps to be formed in connection with our school. The position is simply this : Fully eighteen months ago both High School Board and School Com- mittee resolved that a cadet corps be formed in connection with the Waimate District High School. The former body voted \$30 towards uniforms, and the School Committee

agreed to find the balance. All the necessary details were gone through-number of boys eligible,
<page>124</page>

whether anything had been done-only to find that the application had not been forwarded. Either Colonel Gordon or Bailey was in fault here. All the preliminaries were again gone through; but again we got no satisfactory reply from the department. " Again application was made, and this time we were told that cadet corps were now under the control of the Education Department. I then applied to the Education Department, but they said they had not completed arrangements. Again I applied, with the same result. "If you can do anything for us we shall be very grateful .-- Yours, &c., " GEORGE PITCAITHLY. "Hon. Major Steward, M. H.R." It seemed to him, after the discussions in the House, and the unanimous opinion of members that cadet corps should be encouraged, that it was extraordinary that eighteen months should have been allowed to elapse when a suitable corps was offered without any answer being vouchsafed, although repeated applications had been made to the department. Mr. HALL-JONES (Minister for Public Works) said he thought the honourable gentleman did not mean that there had been no answer, but that no decision had been come to. He believed there had been correspondence between the authorities of the school and the department ; but that no decision had been come to was quite correct. The reason for this was because the authorities asked for something of an unusual character. Honourable members were aware that, in connection with cadet corps, where they were formed at high schools they came under the Defence Department, and received \$20 per annum ; but where they belonged to ordinary primary schools they received no such grant, but they got a supply of model rifles. The difficulty in connection with this school was that it was a district high school, and therefore in a similar position to a primary school. If it had been a high school they would have had a grant in the ordinary way, or if they formed a cadet corps on the lines of a primary school they could get the rifles ; but they, being mainly a primary school, wanted to bring themselves under the same rule as the ordinary high school, and that was where the difficulty occurred. The best course would be for them to form a cadet corps as if they were a primary school. Major STEWARD asked if the Minister would have a communication sent to the school authorities to that effect. Mr. HALL-JONES said he would request his colleague to have that done.

CO-OPERATIVE WORKERS. Mr. LETHBRIDGE (Rangitikei) asked the Minister for Public Works, If he will explain why the co-operative workers on the North Island Main Trunk Railway are continually complaining of the Engineers' measurements ? He Major Steward to the measurements. They complained that, after having finished the work and having obtained competent persons to measure their work, it was found to be nearly twice as much as the measurements of the Engineer. He was not speaking without information, because he had a letter which he had received from a party of men at Taihape, and the writer said,- " I wish you to place this letter before the House, and show clearly the way in which the co-operative works are being run up here, and how the labourers are being victimised on the works here. My case is as follows : Myself and party shifted 760 yards at 1s. a yard, and on pay-day they wanted to pay us off with 370 yards, which I refused to take. It's been measured by three different parties, all competent men, and they all make it 760 yards. This fetched us out at the rate of 6s. a day. I cannot get any redress here, so I hope you will do your utmost to show the way in which the co-operative works are being run here, and expose the present 'sweating' system, which prevails from one end of the line to the other. There are married men here who can't get enough money to shift them out of the district, and would be happy if they could once get away. 'Sweating' is quite general here, and we are all of opinion that the Government is responsible for the lot. Will some of those men who are so fond of the working-man at election stand to us now, and make this a test case, and cause an inquiry into the administration or maladministration of the work. Things are in a terrible state here, and it is about time something was done for the men. We have got no union, no Arbitration Court .-- I remain, &c., AND PARTY. "P.S .- Please put this letter on the table ; it is all solid facts. When I write a letter like this I

confine myself wholly and solely to facts. By doing this you will do the co-operative men in this district a favour which will be appreciated by one and all." Mr. HALL - JONES (Minister for Public Works) presumed the honourable gentleman would follow the usual course of laying on the table of the House a document read in debate. seeing that this was a matter of importance. He would like to ask the honourable gentleman if he realised his responsibility in this matter, seeing that he was making a charge against the Engineer at the works that he was robbing these men of one-half their earnings. As regards the charges, he knew nothing about them. There was sometimes a difference of opinion amongst the men as to the absolute quantity of material they had shifted; but what possible interest was it to the Engineer to defraud the men of a single penny ? Sometimes they were told that these works were costing too much, and the honourable gentleman said they were "sweating" the men. The honourable gentleman should, before bringing such a serious charge against Mr. Cook, who was the Engineer in charge of these works.

<page>125</page>

the Main Trunk Railway, two complaints had been made during the last month, and in the case of one gang of men their measurements were found to be rather fully correct, and the men earned 7s. 8d. a day. The other complaint was made by a gang of men who were incompetent, and who perhaps had actually worked harder than the other gang. What he meant was that they were not accustomed to the class of work to be done. The honourable member would know what he meant. An incompetent man might work hard and yet earn less money than another man who was more competent than he was, simply because he was accustomed to that kind of work, and therefore could get through more work. There was, apparently, a feeling in the mind of the honourable member for Rangitikei that these men were in some way defrauded of their earnings ; but he might say that of all the cases which he had investigated during the past four or five years he had never known one brought against the Engineer that had been proved ; and, if the honourable member for Rangitikei was prepared to take to an outside tribunal the question of whether or not these men had been defrauded of one single penny of their earnings, he would be quite willing on his part to agree to that course. So far as he knew, no injustice had occurred in connection with works of that kind ; but the lazy man, or the indifferent man, did not earn as much as he wished to. or thought he ought to earn. Hence the complaints of the rate of pay. When, however, that was the case it was a serious matter for a member of Parliament. knowing the position he held, to make such statements in the Parliament of the colony concerning an officer in the public service, who, he was sure, had no wish to defraud, and certainly no intention of defrauding, the men of a halfpenny. Mr. LETHBRIDGE, as a matter of personal explanation, said that he made no charge against the Engineer in charge of the works. He had stated that these complaints came frequently to him, and he only asked an explanation from the Minister in charge as to why the complaints were made. Mr. HALL - JONES said the honourable member must not forget that a member of Parliament, when he made a statement there, made it with all the authority of a member of that House, and members who had heard what the honourable gentleman had stated could judge whether or not he had made a charge against the Engineer.

WELLINGTON CUSTOMHOUSE. Mr. FISHER (Wellington City) asked the Government, Whether they will this session place a sum on the estimates for the erection of a Customhouse on the site specially reclaimed for that purpose in the City of Wellington ? It was essential, in order to remove the inconvenience resulting from the congestion in the Post-Office building, that the erection of with the reclamation which was being carried on by the Wellington Harbour Board, the Government, of course, paving the cost of the reclamation of the site concerned. The Secretary of the Harbour Board thought that the reclamation would be sufficiently far advanced for the purpose of erecting the Customhouse by the end of August or the middle of September, and that would enable the Government to proceed with the erection of the building so soon as they were ready with the necessary funds for the purpose. It would

enlighten and satisfy the mercantile and shipping community of Wellington if the Minister would say that before the end of the session the Government would place a sum on the estimates to begin the erection of the new building. Mr. HALL-JONES (Minister for Public Works) said, Yes ; he realised that this was an urgent work, and that the accommodation was much required for the Customs and other departments, and the Postal authorities required all the accommodation in the Post- Office building for their own purposes ; and he hoped that when the estimates were brought down a sum sufficient to meet requirements in this respect to the end of the financial year would be voted. When the building was erected they might then hope it would be sufficient to meet not only the requirements of the Customs Department, but of the Inspector of Machinery branch, the Weather Reporting Office, and an office for the Superintendent of Mercantile Marine for shipping matters. These should all be provided for in the new building. # RIVER-BEDS. Major STEWARD (Waitaki) asked the Minister of Lands, Whether his attention has been called to the necessity for preserving to the public the right of road over and along river- beds; and whether he will take measures to effect this, either by vesting river-beds in the local governing bodies as reserves for public use, or in some other way preventing the public being deprived of their privileges? The origin of the question was this: Complaints had reached him from his district that a gentleman wishing to travel in the usual course along a certain river-bed, along which there had been a right of road for very many years, found himself stopped by a settler, who claimed to have the sole right to the use of that river-bed. It appeared that a lease of the grazing-rights had been granted by the Land Board, but that it was quite understood by the Board in granting the lease that all the privileges of the public were to be preserved. Well, the lessee had evidently found he was in the wrong, because the Land Board, he understood, had called in the lease with a view to making it quite clear that the rights of the public were to be protected. Now, no doubt this particular grievance had been, or would be, remedied, but the circumstances raised the general question as to whether there ought not to be some pro-

<page>126</page>

any steps in order to preserve to the public the Minister of Lands, Whether he has received a petition right of road along all river-beds, and whether he would do this either by vesting the river-beds in local bodies, or in some other way protecting the public privileges. Mr. DUNCAN (Minister of Lands) said that the public had no right of road at all along many river-beds in the colony. In the early days lands were often sold with a river as the boundary, and this by law gave the owners the title to the land up to the middle of the stream, together with riparian rights. The law for the last ten years had been that the Crown should, in disposing of land, reserve from sale a chain wide on the margin of the sea-shore, on the margin of all lakes exceeding fifty acres in area, and on the banks of all rivers exceeding 33 ft. wide : see section 110, " Land Act, 1892." These strips of land were usually shown on the record maps as roads, and, where this was so, they were by virtue of sections 100 and 106 of "The Public Works Act, 1894," "public roads " under the control of the local body ; and, as section 121 of that Act prohibited any road on a river bank being closed, the rights of the public were sufficiently protected. But, as this arrangement only covered what had been done for the last ten or twelve years, he thought it was time the question was considered now whether it would not be right to in some way give the public the right to the bulk of the rivers in this colony, because he held that it never should have been parted with ; and when it was known that a wrong had been done to the public he thought it ought to be righted. However, he had not lost sight of the matter. He remembered bringing it up when he was a private member of the House, that hardships had occurred to some people at that time; but when a matter of this kind was gone into he found it was very difficult to handle. But he would inquire into it, and see whether it would not be wise to take some steps to recover the right to all or nearly all of the rivers in which trout had been liberated in this colony, so that anglers should have the right to go along them for recreation and sport. Major STEWARD would like to ask the honourable gentleman when making these inquiries to look into a decision given-so he was

informed by the honourable member for Auckland City (Mr. Napier) -- by the Appeal Court in the case of the Crown versus the Ralph Taupiri Coal-mine. It appeared that the Appeal Court had only recently decided that the law was not that the owners of the land owned to the centre of the river, but that the Crown owned the river in every case. The Hon. the Minister might look up that point. Mr. DUNCAN said that applied to the river so far as the water covered it, but we wanted the right alongside the river. He was aware that the Crown had a right to the river itself ; but where the Crown had parted with the frontage up to the river we had no right to it outside the flood-mark. Major Steward from the Redcliff and Takitu districts praying that the benefit of the 10-per-cent. rebate on prompt payment of rent may be extended to holders of leases of small grazing-runs ; and whether he proposes to amend the law so as to enable this to be done ? Mr. DUNCAN (Minister of Lands) said it was not contemplated to give the small grazing-run holders this privilege, as some of them only paid 2 per cent. Their case was altogether different from the settlers under the Land for Settlements Act, or even ordinary Crown lands, and the leases were generally short. # MR. A. H. CHAPMAN. Major STEWARD (Waitaki) asked the Minister for Agriculture, What is the nature of the agreement or understanding, if any, between the Government and Mr. A. H. Chapman, of Kurow, who has proceeded to the Old Country to exploit a certain invention or process for the thawing of frozen meat, and whether the Government has undertaken to defray the cost of his passage to and from ? Mr. DUNCAN (Minister of Lands) said there was no agreement or understanding whatever between Mr. Chapman and the Government to give that gentleman anything, either for expenses or salary. # OSTRICH-FARMING. Mr. MASSEY (Franklin) asked the Minister of Lands, Whether in his next Land Act Amendment Bill he will make provision for the encouragement of ostrich-farming ? Probably the Minister of Lands would remember that he asked a similar question to this last session, and the Minister then expressed himself to the effect that the idea was a good one, and promised to make inquiries during the recess. During the recess the Minister had availed himself of an opportunity of visiting the Whitford Park Ostrich-farm, in the electorate of Franklin, and he was sure the honourable gentleman was duly impressed with the possibilities of the ostrich-farming industry. He was sure the Minister would come to the conclusion that such an industry was worthy of encouragement under the land-laws of the colony. Mr. DUNCAN (Minister of Lands) might state that the Land Bill which he intended to bring in last year, and which he had now in preparation with some additions, would provide that the Government might enter into a special agreement with people for this purpose, the encouragement of ostrich-farms. The measure would, he expected, be submitted to the House in a few days. MARUIA HOT SPRINGS. Mr. COLVIN (Buller) asked the Minister of Lands, If he will get an expert report on--(1) The medicinal properties of the hot springs, Maruia district ; (2) the area of agricultural and pastoral land available for settlement in

that this was a matter of very great importance to the people on the West Coast, and he understood from experts who had visited these hot springs that the medicinal and curative properties were equal to any of the kind in the colony, and perhaps in the world. The Government had made no attempt to try and utilise them ; and if these baths were opened up it would be a great boon to a number of miners who suffered on the West Coast from rheumatism and other such complaints. The springs were within a very short distance of Reefton ; about seven hours by a good road would take a person from Reefton to the springs, and Reefton was connected by railway with nearly all parts of the West Coast. He hoped and trusted the Government would see their way to open up these springs, and if a road was made there were forty to sixty thousand acres of good agricultural and pastoral land available in that district. Mr. DUNCAN (Minister of Lands) said, --(1.) Reports had been obtained from time to time upon the medicinal properties of the hot springs in the Maruia district, and another could be obtained if it was desired. (2.) The Crown lands in the Maruia Valley had been reserved partly for public utility in connection with the springs, and partly for mining. The other Crown lands adjacent were covered with forest, and not likely to be taken up

for agriculture or pasture. The area within the watershed could, however, be taken. (3.) No detailed survey had been made, but inquiries had been instituted, and it appeared that there would be about twenty-seven miles of road to construct, costing about \$14,680. This would not include the cost of bridges over the Inangahua and Otto Rivers, which would, perhaps, not be required at first, but would cost a large sum. He held, with the honourable gentleman, that the question required to be looked into, and if it was found the valley was as fertile as it was stated to be, and available for settlement, it would be right to have a road. The right of the people to get to the springs was a matter of much importance to the district the honourable gentleman belonged to, and £14,000 would, no doubt, make a good road. The matter was worth inquiring into, so that they might see what should be done in the near future.

NINE-MILE PUNT, BULLER RIVER. Mr. COLVIN (Buller) asked the Minister of Lands, If he will accede to the request of the petitioners who applied to him to have the charges reduced at Nine-mile Punt, Buller River, to the same amount as those charged for the Landing Punt plying on the Inangahua River ? Mr. DUNCAN (Minister of Lands) said the only petition recently received on this subject was dated the 16th July, and it did not ask that the charges be made the same as those at the Landing Punt, but it asked for a reduction. A promise had, however, been made to Mr. Colvin accordingly.

INANGAHUA RIVER BRIDGE. Mr. COLVIN (Buller) asked the Minister of Lands, If it is his intention to call for tenders for the bridge over the Inangahua River, known as the "Landing," at an early date? This was a bridge on the main road between Nelson, Reefton, and Westport. There was a punt on it now, and at times the traffic was stopped through floods in the river. The Premier was stopped on two occasions himself when trying to get to his constituency from Nelson. He hoped the honourable gentleman would see his way to put this necessary work in hand at an early date, as it was of great importance to the travelling public and to the residents in Inangahua Valley. Mr. DUNCAN (Minister of Lands) said tenders would be called for this work as soon as the necessary plans could be completed. There was a vote of \$500 on the estimates, but the work would probably cost about \$2,500. **VETERINARY SURGERY.** Mr. HOGG (Masterton) asked the Government, Whether they propose to give facilities for instruction classes in veterinary surgery within the colony, so that an opportunity may be afforded the youth of New Zealand of filling positions that are now at great cost and loss of time conferred on experts from distant parts of the world ? He would like the Minister to give him a favourable reply to this question. His own opinion was that the colony ought to be able to provide its own veterinary surgeons. There were settlers' sons growing up - good, capable, young men - some of whom were receiving an excellent education in the colleges and universities of the colony. These youths should have an opportunity of fitting themselves for the positions he referred to. He had had applications from parents who wished their sons to qualify as veterinary surgeons, but no provision for their instruction existed. The Government had lately brought out from Home a number of these surgeons. He thought it would be well if facilities were afforded for the instruction of our boys in this particular branch within the colony. Instead of bringing men from abroad, some of whom would only remain until they found a better position elsewhere, our own people, who were identified with the colony, should be selected for vacancies of the kind. There were diseases affecting stock that were peculiar to New Zealand, and there were also peculiarities incidental to our native products and climate that render it advisable that we should have experts trained on our own soil, if possible. Mr. DUNCAN (Minister of Lands) said that this was a matter to which he had given some attention, especially since the Act had come into force. Under that Act a number of experts were required to carry out the provisions of the \- Health Act, and on making inquiry he found

<page>128</page>

be expected, with the training they received in the colony, to pass an examination equal to that of the Old Country and the diploma of a veterinary surgeon. A special institution would need to be established to enable a higher class of education to be given. He had talked the matter over with Mr. Gilruth, the Chief

Veterinary Surgeon, who had lately returned from the Home - country, and it was that gentleman's opinion that it would be quite within the power of the colony to teach young men sufficient to fill the role of an ordinary veterinary surgeon in the colony at little cost. The matter would be put in hand as soon as practicable.

DEHORNING OF CATTLE. Mr. HORNSBY (Wairarapa) asked the Government, If they will this session deal by way of legislation with the matter of the dehorning of cattle, especially taking into consideration the fact that it has now been demonstrated that the dehorning process can be carried out without cruelty if calves only are dealt with ? He would like to say to the Minister that in the district he represented, Mr. Reynolds, of Taratahi Plain, had for a number of years carried on experiments in this direction, and at present he had nothing on his estate but hornless cattle. The process, according to Mr. Reynolds, was a simple one, and that gentleman had brought it before the Society for the Prevention of Cruelty to Animals, in the hope of getting it adopted throughout the colony. The method was to deal only with the calves when they were a few months old. If they were taken in hand then the horn would never develop, and the method was one that had the merit of being painless. Of course, there would have to be a means of dealing with the already horned cattle ; but, at any rate, if there was the knowledge spread abroad that in the future there need be no pain inflicted on cattle, the method, he thought, would be taken advantage of.

OREPUKI-WAIAU-LONGWOOD ROAD. Mr. GILFEDDER (Wallace) asked the Minister of Lands, If he will place a vote on the estimates this session for the improvement of the road leading from the Orepuki-Waiiau Road to Block: XVI .. Longwood ? Mr. DUNCAN (Minister of Lands) said the matter was now under consideration.

WOOL CLASSING AND GRADING. Mr. GILFEDDER (Wallace) asked the Minister of Lands, If the Government will favourably consider the desirability of appointing an expert to give lessons in wool classing and grading, so as to enable the wool-growers of the colony to place this commodity on the home market to better advantage, and so secure the highest Mr. Duncan wool to better advantage than they had been doing in the past, and so obtain higher prices for this important product. The wool-export industry was a considerable one, and was of immense benefit to the country, but he had heard from those who were expert in the matter that the highest prices were not obtained for the wool that was exported simply because it was not properly classified. If the Government would appoint an expert to give instruction in classifying wool he was sure that, as expert instruction had tended to improve the dairying industry, which had brought into the colony a great amount of wealth through the better prices that had been realised, a great boon would be conferred on the colony, and the wool-growers would be immensely benefited.

Mr. DUNCAN (Minister of Lands) said this was a very large order, and one that was rather difficult to deal with. They knew that in shearing-time the place that required most attention was the back blocks. Often two or 5.30. three men would shear first one owners' sheep and then another, and join in this way, so that these were men that really required the most of our consideration in the way of assisting them to get the wool up in the best form. But it would be very expensive, and for some time he thought it would be difficult indeed to meet them. At the present time there was no scarcity of experts in wool-classing. Any one who had a reasonable number of sheep and could afford to engage such a man could get him at very ordinary wages, and a first-class man too. But he thought what the honourable gentleman wished was that they should have some man to go through the country to educate those who are not able to get these experts. They had that under consideration, but, as he had stated, it was a very difficult thing to meet at present ; but, still, it was under consideration, and they might be able to do something later on.

IMPORTATION OF BONES AND BONE-DUST. Mr. NAPIER (Auckland City) asked the Minister for Agriculture, If he will remove the existing restrictions on the importation of bones and bonedust, and arrange for the steaming, under departmental supervision, of imported bones at private factories at Auckland and other places ? Mr. DUNCAN (Minister for Agriculture) said they had to go very carefully in dealing with this matter. He was sorry to say that anthrax had broken

out again. It was supposed that it had been introduced through getting bones that had not been properly steamed. It generally arose from that cause. It might not be so in this case—he did not know that it had - but, at any rate, they had to be very careful, because a great many of these bones were collected from paddocks containing the remains of beasts that had died from some

<page>129</page>

made into manure on the premises, but it was those that were collected by people going round the country which were exported here and brought in these diseases with them. Of course, they would have to get these bones in some form or it would be a bad thing for the country. They should have some suitable body to look after the matter in some central place, and having strict supervision over it. That was the only way he could see of dealing with it. He intended to bring this matter before the Stock Department and see if they could not devise some means of coping with it. Mr. MASSEY asked, Would the honourable gentleman refer it to the Stock Committee ? Mr. DUNCAN said, Yes. SETTLERS' FIRE INSURANCE BILL. Mr. HOGG (Masterton) .- This, Sir, 7.30. is a very short and, I think, if it is passed into law, it will be found a very useful little measure. It is intended to enable the Advances to Settlers Office to perform the work of insuring the risks that it has against fire. The clauses in the Bill provide :- " The Superintendent is hereby authorised to accept any risk by way of insurance against fire on all buildings or on any security already mortgaged. or on any security that may here- after be mortgaged, to the Superintendent. " Every mortgagor shall on the expiry of current fire insurance policies, or, where no such policies exist, insure against fire with the Superintendent of all insurable buildings on the security mortgaged to him." Then. the Advances to Settlers Board is enabled from time to time to determine the rate per cent. to be paid by way of premium by the insurers. Provision is made that in the case of existing mortgages the Superintendent shall on the expiry of the current policies determine the amount of insurance risk to be effected : and, in the case of new mortgages, from and after the passing of the Bill the Board shall determine the insurance risk to be effected. The moneys thus obtained from the settlers are to be placed to the credit of an Insurance Fund Account. The amounts paid in and the disbursements from that fund will be kept apart from other transactions, so that it will be impossible for any complication to arise with reference to the method of account keeping. Clause 9 provides : -- " If the balance in the Insurance Fund Account is at any time insufficient to meet the charges thereon, the Colonial Treasurer may from time to time advance such sums out of the Consolidated Fund as may be necessary to meet the deficiency." An Hon. MEMBER .- Suppose he does not ? Mr. HOGG. - Well, I do not suppose the colony is likely to become bankrupt. If an insurance company is prepared to perform operations of this kind, I should imagine that the Colonial Treasurer would be equally able to meet any losses that might be incurred. But what are the facts? Since this office has been ! cedure ; but, notwithstanding this encroach- VOL. CXVII .- 8. per annum is being made by the insurance offices in clear profit out of the borrowers. That is to say, the amount paid to the insurance offices exceeds every year by \$500 or \$600 the amount that is paid on account of fires. Now, I hope that those who have the interests of the settlers at heart, especially the Crown tenants who are receiving assistance from the Advances to Settlers Office, will not require to be persuaded that it would be a most beneficial thing if that money could be placed at their disposal in order to assist them in carrying out their improvements. We know that many Crown tenants do a large business with the Advances to Settlers Office, and they have a very hard struggle at the present time. If, therefore, a sum of \$500 or \$600) per annum could be saved to these men it would be of great advantage to them. In New Zealand it is a common thing for large property- owners to avoid insuring their properties at all. In some of our boroughs owners of. buildings who have a considerable amount of property rented to tenants, instead of contributing to the insurance offices, undertake their own risk and avoid insuring, because they reckon it will pay them better in the end than if they paid the heavy premiums which the insurance companies exact. The Government itself avoids

insuring its properties for the same reason. The same thing occurs in connection with the Education Boards. They prefer to run the risk of an occasional fire, such as occurred in this city a few months ago when one of the schools was burned down, than pay the heavy premiums the insurance offices demand. Viewed from every standpoint, it must be evident to members that the mortgagee, who is in this instance the Superintendent of the Advances to Settlers Office, should undertake what are virtually his own risks. The machinery he already has at his disposal is ample, I think, to provide for all purposes. The new duty would entail very little extra trouble. All he will require to do is to collect the insurance rates at the same time as he collects interest on the money advanced. Seeing that this proposal is not likely to impose any risk or burden upon the country, that the office with its present staff is able to carry out the operations required, and that the result must be a great and increasing advantage to the settlers who are dealing with the Advances to Settlers Office, honourable members, if I am not mistaken, will be disposed to assist me in getting this Bill passed into law. Mr. R. THOMPSON (Marsden). - Mr. Speaker, I wish to draw your attention to clauses 8 and 9 of the Bill. I think they are appropriation clauses, and should be introduced by message from the Governor. Mr. SPEAKER. - It does appear to me that there are appropriation clauses in the Bill, not only 8 and 9, but also clause 3, which authorises the use of the office of the Government Advances to Settlers without the consent of the Government being signified to such a pro

<page>130</page>

the attention of the Chairman of Committees to the monetary features of the Bill, and he, no doubt, will not submit such clauses to the vote unless in the interval between the second reading and the committal of the Bill the consent of the Crown is signified to the expenditure of public funds contemplated by the Bill. Mr. SPEAKER. - I think an earlier clause, No. 3, involves the expenditure of public money. Mr. HERRIES (Bay of Plenty). - After your announcement, Sir, I doubt whether the honourable member will care to go on with the Bill. I believe he has a laudable object in view, but as the objection has been raised that it is an appropriation Bill, and you, Sir, have stated that certain clauses will have to be introduced by Governor's message and by a Minister, it would be better if the honourable member got a Minister to father it. It seems, also, to me that before the House and country, I have achieved, that the honourable gentleman would be wiser to put in a permissive clause. As I have to hear the Minister in charge of the Advances the Bill is at present it appears that the Superintendent of the Advances to Settlers Department state that the question might charge a higher rate than the insurance companies do at present, and the settlers would be compelled to insure. Surely that is not what the honourable gentleman means, as it would be increasing instead of decreasing the present premiums. There should be given by some members - such as the member be, I think, a proviso that the rates should not be higher than those at present in vogue in the district. If the Bill is introduced in proper form, and with the proviso I suggest, I should have much pleasure in supporting it, as I believe the member understands thoroughly what the lieve that it would benefit a desirable class of settlers. Mr. MCLACHLAN (Ashburton). - I am very pleased the honourable gentleman has brought in this Bill. I have seen the want of it for a long time. Land Boards frequently make advances for workmen's homes up to \$50, which must be insured in the name of the King; but the expenses of inspecting such risks are greatly multiplied owing to the fact that the insuring company has to inspect the risk. If the Government were to insure their own advances, all this would be avoided, and there would be no risk, because these people can only insure for half value; the risk therefore would be almost infinitesimal. Whether it is an appropriation or not, the principle is a good one, and I hope the honourable member will proceed as far as he can and force the hand of the Government. Mr. GUINNESS (Grey). - I should like to ask the Minister in charge of the Advances to Settlers Department whether the Government is going to

give their assent to the appropriation clauses or bring down a Governor's message recommending them ; if not, it is wasting time to discuss the Bill. Mr. MILLS (Minister of Trade and Customs) .- I was not in the Chamber when the ever, that the Government have a State Fire Mr. Speaker that it is a Bill which contains provisions which can only be introduced by Governor's message and by a Minister of the Crown. I would suggest that the honourable member should withdraw the Bill for the present. The matter embodied in his measure will receive Mr. GRAHAM .- We cannot hear a single word you say. Mr. MILLS. I have told the House plainly that the Government cannot consent to this Bill proceeding any further, as it contains appropriation clauses. It must be brought down by Governor's message, and be introduced by a Minister of the Crown. Mr. GUINNESS (Grev) .- I beg to move the adjournment of the debate. Mr. HOGG (Masterton) .- I would like to say that when I introduced this Bill I anticipated that there might be one or two formidable hurdles to be jumped, but by having it printed and circulated, and bringing it prominently ; raised by this Bill will receive the consideration of the Cabinet. As this is an appropriation Bill, I presume I am unable, without Ministerial permission, to proceed much further with amendments of a reasonable character. and also the member for Ashburton, who is a practical requirements of the settlers are-is so emphatic that the Bill will not be allowed to drop. The Government, I hope, will see their way to take charge of it and pass it into law. Mr. G. W. RUSSELL (Riccarton) .- I merely wish to say that I think it is rather an extraordinary position that the Minister in charge of the Advances to Settlers Department should say at this stage that the Bill will receive the consideration of Cabinet. This Bill has been on the Order Paper for some time, and I certainly think that it is not treating the House fairly that at this stage the Government should . say that they will take into consideration an important matter of this kind, when the proposal is before the House for its second reading. Mr. HALL . JONES Minister for Public Works) .- It is the general practice that a member in charge of a Bill containing appropriation clauses brings the matter before the notice of Ministers, and asks their consent to these clauses being put in the Bill ; and then they have to be introduced by Governor's message, after having received that assent. I am not aware if in this instance there has been an oversight, or whether the honourable gentleman is not aware of the practice, but I am sure we all appreciate the laudable object he has in view. Seeing, how-

<page>131</page>

be that measure. However, the Minister in charge of the department has promised to consider the question, and when we bring on the State Fire Insurance Bill no doubt this question of our settlers will be dealt with. Mr. MASSEY (Franklin) .- I think that, with regard to the last point raised by the Minister for Public Works, if the State Fire Insurance Bill becomes law and goes on the statute-book it will supersede this one and make this unnecessary ; but, with regard to the appropriation clauses, I think it is a very great pity that the honourable member in charge of the Bill did not consult the Executive before wasting the time of the House. From the "Decisions of the Speakers " it is quite clear that the Government alone can initiate measures for the appropriation of public funds. Abstract resolutions that money be devoted to a particular purpose can be passed, but when not supported by the Executive Government are futile. That is exactly the position with regard to this Bill : it requires an appropriation. If not supported by the Executive Government, the Bill, though it may go through all its stages, will be absolutely useless. Mr. MILLS (Minister for Trade and Customs) .- I would like to say, by way of personal explanation, that the honourable member for Riccarton knows as well as any other honourable member in this House the usual and proper mode of procedure in these cases. Of course, if the honourable gentleman who introduced the measure had consulted me I would have informed him at once as to the position. But the matter evidently escaped his memory and escaped mine. Mr. MEREDITH (Ashley). - Sir, I think the House should be guided by your decision, and go on with the second reading. It would have provoked a very animated and interesting debate. I do not agree with the honourable member for the Grey in moving the adjournment of the debate. If the honourable member in charge of the Bill will press the

second reading of the Bill I will support him in doing so. I intended to have spoken on the second reading, but the honourable member for Grey has taken the ground from under my feet and from under the feet of honourable members. I notice the Government have introduced a Bill which has the same intention as this Bill, but which is rather more general in its application, and I think it would be of great advantage to the Government if this question had been thoroughly ventilated this evening. I regret the position of my honourable friend the member for Mas- i nity of the centres of population are concerned. terton. He and I have been brothers-in-arms ' I will illustrate what I mean. Christchurch in this House for very many years, and in | City electorate is four miles by two miles and a bringing forward a measure so liberal and so | half, and has a rural population, according to much to the point I would have supported | the reports of the Boundary Commissioners, of him. Mr. COLLINS (Christchurch City) .- Sir, I cannot understand the line of the honourable gentleman who has just sa down. He appears : bo. Dunedin is seven miles by four miles, desirous of having debate simply for debating and in this city electorate there is a rural have done nothing but talk, and the honourable member has delivered more speeches than any other honourable member. It.is quite true we all delight in the honourable gentleman's elo- quence, and he, no doubt, throws a flood of light on every question he discusses ; but if we are to discuss a Bill let us discuss a Bill with some practical issue, and it has been clearly shown that there can be no practical issue so far as this Bill is concerned. Debate adjourned. REPRESENTATION BILL. Mr. ELL (Christchurch City). - Sir, the honourable member for Caversham and the honourable member for Avon have applauded me on rising. I am glad to see they meet the proposal I make with such kindly feeling. I can assure members that it is not with any desire to injure any member in any way that I introduce this Bill. I think both these honour- able gentlemen know me very well, and know I strongly believe in representation according to the population, so far as we can reasonably put the principle in operation. Now, it will be remembered that last session I brought in a proposal with the object of reducing the concession to country districts from 28 But I found per cent. to 15 per cent. this : that after collecting a good deal more information than I then had when I gave notice of it, I found that there was more in the arguments which had been adduced in favour of granting a 28-per-cent. concession than I had at the time realised. But, Sir, I would remind honourable members that at the time the concession was first granted- prior to 1887-it was with the object of assisting those districts in a fair representation where the population was very scattered. In 18-7 it it was reduced to 18 per cent. Then, in 1889 a Bill was proposed to make it 25 per cent., but it was extended to 28 per cent. The late Mr. Ballance then expressed the opinion that the objection to the 18 per cent. arose from the strong feeling in the mind of the country mem- bers that, on account of the scattered popula- tion in their electorates, they were entitled to some concession. Well, we will grant that much ; but it must be conceded that while a 28-per-cent. concession shall be granted to an electorate that is perhaps forty miles by sixty miles, or eighty miles by a hundred miles, or thirty miles by forty miles, the argument does I not hold good so far as the centres of popula- tion and the electorates in the immediate vici 260, so that the Commissioners are entitled to add a nominal addition of 28 per cent. to the rural population, wherever it may

<page>132</page>

and in another the rural population, also the total actual and the total with the nominal ad- dition added. Auckland is three miles and three-quarters by two miles and five-eighths, and has a rural population of 216. Caversham is four miles by one mile and a half and has a rural population of 1,996. Mr. MORRISON .- Where do you get these figures? Mr. ELL .- I am simply taking the figures from the official map issued by the Boundary Commissioners. Mr. G. W. RUSSELL .- What is the defini- tion of " ru: al population " ? Mr. ELL .-- The honourable gentleman knows St. Albans, in the Christchurch electorate. He knows that in a part of St. Albans there are dairy farmers-that is counted rural - and to the population contained in that rural area 28 per cent. may be added. In Invercargill there is a rural population of 5,125, and the Com-

missioners are entitled to add 28 per cent. to that number. Now, the Invercargill 8.0. electorate is five miles and three-quarters by five miles and a quarter, and the adjoining electorate, Awarua, is ninety - six miles by forty-three miles. One can understand the reasonableness of adding 28 per cent. in a case like that, where the population is spread over a vast area. I contend that . when the law was passed in 1889 it was never contemplated by the Legislature that 28 per cent. should be added to the rural population contained in the Invercargill electorate. Lyttelton is eight miles by five miles, and my honourable friend the member for that district is, I know, a sound democrat, and believes with me that we should have representation according to population. That should be the basis upon which we should have representation in this House, so far as we can get it. As I have already stated, a good deal of reason can be given in behalf of granting concessions to rural populations in scattered districts. Riccarton is ten miles by ten miles. Mr. G. W. RUSSELL .- It is far bigger than that. Mr. ELL. - I submitted my maps to a draught man in the Lands Department, and they were sealed, and this is the rough estimate of the length and breadth. Mr. RUSSELL. - It is very rough. My district is about eighteen miles long. Mr. ELL. -- As to Napier. it is seven miles by four miles and a half, and I do not think honourable members can contend that it is reasonable to grant concessions to a rural population in such a small area as that. Honourable members will see in the Bill that the only electorates placed in the schedule to which I am contending that the 28 per cent. concession shall not be given are Christchurch, Dunedin, Wellington, Auckland, Caversham, Napier, Lyttelton, Avon, Riccarton, Parnell, Timaru, and Invercargill. If the 28 per cent. concession is taken away it will not unduly extend Mr. ELL in this Chamber should be according to population. I will not dwell any longer upon this. I think I have explained it pretty clearly to honourable members. I have also pointed out. that the original intention was that the 28-per- cent. concession should be granted only to those districts in which population is very scattered, and which had a very great area in their boundaries. I move the second reading of the Bill. Mr. HERRIES (Bay of Plenty) .- It is not very often that I second a motion proposed by the honourable member, who is generally too far advanced for me ; but on this occasion I have much pleasure in doing so, for the reason that I think if the principle of the Bill were carried into law it would be beneficial for the country districts. As he has informed you. it was never intended that city electorates should get the 28 per cent. increase given them for the benefit of the country portion of the districts : but, as he has pointed out so clearly, they do get it under the present law. And how do they get it? It is in this way: the boundaries of the electorates are not always coterminous with the boundaries of the boroughs, and the Act of 1889 says that the 28 per cent. shall be added to all population outside any borough or town district of over two thousand inhabitants. But the city electorates, or the electorates called city electorates, very often have boundaries beyond the boundaries of the borough, and so include a population which is not within a borough containing two thousand inhabitants, and therefore that population, though included in a city electorate, is still entitled to have the 28 per cent. added to it. Now, I do not think any honourable member will contend that that was what was intended by the Legislature when it passed that Act. Mr. FISHER .- Is that actually so ? Mr. HERRIES. - Yes ; there is no doubt about it. Mr. FISHER. - It is not so in Wellington. Mr. HERRIES. . Then, if it is not so in Wellington, the honourable gentleman need not oppose the Bill, because it will not affect Wellington ; but it is correct so far as the other boroughs mentioned in the schedule are concerned. I do not say that the schedule is perfect, I do not know enough about the figures : but certainly, so far as the city electorates are concerned, they ought not to be allowed any portion to which the 28 per cent. is added. Though agreeing with the principle the honourable member has enunciated -- which I think a very proper one-I doubt whether this Bill will give effect to what he proposes. He must know that before next Parliament sits the boundaries will all be altered, and the electorates in the schedule will be altered, and it is quite possible that when the new boundaries are given, even if this Bill passed, some population subject to the 28 per cent. increase may be included in the electorates mentioned. The consequence is that he will have

to pass a new Bill with

<page>133</page>

the very names of the electorates will not be kept up with the redistribution of seats. I should much prefer that he should carry out his design in this way-namely, by saying that the population, say, within a quarter of a mile of a borough or town district, or something like that, shall not have the 28 per cent. added to it. I think he should do that rather than leave the Bill as it stands, to apply only to particular electorates, which are fleeting objects, here to- We do not know day and gone to-morrow. that even their names will be retained next time. I do not think the Bill would attain the object desired, but the principle I am quite in accord with. I know cases in which the 28 per cent. has been added to and included even in the city electorates, and I think most honour- able members will agree with me that that was not what was intended, but that it was intended, in dealing with the country districts, that 25 per cent. should be added to the country and not to the urban districts, as is the fact now. I have much pleasure in seconding the measure, because I approve of the principle contained in the Bill as being beneficial to the country districts. Mr. FISHER (Wellington City) .- Sir, I re- member that the discussion on the Representa- tion Bill which led to the fixing of the 28 per cent. concession to the country districts was the occasion of one of the most memorable " stone- walls " that ever took place in this House. And it was my pleasure on that occasion to be in complete agreement with my modest young friend Mr. W. P. Reeves. The "stonewall " la- ted for three weeks, and was most earnestly, most honourably, and most patriotically kept up by the city members fighting steadily and steadfastly against the encroachment of the country members. We were beaten in the end : but then, after all, we adopted the view that it was only just that the sparsely popu- lated country districts should have the 28 per cent. added to their quota, and I do not see any reason, distant as the time now is from the passing of that Act, for altering the decision come to by the Legislature on that occasion. The Boundary Commissioners will sit at no distant date to arrange the boundaries of the electorates of the colony, and it may well be left to them to decide what the future bound- aries should be. I take the proportion of the suburban population which goes to augment . the city constituencies to be, if not infinitesi- mally small, at least to be so small as not to demand any very serious attention. While the honourable member for the Bay of Plenty was speaking I asked him whether the Bill would affect the City of Wellington, and the honour- able member for Christchurch (Mr. Ell), who introduced this Bill, said that it did not affect the City of Wellington. I was not in the House during the delivery of the early part of the speech of the honourable gentleman, but during the last portion, which I did hear, the honour- able gentleman made no reference to the popu- lation of the city electorates, or to that portion that extent the argument of the honourable gentleman was, to my mind, defective. If the population of the cities has so increased that there is an overflow to the districts surround- ing the cities, which is especially the case in the City of Wellington, it is fair to assume that in our case, by reason of the increase in our population, we shall have one additional mem- ber. Mr. MONK .-- You have too many already in the cities. Mr. FISHER .- We have too many already ? Well, they are the best men in this House anyway. As to the Auckland members, there is room for very great improvement. Well, Sir, one cannot help admiring the industry of the member for Christchurch City, Mr. Ell. One cannot possibly entertain any feeling of hostility towards him. One sees his evident earnestness in every matter he brings before this House. Though not yet fully matured in opinion, it is no less the duty of the young as well as the old members to add to the power and the wisdom of Parliament. The honour- able gentleman is perfectly entitled to put forward his views of the question, but if the imperfection in the representation of the country amounts to such dimensions as he would have us believe, then it demands not only the attention of the Legislature, but of the Government, whose duty it will be to bring in a Bill to remove the imperfection. But at the present moment the duty of attend- ing to this disproportion of the electorates, and especially of dealing with the 28-per-cent. ac- cretion in the country districts, is a matter, I take it, that

will be left to the consideration and decision of the Boundary Commissioners. Mr. ELL. - There was an increase by a nominal addition to the rural population in the City of Dunedin Electoral District. .Mr. FISHER. - Yes, of course; and a very good thing too. But it does not matter what is the increase in the population of Dunedin, or Wellington, or Christchurch, or Auckland. It will be the duty of the Commissioners to allocate the seats in this House according to population, and to alter the boundaries of the several electoral districts. It is for that particular duty they were constituted by Act of this Legislature. The Legislature itself did that ; and, as I have said, although I opposed it at the time, I opposed it solely in the interest of the city electorates. I opposed it at the time-being loyal to the representatives of the large centres of the colony with whom I voted as one of the City party-yet now, reflecting upon what has passed in recent years, I am bound to admit that the country districts are entitled to the concession then given to them. Sir, I do not want to see in this House a resumption of that feud between the country and the city members. It should be remembered that we are here as representatives of the interests of the colony as a whole, and not as the representatives of particular districts. That is the view every member of this House ought

<page>134</page>

able gentleman says, his Bill is not aimed against the country districts then it follows that it must be aimed at the cities. An Hon. MEMBER. - It is not against either. Mr. FISHER. - It is not against either ! Then, why this Bill? I rather imagine, and I hope the honourable gentleman will believe that I say it without the least offence, that the honourable gentleman has not studied the subject very deeply. Far be it from me to say one word which would wound the honourable gentleman's feelings. I give him credit for a sincere desire to bring about an improvement of the law; but I do not see that by passing this Bill the law would be improved in the least degree. And as a logical sequence I oppose the Bill. But I hope the honourable gentleman will not interpret that expression of opinion as an act of hostility. I simply say that his proposed amendment of the Act is quite unnecessary. Mr. G. W. RUSSELL (Riccarton) .- I am rather afraid that the remark that was made by the member for Wellington City (Mr Fisher) just now, that the member for Christchurch City has not sufficiently studied the question that is before the House has something of truth in it. The proposal of the honourable gentleman is that section 2 of " The Representation Act Amendment Act, 1889," is hereby amended by adding to subsection (2) thereof the following proviso : "Provided that such addition shall not be made in any portion of any of the electorates named in the schedule hereto." Now, what is the subsection of the Representation Act which it is proposed to amend. Subsection (2) says, - " In computing for the purposes of this Act the population of the colony, there shall be added twenty-eight per centum to the population not contained in any city, borough, or town district which contains a population of over two thousand." There is no reference in the subsection which the honourable gentleman is going to amend to the electorates at all. The position, of course, is that under the Act of 1899 the Commissioners are required to ascertain the total population of the colony. Then, to that portion of the population of the colony which is outside any city, borough, or town district containing a population of over two thousand, they add 28 per cent. That gives the gross total - with the 28 per cent. added to the rural population-of the entire colony for representation purposes. It is that gross population that is obtained by adding on the 28 per cent. to the rural population which they have to divide by the number of seats in order to get the quota. It therefore appears quite evident, from the section of the Bill which the honourable gentleman proposes to amend, that it has no reference whatever to the electorate, and, therefore, to tack on a proviso to the Act of 1889 is quite unnecessary and useless, and indicates that the honourable gentleman has not sufficiently studied the subject. Now, what is the position, so far as the Commission Mr. Fisher the colony by adding 28 per cent. to the rural population of the whole of New Zealand, as I have stated. They have, first of all, then, to select the city electorates. It is laid down that . there shall be three members, and that the city electorates shall be three times the quota.

It is only when you come to the latter part of subsection (5) of clause 2 of the Act of 1889 that you begin to find out how the duties and responsibilities of the Commissioners regarding country electorates are limited. But the chief point is that they are, in seeking to make electorates that have community of interest, and so on, allowed a working margin of 750. But it is laid down that the Commissioners may not apply that rule of the allowance of 750 in the case of city electorates, and there are other provisions further down the clause that apply to : what I may call country districts alone so far as the allowance of 750 is concerned. But the honourable member, in bringing in this Bill, proposes to apply it only to certain suburban constituencies. Now, under our law there is no such thing as the selection of certain constituencies. The honourable member in this Bill mentions, for instance, Caversham. Why there might be no such electorate as Caversham after the next sitting of the Boundary Commissioners. It might be called the electorate of Mornington, Roslyn, or some other name. Mr. ELL.- Look at subsection (5) of clause 2 of the Act of 1889. Mr. G. W. RUSSELL.- That clause mentions the four city electorates, it is true, but the honourable member is making a mere play upon words to say that a special constituency should be selected. It is quite impossible that there shall be constituencies in this colony that should not take their names from the four great centres of population : but it is altogether out of the question when you go away from the four large centres and seek to include the surrounding districts. Take the Avon Electoral District, one of those mentioned in the schedule. Why, the changes in connection with the electorate at the last fixing of the electoral boundaries were enormous. Then, take the alterations made in connection with the Riccarton electorate. Why, the honourable member knows as well as I do that prior to the election before last the Riccarton Electoral District included the whole of the Belfast district, and went out as far as Chaney's corner ; and that now, instead of going out in that direction it has been pushed by the Boundaries Commission to West Melton, a distance of sixteen or eighteen miles from the City of Christchurch. I say, if you are going in a Bill to select the names of certain constituencies, and to say that in those particular constituencies certain things should be applied, you must bind down the Boundary Commissioners. Make it a condition of their appointment, in fact -that they shall always continue in existence constituencies of those names, whether they happen to be necessary or desirable or not ; and you might have this position, that the law would not apply

<page>135</page>

tion of our representation. Now, why is this extra 28 per cent. given to the country districts ? I will tell the honourable gentleman. In the first place, everybody knows that in the large cities and boroughs public opinion is more acute. The people are able to walk a few hundred yards and record their votes. In those cities there are the large political organizations of the colony, which are able to make themselves felt more or less as the election comes on. There are the large metropolitan newspapers, which are able to influence public opinion very much more than they can in the country districts. Those are the reasons why a handicap has been placed upon the cities by which the country districts have an extra 28 per cent. given to them. But as I have already shown, it is not given in particular electorates, and therefore this Bill has no application. First, you ascertain the total rural population of the colony, and then the gross total is obtained by adding 28 per cent. I sympathise with the remarks of the honourable member for Wellington City (Mr. Fisher) as to the sincerity of the honourable gentleman who has introduced this Bill, but I venture to say this proposal to take away the 28 per cent. which is given to the country districts, emanates from a small coterie in the City of Christchurch, and one which does not usually take a broad view of the large considerations involved in many matters of legislation. That being the case, although I do not desire to move that the Bill be read a second time this day six months, I shall certainly feel it my duty to record my vote against the proposal now before the House. Mr. SEDDON (Premier).- Sir, on a question of such grave importance as this I should be wanting in my duty did I not express the views I hold in regard to this matter. I do not believe in attacking-because this appears to be an attack-the quota

that is given to the country districts. I do not see why the suburban populations should be deprived of the 28 per cent. That is what the honourable gentleman is proposing, I believe. By what argument can that be sustained? I say there are large country districts that are a hundred miles long, and there are suburban electorates where the surroundings are the same, and the conditions are the same, and I do not see why this attempt should be made in respect to the suburban districts. If, Sir, the main issue is to be raised - the issue of town versus country, and the taking away of the 28 per cent. from the quota -- then I can understand it. If this is the thin end of the wedge, and it is to be applied to the suburban populations with a view of ultimately taking it into the country districts, then I can understand that there is some force in the position taken up by the honourable gentleman. Take, for instance, the district of the Wellington Suburbs. Surely those people following, as they are, farming and agricultural pursuits, should not be treated differently from those following the same occupations further Otaki. The member for Otaki represents part of the Lower Hutt, and at the same time he represents all along the coast. But this is a suburban district, and probably would come under this Bill. Then, I say you are injuring the farmers of Otaki and right along the coast by taking away their privilege of 28 per cent. Why should this be the case? There may be some little centres or suburban electorates that are probably equal to Christchurch, and might be dealt with in the same way. But there are others again where, to get the necessary quota, you have to go far afield in the country districts; and those country representatives, if the Bill became law, would have the privilege they now enjoy taken away. I think strong cause should be made out before we make this alteration, and I believe it is sound in principle that if we are going to do anything with the representation or electoral law or system it should not be done piecemeal or by a Bill like this, singling out certain electorates, and not interfering with others. I believe that is the proper course to adopt on the main question of urban, suburban, and country representation. I may say at once I shall not be a party to taking from the country representation the quota they enjoy. Mr. J. W. THOMSON (Clutha) .- Even with the advantage of the 28 per cent. the country electoral districts are very large. In the district I represent there are nearly forty small centres, and any one who contests an election has to address the electors at nearly that number of places. There are districts even larger, territorially, than the district I represent, and in these districts there is a very scattered population. Mr. ELL .- I am not touching country districts at all. Mr. J. W. THOMSON .- I do not know what the honourable gentleman means if he is not touching the large country districts. That is not in accordance with his speech. In the large towns a candidate may not have to address more than three or four meetings; but in a country electorate he has often to speak at about forty different places, and this is rather too much for any man. I have always opposed legislation of this kind, and intend doing so on this occasion. Mr. ELL .- The honourable member for Riccarton stated that I did not understand what I was talking about. If the honourable gentleman will take the trouble to look at the electoral maps, which he must accept as official, and examine the tables in connection with them, he will see that in connection with Christchurch the Commissioners state there is a rural population of about two hundred and sixty in the Christchurch electorate. He will see that there are no less than 1,445 of rural population in the City of Dunedin, according to the Commissioners, and that in a town like Inver-

<page>136</page>

will see that when I stated that there was a rural population in the city electorates, and that there was a nominal addition to be added to that, I was only stating what was correct. Now, take Parnell, which is a very thickly populated district. According to the Commissioners there are 6,545 in the rural portion of the electorate of Parnell, and yet Parnell is only three miles by a mile and a half, and if you take the nominal population and the actual population according to the Commissioners, there is a nominal addition of 1,100 over the 750 the Commissioners are allowed; so it will be seen that there is a nominal addition of 1,100 to the actual population of Parnell. That, I think, disposes of the honourable member's contention

that I did not understand what I was talking about. With regard to the contention of the Premier, that there was no logic in my argument, when I listened to the honourable gentleman I was wondering where the honourable gentleman's logic came in. He was one of those who in connection with the alterations in the law of 1889 pleaded on behalf of the scattered population in the country districts, and on account of the difficulty of people getting to the polling-booth, and he urged that there should be some principle in operation that would keep these electorates within more reasonable bounds. He pleaded and worked very hard for the 28 per cent. concession, and for the reason I have stated -because they were large areas, and the population very scattered. I agree that there was some reason for granting the concession to a scattered population in electorates of very large areas. But I contend that it was never contemplated by the Legislature that there should be any rural population in the City of Dunedin electorate-that there should be a nominal addition of 28 per cent. to 1,445 of a rural population in the City of Dunedin- and in arguing for this alteration of our law I am simply asking that the law should be carried out in the spirit in which it was passed by the Legislature-that this concession of 28 per cent. should not be made to apply to the centres of population, or to the thickly populated districts in the immediate neighbourhood of centres. With regard to the remarks of the honourable member for Clutha, that honourable gentleman seemed to be under the impression that I was seeking to rob the big country districts. Why, Sir, the concession of the 28 per cent. which I am proposing shall be withdrawn from the city and suburban electorates will help the big districts. It will mean that the district of Lyttelton will spread out into the district of Ellesmere, which measures fifteen miles by forty miles, while the electorate of Avon will have to spread out in the direction of Kaiapoi, and the electorate of Riccarton will spread out in the direction of Ashburton. Now, that is all I contend for, that the law should be carried out according to the original intention of the Legislature. The House divided Mr. Ell Bollard Lethbridge Hardy Massey Tellers. Haselden Mackenzie, T. Ell Hutcheson Palmer Herries. NOES, 38. Allen, E. G. Hall-Jones Russell, G. W. Hanan Bennet Seddon Buddo Smith, G. J. Hogg Carncross Houston Stevens McGowan Carroll Steward McKenzie, R. Colvin Tanner McLachlan Thompson, R. Duncan - Fisher Thomson, J. W. McNab Flatman Wilford Meredith Fraser, A. L. D. Mills Witheford. Gilfedder Monk Tellers. Graham Morrison Lawry Willis. Guinness O'Meara Majority against, 22. i Motion for second reading negatived. # DIVORCE BILL. Mr. WILFORD (Wellington Suburbs) .-- Sir, I rise to move the second reading of this Bill. As honourable members will see, the measure having been circulated for some days, the Bill is one to enlarge the grounds upon which a divorce may be granted. Honourable members will know that under the statute of 1898 a divorce is obtainable, among other reasons, on the ground of desertion, and on the ground that the respondent has been convicted and sentenced to penal servitude for seven years or upwards for having attempted the life of the petitioner. Now, apart from the grounds I have just named, the principal alteration I propose in the law is this : To amend subsection (2) of section 3 of the principal Act of 1898, by inserting the word "three" in lieu of the word " five" next after the word "during." That is to say, I propose to give a petitioner the right to a divorce from a respondent on the ground that the respondent has wilfully deserted the petitioner for three years or upwards. I wish to point out that for three hundred years from 1573 -the law of Scotland has been that a desertion for four years, without being a wilful desertion- that is to say, without any express intention to desert-is a ground for divorce, while wilful desertion is a ground for divorce if the desertion takes place for a period of only one year. If a woman is left by her husband wilfully for the period of three years it seems to me that she ought to have the right to go to a Court and get a divorce after that period. The Legislature has sanctioned five years already. The law of New South Wales and the law of Victoria is on the same line as the Scottish law. I am not asking to go so far as the Scottish law goes -namely, that a ground for a divorce shall be wilful desertion for one year. I ask for a divorce on the ground of desertion for three years. I am doing this, Sir, on account of representations that have been made to me, and I may say that one of the highest legal

That may not be a recommendation to some members, but I am sure it will be to others. In the case of a woman deserted by her husband, and left with children to support, her husband may turn up for a night or two after an absence of, say, two or three years, and commence to ill-treat her, and then again leave her, and there is no possibility of her getting a divorce until the expiration of the five years provided by the Act of 1888, computed from the date of his second desertion. Numberless cases have been brought before the Courts in which simple judicial separations have been asked for, because the actual period had not elapsed, although all the constituent elements of actual desertion -- such as the husband writing and saying that he was not coming back again - were there ; and no matter how great a brute the husband may have been, a divorce could not, under the circumstances, be granted. A Bill embodying the clause as to divorce on the ground of three years' desertion was introduced into this House in 1887. Exactly the same clause was incorporated in that Bill. The second reading of the Bill of 1887 was carried easily, and among the names of those voting for it I notice that of the Right Hon. the Premier. In 1895 he voted against the second reading of the Bill providing for divorce on the ground of desertion for four years ; but he voted in favour of the Bill of 1887, along with Messrs. Monk, Duncan, Steward, and R. Thompson. The second reading of the Bill of 1895 was carried by a tremendous majority, amongst whom were no less than twenty-four members of the present House. I may say that I believe the Judges of the Supreme Court would be in favour of the passing of this amending measure, and I myself have personally spoken to one of the Judges of the colony, who authorised me to say that he favours it. Mr. SEDDON. - It is very unusual to mention that on the floor of the House. Mr. WILFORD. - The honourable gentleman has created the precedent for the remark. Knowing the Judge, I telephoned to him to make sure on the point, and he said that he had no objection. The 2nd clause of the Bill is to amend subsection (4) of section 3 by inserting the word "five" instead of the word "seven." The meaning of the amendment is this: Under subsection (4) of section 3 of the Act of 1898 a petitioner is allowed a divorce from a respondent, if the respondent has been convicted and sentenced to imprisonment or penal servitude for seven years for attempting the life of petitioner. If under our present law a petitioner is allowed a divorce from a respondent on the grounds of five years' desertion, then, surely she ought to be allowed a divorce on the ground that the respondent has been in gaol for five years. Why should it be made seven years in regard to imprisonment, while five years is the period for desertion. A man who will leave his wife for five years can be proceeded against for divorce; while the man who has brutally ill-used his wife The last clause is almost similar to that embodied in the Act of 1887, and it provides for a divorce on the ground that the respondent has for a period of five years been continuously confined in a lunatic asylum. Now, I admit that that clause is open to some argument. because there are arguments which, in the presence of the ladies in the gallery, it is inadvisable to discuss. I do not desire to in any way infringe upon what I consider good taste in the discussion of a matter like this, but I am prepared to admit there are arguments on both sides as to this clause. I think an amendment to clause 4 might be added, which I should be prepared to accept in Committee - namely, that a divorce on the ground of five years' continuous confinement in an asylum should not be granted unless the Medical Superintendent of the asylum should certify to the party who seeks the divorce that there is no likelihood of the patient in the asylum recovering. These are the three points upon which I am attempting to amend the Divorce Act of 1898. I shall content myself by putting the matter generally in this way, and propose deferring further argument until | honourable members have spoken, when I shall have my right of reply. Mr. SEDDON (Premier) .- Mr. Speaker, the honourable gentleman evidently is prepared for my objecting to this proposed amendment of the divorce law of the colony, and he quotes my having voted in 1887 for one of the proposed amendments -- namely, that seven years' wilful desertion should be a ground of divorce. An Hon. MEMBER. - And incarceration in an asylum also. Mr. SEDDON. -- I have not seen the voting on the

Bill to which he refers, and I will take it for granted that what he says is correct ; but, Sir, if the honourable member will note, it appears that I was paired ; and, further, from that time forward he will find that with ripe years came wisdom, and a desire, as far as possible, to have it so that marriage should not be easily set aside, because the nation where that obtains must of a certainty, so far as its social structure is concerned, be weakened. That, Sir, is my contention. I say we must look upon marriage as being something beyond a simple contract, and if we do not we shall find our- selves drifting into a position which all well- wishers of our colony must regret. If you read about the divorce laws in America -- and we are following closely upon the marriage laws of that country-you will see what every earnest thinker and writer says upon the social conditions there. You have a lesson here. Only recently we have had cases in our own colony, where people have simply left New Zea- land and gone to America, and the next thing you find is that proceedings have been instituted for divorce, that those proceedings have been successful, and then that another marriage has taken place. Well, all I can say is that I do not think that is desirable in the interests of the rising generation, and that we must look ahead. Now, when the present Act was

<page>138</page>

9.0. had been well considered, came to the conclusion that the five years was a fair com- promise as between what had been contended by those opposing it, and on that condition solely it passed through Committee and was placed on the statute-book of the colony. Such being the case, I say we should have something more than primitive reasons - I must not be ungenerous with the honourable member, but in dealing with such a grave sul ject as this we should have weightier arguments than those given by the honourable member. To my mind, considering the gravity of the subject, he dealt somewhat flippantly with this question. I say this because he did not give any reasons. I say he ought to have shown that since we have had the Act with the five years' limit in it there has been a large number of women or men who have suffered and who will suffer by it. I say he has given no such reasons whatever. Mr. WILFORD .- Do you want names ? Mr. SEDDON .- No, I do not want names. You laid no stress on that. The honourable gentleman never attempted to prove to the House that between the three and the five years there were a number or wives of hus- bands who had suffered. Mr. WILFORD .- I said there were. Mr. SEDDON. You want to do something more than that. If there was any general de- sire for this change members of this House would have heard of it. We should have heard it through, the Press ; there would have been a general feeling in favour of this measure ; and I must say at once that I have never heard any general desire for this extension. In my posi- tion, if there was any real grievance, or any number of persons were injured or suffering, I should say I should hear of it as well as any other man in the country. I may say I have not had, since the passing of that Act, a single case brought under my notice. Suppose there may be a few isolated cases of wives who suffer, is it to relieve that suffering that you are going to strike a blow at your whole social structure? I say it is better that there should be a few suffer under those conditions, and wait for the two years, than that you should pass a law making it easy for a young couple, who have been together only a few months, and between whom a difference of opinion arises, to say to each other, "You go your way, and I will go mine. ' I ask members. before they pass this, to pause, and not to treat it lightly. I ask honourable members to allow the Act to work a little longer, and let us see whether there is a necessity, before we agree to so important an amendment. And then, again, I ask you to judge our country and our colony by its pro- ceedings. Get a return of the divorce pro- ceedings in our Supreme Court, and com- pare your Court records with what ex.sted before the passing of that Act, and then judge New Zealand as it stood before and as it stands to-day in regard to these pro- ceedings. And let me say here, I am sorry Mr. Seldon ings, in all their hideous nakedness, to the world. Does that help to improve the morals of the country? Does that hold up our country in a favourable light to other nations ? I say it does not. It detracts from our moral standard. We are like other nations, and there have been, and

will be for all time, differences in the matrimonial circle, and there may be bad men and men who ill-treat their wives ; but I say it does no good whatever with respect to these proceedings to have them published to the world as we have had them. I may probably be taken to task for taking up the part of mentor with respect to this question; but, at the same time, the more easy you make it by the amendments that are now proposed the more likely you are to have this increased number of proceedings. And then we are told that the law is, I think the honourable member said, four years' desertion in the neighbouring colonies. Mr. WILFORD .- I said desertion is one year in Scotland. Mr. SEDDON. - But you said in one colony. Mr. WILFORD. - Victoria and New South Wales. Mr. SEDDON .- In Victoria it is four years' desertion ? Mr. WILFORD .- Yes. Mr. SEDDON .- Very well, that is a year against your contention, because you propose to make it three years, so that you would make it easier in New Zealand by a year than it is in the neighbouring colonies. My answer to that is this : look at the records, and, again, at the number of divorce proceedings in Australia, and contrast that with what obtained previously, and even contrast it with what is the case now in New Zealand, and you will notice that they are in the other colonies fast drifting into a state of Americanism, and their divorce proceedings there are such as I hope will never obtain in the colony of New Zealand. I say it is not much to the credit of any country to have the columns of its papers filled up with these cases, and to find that the majority of the cases in its Supreme Court are divorce proceedings. I undertake to say that since the passing of the Act which the honourable gentleman proposes now to amend, there has been a considerable increase in the number of cases in the Divorce Courts of our colony. I am speaking from memory now; at all events, I will say there has been a very large number in excess of what previously prevailed. Then. as to the question which the honourable gentleman has raised as to the imprisonment, or where attempts have been made on the life of the wife : contrast that with the ordinary imprisonment, and I can only say this : that there may be good reasons why ; and, where the imprisonment has taken place, and knowing for what the man could be imprisoned, the wife would be the last who would ask that there should be the relaxation that the honourable member proposes in his Bill. I say it has not been asked for. Again, I ask :

<page>139</page>

has not been asked for, why do you want to put it on the statute-book ? Why facilitate the application ? I do not think that special argument would apply ; but, at all events, all I can say is this : Where you want to alter the law you should show that there are suffering women who want relief as provided by this amendment. Proof of the necessity of the Bill should be given by the honourable member introducing the Bill. In such cases we might apply the old Grecian principle : that a man bringing in a measure should give good reasons for it ; and such person used to come in with a halter round his neck, and if he proved the necessity for the measure the halter was removed. We come now to the proposed amendment, and the honourable member admits that it is tender ground when he proposes an amendment in respect to the husband being confined in a lunatic asylum. Honourable members debating that provision are somewhat restricted owing to the presence of ladies in the gallery, but without at all departing from the canons of good taste, I will say this : that the precaution which the honourable member proposes - namely, a statement by the Superintendent of the Asylum as to whether or not at the end of five years the husband or the wife, as the case might be, may be restored to sound reason - I say that would be a very dangerous position to allow in our legislation. That has always been combatted and prevented. We allow nothing less than two medical men, outside altogether of the officer who has control of the asylum ; and it only shows the weakness of the honourable member's case when he is pre-paired to do this on the word of the Superintendent. If the Superintendent says : "I think there will be a chance of the patient being restored to reason," then, and in that case there is not to be a divorce. I think when the honourable member comes to consider it, he will agree that, at all events, that part of the Bill ought to be eliminated. It is quite clear to me that the honourable member does not intend to fight that at all. I say this, in con-

clusion : we have had no good and sufficient grounds given for making the amendment now proposed, and until good and sufficient ground is shown, if we err at all it should be on the side of caution, and I believe the maintenance of our marriage law as intact as we possibly can is the wisest course to follow. Mr. HUTCHESON. You are getting con- servative. Mr. SEDDON .- Well, Sir, I have always been conservative when it comes to conserving the social and moral well-being of the people of our country. I should, Sir, prefer to be in that position, rather than in the position of one who would treat lightly the marriage state, or who would allow on the flimsiest pre- text separation or divorce as between man and wife. I speak now as a man well on in years, and know many cases where, if this law had obtained, there would have been separations for all time, but owing to the then existing state of honourable member in this amendment. Even admitting that there are a few cases of wil- ful desertion, where there is no hope, I believe it is better that those few people should suffer than that you should extend your laws in the direction now proposed. That I think is sound logic. You must consider the greater number, and not make the conditions so easy that after a separation of three years a divorce can be obtained. Take the case of men who follow a seafaring life, or of those who have gone to the front, or of some of those who have left our own colony without any intention what- ever of deserting-because I have known of one or two cases where the co-respondent came and proved that there was no wilful attempt to desert ; the time is so short that many a divorce might take place which might be afterwards re- gretted. I say it is not at all in the interests of the country to have too many divorce proceed- ings. It is not well for any country to treat lightly its marriage laws, and I say our pre- sent sound social structure should be main- tained until good and sufficient reasons are shown for an alteration. I do not think the honourable member attempted to show that there were good and sufficient reasons for the proposed extension, and, such being the case, I shall vote against the second reading of the Bill. Mr. G. W. RUSSELL (Riccarton) .- I object to clauses 2 and 3 of the Bill. I think they go in the direction of widening the doors of the Divorce Court far too much ; but I do think that something is necessary in the direc- tion of clause 4. It appears to me that we ought to pass the second reading of the Bill, in order to endeavour to do some measure of justice to those persons who are unhappily married to confirmed lunatics. The Right Hon. the Premier asked for a case. I have no doubt he himself has met in the course of his ex- perience many such cases. I myself met one some few years ago in the City of Wellington, where there was a highly respectable woman, who was keeping a lodging-house, living and maintaining herself in the utmost respecta- bility. She was the wife of a man who for eighteen years had been confined in a lunatic asylum. That woman, I believe, had had more than one offer of marriage, which would have placed her beyond the neces- sity of earning her own livelihood, but on account of our law making no pro- vision for such cases she has to go through life without assistance from a husband. I have heard of cases of a similar kind in other parts of the colony, and I think the Premier might so modify his objection as to allow the Bill to go to its second reading, and then have a clause drafted, with proper safe- guards, to allow of divorce proceedings being instituted in cases of lengthened and confirmed lunacy. I do not say I would limit the time to five years as proposed, I would be prepared to grant a longer period; but we ought not to say that those who, by the dispensation of provi-
<page>140</page>

with some other person. Major STEWARD (Waitaki) .- My views are very much the same as those enunciated by the honourable gentleman who has just sat down. The mover of the Bill mentioned that in some previous year I voted for the second reading of a Bill which contained a provision which would enable three years' desertion to be a ground for divorce. I believe that is so ; but it was not because I approved of that parti- cular period, but because I desired to include in the Bill-and succeeded in doing so afterwards -a clause which would enable divorce to be obtained in cases where one of the parties to marriage had attempted the life of the other, and been sentenced for such offence to im- prisonment for seven years or upwards. I do not approve of the period of three years' deser- tion being made a ground

for divorce. If the Bill is read a second time the honourable gentleman should strike out that provision. I think the existing Act is liberal enough in that direction by making the period five years. In regard to the next proposal of the Bill, I can understand the honourable gentleman's desire to place the law on all fours as regards the period in relation to each cause for divorce. At present we make the period in the case of desertion five years; and it does seem logical that when imprisonment is the ground the period should also be five years; but I do not think any strong cause has been made out for going any further in this direction than we have. But there is, as regards clause 4, an arguable ground for adding this as a ground for divorce - I refer to the question of insanity. Of course it is a misfortune, and there is no element of fault, as there is as regards desertion and imprisonment. As regards insanity, the insane is not a person in fault, but in misfortune, and therefore the position is different. But it may be argued, and I think rightly, that it is not desirable that persons should live together in marriage when one of the parties has been for five years admittedly insane. I think, indeed, that it is very undesirable with regard to its effect on future generations, and that the honourable member who submits this Bill has reason on his side in asking the House to extend the divorce law so as to include insanity as a ground of divorce, provided always that there are proper safeguards. I do not know whether the suggestion made by him goes far enough. The Premier suggested that there should be a report by two independent medical men outside of the doctor of the asylum; and that, I think, goes in the right direction, and something in this direction should be added to clause 4 of the Bill. I only wish further to refer to one remark made by the Premier -- namely, that there has been a very much larger number of cases of divorce brought before the Courts since the passing of the new Act than well, Sir, of course, that in previous years. Seeing that we made desertion for a certain number of years a ground Mr. G. W. Russell provided by the Legislature - Mr. SEDDON. - It should not continue. Major STEWARD. - And it will not continue. Mr. SEDDON. -- It is continuing. Major STEWARD. - Possibly the honourable gentleman has not allowed sufficient time for the whole of these cases to be brought before the Courts; but I think it will be found in years to come that the number of divorces on the ground of desertion will be very much smaller than it has been, because the cases that have arisen from desertion in the past will, it is to be presumed, soon be disposed of. However, I am not prepared to say that there is any urgent demand for this Bill, but I shall vote for the second reading solely on the ground that I think something in the direction of clause 4 is necessary. Mr. FLATMAN (Geraldine). -- I would like to say a few words on this Bill. I understood the honourable gentleman who had just spoken to say that he voted for the second reading of a similar Bill some two or three sessions ago, with the understanding that the words "for attempting the life of the petitioner" were to be added to the clause. Well, Sir, it is proposed in this Bill to erase those words, and I think that is a mistake, because one can understand that if a husband is sentenced to a term of imprisonment for attempting to take the life of his wife, it is more than likely that they will never care to live with each other again, and I think these words ought to remain. In regard to the question of the reduction of the term for desertion from five to three years, it was in 1893 the reduction to three years took place in New South Wales and Victoria, and the first year after the amending Act came into operation there were 306 cases of divorce in the former colony, while in the previous year there were only 102. The number of cases has not diminished to any extent, for in 1894 we find there were 313 cases, in 1895 there were 301, in 1896 234, in 1897 246, and in 1898 247; while the highest in New Zealand during that time was thirty-six in any one year, which shows plainly that the door for divorce is opened too widely in New South Wales. I am of the same opinion as the Premier - namely, that we might allow our present Act to remain in force and see how it works. Had I not seen these figures relating to New South Wales and Victoria, where in the year 1897 there were 117 cases of divorce, I should have voted for the second reading of the Bill. But, after seeing these figures, I certainly must vote against the second reading of the Bill, because I do not think it would be in the interest of the colony to pass such a measure. Mr. T. MACKENZIE

(Waihemo) .- Sir, I intend to oppose the second reading of this Bill. It seems to me that the whole trend of the legislation of this country is to extend too great facilities for divorce. I largely indorse the

<page>141</page>

present obtaining, it is too soon to ask for further alterations. Mr. ATKINSON (Wellington City) .- Sir, this Bill is certainly an improvement upon the Bill which the member for the Wellington Suburbs introduced last session. In one respect, however, it is certainly rather worse than the previous Bill, in that there is no clause as to reserving the operation of the Act-if it becomes an Act -- for the signification of His Majesty's pleasure. Now, that is an oversight which we can rectify if the Bill gets into Committee. An Hon. MEMBER .- It is provided for otherwise. Mr. ATKINSON .- It is commonly provided in the Bill. An Hon. MEMBER .- It is never provided for. Mr. ATKINSON. - I beg the honourable gentleman's pardon ; if he will look at the last Divorce Act, which we are now amending, he ; some amendment in the direction proposed will find that it is so provided. Section 2 of " The Divorce Act. 1898," says,- " This Act shall come into operation on a day to be fixed by the Governor by Proclamation ; the contrary, it is no argument to say there is no such day to be not less than one month from the day upon which notice of Her Majesty's approval of the same is published in the said Gazette." There is another peculiarity in the drafting of the Divorce Bill of last session which is repeated here, and that is that the last clause, which in this case is the important one, is put somewhat tentatively in the form of a resolution. Instead of saying " The following subsection is added to section 3 of the principal Act," clause 4 says " That the following subsection be added to section 3 of the principal Act." That, of course, is the tentative language of a resolution, and not the enacting declaration of a statute. However, with regard to the subject-matter of the Bill, I think it is a very great improvement on the measure of last session. I am unable to agree with the proposal of clause 2. that the period of desertion which shall entitle the petitioner to obtain a divorce shall be reduced from five to three years. I should agree with the arguments of all preceding speakers, with the exception of the honourable member : be a proper safeguard ; but I think the evil, for Wellington Suburbs, in preferring the proposal ; though it may be limited to a small number sent term to three years. As to the proposal of clause 3, which will reduce the period of imprisonment for which the respondent shall have been sentenced to entitle the petitioner to a divorce, ; I see, as the honourable member for Waitaki observed, that there is a good deal to be said from the point of view of the honourable member : gate that evil. I shall vote for the second reading for Wellington Suburbs ; and his arguments gain a good deal of force from the contention that the period should be made the same throughout. I am inclined to think-I may be said to be sitting on a rail at present that if five years is a reasonable period to fix for desertion, five years is a reasonable period to fix here. But, of course, the most important part of the third clause is that which limits the nature of the offence : House, to see what can be made of it in Committee. But nothing the Right Hon. the Premier- Wellington Suburbs that this is not the only class of offence for which the term of imprisonment for seven or five years should entitle the petitioner to obtain a divorce. At the same time I do not feel justified, according to my present lights, in voting that a sentence of imprisonment for any crime at all for, say, five years should entitle the petitioner to obtain a divorce. I should like further time to consider and hear more discussion on clause 3 before having to vote upon it. However, it is certain that clause 4 is the most important clause in the Bill. I approve of the arguments of the Right Hon. the Premier, from a general standpoint, with regard to the inadvisability of tampering lightly with our divorce law ; but I do not see that any of the general considerations he urged fairly met the very strong ground of public policy, on which by clause 4 is based. We do not desire that the progeny of lunatics shall be increased by the compulsion of law in this colony. On it is a small number of cases. There may be a small number of cases, and yet it may be a the hardship, without admitting at the same time a greater evil, it is our duty to do so. Now, what greater evil

are we to admit if, with proper safeguards, we enact that lunacy for five years shall be a ground for divorce ? I fail to see that we shall be admitting any evil at all, providing, of course, that the safeguards are proper. The Right Hon. the Premier gave us a reason for supposing that the safeguard the member for Wellington Suburbs was willing to have added was insufficient. Perhaps the honourable member may not be willing to concede so much, but, at any rate, it shows he is prepared to have the clause thoroughly threshed out, and to have inserted in it whatever safeguard appears. On consideration, to be a just and proper one. I understood that to be his not like to say off-hand, any more than would any other member of the House, what would of cases, is so serious that some remedy should be provided for it, and for that reason- though if I had to decide on clause 4 to-night by my single vote I should vote against it-but, on the ground that there is a great evil, and that this clause if properly amended may mitigate the member for Wellington's view of the Bill. Suburbs has referred to the fact that he moved the second reading of this Bill pro forma last year, with the view of having it referred to the Statutes Revision Committee; and I hope that after the debate this evening the Bill will be referred to that Committee, to be thoroughly overhauled, and then brought back to the

<page>142</page>

which it is proposed to cure by this clause, or that the evil cannot be cured satisfactorily by this clause, with the necessary amendments, and for that reason I shall vote for the second reading of the Bill. Mr. LAURENSEN (Lyttelton) .- Sir, I shall support the second reading of this Bill, although I shall reserve to myself the right to oppose clauses 2 and 3 when the Bill is in Committee. I am opposed to both of those clauses, but I am much in favour of clause 4. As an illustration to show how clause 4 would work, I know of the case of a man in my own electorate whose wife has been in an asylum for fifteen years, and yet who cannot get relief from the marriage tie. I would support this clause to allow divorce to be granted after one of the parties has been in an asylum for five years, because I am of the opinion that it is bad for the community to allow people to resume marital relations after one of the parties has been in an asylum. I will therefore vote for the second reading of the Bill, reserving the right to oppose clauses 2 and 3 in Committee. As regards clause 3, which alters the word "seven" to "five," and gives the wife of a man who has been imprisoned for five years the right to a divorce, and vice versa, I would like to give the honourable member who introduced the Bill an instance that came under my notice. I remember the case of a man who, after being sentenced to eight years' penal servitude, resumed his position as head of the family after his release, and who has ever since been a most exemplary father and husband. Nothing whatever has been said against him since. Under this clause his wife would have been entitled to a divorce, and if she, in a fit of spleen, had applied for a divorce the peace of that family would have been destroyed for all time. But, as I have already said, I am in favour of clause 4, which provides that a man or a woman who has been confined in an asylum shall not be entitled to resume the marital relations. As to the Premier's remarks, I am partly in favour of and partly against them. I believe, where a man and a woman are happily united, that, if the door of the Divorce Court was as wide as the prairies, they would not walk through it. On the other hand, in the case of a man who is united to an uncongenial partner, or a woman who is married to a human brute, it does not matter how strong you make the divorce laws you will have domestic misery, and have all sorts of evils arising from such unions. You may have legal union, but you will have moral and mental divorce. That being so, I shall vote for the second reading of the Bill, reserving to myself the right to have clauses 2 and 3 altered. Mr. MONAB (Mataura) .- It was not my intention to speak on this Bill, nor would I have done so had it not been for the interjection I made to the honourable member for Wellington City (Mr. Atkinson). I believe that the time-honoured custom that one connected with the Mr. Atkinson be departed from. The honourable gentleman said to-night that it would be better if there had been inserted in this Bill a clause providing that it should not come into force until the King had first given his assent, and I interjected that that was not necessary. In answer to something

else, I further interjected that it was not done in the case of previous legislation on this subject. I understood the honourable gentleman to say that it had been done, and he referred to the Divorce Act of 1898 as a proof of his contention ; and the honourable member for Palmerston, sitting behind him, interjected that I had something to do with that, suggesting that I ought to have known that it was contained in the Bill. Under section 57 of the Constitution Act, His Excellency the Governor has to reserve for the Royal assent such Bills as he shall be ordered to reserve by Royal instructions. On the 26th March, 1892, Royal instructions directed all Bills dealing with divorce to be reserved for the Royal assent. The Constitution Act provides that, on the Royal assent being given, the Divorce Bill becomes law. Now, the Act of 1898 did not provide that on the Royal assent being given the Divorce Bill of that year was to become law. It provided that the Bill should not become law until the Governor's proclamation was issued in this colony after the Royal assent had been given, and it did not provide that the Bill should be reserved for the Royal assent before it became law. An Hon. MEMBER .- Read the section. Mr. McNAB .- The section I refer to is this, " This Act shall come into operation on a day to be fixed by the Governor by Proclamation in the Gazette ; such day to be not less than one month from the day upon which notice of Her Majesty's approval of the same shall be published in the Gazette." The Constitution Act and the Royal instruction provide for the Royal assent to be given, and it had not been for this clause 2 the Act of 1898 would have been brought into operation on the day on which it received the Royal assent, but that date was postponed for one month by this section 2. There is no case that I have come across, certainly not in the Act of 1898, reserving a Divorce Bill for the Royal assent. Mr. ATKINSON .- As a matter of personal explanation, the honourable member for Mataura seems to have misunderstood me, or else to have misunderstood his own Act of 1898. Of course, I was not suggesting that the honourable member for the Suburbs would properly have included in his Bill a clause that reserved it in express terms for the Royal assent. I would not dream of suggesting that in fact, I had the Bill of last session before me as I spoke, and I simply summarised the fact that the 2nd clause in the Bill dealt with the question of reservation, and that matter had been omitted here. The 2nd clause of Mr. Wil-

<page>143</page>

taura's Bill of 1898. Well, I do not think any explanation I can make will make the matter clearer. I was simply calling attention to the fact that it appeared to me that the Bill of the honourable member for the Suburbs, Mr. Wilford, was not quite as good a Bill this session, because he was not following so precisely in the footsteps of the honourable member for Mataura. And now the honourable member for Mataura gets up and explains that the section in the Act of 1893 was quite unnecessary, and the honourable member for the Suburbs did better when he did not follow the honourable member for Mataura at all. Mr. WILFORD (Wellington Suburbs) .- Sir, I shall first of all deal with the speech on this Bill delivered by the Right Hon. the Premier, and I propose to show the House, without the slightest difficulty, that if ever any honourable member in this House turned a somersault the Hon. the Premier has done so : whether he has lit on his feet or not, I will leave honourable members to judge. Now, in the first place, the Right Hon. the Premier discusses with a great deal of well. strength- Mr. PIRANI. - Pomposity. Mr. WILFORD .- No, I am not going to be rude-there is nothing to be gained by that. The Right Hon. the Premier discussed, in a way I think it hardly necessary to describe, what he called the flippancy with which I had introduced this measure. Now, "flippancy" is a word that hardly applies to the Right Hon. the Premier; but when we remember the speech he delivered against the Bill, one hardly knows what word of the English language would describe it. He dragged in a description of himself being dragged up by block and tackle to be weighed ; he described a member being dragged into this Chamber with a halter round his neck and being dragged out again ; and his speech was generally discussing matters absolutely irrelevant and absolutely apart from the Bill altogether. Let me tell honourable members this

: that in 18-7 the Right Hon. the Premier not only supported every one of these clauses I am introducing, but he went further. When I say that the Right Hon. the Premier supported the clauses I should not say that he voted for them -he paired in favour of them. In 1-87 a Bill was introduced by another member of the Bar, Mr. Samuel, of New Plymouth, and in connection with that Bill Mr. Samuel proposed the following amendments to the divorce law. First of all, - " That the respondent has, without just cause or excuse, wilfully deserted the petitioner, and, without any such cause or excuse, left him or her so deserted during three years or upwards continuously before the presentation of the petition." That is the very clause that is in my Bill. Now, the Right Hon. the Premier denounced in unmeasured terms the idea of the House, for social reasons, supporting such an innovation, and yet the Right Hon. the Premier paired in word " five " in lieu of the word " seven "-that is to say, giving the petitioner power to obtain a divorce on the ground of a man having been in prison or having suffered penal servitude for a period of five years, instead of seven years. Would the Premier be surprised to know that the very Bill which he paired for in 1887 had these words in it : - "That the respondent is, and for not less than twelve months before the presentation of the petition has been, imprisoned for some crime under sentence, or a commuted sentence, for a term of seven years or upwards ; or, being a husband, has, by frequent convictions for crime, habitually left his wife without the means of support." That is my clause, only the Premier asked for a longer period-seven years-and I ask for five. Now, the 3rd clause in the Bill is the one which the Premier denounced in such measured terms that I was, theoretically speaking, scorched up. In my Bill, in clause 4, I ask that a divorce may be granted on the ground that the respondent has been continuously in a lunatic asylum for a period of five years. The Premier suggests that the period of five years is too small, and objects to the clause altogether. How did we find him voting in 1887? "That if the respondent was incurably insane, and had been in an asylum for three years," he would support it, and I am asking for five years. How do honourable members reconcile the position of the Premier ? Then, the Premier charged me with not having given examples for these clauses being in my Bill. I did not give them for a good reason. I could not give the reasons in regard to clause 4 on account of the presence of ladies in the gallery, and I said so when I introduced the Bill. It was not a subject to be discussed in the presence of ladies. Even if I have to suffer for it, by losing clause 4, I will do so rather than offend in that respect. In regard to clauses 2 and 3 I will give good reasons for their introduction. I will admit that the Premier is a man of vast experience, that his knowledge is wide, varied, and of a range that it will probably never be in my province to reach ; but let me tell the Right Hon. the Premier this : that I claim to have a little experience in connection with the matter I am discussing, and perhaps I might be able to teach the Premier in regard to this particular Bill. When he says that divorces have occurred with greater frequency in the colony since this Bill of 1898 passed, I say, certainly that is so. And why? Because there is a new ground for divorce allowed. Before 1898 you could not get a divorce for five years' desertion ; now you can. Consequently, when you give new grounds for divorce, you naturally create more divorces, because you have opened up new avenues by which divorces may be obtained. Consequently, when the old ground still remains and the new grounds are available, it naturally follows that there are more divorces. What was the use of our legislation if it was not so ?

<page>144</page>

ported in the newspapers. But what in the world has that got to do with my Bill ? I am quite prepared to admit, as to that matter, that another of the clauses of the Act of 1898 ought to be more frequently used than it is at present. I have argued in favour of that before now. Under the Act of 1898, if application is made to the Judge, the case can be heard in camera, and I can tell honourable members of the House that many cases are now heard in camera, and nobody knows that a divorce has been granted, or that the proceedings have been taken at all. An Hon. MEMBER. - That is not a very good thing. Mr. WILFORD. -- I grant that it is not a very good thing when both sides are not represented, but it is a good

thing when both sides are represented. However, that clause is already in vogue. I admit, as I have said, that the newspapers should not publish the details of these divorce proceedings ; but what has that got to do with my Bill ? Now, Sir, honourable members have asked me for reasons in support of the amendments that this Bill proposes, and I will give them one or two. Does the Premier expect to have these reasons ? I can prove to the honourable member that women in Napier and in Gisborne, as well as here in Wellington, have written to me applying for clause 2 and clause 4 and clause 3 of the Bill. I can say that there are cases that have come within my own knowledge which show the necessity for these clauses. When these women above referred to heard that I was introducing a Divorce Bill. they wrote asking me whether these things could be done. I will give you a case where a man has deserted his wife for four years. Until he had deserted her for five years she could not have got a divorce. But just when the four years were up, and before the five years were expired, he was run into gaol for a term of seven years, and the divorce could not be granted for four years' desertion, for the seven years' imprisonment did not count as desertion. Notwithstanding that the man was in gaol for seven years, the poor woman could not get a divorce for five years' desertion. That is one case. I will give you another case. It is a case where a woman left her husband for two years. After that she got seven years' hard labour in this town. But he cannot get a divorce from her. That is not all. She has got seven years to serve in gaol, and she had left her home for two years before that, leaving him with five or six children, and there is no possible way for him to get a divorce. Take another case. There is a young woman in this district who is working as a stewardess in one of the boats trading in this colony, and her husband is one of the most notorious burglars, I think I may say, in the whole of Australasia ; in fact, as a sort of shot, I put my finger on him as having been the individual who has robbed that widow of #800, as described in the cables the other day, because that is the particular line he has adopted in all his depredations. Now, Mr. Wilford month out of her wages for the keep of her family. What happens ? This man is nearly always in gaol. He got two years in Dunedin some time ago for practising the confidence trick. He broke his leg while in gaol, and got off with a commutation of part of his term because of good behaviour. He comes back to his wife for a week or two, makes her life miserable, bangs the children about, and then probably before he has been in town for a few months he is in gaol again for some other offence. In fact. he has been arrested in nearly every town in New Zealand. That poor woman prayed to me to do something for her relief, but nothing can be done as matters stand under the present law. Of course, for habitual cruelty and habitual drunkenness it would come under another clause of the Bill. I can enumerate instance after instance where this Bill is required, and I can show documentary evidence, and evidence from the Courts. to show that greater facilities should be granted. I quite agree with the remarks of the honourable member for Lyttelton, Mr. Laurensen, that if two people are happily married 10.0. there is no gate-no matter how wide -that will induce them to walk through it and ask for a divorce. But in the case of those who are unhappily married the position is different ; and when you look at the marital relations of some people, you will agree that it is better for themselves that some relief should be given. If you read Lombroso and Havelock Ellis on the doctrines of Criminology, it is a question whether, when a husband becomes a criminal, a woman ought not to have a divorce immediately. Read statistics, and the books on Criminal Anthropology, and what do you find ? That a criminal father begets criminal children, and that goes down from generation to generation. I could give honourable members more reasons in favour of this measure. If honourable members want to alter the Bill in Committee I shall be reasonable, and shall be glad to accept any reasonable amendments. Mr. SEDDON (Premier) .- The honourable member attempted to lead the House to believe that I voted for and supported certain amendments. An Hon. MEMBER. - " Paired," he said. Mr. SEDDON .- He said paired subsequently. His first statement was that I voted for and supported the amendments. I think he referred to the year 1887. In respect to the Bill itself I paired : but if he had looked up the records of the debates he would have seen that in cases of continued brutality I

advocated that women ought to be relieved, and provision was made to give them relief. I paired on Mr. Samuel's amendment. If the honourable member had done me the justice of looking \- up Hansard he would have seen that the very first time that the same provision came up I was in my place in the House, and I spoke against it, which is consistent with what I have done to-night. Furthermore, on this ques-

<page>145</page>

of 1,000 cases of males 252 recover, and out of 1,000 cases of females 276 recover, and that is what has always weighed with me -where there are so many recoveries it is dangerous for us to carry the amendment proposed. The House divided. AYES, 28. Allen, E. G. Haselden Pahner Arnold Herries Pirani Atkinson Hogg Smith, (. J. Barclay Hutcheson Steward Thompson, R. Bennet Laurenson Colis Lawry Willis. Colvin McLachlan Fraser, A. L. D. McNab Tellers. Guinness Millar Buddo Morrison Hanan Wilford. NOES, 33. Allen, J. Hardy Napier Bollard Hornsby O'Meara Houston Carncross Parata Carroll Rhodes Lang Duncan Lethbridge Seddon Ell Massey Stevens Fisher McGowan Tanner Mackenzie, T. Fraser, W. Thomson, J. W. Gilfedder Mckenzie, R. T. hiers. Graham Mills Flatman Meredith. Monk Hall Hall-Jones Majority against, 5. Motion for second reading negatived. SCHOOL ATTENDANCE BILL (No. 2). Mr. PIRANI (Palmerston) .- This is almost a copy of the measure I introduced last session dealing with the subject of school attendance, and perhaps it is a satisfactory thing to know that the Government have practically adopted my Bill of last year, and are persevering, I believe, with that. But I generally progress, and the measure as introduced this year is, I think, a distinct improvement on that of last year. I forwarded a copy of the Bill to every Education Board in the colony last year, and it is in accordance with suggestions received from them-especially the Otago Board-that the measure is in the shape it is to-night. I shall deal just briefly with the difference between the measure and the existing law. I propose, in the first place, to include in the definition of public schools, at which attendance is compulsory within the provisions of the Act. private day-schools, because it is found in practical working that children are enrolled in private schools without the attendance provisions being complied with, and thus the compulsory attendance is evaded. I have also included in the compulsory provisions Maoris or half-castes who attend the public schools. We have found in the Wanganui district that Maoris, although their children attend public schools when it suits them, interrupt the course of instruction very much by taking the children away for weeks and months; and we have no Further, the period in which action can be VOL. CXVII .-- 9. attendance, and I think it is desirable that such power should be granted. I have defined "attendance " as two hours of instruction, so if there are four hours a day for five days they will have ten attendances. Instead of the age in the original Act-from seven to thirteen- being the age of compulsory attendance, it is extended in this measure to fifteen, unless they have passed the standard required by the Education Department-namely, the Fifth Standard. The attendances in this measure are defined as four attendances out of six times open; six out of eight times open; and eight out of ten times open. Personally, I do not see why the children should not be compelled to attend every time in the week that the school is open, unless they come under the exemptions. The exemptions are so extensive that they cover almost every reason for a child being legitimately absent from school. Then, we ought to stop the law prevailing at the present time when there is a holiday in the week, of not being able to compel the child to attend school during the rest of the week in which there is a holiday, because, if you say that out of the ten times the school is only open eight times, in that way there is a week blank so far as the attendance is concerned. There is also another difficulty. When you only compel six attendances out of ten, and that child attends Monday, Tuesday, and Wednesday in one week, and does not go back to school until the Wednesday in the following week, he will have been a week away from school. In some districts this is worked with scientific accuracy, to the detriment both of the attendance of the school and of the child itself. And then, in respect to the two miles distance from the school to which compulsory attendance applied, I have increased the distance to four miles, provided there is a good road from the residence of

the child's parents or guardian to the school, or a similar distance between the residence and the railway convenient to the school, and the railway and the school. Then, there is another very necessary provision for enforcing a case where a child does not attend school at all. Under the present Act a notice is given to a parent to send the child to school, but there is no period prescribed within which that notice must be complied with, with the result that that clause of the Act is a dead-letter. I propose to make seven days after notice has been given as the time within which the child shall comply with the order of the Court. In regard to the excuse for having been absent from school, in clause 5 I have omitted the words "being in good health." This places on the parent the onus of proving that the child is not in good health when absent from school ; whereas at the present time only the Truant Inspector has to prove that the child is in good health, and it is almost an impossibility for him to do so unless at the time the child was absent from school he has been a constant visitor at that child's home.

<page>146</page>

to two months, because it has been found that in a large district it is impossible for a Truant Officer, in very many cases, to lay the information within the period prescribed by the 1894 Act ; and in connection with that a provision is inserted by which the Magistrate, in dealing with the case, may take into consideration the age of the child and the distance the child has to travel to go to school. Then, there is another provision : that penalties which are levied shall not be paid to the School Committee fund, as : of 1894 is, in effect, a dead-letter ; it is of little provided in the original Act, but to the Board fund, where they employ Truant Inspectors. 1 'hands of School Committees or of the officials might say that I have had some years' experience as Chairman of the Attendance Committee in the way expected seven years ago. There mittce of the Wanganui Education Board, and { are, of course, details in the Bill which, if the that experience has taught me the necessity for | Bill reaches the Committee stage, will be dis- these amendments if you want to render a i cussed, and will demand the consideration of the School Attendance Act workable. I trust members will give me their active support in passing a measure which I am sure will tend to increase the attendance at the primary schools. Mr. HALL-JONES (Minister for Public Works) .- That there is some necessity for a i School Attendance Bill is evidenced by the fact that the Government have in another place a Bill of a similar nature to this Bill, and dealing with the same subject. That Bill has already passed its second reading, and will in due course reach this House. I rather expected the honourable gentleman, in view of that fact, would have taken into consideration the advisability of allowing this Bill to be left over. However, I see no objection to passing the second reading. although some of its provisions as they now appear are rather harsh. For instance, to insist on a certain number of attendances and to compel a child to go four miles to school is parsh, inasmuch as, while you may have a goed road, you cannot control It is true that if an action is the weather. brought against the parents this fact may be brought forward as evidence in defence, but the distance is certainly too great. Mr. PIRANI. The Government has fixed three miles. Mr. HALL-JONES. - Yes : and I suppose the honoarable member has gone a little better, in order to have some distinction between the two Bills. But, in any case. I think three miles is a reasonable distance which one might expect a child to go to school. There are several other matters in the Bill which are, however, Committee objections. The alteration proposed in the management of Native schools is a radical change, inasmuch as it proposes to place the management of Native schools under the control of Native Committees. At present honourable members are aware that these schools are controlled by the department. I am not sure as to the advisability of the course proposed in this Bill, because there might be a difficulty in obtaining the assistance and co-operation of the Natives in carrying out the work efficiently ; and especially with Native schools is constant care and constant control required. and to a much greater Mr. Pirani have a Bill in another place which will reach this House shortly, and we may perhaps embody some of the best provisions of this Bill in it. In the meantime the Bill may be read & : second time. Mr. TANNER (Avon) .--

Sir, I consider that the honourable gentleman in introducing this Bill is doing a public service, because something of this nature is necessary to supplement our education system. The School Attendance Act has not strengthened the Force who are appointed to enforce school attendance; but in the main the Bill, I believe, is good, and goes in the right direction. The question of distance, which has been mentioned, is one that I know is got over in some thinly populated districts by means of a method of co-operation which prevails amongst the residents, whereby a farmer—the father of children who are attending school—will, fairly early in the morning, put his children into a vehicle, drive round and pick up the children of a number of his neighbours, and deliver them, as it were, at the school in time for attendance. The same thing is by arrangement taken up by another neighbour the next day, and by that practice during the week half a dozen people spend a couple of hours of their time in seeing that the whole of the children in a given vicinity attend the school. An admirable instance of co-operation. That, of course, would not apply where the road is practically impassable, as has been referred to. But what I rose to call attention to in particular is the manner in which school attendance is evaded by the plea of parents when summoned that their children are in attendance at private schools. Sir, there is no more painful business than to sit as a Justice of the Peace at the Court and have a batch of poor, miserable women brought before me charged with neglecting to send their children to school. I speak of Christchurch only for the moment, but I dare say the same practice prevails elsewhere. It is the most frequent custom in the world for them to produce a little slip of paper, signed by some teacher or other at a private school, to the effect that Micky O'Flynn or Johnny Smith is in attendance at that school. On inquiry afterwards it is found that the name was entered on the school-roll perhaps that very morning. Provably that is the only attendance the child ever makes, but the plea is sufficient, and, no matter how ardent a Justice of the Peace may be to see that the Act is carried out, his hands are, in effect, tied behind his back. He can do nothing in the face of the sworn statement that the child is in attendance at another school. There has been no desire on the part of the parents of that child that he should attend any school -- a fact that is

<page>147</page>

urgent in complaining of the obstacles that are placed in his way. Sir, I think—and I say it almost with bated breath, and almost with trepidation—it is time that our education system was reviewed from the top to the bottom. We have in the past been superstitious over it, up to the point of worshipping it almost as a fetish. We Canterbury men above all others are proud of it, because it originated with the Canterbury men of the past. There is no doubt of that. It is one of the boons Canterbury has bestowed on the other portions of the colony; but it has now become somewhat impaired by the lapse of time, and it is distinctly behind the age. It may have been right enough in 1876 or 1877, but it is a quarter of a century behind in 1901; and when this House can lay aside all prejudices, and can calmly and dispassionately view the machinery of our education system from the beginning to the end and put it on a sound genuine footing—a footing that will last another twenty five or thirty years in its revised form -- the House will deserve well of the community and of the people of New Zealand. Mr. BUDDO (Kaiapoi). -- Sir, I do not agree with the honourable member for Avon with regard to any great alteration in our educational system, though adjustment may be beneficial, but still I have a considerable amount of sympathy with him when he speaks of the bad attendance of the children at the public schools. It is a very great pity indeed that the efforts the State has made to overtake the truancy that exists in our midst should not be better backed up by all concerned. I confess that the Magistrates are to some extent handicapped by the reasons that have been mentioned by the honourable member for Avon. A sympathetic feeling on the part of the Magistrates towards those parents who, for many reasons, may be unable to send their children to school is, perhaps, a commendable fault, and I think the honourable member for Palmerston has to a considerable extent provided a further means to prevent the non-attendance of the children at our public

schools. I see the Education Board of North Canterbury has just recently passed a resolution stating that fourteen years should be the age of exemption for our children at our public schools, and I observe that the member for Palmerston says fifteen years in his Bill. Perhaps this may unduly handicap a boy who has to learn a trade or work for a livelihood ; but, if the parent has not allowed his child to attend school sufficiently to enable him or her to pass the Fifth Standard of education, he should, if he is in a position to do so, be forced by the law to allow his child to attend school until the Fifth Standard is passed or the age of fourteen is reached. It is, I think, a reasonable deduction to be drawn from our educational system. One of the principal reasons given for non-attendance is illness on the part of the child, and it is almost impossible for the Truant Officers to prove that illness has not been present in some particular reasons, such as that some of the older children are required to attend to the younger children while the parent is absent at work, and thus add to the means of livelihood of the family ; that excuse always receives attention, and in cases of the kind Justices of the Peace are lenient. Other parents take a pardonable pride in having their children well dressed, and if they cannot be so they are not sent to school. In most cases, however, it is ignorance and pure neglect on the part of parents to give any attention whatever to the education of their children. One other reason. I think. why parents have been lax in attending to the Truant Officer's orders is that the fines have been too low, and that perhaps weeks and months of inquiry have elapsed before they have been imposed. Even then, if the fines were double they would not have been enough. If a parent has been negligent in respect to the education of his children he should be fined as much as his means will permit of, and the Magistrate can, as a rule, easily ascertain his position. The Bill provides that a fine not exceeding 92 shall be imposed, and, if it were not too drastic in some cases, it is almost a pity that a minimum sum is not fixed in the Bill. Mr. PIRANI .-- That is in cases where they do not send their children at all. Mr. BUDDO .-- That is so, and it is one of the blots of our educational system. If honourable members will try to put this Bill into shape in Committee-and there are many good points in it -- they will do a good service to the system. The Hon. the Minister for Public Works has just intimated that its provisions may be incorporated in a general measure, and I may add that the member who passes a measure giving further power to our Education Boards to compel the attendance of children at school whose parents are negligent of their education will be deserving of the thanks of the community for doing so. Mr. CARROLL (Native Minister) .-- I have a few words to say in regard to this measure. have no objection to it ; in fact, speaking broadly, I am in favour of the trend of its provisions, and any exceptions that one may take may be made in Committee. I am with the honourable gentleman in reference to the compulsory attendance of Native children, but would hardly countenance the extreme length to which this Bill goes. That some departure is necessary goes without saying, because I have witnessed, with a great deal of pain, the great laxity shown by Native parents in the education of their children. It seems to me that some system is wanted under which Natives will not exactly be forced to send their children to school, but which will offer them every facility for doing so. It is absolutely necessary that they should reap the advantages of our education system. The time has now arrived when every ounce of knowledge imparted to the Native children will be of incalculable benefit to them. I do not say that the regulations in respect to attendance of Native children should be on the same drastic lines as

<page>148</page>

in the case of Natives. Generally speaking, I am in favour of compulsory attendance on their part, having due regard to the peculiar circumstances with which they are surrounded. I would give power to the Minister of Education to work through the Committees of the districts on some rational plan to secure the attendance of Native children. I will be prepared to support the clauses under an amended form. I agree with my colleague that, as the Government have already a Bill on this subject introduced, we could absorb therein all the good clauses of this Bill. Mr. BARCLAY (Dunedin City). - It is with very great

pleasure that I rise to support this measure. At an early stage of this session I placed a question upon the Order Paper asking the Government " If they will introduce a Bill this session to amend the law relating to the prevention of truancy from schools ?" and the Hon. the Minister who acts as Minister of Education in this House gave an answer in the affirmative. It is to be hoped that the two Bills will not clash ; but, at all events, there can be no harm in passing, as the Minister himself has suggested, the second reading of this Bill at the present time. and some arrangement as to the two Bills can probably be come to later. That this Bill is required is a fact that has been pointed out by the Education Board of the Otago District for some years, and with special and particular emphasis in the last annual report, the report for the year ending 31st March. 1901. I do not propose to go into questions which are more properly dealt with in Committee as to details of this Bill. I believe that the honourable member in charge has embodied in it a great many suggestions which have been made by the Otago Board, so that it will, I trust, not be necessary to offer any very serious criticism when the Bill goes into Committee. I should like to say a word in regard to what the honourable member for Avon said in respect to private schools. It seems to me that the difficulty of a child attending a private school, and making that an excuse for not attending regularly, might be got over by making the provisions of the Truancy Act apply to attendance at private schools just as well as to the public schools. The honourable member for Avon also referred to the system which is in force in some places of conveying children to school by arrangement amongst the country settlers, or by arrangement with the Education Board. In South Canterbury, for instance, there are several cases in which the Board pays for the conveyance of children to school. That system is found to answer admirably. It is economical, and saves the expense, for some time at least, of building and staffing new schools. I desire to congratulate the honourable gentleman on having introduced a Bill which is very much needed, and which will have my support and assistance, and, as far as I can judge, the support and assistance of nearly the whole House, in taking it through its various readings. Mr. Carroll in his speech on this Bill have favourably commented upon its provisions, and I concur in what has been said, and compliment the honourable member for Palmerston. There are many useful provisions in it, but, inasmuch as those provisions have been referred to by previous speakers, I will not occupy the time of the House by further referring to them. I would like, however, to correct a mistake made. The honourable member for Avon, in referring to the original Act of 1877, said that that Act was drawn up on the basis of the system which obtained in Canterbury prior to the abolition of the provinces. That was not so. It was based on the system of education that obtained in the Provincial District of Nelson. Nelson was considered to be in advance of every provincial district of the colony upon the question of education. I recollect the time when the Bill of 1877 was drawn up under the supervision of the Hon. Mr. C. C. Bowen, of another place. Now, Sir, in reference to irregular attendance of children whose parents place so little value on the free education afforded by the State to the children in this colony, I am of opinion that any parent neglecting to see that his children gets the benefit of free education is committing a serious offence against the State, and I think it would be wrong to be lenient out of respect to the feelings of such parents. When the North Canterbury Education Board had under consideration the appointment of a Truant Officer I strongly recommended that the offer made by the Justice Department, that the police should be available to the Education Boards of the colony to act as Truant Officers, should be accepted. I venture to say that one visit of a policeman to a neglectful parent would have more effect than half a dozen visits of a Truant Officer. As to hurting the feelings of parents, that does not come into the question at all, because they are not entitled to consideration. I say the sooner we abandon this idea, and utilise the Police Force of the colony, and insist upon those children who do not attend school attending regularly and thus fitting them to discharge the functions of citizenship. the better. There is another portion of the Bill that I approve of, and that is that this compulsion of children shall extend to private schools as well as Government schools. I recollect that one of our Magistrates in Canterbury drew my attention to a case of neglect on the part of

a parent in the education of a girl that was brought before him. This girl was some sixteen years of age, and had committed an offence, and \- when called upon to sign her name she could not do so. It came out that when the Truant Officer went to the house of the parent of this girl he was told that she was attending a denominational school ; and the Truant Officer, taking for granted that the statement was correct, went away and took no further action in the matter. As a matter of fact, that girl was attending no school at all. So far as this Bill goes in the direction of compelling all to attend \-

<page>149</page>

An Hon. MEMBER .- Under the existing law they must get a certificate of exemption. Mr. MEREDITH .- That is true, under the Act ; but there are many ways of evading the question and of getting out of the difficulty. It would not be wise to raise the school age from five to seven. I would leave the age at five. I have no objection to extending it to fourteen years. At the present time it is confined to thirteen years, and I would be prepared to extend it to fourteen years. I think there are good objections to the raising of the age to seven and extending it to fifteen. Our children who commence attending school at five years enter into the kindergarten department of our large schools, where they gather ideas during the first year or two of their school life, upon which foundation they raise a most useful superstructure in future years. Therefore I do not think we need interfere with that. I will support the second reading of the Bill. Mr. T. MACKENZIE (Waihemo). - As a member of an Education Board, I wish to say a word in connection with this Bill. The honourable gentleman has suggested that the age should be retained at five. It appears to me that the first duty is to make the children physically strong, and if honourable members saw, as we saw when going round with the Teachers' Salaries Commission, the number of very small children congregating in the large schools, it would be evident to them that they were far too young to be confined for such long hours in a school-building. For my part, I think the mover of the Bill is wise in making it seven. I do not think that any real progress is made by placing children below that early age at school, and I think seven is a quite early enough age to send them to school. It enables them to become physically strong, and then afterwards they have greater power of acquiring and assimilating knowledge than if their school training started at an earlier age. The question of school attendance is a most important one, and I congratulate the honourable gentleman upon bringing in his Bill. The fact is that education is placed too easily within the reach of all, and the consequence is that many people quite fail to appreciate its blessings. If they had to pay something for it they would take much greater care to see that their children availed themselves of all its advantages. Of course, I have not the slightest intention of suggesting that anything like a charge should be imposed, but I cannot help thinking that there are many parents who are not esteeming as they ought to the advantages that they possess in enjoying one of the greatest blessings that any country can have-the free education of its children. There is another point in connection with this matter, and that is this: that children should be required to go to the school in their own school district. It is a very serious matter in this colony. Teachers may in carrying out their work properly offend some very sensitive parents, and they have the power now to send them to other schools that may be a little further away. I think that in amending the Education Act the opportunity should be taken to make provision that children should attend the schools in their own school district. Of course, there is the larger question of the driving to school opened up, and we should make a definite stand with respect to it. I shall support the second reading of the Bill. Mr. WITHEFORD (Auckland City) .-- Just as Christchurch initiated education, so Palmerston North has perfected the system, and, irrespective of party sides, I am pleased to hear so many kind references to the member for Palmerston. As we are all interested in the passing of this Bill, I do not see the necessity of prolonging the discussion myself, and I hope, therefore, we shall proceed at once to agree to the second reading. Mr. COLLINS (Christchurch City) .- Like the honourable gentleman who has just sat down, I intend to support this Bill ; but, in spite of the observations he has made, I think there are just one or two points in connection with the matter before

the House that should be fought out. With the honourable member for Avon, I fully recognise the fact that there is nothing in the work done by Justices of the Peace which gives cause for greater pain or more bitter disappointment in connection with our education system than these matters of truancy. But there is one point that has struck other members as it has struck me-and a painful point it is too -- and that is the gross ignorance which many, if not most, of the parents of the truant children themselves manifest when they are brought into Court. It is one of the most pitiable and painful facts that comes under one's notice that there should be such a large proportion of the parents of the colony who still fail to appreciate what is due to their children and what is due to the State in seeing that their children are taking advantage of the free education provided for them. The particular point I wish to call attention to in connection with this matter is this: Where the parents come before the Court they very frequently display the grossest ignorance as to the provisions of the law itself, and I think the schedule which contains the form of notice to be served on the parent by the Truant Officer should be of the simplest possible character. It should simply set out, in plain terms, the parent's duty so far as the child's attendance at school is concerned, and draw unmistakable attention to the penalty imposed on the parent for failing to fulfil that duty. And if this is done in plain and unmistakable language, so that even the most ignorant person can understand, it would have the desired effect. As a rule, a sheet of blue paper is handed in by the Truant Officer, and I think, equally as a rule, that paper is not read, and, if read, is not understood. And I think, Sir, it would be infinitely better if a notice of a much simpler character was drawn up for the Truant Officer to serve on the parents

<page>150</page>

Personally, I have a great objection-and I think the objection is of a serious character-to the parents of children being dragged to the Magistrate's Court. I hope the time is not far off when we shall do as is done in other places --- namely, institute educational Courts where these cases may be adjudicated upon. From every point of view it is bad that parents of children should be dragged to the Police Court. Honourable members who, like myself, have frequently adjudicated upon such cases know that perhaps from twenty to thirty parents come into Court, where all kinds of cases are being heard, and they have to stand about the Court waiting for their cases to be called on, and they thus become Most of those familiarised with the Court. parents have a wholesome dread of the Court, and I think that wholesome dread ought to be maintained, if possible. But when they are brought into the Police Court, even if it is only on account of a truancy case, that wholesome dread is apt to be lessened, if not altogether destroyed. I think that matter is worthy of the serious attention of the Government : and I hope the Government will see its way, in connection with our educational system, to introduce some mode of dealing with these cases so as to avoid dragging parents before the Police Court. I would like, also, to support the contention of the member for Kaiapoi, who suggested that it is necessary to increase in some cases the fine at present imposed in connection with truancy cases. Justices have now to impose a fine of 2s. where such breaches of the law are proved. I admit that a fine of 2s. may be a heavy enough fine in many cases, but there are cases where the parents are wilfully neglectful, and where they absolutely fail to realise their responsibilities as parents and their duties as citizens of the State; and I think that in such cases it should be left to the discretion of the Justices to inflict a heavier fine if they I shall cordially support deem it necessary. the Bill, and I sincerely hope it will receive the assent of the House. Mr. HASelden (Patea) .- I shall oppose this Bill, for three reasons-first, for the reason given by the member for Palmerston with reference to increasing the distance to four miles. Take the case of a child that has to travel four miles to a school and four miles back to his home. That means about an hour and a quarter to an hour and a half each way-say, three hours a day. Then, there are four hours of education in the school. That makes seven hours. Then, there are perhaps two hours for milking in country districts, which makes nine hours, and at least one hour for home lessons. We prevent a working - man from working more than eight hours

a day, yet children are made to work practically ten hours a day. Then, I ask, what is the use of compelling a child to learn the population of such a town, for instance, as Timbuctoo? How does that help that child in the future, when his work is perhaps bushfelling or Mr. Collins That is the position that a child, when it has grown up to manhood or womanhood, would be placed in. There are many ways of looking at I remember an old story which education. illustrates what I mean, and I dare say most. honourable members have heard it. A vessel was wrecked, and a sailor, a university professor, and a business man were cast off in an open boat. The sailor said to the professor, " You had better be captain : you are the best man here, and you ought to be the boss." "But," said the professor, "I know nothing about the management of a boat." The business man, when appealed to, made the same rejoinder. The sailor replied, " Well, you are a pair of duffers." So, of course, the drunken sailor had to take over the control, because he was the best-educated man there. That, Sir, is my idea of education. In the olden days the Maori was the educated man in this country. He knew how to get his living. He knew how to overtake and capture the moa. He knew how to fight his enemy. We do not want to raise a lot of weak and sickly children by a system of cram, and a system of passing which is equally bad. Under the present system the schoolmaster crams the children in order that he may place a certain number of passes to the credit of his school, and the consequence is the children are overworked, because in the agricultural districts the children must help their parents with the milking, and so on. Where a boy or girl is endowed with great talents, I believe such children should have every advantage- they should be sent to the higher schools, and thence to college; but to attempt to stuff and cram the ordinary child with book-learning only must be injurious to the health of the child in every possible way. Then, I would not raise the standard of education any higher than the Fourth Standard, nor would I raise the age above thirteen years. Hon. MEMBERS .- Oh ! Mr. HASELDEN .-- I say, if a boy desires to learn anything after that he can do so without staying at school ; but if they have to earn their living with their hands, as I have had to earn mine, they do not require to be crammed with Latin and Greek. If a child of tender age is to be compelled to go four miles to school, then the Government should find means of conveyance The children of poor parents have not horses or ponies to ride. Mr. NAPIER (Auckland City). --- Sir, when listening to the honourable member for Patea I wondered to myself whether I was living in the Georgian era. It is very refreshing sometimes to hear antediluvian opinions resurrected for the benefit of the modern democracy. Needless to say, I differ absolutely from almost every syllable the honourable gentleman uttered. The only safety of the democracy is that its people shall be educated, and I think it is rather late in the day for any one to get up in a British Parliament such as this and to say that the education of the people should be restricted to

<page>151</page>

unless exceptional ability were displayed. An Hon. MEMBER .-- He did not say that. Mr. NAPIER .- The honourable gentleman asked, as I understood, what good it would be to a young man who had not the career of a university professor or suchlike before him, but who had to go out into the bush and earn his living, to have a good education. I contend that, no matter what sphere of life a man may occupy, a good education is no burden, but a great blessing. It will enable him to do his work much better than he could if his mental faculties were untrained. Knowledge is power. " Seck wisdom," said the ancient sophist, ' while you are young : it will be the sole consolation of your old age, and the only good of which ill fortune cannot deprive you." The Bill is one which I heartily support. There has been great laxity in the matter of school attendance, and, if this Bill will have the effect of compelling negligent parents to send their children to the schools of the colony, I believe we shall have done a good evening's work in passing it to-night. The question of physical education is one that should not be neglected, and I believe that seven years of age is as low a limit as ought to be allowed in the Bill at which children should be sent to school. There is a great deal of complaint in the country with regard to the purely literary character of the instruction given in our schools, and in so far as the honourable member's remarks may have been

directed to that view of the question -- though he did not make his meaning very clear -- I would concur with him. I believe there should be more manual training and more physical education. I should like our education system to approximate more to the Belgian or German systems, in which greater attention is paid to the physical education of the children, and also to manual dexterity. I do not mean by "manual training" only technical instruction in various arts, but such as there is in the Swiss common-school system. I shall give my cordial support to the Bill. Mr. MASSEY (Franklin). - I cannot allow the honourable member for Auckland City to misrepresent what was stated by the honourable member for Patea. The honourable member for Auckland City made it appear that the member for Patea proposed to restrict education to the Fourth Standard. He said nothing of the sort. What he said was that education should only be compulsory up to the Fourth Standard ; he did not propose to restrict it in any way. I do not say I agree with the opinion expressed by the honourable member for Patea, but that is what he said. I agree with most that has been said by previous speakers with regard to the necessity for a School Attendance Act, and I admit that this Bill remedies many of the defects of the existing law - particularly the defect with regard to the attendance of children whose names are not on any school-roll in the colony. It is impossible to get at such children by the Act of 1894, and this Bill remedies that defect. But in some respects I feel a hearty sympathy with every child between the ages of seven and fifteen years who are living within a radius of four miles from a school. Well, imagine a child of seven years of age being compelled to walk eight miles a day, to and from school, on four days in the week. Mr. PIRANI .- There is power to exempt. Mr. MASSEY .- Yes, there is power to exempt ; but this fact remains : that it is provided in the Bill that any child over seven, as long as he or she is in good health and is living within four miles of a school, must attend such school on at least four days in the week. Then, with regard to exemptions, it provides that they may be granted by the Committee. That, I think, implies, at a properly convened meeting of the Committee- An Hon. MEMBER .- The teacher may exempt. Mr. MASSEY .- Yes; but I should say the teacher is hardly the proper person to grant exemptions, because, unfortunately, this teacher's salary depends to a certain extent upon the attendance being kept up. I would suggest that, besides the School Committee and the head-teacher, exemptions should be granted by the Chairman and Secretary. Mr. PIRANI. - That is provided. Mr. MASSEY .- That may be what the honourable gentleman means, but the Bill does not say so. It says, " Any child desiring an exemption may apply for and receive a certificate from the School Committee of the district, under the hand of the Chairman or Secretary thereof." I take that to mean that applications for exemption must be considered by the Committee. What I was going to suggest was that it might be made possible for a parent to go to the Chairman or Secretary, without waiting for a meeting of the Committee, and receive an exemption ; if that is meant, I agree with it. But the great difficulty in connection with the School Attendance Act has been referred to by the honourable member for Christchurch City (Mr. Collins), and consists in the ignorance of the parents with regard to the School Attendance Act. They do not understand the law, and you cannot get them to understand it. I would suggest that a synopsis of the Act should be sent to every householder in the colony. An Hon. MEMBER .- Let it be done by the Truant Officers. Mr. MASSEY .- I do not think that by the Truant Officer is the proper means to disseminate such information ; besides, we have not got Truant Officers in every district in the colony. I do not propose to oppose the second reading, because I agree with the main provisions. We require a School Attendance Act which will insure a reasonable attendance on the part of pupils, but which will not entail any more hardship than is necessary on either parents or children. Mr. MONK (Waitemata). - Like previous

<page>152</page>

exemption from the privileges of education. But before making any further remarks I would like to ask the Native Minister how he expects to bring the Natives under the provisions of this Bill, and to enforce its provisions in respect to them. How can he compel them to pay the fines ? He knows that in most cases

they have strong objections to the payment of fines, and have not the means of doing so, and therefore I want the House to realise the danger of passing a drastic measure such as this, which may be intolerable to the Natives, who are not prepared for such exemplary pressure. It is the great characteristic of the Native to move spasmodically. As soon as you take any action dealing with them -- perhaps specially for their advantage -- they will take at first a very active interest in the movement, but in a very short while they become tired of it, and ! education compelling a teacher to cram up to relapse into a period of absolute relaxation | fourteen or fifteen years of age. The Fourth or indifference. I am speaking now of the adults, but the same characteristic applies to the children, who in many cases soon tire of going to school, and the parents have not got that control over them which is necessary to compel their attendance; in fact, discipline is not carried out to that extent by the Natives which is necessary to enforce that regularity of attendance which this Bill is presumed to secure. I hope nobody will misunderstand me, for there is no one in this House who is more zealous and stronger in his desire that a very perfect system of education should be secured to New Zealand. Particularly as a democracy is this necessary. I think this reason is apparent to most minds: that if we are to be in truth a democracy -- if that form of government is to rule in this country successfully -- it requires education; and no other form of government can equal it in which there is not that demand for individual fitness by culture in the units composing the communities that possess it. Without such fitness there can be no successful democracy. I am one of those who believe that up to the present moment the teachings of history are that democracies controlled, like ours, by the mere volition of public will have proved in the long-run a failure. There is no instance of a democracy ruled by the voice of the masses in which popular greed and selfishness did not bring about national decay, excepting in Helvetia. Taking the human heart as it is, we can only reach, so to speak, a certain quality of democracy in which, for endurance, there must always be a strong element of conservatism: With that was stated by Aristotle ages ago. regard to the enforcement of an education system, I wish to commend to some extent the remarks made by the honourable member for Patea. I say that we are not reaching a perfect system of education, because we are trying to secure equality of results in the scholars with a feverish pressure of a weights curriculum, as if all would alike receive and assimilate it of fine weather; and I believe, with the honour -- it with beneficial results to the State. We able member for Franklin, that it will be the Mr. Moni: teacher has to enforce is to estimate that every child has a perfect capacity, say, up to thirty gallons, and is capable of being the recipient of thirty gallons. Children, the same as adults, vary from a very low capacity to qualifications for the very highest degree of attainment. We want a system of education which shall be more tentative than when children reach up to a certain age you should try and ground them thoroughly in the educational status which they are fitted to receive, and which will best qualify them for the battle of life. That is the secret of good education. And when you reach up to a certain age those children who are fitted to go in for higher educational attainments shall be selected, and they shall be placed in special classes. But there should be no system of Standard thoroughly grounded in the children will be far better than the achievements of the Sixth Standard under cramming that they may not be able to assimilate. How many, I wonder, of the successful and able men, taking the community of New Zealand as a whole, could have passed the Sixth Standard with credit. Not, Sir, but what they may possess, so far as practical abilities are concerned, a very high degree of education. I wonder what proportion of scholars there are who, when they leave school, are conscious that their school has been but the imparting to them of the machinery or the keys with which to unlock for themselves further stores of knowledge, and to feel the aspiration for knowledge and information that will last throughout their lives. But perhaps seven children out of ten, the moment they leave school, are thankful they are leaving behind all the discipline and knowledge which the teacher attempted to impose on them, and they for the rest of their lives have a dislike to that mental effort which, could they have been well educated, would have made them feel that for them the acquisition of

knowledge had only commenced - had only been initiated -- when they left school. Now, Sir, with regard to the starting-point of education : Seven years for country districts is too late. I feel that the honourable member, in dictating this Bill, has had regard for children in the cities-the children who are only a short distance from the schools. But surely the honourable member can have very little familiarity with country life. Of course, Palmerston is a very thickly-populated district, though a country district : but let him go away up North, and he will find there children struggling from five to six miles in order to get to school. Mr. PIRANI .- They are provided for. Mr. MONK .- - I cannot find where there is any provision in this Bill for children who can do such long distances only during periods

<page>153</page>

to do so. I hope, when the Bill comes before the Committee, that members will not put in any drastic imposition in regard to the fines. I hope that there will be a feeling of consideration for parents; and we should have that feeling of consideration. I can well sympathize with the statements made by the honourable member for Avon, that there is nothing more painful than to have parents dragged up before Justices of the Peace, and ignominy inflicted upon them, for the purpose of fining them for not enforcing the attendance of their children at school. Let honourable members remember that very largely throughout the country there is great difficulty in making provision for getting to school - I am speaking, of course, of scattered districts of which I have knowledge. This Bill will do well enough for city districts, but, at the same time, even in cities a great many people are subject to fines when they are scarcely in a condition to force their children to attend school. Vice may be the factor, but there are some instances where the mothers are not what they ought to be, and other instances where the fathers are often in a continual state of depression and need ; and then to drag them up before Justices of the Peace and impose a fine upon them (as suggested by the honourable member for Kaiapoi, with a minimum to be fixed) is a proposition which I hope this House will not assent to. I hope this Bill, while its aspirations are in the right direction, will have some consideration for the unfavourable conditions existing in many parts of the country over which it will have to operate. Mr. FISHER (Wellington City) .- While I join with those members who congratulate the member for Palmerston on the introduction of this Bill, I feel bound to draw attention to what I may call a surprising anomaly. On the one hand there is a floating, an indefinite, belief that the Education Act of 1877 is a sacred thing that must not be touched. On the other hand, we have introduced into this Parliament session after session Bills to amend and alter that very same Act. These Bills are passed into law. And so we find spread all over the statute law of the colony Bills amending the Act of 1877, in regard to which, as I have said, there is such a fervent belief that it is a thing that ought not to be altered or amended. Sir, all the remarks I have to make will circle round clause 4, which is the pith of the Bill. This clause says,- "Subject to the provisions of the principal Act, every child between the age of seven years and the age of fifteen years is hereby required to attend some public school." Now, the member for Ashley has already put his finger on one crucial point in that clause, and I am sure he will insist that the word " seven " shall be altered to " five." On that particular point I differ from the honourable gentleman. He holds that the age should remain as prescribed in section 83 of the original Act. which says : - from the last preceding birthday." Of course, any person who understands the subject sees at once that the honourable gentleman's objection to the seven years is based on the fact that if the word "seven " is retained in the clause the Education Boards would lose the capitation on all children between the ages of five and seven. Personally, I indorse the view taken by the honourable gentleman who drafted the Bill. I think, with Garfield and Lincoln, that children ought not to be sent to school before seven years of age. Before that age the mind is unfitted-it is not sufficiently matured -- to undergo study such as would benefit the man in after-life. We have the infant prodigy and the bright example of the kindergarten ; but can any person who has studied the question say what becomes of the infant prodigy in after-life? Few ever reach a strong mental maturity. Coming more closely to the question

debated this evening, the whole principle of the Bill is, I take it, directed to the truant or truancy system. Now, I never saw a finer example of an enthusiastic desire on the part of an Education Board to meet that truancy difficulty than was once attempted by the Auckland Education Board. When I occupied the position of Minister of Education I visited all the schools in and around the neighbourhood of Auckland, and I never saw a finer example of what I may call the missionary spirit than in the conduct of their truant school. Their truancy officers gathered all the street-arabs of the city-urchins without boots or socks, ragged clothing - and took them to the truancy school. It was crammed full of children of that age or status-or want of status, I should rather say -- in society. It was a perfect picture of the ragged school. Mr. MONK. --- Did you not leave anything about it ? Mr. FISHER. - At the time I wrote a short paper upon the subject, commending the laudable efforts of the Auckland Education Board, and I did so because I knew of no similar attempt having been made in any other part of the colony. I also prepared the paper E. - 1c, 1888, " Statement relative to Amount expended upon School Buildings since the Coming into Operation of . The Education Act, 1877." The following sentence was part of the introduction to the report :-- " The following tables have been prepared expressly to demonstrate the exact basis upon which our education system rests, speaking of the system only in relation to the number of children to be educated, and the future financial provision necessary to be made for providing building accommodation for all children of school age.' Pardon the cool: I wish it to be understood that I prepared this paper wholly myself; for I have lived to be told that every paper of mine was prepared by the officers of my department- - that I knew nothing of the subject. and was therefore not competent to prepare my own papers. The assumption appears to

<page>154</page>

" So that the actual number of children not known to be attending any school is 26,258. But, in referring to this 26,258, care must be taken to guard against the assumption that 26,258 children remain neglected in the educational sense, or that they have never received any education. In analysing this total, two elements come into play. First has to be considered the number of children whose parents object to send them to school before they have reached the age of six or seven. It would be difficult to estimate the number of these children. The number, of course, is an indeterminate number, but it should be understood that, whatever the number, they are included in the 26,258. Next has to be taken into account the very large number of children who, having passed the Third, Fourth, and Fifth Standards, leave the public schools from the age of eleven and upwards, having probably received all the school education they will ever receive. The number of these can be estimated. For instance, last year (vadi Education Report, 1887), out of a total of 12,302 children who were preparing for the Fourth Standard (12.5 being the average age at which the standard is passed), 3,523 either left the public schools finally, or continued in the class preparing for such standard." I now come to the point at which I come into conflict with the honourable gentleman's views as expressed in clause 4 of his Bill :- " It is a fact that the great bulk of the children of the working-classes leave school at about that age " -- that is to say, about the age of eleven and upwards -"themselves to go to work." My paper proceeds :-- "To a close observer, then, it will become apparent that in the Registrar-General's figures the same 3,523 children who left school at the Fourth Standard, as just stated, will be made to do duty for possibly three, but certainly for at least two, succeeding years amongst the 'not accounted for ;' " The Registrar - General told me afterwards that in making up the statistical returns for the colony he experienced great difficulty in discovering the whereabouts of this residuum of the children who were not attending school ; but through these investigations, I found where these children were, for which I again say, as others say for me, ego. He thanked me. " - for, leaving school at twelve and a half years, they will be classed as 'not at school ' at thirteen, so at fourteen, and possibly so at fifteen, the fact being that they have finished their school-days although they are still within the range of school-age (five to fifteen). And the same process will take

place in regard to a number of children of other standards who finish their education (all they will get) and leave school before they reach fifteen, and are consequently returned by the Registrar-General as being within the school-age, but are 'not accounted for' because they are not in actual attendance at school." Mr. Fisher Committee to decide upon whatever age-limit it pleases. The object of the Bill is, it seems, to compulsorily force parents to send their children to school from the age of seven until they are fifteen, and that, I hold, would be a hardship upon a large section of the working-classes of this colony who take their children from school at eleven or twelve, in order that they may assist in maintaining the family. From the opinion I have so strongly expressed in this paper it may be taken for granted that I will endeavour to prevail upon the Committee to reduce the age from fifteen to fourteen, and possibly to thirteen. As for the word "seven" I shall feel bound, in accordance with my conviction of long standing, to vote with the honourable gentleman if he insists upon its retention, although it may to some extent cripple the resources of the Education Boards. I vote in that direction for the reason that I believe it will strengthen, instead of weaken, the mental powers of the children of this country. Now, Sir, I have a complaint to make, and I will endeavour to express it in the most impassioned way. That complaint is that I believe there will never be a complete remodelling of the Education Act, and consequently of the education system, until we have a Government in office-I ask the Government not to take this as a personal reflection upon themselves. I say we never can have a complete remodelling of the education system until we have on these benches a Government with sufficient courage to attack this question in the way in which it ought to be attacked. There is in the minds of the Government a dread of the Education Boards. An Hon. MEMBER. -- Why should there be? Mr. FISHER. - The honourable gentleman need not put that question to me. I prepared and submitted to the House a Bill which would have sent the Education Boards to the right-about, and have put an end to their existence. But, as I have said before in this House, the Government does not exist which dare face that question in that way. I say the Education Boards are an exerescence upon the system, and until the educational affairs of the country are administered from one head we never shall have anything like a national system. Mr. MONK. - Centralisation. Mr. FISHER. - Call it what you will, I say that would strengthen, not weaken, the education system of the country. The existing system has no more ardent admirer, no stronger supporter than myself. Any person who has heard me speak upon the subject during the past decade must surely understand by this time what my feelings upon this question are, and I say there must be a virile, animate, and active feeling in the Government itself which will forge it ahead, with strength sufficient to break down any barrier that stands in the way of advancement and improvement. As I have said, I prepared a Bill, "The Public Schools Bill," which, while it proposed to abolish the

<page>155</page>

tive body which would be a substantial and workable substitute for the Education Boards and the existing School Committees. I ask any man whether it is sensible or reasonable to maintain in existence two bodies to perform duties which can more satisfactorily be performed by one. Two bodies must necessarily be much more expensive than one. And I appeal to those members in 12.0. Parliament, and to those gentlemen out of Parliament, who complain of the excessive cost of the education system to tell me why the redundant body should not be eliminated from the system. If they say the Education Boards and the School Committees should remain in existence as at present established, how then can they logically complain of the excessive cost of the system? Sir, I say the duty devolves upon the Government to give us a lead and to take its proper stand upon this vital question. It is the highest question to which any member of this Legislature can devote his attention. It is a question to which the Government ought to devote its closest attention. I hold that the education system of this country will never be perfect and strong as it ought to be until the Government itself seizes upon the subject with a determination to do what I am convinced in my own mind can be done-namely, to alter, strengthen, and

improve the system in the manner laid down in my Public Schools Bill, which has now been before the country for ten years past. That is a system that would make more perfect the education of the youth of the colony and at much less cost. But, as I say, it is a question the Government fear to touch. I get the credit in connection with this, as with other questions, of "belling the cat"; but I aspire to some more valuable recognition than that. I know that my Public Schools Bill struck terror into the Education Boards of the colony. They feared their dissolution; but I say, as I said on the first day I introduced that Bill to this House, that the abolition of the Education Boards is the first thing to be done before it becomes possible to make any important improvement in the education system itself. I do not want to labour that point, but I say that under the administration of the Education Boards the education system is simply drifting along as best it may. There are inequalities that ought to be rectified. I often ask myself if an intelligent visitor were passing through this country, and he saw the unequal manner in which the education funds were distributed to the Education Boards through the Education Department in Wellington, whether he would not say, "How is it that this district is living in comparative affluence, with magnificent school-buildings and highly paid teaching staffs, while these other districts are literally financially starved?" That is literally the case; and what must be the effect upon the pupils in the starvation districts? The visitor cannot avoid the conclusion that it is a piebald system. There are Education Boards in the colony that do not know how to employ, while there are education districts in the North Island which do not know where the money is to come from for the erection of schools in their districts. I will mention the names of some of the poorer districts, although it is not necessary to give the names of the affluent districts. The poorer districts are Taranaki, Wanganui, Marlborough, Westland, and Grey. I am not here to cast reflections upon any member of this House, or upon any Minister of the Crown, but I am here to say this: that if there were a Minister of Education with the courage to exercise his prerogatives in the way those prerogatives ought to be exercised it would be impossible that there could be rich districts in one part of the colony and poor districts in other parts. If the pupils in all parts of the colony are to receive equal education, the Boards should receive equal finance—that is to say, each should receive sufficient for its actual needs. There should be no such thing as plenty on the one hand and actual poverty on the other. I was once Minister of Education. I may be again pardoned for referring to that, though it usually creates a laugh in that part of the House where the member for Palmerston sits. But the honourable gentleman is not laughing to-night. Mr. PIRANI.—It is no laughing matter. Mr. FISHER.—Well, Sir, when I was Minister of Education I did this: I took the total education vote. I ascertained for myself by diligent inquiry which of the education districts of the colony were in most straitened circumstances, and, instead of distributing the vote by rule-of-thumb, as it was distributed before and has been distributed since my time, and as it is being distributed now, I found out which of the districts were most in need of money for the erection of schools for the education of the youth of those particular districts. Mr. PIRANI.—You mean the building fund. Mr. FISHER.—Particularly building. I built a school at Blenheim, which I believe is a credit to the district. I rebuilt one at Hokitika—one which was burned down—when the honourable gentleman who is now Premier of the colony came to me along with Mr. Joseph Grimmond to ask for an increased grant to build a school which would meet the requirements of the future. I built a school in the congested Clyde Quay district, Wellington. I gave increased grants to New Plymouth and Wanganui. I distributed the money placed at my disposal according to the best of my judgment, and I say that that method of distributing the colonial education vote ought to be adopted to-day, to-morrow, and for all time. There ought to be no poverty-stricken districts, and no rich districts receiving more money than they can legitimately spend. This state of things ought to be changed. Perhaps I have spoken forcibly, but I have spoken as dispassionately as I could, and without the least desire to make any charge against this Government. But I say that the ad-

ment ought to be held with a tighter grip. There ought to be some more powerful control at the head of affairs. There ought to be a complete abolition of this rule-of-thumb system. The education system ought not to be allowed to drift at the sweet will of the Education Boards. That sums up all that I have to say on the subject. I want to see a firmer grip held by the Minister of Education, and an attempt made to model the system on the plan of my Public Schools Bill, which is as perfect as human ingenuity can make it. That Bill has met with the approval of the deepest thinkers on the subject in this colony, and I again express the hope that I may live to see it become the law of the land I now come back to where I started, and close with this remark : We see a want of direction from the educational head, and from the Ministry, the Government of the day. We see this continual tinkering with the Education Act, and so, instead of finding that the Education Act is a sacred thing that must not be touched, here we are, year after year, mending and botching it, and scattering amending Acts broadcast over the statute-book of the colony. May this state of things soon be brought to a conclusion through the efforts of some great man of commanding intellect. Mr. G. W. RUSSELL (Riccarton) .- I have listened with very great interest to the speech that has just been delivered. and to a number of the other speeches that preceded it. I shall confine my own remarks entirely to one point. in connection with this debate. I regretted to hear not only from the member who has just sat down, but from a number of others, remarks that seemed to suggest that they are in favour of raising the school-age from five to seven. Now, Sir, I do not know, neither can I tell exactly at the present time, whether clause 4 of this Bill is intended to raise the school-age to seven. Mr. PIRANI .- It does not alter the existing law. Mr. G. W. RUSSELL .-- But I notice, while the school-age is five years, the honourable gentleman provides in this Bill that they shall not be compelled to attend unless they are seven years of age. Mr. PIRANI .-- That is the present law. Mr. G. W. RUSSELL .-- Judging from the remarks that have been made by honourable members during this debate, it appears to me that there is a strong feeling in the House that the school-age itself should be raised to seven. Hon. MEMBERS. - No. Mr. G. W. RUSSELL. -- I do not think honourable gentlemen who say " No " heard the speeches and the remarks to which I am referring. I am referring not merely to the speeches made, but to remarks which honourable members made during the delivery of those speeches, and I say if there is any attempt made in this House to raise the school-age from five to seven years, it will be met with the utmost hostility Jfr. Fisher years, are to a very large extent mistaken. I have had the opinion of some of the ablest school-masters in New Zealand upon this question, and they have informed me-and I have no doubt they are correct, and from my experience as a parent I can indorse their opinion - that if children are not brought under control in schools until they are seven years of age, in many cases it is almost impossible to " break them in," if I may use that term. Honourable members will understand the sense in which I use the word. The real effect is this: that while no sensible man-particularly no parent -would advocate that the full strain of mental work should be placed upon children at the age of five years, it is most important for the future well-being of children that they should be brought under discipline at an early age - say. five years, learning physical drill. the simple subjects, and generally on kindergarten lines. I may say, if I may intrude upon the House personal matters, so far as my own family is concerned, that we have discriminated as to the individual child. In some cases, we have not sent children to school -- not even to learn their letters until they were seven years of age, and. in other cases, we have been glad to send the child to school at the age of five, feeling sure only good could result. I understand that the school-age is from five to fourteen years, and I shall always stand up against anything that may result in the school-age being lowered. The member for Wellington City (Mr. Fisher) spoke just now from the point of view of the finances of the Education Boards, and it would be a very serious thing, so far as the Boards are concerned. if they were to lose the capitation grant on children who are between the ages of five and seven years. An Hon. MEMBER .- That is where the shoe pinches. Mr. G. W. RUSSELL. - I do not know what the honourable gentleman means by saying "that is where the shoe pinches " ; but I am sure that if

capitation were not paid to Education Boards for those children who attend schools between the age of five and seven years, the result would be to seriously affect the financial position of the Boards, and to necessitate their being assisted in other directions. The teachers' salaries, of course, would suffer, and yet at the present time we have a Commission engaged in the task of finding some method by which the salaries of the teachers may be increased. As I have said, I merely rose to enter my protest against any proposal to raise the school-age, and if I thought this Bill would go in that direction I would give it uncompromising hostility. Mr. PIRANI (Palmerston) .- In reply, I desire to thank members for the kindly way in which they have treated this Bill. Mr. FISHER .- Including me ? Mr. PIRANI. - Yes, including the member for Wellington City (Mr. Fisher) who, when he speaks on education, generally treats the matter

<page>157</page>

the Government to go further in the direction of amending the Education Act, because I think that the discussions which take place in this House which are the most instructive and freest from party influence are those that deal with education. I beg to move the second reading of the Bill. Bill read a second time. The House adjourned at a quarter past twelve o'clock a.m. #