

LEGISLATIVE COUNCIL. Thursday, 3rd October, 1901. First Reading-School Attendance Bill. The Hon. the SPEAKER took the chair at half-past two o'clock. PRAYERS. FIRST READING. Money-lenders Bill. SCHOOL ATTENDANCE BILL. The Hon. Mr. W. C. WALKER moved, That this Bill be recommitted for the purpose of considering certain amendments. He wished to make the Bill as full and as satisfactory as possible. Motion agreed to, and Bill recommitted. IN COMMITTEE. Clause 7 .- Proceedings for penalties. The Hon. Mr. W. C. WALKER moved to add, at the end of the clause, "but any case may, with the consent of the parent, be heard with closed doors." The Committee divided on the question, "That the words proposed to be added be so added." AYES, 23. Reeves Johnston Arkwright Scotland Barnicoat Kelly, W. Smith, A. L. Kenny Bowen Smith, W. C. Feldwick Louisson McLean Taiaroa Gourley Montgomery Twomey Harris Walker, W. C. Ormond Jenkinson Pitt Jennings NOES, 6. Bolt Kelly, T. Rigg Pinkerton Swanson. Jones Majority for, 17. Words added, and clause as amended agreed to. Bill reported. The Council adjourned at a quarter past four o'clock p.m. HOUSE OF REPRESENTATIVES. Thursday, 3rd October, 1901. Allendale and Kaitangata Coal-mines-Gaming and Lottery Permits - Rotorua Medical Officer - Captured Guns-Gaol Warders-Allendale Coal- mine-Interest and Sinking Fund-Special Settlements-New Zealand Contingents : Casualties- Bank-note Stamp Duty-Wellington Government Offices rented-Burgess rolls-Oats for South Africa - Cash Land-values in Waimate and Hawera-Bullion, &c., in Banks-Public Debt- Trawling in Hauraki Gulf-Land Settlement- Burning Fallen Bush-Crown Tenants' Rent Rebate Act-State Nursery for Forest-trees- Mauriceville Lime-works - Treatment of Stock Diseases-Reserves Disposal and Exchange Bill -Stud Horse for Western District of southland -Riverton-Howell's Point Road - Workmen's Homes at Invercargill - Payment of Road- labourer -- Taiari Maori Village Report of the Department of Agriculture - Duties in Cook Islands-Advances to Settlers Valuation-fees- Advances to Settlers Act-Land Valuation Act- Balclutha-Owaka Railway - Whangarei-Kawakawa Railway -Southbrook Goods-shed - San Francisco Mail-service- Railway Service

Regulations-Ballast-train Hands-Christchurch-Lytelton Railway Rates-Railway Servants Superannuation Bill - Municipal Corporations Act- Municipalisation of Public Services-Little River and Lincoln Railway-Industria' Home- Captain Jackson Barry's Book-Deaf and dumb Institution, Sumner-Canterbury College and Canterbury Agricultural College Act Regulations- Public Works Act Amendment Bill-Industrial Conciliation and Arbitration Bill. Mr. DEPUTY-SPEAKER took the chair at half-past two o'clock. PRAYERS. ALLENDALE AND KAITANGATA COAL-MINES. On the motion of Mr. SEDDON (Premier), it was ordered, That the evidence given by Inspector Green before the Royal Commission on the Coal-mines of the Colony in respect to the Allendale and Kaitangata Coal-mines be laid before this House. On the motion of Mr. J. ALLEN (Bruce), it was ordered, That there be laid before this House a return showing all the evidence given before the Royal Commission on the Coal-mines of the Colony in respect to the Allendale and Kaitangata Coal-mines. GAMING AND LOTTERY PERMITS. On the motion of Mr. MEREDITH (Ashley), it was ordered, That there be laid before this House a return showing,-(1) The number of permits granted by the Colonial Secretary, under "The Gaming and Lotteries Act, 1881," to persons connected with religious denominations ; (2) the names of the religious denominations such permits were granted to; (3) the names of cities, towns, or districts where permits so granted were exercised ; (4) the number

<page:182>

(5) the number of permits granted to racing-clubs to use the totalisator ; (6) the aggregate number of days such permits extended over ; and (7) the total amount of revenue the Government received for permission to use the totalisator : this return to be for the year ending 31st March, 1901. # ROTORUA MEDICAL OFFICER. On the motion of Mr. HERRIES (Bay of Plenty) it was ordered, That there be laid before this House a return showing the amount received as fees which have been collected by the Resident Medical Officer at Rotorua for attending private patients since his appointment. # CAPTURED GUNS. On the motion of Mr. HOUSTON (Bay of Islands), it was ordered, That there be laid before this House a return giving an historical account of the two guns now outside the Parliament Buildings - when obtained, how obtained, and from whom obtained. # GAOL WARDERS. On the motion of Mr. HUTCHESON (Wellington City) it was ordered, That there be laid before this House a Return showing,-(1) How many married gaol warders reside in Wellington ; (2) how many, together with their names, are provided with cottages free of rent ; (3) what allowance is made to those not provided with residences; and (4) the names of the warders at present attached to the Wellington Prison, and the date

of their appointment or transfer to the Wellington Prison. ## ALLENDALE COAL.MINE. On the motion of Mr. J. ALLEN (Bruce), it was ordered, That there be laid before this House all reports from Inspectors of Mines relative to the Allendale Coal Company's mine, made either to the Minister or to the manager of the mine, since the company was incorporated and up to the present date (17th September, 1901). # INTEREST AND SINKING FUND. On the motion of Mr. GRAHAM (Nelson City), it was ordered, That there be laid before this House a return showing the increase or decrease of (a) interest and (b) sinking fund, if any, respectively (a) charged and (b) paid respectively in financial years from 1895-96 to 1900-1, and as estimated for 1901-2, in continuation of a similar return stated on page 26 of I .- 7B for 1895. # SPECIAL SETTLEMENTS. On the motion of Mr. HOGG (Masterton), it was ordered, That there be laid before this House a return showing the number of sections and area of land in special-settlement blocks created under "The Land Act, 1892," which have been sold for cash, or, having been surrendered or forfeited, have been reselected with right of purchase. Mr. Meredith CASUALTIES. On the motion of Mr. McNAB (Mataura), it was ordered, That there be laid before this House a return showing, up to the date hereof, the names of all members of the New Zealand contingents,-(1) Who have been killed in action ; and (2) who have died of wounds, of disease, or by accident. # BANK-NOTE STAMP DUTY. On the motion of Mr. ELL (Christchurch City), it was ordered, That there be laid before this House a return showing,-(1) The amount of stamp duty paid upon the bank-note issue of the five private banks trading in the colony ; and (2) the amount of stamp duty paid on cheques for the year ended 31st March, 1901. # WELLINGTON GOVERNMENT OFFICES RENTED. On the motion of Mr. E. G. ALLEN (Wai-kouaiti), it was ordered, That there be laid before this House a return showing, -(1) The number of offices rented in the City of Wellington to accommodate branches of the public service; (2) the locality and name of owner of such offices ; (3) the amount of annual rent payable for each of such offices ; (4) the name of the branch of the public service occupying such offices; and (5) the estimated cost of erecting a fire-proof building capable of providing accommodation for the departments located in rented premises as aforesaid. # BURGESS-ROLLS. On the motion of Mr. SEDDON (Premier), it was ordered, That a return be furnished giving the burgess-rolls and valuations of each borough and county in the colony, showing, respectively, the names and valuation of each ratepayer, amount payable under the capital and annual value, and the amount payable presuming the rating was on the unimproved value. # OATS FOR SOUTH AFRICA. On the motion of Mr. MEREDITH (Ashley) it was ordered, That there be laid before this House a return showing,-(1) The names of the firms or companies who executed Imperial orders for oats through the Government of this colony, referred to in B .- 6, Deposit Account, and amounting to £117,773 8s., and in Gazette No. 76, page 1669, and amounting to \$103,333 4s. ; (2) what price per bushel f.o.b. was paid for the different orders so executed ; and (3) the names of the several ports of shipment. On the motion of Mr. MEREDITH (Ashley), it was ordered, That there be laid before this House a return, in continuation of return of oats shipped to South Africa in execution of Imperial orders, placed on the table of the House, 1st October, 1901, to the order of the member for Ashley, showing the cost of oats per bushel f.o.b. at each port of shipment in the colony.

<page:183>

HAWERA. On the motion of Mr. McGUIRE (Hawera), it was ordered, That there be laid before this House a return showing,-(1) The cash value of Section 32, Block III., Waimate Survey District, containing 90 acres and 20 perches, the amount of cash accrued when section was taken over by the Government, and the cash accrued since taken over: (2) the cash value of Section 534, Block XI., Hawera Survey District, containing 69 acres 1 rood 22 perches, the amount of cash accrued when taken over from the Mokoia Domain Board, and the amount accrued since taken over. BULLION, ETC., IN BANKS. On the motion of Mr. ELL (Christchurch City), it was ordered, That there be laid before this House a return showing what proportion of the £3,006,151 in bullion, bars, and coined money, as shown to be in the five private banks

of the colony on the 30th June last, is in (1) gold, (2) silver, and (3) copper. PUBLIC DEBT. Mr. SEDDON (Premier) laid on the table a return showing the public debt 1871 to 1901, and moved that the same be printed. Agreed to. Mr. J. ALLEN (Bruce) wished to draw attention to the fact that the document that had been laid on the table was unsigned, and that they consequently did not know who was responsible for it, or whether it was correct or not. There was no signature to it, and they did not know whose it was. He thought that no paper ought to be laid on the table by leave in this way, without the knowledge of the House, without authorisation, and without the document being signed by somebody who was responsible. Mr. SEDDON (Premier) said he was responsible for it. [Mr. Seddon then signed the paper.] The Standing Orders provided that the paper, before being laid on the table, should bear the signature of the Minister laying it on the table. Mr. J. ALLEN said the covering-sheet was not signed in this case. Mr. SEDDON said, That was not what the honourable member was driving at. The honourable gentleman wanted to know why the information contained no signature, not the covering-sheet at all. At all events, so far as the covering sheet was concerned, the defect was already cured. As regarded the other, he laid it on the table in accordance with the promise he had made to the House. He mentioned this matter when he was making his speech on the Financial Statement, and he said then he would give a return to the House. The member for Franklin questioned the statement he made -or, rather, the interjection he made-when he (Mr. Seddon) said the average public debt had been increased by the public works policy by \$1,300,000. The honourable member questioned that statement, and this return, of course, proved that what he (Mr. Seddon) had said was correct. This return had been compiled by the Treasury. Mr. DEPUTY-SPEAKER said, the informant put the question to the House - namely, That the return be laid on the table, and be printed. Mr. J. ALLEN (Bruce) said, Before that was put he thought the House should understand what was being done. He submitted that no paper ought to be laid on the table, especially if the paper came supposedly from the Treasury, without the Treasury signature, so that they might hold the Treasury responsible for the document if it was right, and, of course, hold it responsible for the document if it was wrong. He submitted that this document, if it was anything like a copy of what appeared in the Premier's speech in Hansard, was inaccurate, and could be proved to be inaccurate; but he ventured to say the Treasury would not put their signature to it. Mr. SEDDON said it was not a copy of what was in his speech, but he mentioned it in his speech in giving the totals, and these were now the details. Mr. J. ALLEN said that what the honourable gentleman used in his speech was inaccurate, he was quite sure. He submitted the House ought not to accept any casual document, even if tabled by Ministers, unless signed by the Treasury, and, therefore, guaranteed by somebody or another whom they might call to account if it was not correct. Mr. SEDDON said they could not call the Treasury to account. Mr. J. ALLEN said they could call the Treasury to account if any document emanating from it which was tabled was found not to be correct. Mr. SEDDON said they could call the Minister to account, but not the department. Mr. J. ALLEN said it was the same thing, and it was no use the honourable gentleman shuffling over words. Of course, in a casual glance such as he had only been able to bestow upon the document it was impossible for him to say whether the table was right or wrong. But, assuming it was anything like what the Premier used in his speech in the financial debate, he had no hesitation in saying it was not accurate. He submitted that the House should not accept the paper unless it was submitted to the Treasury and the Treasury became responsible for it, and signed it. Sir J. G. WARD (Minister for Railways) said it was exceedingly difficult at any time to meet the wishes of the honourable gentleman. On every day during the session a continuous outpouring was made in the direction of asking for returns. They had had an almost continuous demand made for full details concerning the public indebtedness of the colony, and when a return was laid on the table containing that information, with the signature of the Premier on the covering sheet - Mr. J. ALLEN said it had no signature. Sir J. G. WARD said the signature was now on it. Then, when that was done, the honourable gentleman immediately

took exception to it, and endeavoured to cast doubt on the return. Why, the inference to be drawn, judging by the remarks of the honourable member for Bruce, was that the Colonial Treasurer would lay an improper return on the table of the House for

<page:184>

honourable member admitted at the same time he had not the opportunity of going through the return to see whether it was correct; and, out of his own mouth, he could not therefore form a correct opinion. And yet he had the assurance to say that it was inaccurate. Now, that was not fair. The detailed information contained in this return was of general public interest, showing, as it did, what the public indebtedness had been for a series of years, and how this indebtedness had grown up; and, that being so, he would have thought that the honourable gentleman, instead of taking exception to it, would have welcomed it. Mr. J. ALLEN said he did not take exception to it. Sir J. G. WARD said, At any rate, the honourable gentleman had no reason to suppose that it was not accurate, as he had suggested. Mr. J. ALLEN said that he had pointed out that what was stated in the Premier's speech on the financial debate was not accurate. Sir J. G. WARD said that the Premier had already explained that the information in this return was not contained in his speech. In that speech he merely gave the totals, and not the details which were now brought forward in this return. Any honourable member who took the trouble could from the public records verify the return and adequately check the whole of the figures from the first year of the public debt, and if any attempt was made to submit a return which was inaccurate it would bring about the inevitable result of showing up its inaccuracy. He had simply risen to say that when they laid the fullest information about the public indebtedness of the colony on the table, the honourable gentleman, who professed that he was so anxious for these returns, was the first to take exception and find fault. Mr. PIRANI (Palmerston) said the Post-master-General had stated that the House was flooded with questions for returns. Now, he understood the Premier had stated the day before -unfortunately, he (Mr. Pirani) was absent at the time-that owing to his (Mr. Pirani's) action the Government had been blocked in giving returns that they would have given if he (Mr. Pirani) had not objected to a certain return in the Premier's name. He might say that he did not now oppose any return. He did one day, but he had never offered any opposition since. A deputation, consisting of forty-four members on both sides of the House, had besieged him with prayers not to oppose the returns any more. Well, he was quite innocent of persistent opposition, and he did not intend even to oppose returns brought up by the Premier himself, who was getting so inflated that he supposed he would soon be called the Premier of New Zealand and the rest of the Cannibal Islands. Mr. HERRIES (Bay of Plenty) said it seemed to him that it was a wrong thing for the Premier, or any person occupying that position, to put before the House a paper that was not signed by any responsible officer in the Government service. There was no paper that they had laid on the table of the House that did not Sir J. G. Ward except extraneous papers that they always objected to in connection with Fiji, and newspaper comments on public actions in that country. But it seemed to him this particular paper now under consideration was quite unnecessary, as it was nearly all contained in the right honourable gentleman's speech on the Financial Statement. There were one or two inaccuracies which he thought the honourable gentleman had corrected. There was an inaccuracy to the extent of £10,000 for the year 1890-91 in the honourable gentleman's speech. Mr. DEPUTY-SPEAKER hoped the honourable gentleman would not discuss a previous debate. Mr. HERRIES said he was merely pointing out that this was almost word for word what the House had had from the Premier before. Mr. SEDDON asked if the honourable gentleman was in order in discussing this matter when the paper was already laid on the table. Mr. HERRIES said when the paper was laid on the table it was not signed by the Minister in charge, and he understood that it had to be laid on afresh. Mr. DEPUTY-SPEAKER said there was no expressed rule or Standing Order which required any of these documents to be signed, but it was a practice that had been adhered to for so many years that he must hold it was necessary to adhere

to the practice. Mr. SEDDON said he did not want to stop the debate nor to interfere with the honourable gentleman's speech, but he might say he had many times handed a paper in a hurry to the Clerk without signature, and the Clerk had subsequently sent it back to him for signature. That course would have been followed on this occasion if the member for Bruce had not got hold of the paper. Mr. HERRIES thanked the Premier for his kindness and condescension in not wanting to interfere with the free speech of a member of the House. Mr. SEDDON said he could raise a point of order at any time if the necessity arose therefor. Mr. HERRIES said, The right honourable gentleman could do many things, but he could not control Mr. Speaker, who was the guardian of their liberties. He only rose to protest against a paper being laid upon the table when it had not been signed by any duly authorised officer of the department. It might be full of inaccuracies, or it might not; but there was no signature at the bottom of it. Mr. MASSEY (Franklin) said, According to the Minister for Railways. this return was valuable because it was accurate; but he (Mr. Massey) was afraid there were some inaccuracies in it. The first thing that had caught his attention-he had only just been able to glance at the paper-was that the Hall Administration was credited with having raised a five-million loan. That loan was raised by the previous Administration. Mr. SEDDON .- No. Mr. MASSEY said it was authorised by the Grey Administration, and here the Hall Administration was credited with it; so that on

<page:185>

ing. Then, there was another point. They knew that the Atkinson Administration was only in office three years, but this document made it appear that they were in office four years. It was easy enough to see the object of that. It was an attempt to make the Atkinson Administration responsible for a loan raised by the Stout-Vogel Administration. In the eight years of the Seddon Administration the public indebtedness had been increased by £10,333,405, while during the two years when Mr. Ballance was Premier the public debt was only increased by £427,490. However, he had no doubt they would have better opportunities of studying this important return later on, and expressing an opinion with regard to it. The Public Debt from 1871 to 1901. Year. Gross Debt. As on 30th June, 1871 8,165,241 ... 1872 9,243,941 ... 1873 9,608,336 ... 1874 12,638,036 ... 1875 16,662,506 ... 1876 16,463,661 ... 1877 19,903,011 ... 1878 21,443,411 ... 1879 22,028,611 ... 1880 27,029,311 ... 1881 28,185,711 ... 1882 28,479,111 ... 1883 29,445,011 ... 1884 31,071,582 ... 1885 32,195,422 ... 1886 33,880,722 ... 1887 35,741,653 ... 1888 36,758,437 ... 1889 38,375,050 ... 1890 38,667,950 ... 1891 38,830,350 ... 1892 38,713,068 ... 1893 39,257,840 ... 1894 39,826,415 ... 1895 40,386,964 ... 1896 43,050,780 ... 1897 44,366,618 ... 1898 44,963,424 ... 1899 46,938,006 ... 1900 47,874,452 ... 1901 49,591,245 ... Total increase .. why anything at all had been said about this return, because the return, with the exception of the figures for the past two or three years, had appeared in the Financial Statement two years ago. It was practically the same table extended. The figures had been on record for years, and had never been questioned. The honourable member by raking it up now simply wanted to find an excuse for emphasizing the fact that the present Government had increased the public debt during its term of office by ten millions. The rest was only so-much padding. Under the circumstances he felt himself constrained to put this return in Hansard for the full information of members and the country generally :-

Amount of Increase	Name of Administration	Annual Increase during Administration
£ 1,078,700	Fox	364,395
1,443,095	Vogel	3,029,700
4,024,470	Cr. 198,845	6,855,325
3,439,350	Atkinson	3,439,350
1,540,400	Grey	585,200
2,125,600	Hall	5,000,700
1,156,400	293,400	6,450,500
965,900	Whitaker	965,900
1,626,571	Atkinson	1,626,571
1,123,840	Stout-Vogel	1,685,300
1,860,931	4,670,071	1,016,784
Atkinson	1,616,613	292,900
162,400	3,088,697	Ballance
Cr. 117,282	544,772	427,490
Seddon	568,575	560,549
2,663,816	1,315,838	596,806
1,974,582	936,446	1,716,793
10,333,405	£41,426,004	

<page:186>

been before the House previously, but not in the same way-they had not been put in a concrete form.

Such being the case, he did not think any harm was done in giving the information. Now, so far as the return is concerned, he said the present Government's average during the time they had been in office had only been £260,000 a year. That was, if from the total indebtedness was deducted the amount which was non-revenue producing. All the other increase in indebtedness was revenue-producing, and he wanted that to be marked by the people of this colony—that the manner of increasing the indebtedness of the colony to-day, and the purpose for which the money was used, were so different from what they used to be in former years. Mr. ALLEN would like to know whether the Premier was in order in discussing the Financial Statement on the question of a return being laid on the table. He did not object to his reading the return, though he believed that was out of order, but now he was going wide of the mark altogether. Mr. DEPUTY-SPEAKER said no honourable member had a right to discuss the Financial Statement on such a question; but he understood the Premier was simply drawing attention to and explaining some of the items in the return. Mr. SEDDON said he was not discussing the Financial Statement; and it seemed to him that as soon as ever he began to give facts to the country which were against the honourable gentleman and those opposite, and controverted what he had repeatedly said, and which was absolutely incorrect time after time, then the honourable member could do nothing else but rise to a point of order. Well, he would not stop the Premier. He never mentioned a word about the Financial Statement. He simply said this, and he would repeat it now, and he would repeat it on every platform in the colony: that although during the Seddon Administration, or during the last ten years, the colony's indebtedness had increased by ten millions, of that ten millions there was \$296,000 a year for which the taxpayer of the colony was not called upon to pay interest. Mr. J. ALLEN rose to a point of order. The honourable gentleman was going beyond the question in the return. Mr. DEPUTY-SPEAKER said the Premier was explaining some of the items in the return. Mr. J. ALLEN submitted that the question of revenue-producing money was not included in the return. Mr. DEPUTY-SPEAKER said, The Premier, so far as he understood it, had simply read out the items of loans raised during the Ballance and Seddon Administrations, and was pointing out that of those items the taxpayers only paid interest on a certain amount. Mr. J. ALLEN said there was nothing about that in the return. Mr. SEDDON said that that was the second occasion on which Mr. Speaker had had to rule Mr. Seddon Bruce, out of order. Mr. FISHER (Wellington City) said he did not object to the statement that had been made by the Premier. He only asked that he should make it a little fuller. Mr. SEDDON said he had given the member for Wellington City just as much as he could understand, and if he gave him any more it might, like what was said in respect to persons of a certain nationality in respect of jokes, demand a surgical operation. At all events, he must only give them what he knew would be understood—in other words, he must bring himself down to a certain financial level to be understood by the honourable member for Bruce. He would repeat what he had said—namely, that of the indebtedness of ten millions the interest on over seven millions was paid directly by those receiving the benefits of the money; and, in addition to that, he might say that during the term there was a direct profit of £68,000. That was to say, the seven millions was so expended and used that they received £68,000 more than they were paying for the interest on the loans. That, he thought, would be understood even by the member for Wellington City (Mr. Fisher). All he wanted to do was to show by this table—and he would not have troubled about it at all had it not been for the member for Franklin—that when he made the statement, taking the thirty years between 1871 and 1901, that the indebtedness of the colony had increased in former years at a higher rate than it had increased during the Administration of the past ten years, that that statement was correct. The honourable member seemed to him to look upon it as being almost impossible. The honourable member said so. He (Mr. Seddon) then said that he would have the return prepared and laid on the table, to show that he was correct. He had had it prepared, and he now laid it on the table, and he hoped the honourable member was convinced that what he (Mr. Seddon) said was correct—namely, that during the last ten years the

annual increase had been considerably under that of previous years. Motion agreed to. TRAWLING IN HAURAKI GULF. Mr. MEREDITH (Ashley) brought up the report of the Public Petitions Committee on the petitions of J. Wheeler and others, J. Cairns and others, of Auckland, and C. W. Taylor and others, of the Thames. The petitioners prayed that trawling might be not allowed in the Hauraki Gulf, and that certain restrictions in regard to the fishing industry in that gulf might be removed. The Committee reported that, "after hearing the evidence of the petitioners and the departmental officers, this Committee would strongly recommend the Government to take immediate steps to have the complaints of the petitioners thoroughly investigated by some competent authority, with a view of conserving the deep-sea fishing of the colony." He moved, That the report do lie on the table and be referred to the Government for favourable consideration.

<page:187>

like to urge upon the Government the desirability of giving effect to this recommendation at as early a date as possible. This was a question of great importance to the fishing industry in and around Auckland. There was a very strong feeling amongst the line-fishermen that the waters of the Gulf were being depleted of fish, and that within the next year or two there would practically be no fish in those waters. The trawler conducted its operations in shallow waters, and immature fish were often caught in large quantities, and were thrown overboard because they were below the legal size. Of course, it was impossible for the Committee to make a pronouncement whether this was so or not, because it did not have the necessary technical knowledge and information on this subject. This was a matter which was being keenly debated in Auckland; and, if the allegations of the fishermen were true, it was necessary that immediate steps should be taken to put a stop to the trawling operations in the Hauraki Gulf. Mr. HALL-JONES (Minister of Marine) said, Before the report of the Committee was brought down this question had been brought under his notice by his colleague the Minister of Mines, and when he learned that there was a petition before the Committee in reference to the matter he determined to have a special report made on the subject. There appeared to be a conflict of opinion as to the injury done by trawlers, but he would have inquiry made, and, if the report warranted it, the trawling would have to be stopped. Mr. T. MACKENZIE (Waihemo) said this was a very important question which the member for Auckland City had opened up—namely, the question of the injury done to fishing-grounds by trawlers. He knew that in many parts of New Zealand the trawlers had disturbed very valuable fishing-grounds, which had furnished regular employment to a large number of men. He hoped the Minister, as he had indicated, would see that this question was thoroughly investigated, in order that the public might have something definite to go on. Mr. McNAB (Mataura) hoped the Minister, when he went into this question and came to a conclusion, would not act too rashly upon it, because it seemed to him to be a strange thing that trawling should do the injury stated in the Hauraki Gulf, whereas on the shores of countries which had the largest fish-production in the world trawling did not seem to have such an injurious effect. He wanted to know whether this would mean the stoppage of trawling within a certain distance of the shore, or whether it meant stopping trawling altogether. He knew many instances in which this question of trawling had been discussed by line-fishermen, in the same way as other matters were discussed by those whose business was interfered with to some extent by machinery. He would like to be sure, before anything was done by the Government, that the House would be consulted on the matter, and that there would be something more than the complaint of some men in operations. It was more important to provide cheap food for hundreds and thousands of the people of the colony than merely to consider the interests of a few men. If that alone was the issue, then the line-fishermen must go down. Mr. McGOWAN (Minister of Justice) would like to say, in reply to what the member for Mataura had said, that this was not altogether a question of the line-fishermen going down. He thought most honourable members would at once admit that if there was to be an improvement in the production of fish food for the people, whatever

system produced the greatest quantity of food for the public must be upheld. However, he might point out that this petition applied only to the Hauraki Gulf, and not to the whole of the coasts of New Zealand. If it applied only to the Hauraki Gulf there was no question about the destruction of young fish, as they were destroyed in large numbers owing to the operations of the trawlers. A trawling-net of a certain mesh, which when perfectly stationary would not detain small fish, would, when drawn after a steamer at a certain rate of speed catch numbers of small fish, owing to the action of the water and movement of the net. The result was that large numbers of small fish were absolutely destroyed, because the law did not allow the sale of these small fish, and good food therefore had to be thrown overboard. The evidence given before the Committee showed that vast numbers of small fish were killed owing to the operations of the trawlers, and an agitation had been going on amongst fishermen in the Hauraki Gulf with the view of having a stop put to trawling. Public opinion was so strong that one man had been obliged to give up trawling operations, and he understood the work was now carried on by a company. He thought it was time that some action was taken, and he hoped that his colleague the Minister of Marine would see that a report was obtained from some expert who had a thorough knowledge of this question, and who would be able to place the matter before the Government in such a way as would enable them to take action and do what was right in the matter. Mr. MASSEY (Franklin) hoped the Government would do something in the direction recommended by the Committee. He had received a number of complaints from constituents of his, and particularly from settlers upon Waiheke Island, in the Auckland Harbour. The complaints were to the effect that, owing to trawling operations in the immediate vicinity of the island, numbers of young fish were being destroyed, and that on fishing-grounds where fish were formerly plentiful they were gradually becoming scarce. While he was willing to admit, as had been pointed out by the member for Matakana, that trawling ought to become an important industry in this colony, still he thought that our legislation on this question should be brought into line with the English law, which provided that trawling operations should not be carried on within three miles of the shore. He hoped, after full inquiries were

<page:188>

legislation-or else gazette regulations, which he believed they could do-and which would get over the present difficulty. Motion agreed to. # LAND SETTLEMENT. Mr. O'MEARA (Pahiatua) asked the Minister of Lands, If he will introduce an amendment to the present Land Act substituting improvements in lieu of residence ; and, if so, will he introduce the amendment this session ? He would like to point out to the Minister the importance of this question. He did not know if he was correct in stating emphatically that the Premier, when speaking on the public platform, had said that he was prepared to amend the law in this particular. If it were done it would enable persons who were in business to obtain sections of bush land, and, after they had made sufficient money in business, to enable them to retire from business and to go to their farms. It would enable persons employed in businesses of many kinds to secure land and become settlers in the country. Employés in the Government services could apply for land, and in this way obtain it. He thought the question could be easily dealt with, and that it would be more satisfactory than the present system if they would accept double valuation of improvements in lieu of residence. He hoped the Minister would see his way to amend the Land Act in this respect ; and he felt sure that in doing so it would give very great satisfaction not only to those engaged in business, but to many others who were desirous of going upon the lands of the colony. Mr. DUNCAN (Minister of Lands) might say at once that he did not see his way to grant such an amendment as was asked for by the honourable gentleman, and he would tell him why. They had not land enough now ready for settlement to supply the demand of bona fide settlers and those who were prepared to go at once upon the land, and, if people were allowed to take up sections on the terms suggested, it would prevent those who were ready to go and settle upon the land from doing so. They would be kept away for a still longer time. As he had explained, there was not sufficient land to supply the demand of those who desired immediately to settle

upon it. He thought it was better to leave the matter as it was. They had a reasonable amount of settlement going on, as the land came in ready for occupation. If they went in for this alteration he was sure it would lead to no end of trouble. Any one would apply, and they could not prevent them, even if they were millionaires, from getting it, because they could hold the land and still go on with their ordinary business. He did not think the change was at all a desirable one at the present time.

BURNING FALLEN BUSH. Mr. O'MEARA (Pahiatua) asked the Minister of Lands, If he will give effect to the promise of the late Minister of Lands to obtain information by a Commission to enable him to introduce Mr. Massey's fallen bush and rubbish ? This was a very important and a very serious question. He would ask the Minister to refer back to the replies which had been given by his predecessors. One reply had been given by the Hon. Mr. Carroll, who was then acting for the Minister of Lands, and he had also a promise recorded in Hansard from the late Sir John McKenzie, both agreeing that legislation in this respect was necessary, and that they would obtain information so that such legislation might be introduced. He hoped the Minister, in giving an answer, would not content himself with a simple negative, but would give a favourable reply, and would see that the promise was carried out. The cost would be small, and the advantage to the settlers would be very great.

Mr. DUNCAN (Minister of Lands) might tell the honourable gentleman that he had given notice of an amending Land Bill, and that in that Bill there was a clause dealing with this matter. When it came up for consideration it would be for the honourable gentleman and others acquainted with this phase of the matter to see that the wants of their constituents were met.

CROWN TENANTS' RENT REBATE ACT. Mr. SYMES (Egmont) asked the Minister of Lands, If it is his intention to amend the Crown Tenants' Rent Rebate Act this session, as promised in the Budget ? This was a very important question indeed. An amendment of the Act had been promised in the Budget. The Colonial Treasurer said that the Act had not worked satisfactorily. Well, it was very easily shown that it had worked very unsatisfactorily, and that the very people who should have got a rebate under the Crown Tenants' Rebate of Rent Act were those who had not got it, and that the very people who ought not to have got it, and whom they have been told did not want it, were those who had got it. The Crown tenants in Canterbury had all had a rebate of 10 per cent. given to them; while in the whole of the Taranaki bush districts, where this was absolutely necessary, only four tenants had received any relief at all up to the present time, but not one tenant had, at the end of the financial year, received any benefit under the Act. The four, as appeared from the return laid upon the table, had been relieved in different degrees. One man had been allowed 5 per cent., another 2}, and the other two 10 per cent. each. In the Wellington District there were also great discrepancies, ranging from 2^a per cent. to 10 per cent. The Bill of last year was an abortion.

Mr. DEPUTY SPEAKER .- The honourable member cannot discuss the Bill.

Mr. SYMES .- At any rate, this was a very important question, and affected a large number of Crown tenants. So far, it had worked very unsatisfactorily ; and in Taranaki, where it was absolutely necessary that the Crown tenants who were settled in the bush should have relief, they got no relief at all. He trusted the Minister would give him his assurance

<page:189>

amendment he had promised in the Act, would be given effect to this session.

Mr. DUNCAN (Minister of Lands) said the matter was under consideration, but it was a difficult thing to deal with. There were Crown tenants of different grades, and the conditions were so varied that it was very difficult to frame a measure that would be fair to all concerned. Some of the Crown tenants were paying 5 per cent. and some were paying only 24 per cent. Mr. SYMES asked, Were they mixed in Canterbury ? Mr. DUNCAN said, Yes, they were mixed in Canterbury and everywhere. The Crown tenants under some clauses of the Land Act paid as rent at the rate of 5 per cent. on the valuation ; the tenants under other clauses only paid 2} per cent. For the small grazing-runs the rent was only 2} per cent. Generally the Crown lessee in the large runs had to pay 2} per cent. on the valuation, and considered they were dear enough at that. Under the

Land for Settlements Act it was 5 per cent. Mr. SYMES said it was all the same in his district. Mr. DUNCAN said, That was so. They did not understand their work, or did not perform it satisfactorily. However, it was not easy to get an Act that would work fairly all round, and, if any defects were now being complained of, no doubt an attempt would be made to put them right this session.

STATE NURSERY FOR FOREST-TREES. Mr. HOGG (Masterton) asked the Govern- ment, Whether it is proposed to establish State nursery for forest-trees in this part of the colony ; and, if so, why the season for commencing operations has been allowed to pass without any steps being taken? He anticipated an affirmative reply to the first part of the question. He believed it was the intention and the wish of the Government to establish a State nursery for forest trees in the Wellington District, but apparently very little progress had been made. If he was correctly informed, the Trentham Estate, in the neigh- bourhood of the Upper Hutt, had been acquired by the Defence Department. Now, on that estate there was sufficient land, apart from the portion that was required for defence purposes, to provide for a State nursery. A considerable time ago the land was examined, and, he believed, was pronounced in every way suitable, being a nice level flat convenient to the railway, handy to the City of Welling- ton, where suitable labour could be secured, and in every way eligible for the purpose. But, notwithstanding the efforts of the Agri- cultural Department to secure some twenty or thirty acres of the estate for this desir- able purpose, it appeared that they had been bailed up to the present time. It was the case, apparently, of one department of the Govern- ment obstructing another extremely useful de- partment. The reason he put the question was that during the season he had had inquiries from settlers in his district for forest-trees, He thought, for such a purpose as that, the State should not have allowed the season to pass away without acquiring land of a suitable character for the nursery. Mr. DUNCAN (Minister of Lands) would be able to satisfy the honourable gentleman that they had done their best to get this nursery commenced, and he might tell him that he thought they had now come to a point which warranted him in saying it would be done im- mediately, and that they would still be in time for the season to start this nursery.

MAURICEVILLE LIME-WORKS. Mr. HOGG (Masterton) asked the Minister of Lands, Whether his department has been offered certain valuable lime-works at Maurice- ville ; and, if so, what steps are proposed to be taken to give the farmers and graziers of the North Island the same facilities as are now provided in the South Island for obtaining lime for agricultural purposes on advantageous or reasonable terms? This was also a question of considerable importance to our farmers. He understood the State had a lime-kiln in opera- tion in the South Island, and he would like to see a similar institution for the special benefit of our farmers in the North Island, particularly in the district that he represented. Representa- tions had been made by other members that there were deposits of valuable lime in the Forty- mile Bush ; but there was no need for prospect- ing. There were quarries at Mauriceville that had been in operation for many years, and were .not likely to be exhausted during the next cen- tury. The lime had been tested and found to be of first-class quality for agricultural pur- poses ; but, unfortunately, the owner of the principal quarry was a man well up in years, and hardly in a position to carry on a business of the kind, as he was suffering from want of capital, and, so far as the State was concerned, instead of receiving the slightest assistance he met with rebuffs on every hand. The limestone quarry was within a chain or two of the rail- way, and the owner had applied repeatedly to get a siding put in by the Railway Department; but he was told unless he could pay down £250 cash for this siding the Railway Depart- ment would not undertake the work. He was willing to pay down £60, and the rest within ten years, with interest added, but the Railway Department refused these terms, and the result was that, although his lime- kilns were almost alongside the railway, the lime received several handlings, and had to be packed in bags before it could be put on the railway-trucks to be taken away. If iron trucks were provided, as in the South Island, and if the farmers had the same facilities for getting lime as they had down south, it could be supplied from the Mauriceville quarries at from 25 to 33} per cent. under existing rates. He was assured that the State would

be able to reduce it from 23s. per ton to about 14s. per ton. He thought, seeing the Railway Department could not see its way to assist this industry by furnishing appliances that would help our farmers to get lime

<page:190>

this thing in hand themselves. The owner of the kiln was quite willing to dispose of his property on reasonable terms, if the Agricultural Department would take it up and work it in the same way as they were doing in the South. Mr. DUNCAN (Minister of Lands) said that, as far as the lime-burners in the South Island were concerned, he did not think the Government had helped them in any way. But it was an important question all the same, and he might state to the honourable gentleman that a petition signed by John McKay and other farmers of the Wairarapa asked the Government to acquire the works of Mr. Branchley at Mauriceville, and owned by Mr. Branchley, who stated that he was prepared to dispose of his interest on reasonable terms. Mr. Branchley offered in May, 1900, to dispose of the whole of his property, containing eight acres, for £3,500; but this was far above the value, and he could not recommend anything nearly approaching this sum to the colony for the purchase of it. The petition was partly considered at the time, and Mr. Branchley wanted £3,500 for eight acres of land. Mr. HOGG said that was for the works and everything, steam machinery, large kilns, and 80 on. Mr. DUNCAN said that the works which Mr. Branchley had on the land were of no use whatever if the Government were to start in the lime business, as there was nothing up to date on Mr. Branchley's property that the Government could use in this industry. The lime-kiln in the South had only 4.0. been in working-order for about two months, and it could hardly be said that the experiments had had a proper trial. He believed the lime could be placed on the trucks at about 12s. Then, it was carried one hundred miles free on the railways for farmers, so that he thought it ought to be worth going in for by farmers. If it was found to prove beneficial in the South, it would be time enough to see what could be done in regard to the North Island in a year from now. He might say there had been no applications from farmers outside that of Mr. Branchley. Mr. HOGG .- What about the petition ? Mr. DUNCAN said the petition was from a man named McKay; but Mr. Branchley could get half a dozen McKay's and any amount of farmers to sign the petition. Mr. HOGG said there were about fifty farmers interested in this. Mr. DUNCAN said, Not one farmer had interviewed him on the matter. However, he considered £3,500 was too much to give for eight acres of land in that position, and he believed he could get land with equally good lime for a much less sum of money.

TREATMENT OF STOCK DISEASES. Mr. BUDDO (Kaiapoi) asked the Minister of Lands, If he will favourably consider the question of issuing a small stock-book or pamphlet containing descriptions of stock diseases, giving Mr. Hogg ment for same, suitable to up-country farmers' requirements, especially at the present time, owing to the reported outbreak of a dangerous cattle-disease? He had asked a similar question last session. He knew the many demands on the Stock Department, but surely they could find time to publish a little pamphlet, which would be of material advantage to the farming community. It might be said that there would be a difficulty in regard to the sub-editing, but he knew there were a number of farmers of ability throughout the country well acquainted with the subject who would be very pleased to lend assistance in the matter. The great mortality among the ewe flocks during the month of August caused a very heavy loss to settlers, as the ewes in the South Island were worth about £1 apiece, and nearly as much in the North Island. In many cases the loss amounted to about 10 per cent., and was seldom less than 4 or 5 per cent. Then as to the treatment of dairy cattle, although there was valuable information in the various agricultural journals upon this subject, the average farmer could find very little time to pick out these matters for himself, and if a few hard-and-fast rules were laid down for the treatment of ewe flocks and dairy cattle it would be of great service to the colony generally. He did not see why there should be any more difficulty about this than there had been in the publication of the various other leaflets by the Agricultural Department. He would not advise the department to issue

anything on the treatment of horses, as every farmer had his own opinion on that subject, and stuck to it. He hoped to receive a favourable reply ; but, if he did not, he would bring the matter up again. Mr. DUNCAN (Minister of Lands) recognised at once the importance of this question, and he believed some little good could be done in this way. At the same time he did not think all the advice in creation on the treatment of ewe flocks would assist the farmer who would not keep his flocks on proper pasture at the lamb- ing time. He did not think there ought to be any more difficulty in regard to the publication of such a pamphlet than there was in publish- ing the leaflets already issued on all other sub- jects, and he would have a trial made to see if it would lead to beneficial results in the near future. ## RESERVES DISPOSAL AND EXCHANGE BILL. Mr. MASSEY (Franklin) asked the Minister of Lands, Whether he will reintroduce the Re- serves Disposal and Exchange Bill of last session, and endeavour to pass it into law ? His constituents were interested in two or three clauses of the Bill of last year, and he hoped the Minister would reintroduce it at such a period of the session as would enable it to be placed on the statute-book. Mr. DUNCAN (Minister of Lands) said the Bill was in course of preparation. When it was ready it would be introduced. As it was a measure in which several members of the

<page:191>

would pass. STUD HORSE FOR WESTERN DISTRICT OF SOUTHLAND. Mr. GILFEDDER asked the Minister for Agriculture, If he would locate one of the im- ported stud horses in the western district of Southland ? Mr. DUNCAN (Minister for Agriculture) re- gretted that, owing to the small number of horses imported, the department had not one to spare for the western district. However, if after a trial the importation of stud horses was found beneficial, he was of opinion that they should import double the number, so that such places as the western district might derive some benefit from them. At present there was one horse stationed somewhere near Mataura, and if any one in the western district wished to send a suitable mare to that locality, it could be taken in at a very reasonable cost. RIVERTON-HOWELL'S POINT ROAD. Mr. GILFEDDER (Wallace) asked the Minister of Lands, If, in framing the estimates for this year, he will make provision for the im- provement of the road leading from Riverton to Howell's Point? He might point out to the Minister that this was one of the main roads in the vicinity of Riverton, and on which there was a large amount of traffic. Assistance was much required, and he hoped the Minister, when framing his estimates, would see his way to make provision for it. Mr. DUNCAN (Minister of Lands) said the Road Surveyor reported as follows :- "This road is required to give access to an endowment belonging to the Borough of Riverton, and also for convenience of picnic parties, and it would cost about £300, not including gravelling. It is not a work of importance, and does not appear to be one that has any claim on Government, and it has not, therefore, been noted for estimates." Mr. GILFEDDER said he might point out that the department evidently knew nothing about the matter. Mr. DUNCAN said it was the surveyor at Invercargill the honourable member had to blame, for what he had read was his report. WORKMEN'S HOMES AT INVER- CARGILL. Mr. HANAN (Invercargill) asked the Minis- ter of Lands, If he will take steps to acquire for workmen's homes the large area of un- improved land on the East Road, near Inver- cargill, owned by Thomson's trustees ? He might say that Thomson's trustees owned the most valuable land in and around the City of Invercargill. The land here referred to was a very large area and was unimproved, and, not- withstanding the fact that reasonable offers had been made by people who wished to make homes for themselves, the trustees refused to sell, and had put upon the land a really prohibitive price, which was doing a great injustice and injury to the townspeople, more especially themselves near the centre of the town. The holding of so much valuable land by one estate, and the selfish policy pursued in dealing with the same, had greatly retarded the advancement of the city and inflicted a gross injury on the community generally, the presence of which and whose labours had given a high value to the trustees' properties. As illustrating how the owners sought to benefit from the unearned increment, he might point to the fact that another large arca of land had also been held up till lately in

another part of the town by the same trustees. Recently they had cut that land up and subdivided it, disposing of certain parts on the freehold and leasehold tenure. These large areas of unimproved land monopolized by one person were typical instances of the necessity for rating on the unimproved value. The object the trustees had in view in disposing of the land with freehold and leasehold tenures respectively was that the estate should secure the benefit of the unearned increment in regard to the leaseholds which they retained, and which would have their value enhanced by the improvements effected by the owners of the freehold sections. As a matter of fact, the large blocks of land lying idle on the East Road was undoubtedly a great drawback and obstacle to the progress and extension of the town; and, the land being exceedingly suitable for the erection of workmen's homes, and, having regard to the fact that land had been taken for the purpose in other parts of the colony, he would urge upon the Minister the desirability of taking this area and making provision for the erection of workmen's homes. He wished to burst up the land-monopoly in Invercargill held by this trust estate, because he regretted to think that a large number of townspeople and others were to some extent labouring away to provide handsome incomes for a few beneficiaries to live in comfort and ease without having done anything themselves to justly merit the same. Mr. DUNCAN (Minister of Lands) said, If the member for Invercargill would give him the particulars of the estate he had mentioned he would bring it before the Land Purchase Commissioner, and get him to send a valuer to report on it. PAYMENT OF ROAD-LABOURERS. Mr. O'MEARA (Pahiatua) asked the Minister of Lands, If he will instruct road-overseers to pay road-labourers in cash instead of by cheque, which is at present being done? He did not think the Minister understood the great amount of inconvenience that was given to those who worked on the roads in the back blocks of this country. Instead of being paid in cash, the overseer took them a cheque, and very frequently they were compelled to travel thirty or forty miles to the nearest bank to get the cheque cashed. There was no necessity for that. It would be just as easy for the overseer to take half the amount in cash and the other half by way of cheque. The present system necessitated the men leaving their work for two or three

<page:192>

way to give a favourable answer to this question, and, if he did so, it would save these people working on the back roads of the colony a great amount of trouble, and money also. Mr. DUNCAN (Minister of Lands) said the question was an important one, and, personally, he thought there could be something done to lessen the difficulties. The departmental answer was this :- "Owing to the difficulty and risk of carrying large sums of money in bush and unoccupied districts, and owing to the fact that Government money so carried has been lost, it has been found necessary in many cases to pay the men by cheque. The exchange on the cheque is paid by Government, and the men can always have their pay in two or three cheques if there is likely to be any difficulty in cashing a large cheque. Payment by cheque is also desirable, as it tends to prevent speculation in the case of a dishonest officer, as there is documentary evidence of the amount actually received by the men." Personally, he thought, in cases where it could be done, a portion of the payment should be in cash, and he would give instructions to see if this could be done. TAIERI MAORI VILLAGE. Mr. PARATA (Southern Maori) asked the Minister of Lands, Whether he will recommend and take the necessary steps to have the Proclamation given under the hand of His Excellency the Governor on the 23rd day of March, 1901, and published in New Zealand Gazette No. 31, of the 28th day of March, 1901, page 779, amended in respect of two of the pieces of land mentioned in the schedule to the said Proclamation - namely, (1) in respect to Section 84, Block VI., Maungatua Survey District, Otago, containing 4 acres and 2 perches; and (2) in respect to Tatawai Lake, Otago, containing 121 acres - so as to absolutely hand over and vest the said two pieces of land in the aboriginal natives residing at the Taieri Maori Village? Mr. DUNCAN (Minister of Lands) said the four acres mentioned by the honourable gentleman were set apart for the use of aboriginal natives. The lake was set apart for fishing, without specifying that it was to be confined to aboriginal natives. The definition of

the reserve could be made specific by stating, in another Proclamation, that it was reserved for the use of the Natives residing at the Taieri Maori Village. This could be done under "The Public Reserves Act, 1681." He would like to know from the honourable member whether it was absolutely necessary that this should be confined to the Maoris. Mr. PARATA said he did not think there was any objection to other people going there, but some complaint had been made to the Natives about going to this place. Mr. DUNCAN said he would see that no complaint was made, and that the Natives could go fishing if they liked, and when they liked. Mr. O'Meara AGRICULTURE. Mr. STEVENS (Manawatu) asked the Minister for Agriculture, If he will favourably consider the advisability of having the report of the Department of Agriculture printed and bound up in the Appendices of the Journals of the House, in the same way in which the report of the Department of Lands and Survey is, and thus make this important publication a parliamentary record ? He would draw the attention of the Minister to the fact that it was very important that the transactions of all procedure relating to the Agricultural Department of this colony should become a public and colonial record. There was no more important department in the public service than that of Agriculture, and he hoped the Minister would see his way to give favourable consideration to his suggestion. Mr. DUNCAN (Minister for Agriculture) said there was some difficulty about this. He had made inquiries, and found that the ordinary size was totally unsuitable for distribution to settlers. That being so, if the request were complied with it would be necessary to have two forms printed, one for insertion in the Appendices and a smaller size for distribution. He would make inquiries as to the cost, and, if reasonable, he thought, himself, it was quite of as much importance as many others included in the Appendices. If the cost would not be too high he would have the two sizes printed. DUTIES IN COOK ISLANDS. Mr. HERRIES (Bay of Plenty) asked the Commissioner of Trade and Customs, - (1) Whether it is a fact that Customs duties are being charged in the Cook Islands on goods imported from New Zealand ; (2) whether, in view of the Cook Islands being part of the Colony of New Zealand, he will issue orders that the Customs laws of the colony are to be adhered to ; and (3) whether he will refund the duties that have been collected on New Zealand goods since the annexation? It was stated in the papers that duties were being charged on goods that came from New Zealand to the Cook Islands. It would seem that directly the Cook Islands were annexed to the colony they became a part of it, and the duties should be similar to those in New Zealand, and no duty should be levied on goods imported from New Zealand. But here was a report in a paper from the Auckland Star's reporter, dated the 23rd August :- "The question of import duties is greatly agitating the minds of the traders in Rarotonga. Previous to the 11th June a uniform duty of 10 per cent. ad valorem had been imposed on all imports. It was then gazetted that all imports were to pay the same rates as were levied in New Zealand, except goods imported from that colony, which would pay only 10 per cent." It would thus be seen that 10 per cent. duty was levied on New Zealand goods after the Cook Islands became a portion of the colony.

<page:193>

The next report was dated the 21st September, and the same correspondent said,- " In my last letter I mentioned that certain anomalies had arisen by reason of the action of the authorities here in respect of duties on goods imported into the Cook Islands. A notice has since been posted up, signed by the then Acting - Collector of Customs, stating that calico, rice, and kerosene-which, under the New Zealand tariff, are free goods, and as such did not pay duty when imported from Tahiti-would be admitted free of duty on importation from New Zealand. Why these three lines only should be singled out from the ordinary list of free goods under the New Zealand tariff is a matter which at present is not understood by the importers." In his opinion, the levying of duty on goods imported practically from one part of the colony to the other was illegal, and he trusted the Minister would put an end to it, and refund the money which, in his opinion, had been illegally exacted from the importers. Mr. MILLS (Commissioner of Trade and Customs) said, in reply to the first part of the question, that information had been received from Lieut. - Colonel Gudgeon to

the effect that he had charged 10 per cent. duty on certain goods imported from New Zealand, and instructions had been sent to him not to make any further charge. In regard to the second part of the question, that had been done, and the instructions sent, and the same tariff would be in force for the future in the Cook Islands as in New Zealand. In regard to the third part of the question, any duties that had been wrongfully collected on imports from New Zealand would be returned. ### ADVANCES TO SETTLERS VALUATION. FEES. Major STEWARD (Waitaki) asked the Government, Whether they will amend the procedure under the Advances to Settlers Act by providing for the return of inspection- and valuation-fees in cases where applications for advances on properties are refused; and, if necessary to secure the department against loss, by increasing the fees in cases where the security is accepted? There was no matter connected with the administration of this Act which caused a greater feeling of soreness than the retention of the fees charged for inspection and valuation in cases where the department re- fused to make an advance. It seemed to him that provision might be made for a refund of fees in all cases where advances were not made without any loss to the department ; that was to say, if the fees charged in respect of those applications which were successful were not sufficient to cover the cost of valuation, in the cases where the application was not successful, he would suggest to the honourable gentleman that the fee should be increased. Mr. MILLS (Minister in charge of Advances to Settlers Office) said that section 61 of the Act provided that valuation-fees should be pay- able by applicants in any event, and according to the scale set forth in the schedule to the | Now, he had a letter from the department, VOL. CXIX .- 12. Act, and it would be impossible to make a change without amending the Act. He would point out that it would be a very unfair way of conducting business to penalise the man who made a successful application by making him pay the fee of the unsuccessful applicant. It would be really absurd to penalise a 4.30. man who had offered the department good security for an advance and got it, while the security offered by the other man, whose application was refused, might have been worth only about one-third of the amount asked for. Another thing he would like to point out was that if the proposition, as the honourable gentleman suggested, were adopted, and the fees had to be returned to unsuccessful appli- cants, it would lead to a great number of what he might alm st call frivolous applications being made, because so many people thought. all their own geese were swans, whilst the Ad- vances to Settlers Office had to be particular that the securities they accepted were really as gilt-edged as could be obtained. Major STEWARD would like to point out that persons did not make applications for mere amusement ; they only made application when they required money, and therefore the number of unsuccessful applicants was presumably very much smaller than the number of successful ones, and therefore he did not see that so many would be penalised. Mr. MILLS would like to point out to the honourable gentleman that the department had hundreds of instances where settlers had made applications for loans and had not been cognisant of the provisions of the Act. Many were not aware that not more than 50 per cent. of the value of improvements could be lent on leasehold. In many cases the settlers wished to redeem an existing mortgage and get some little further advance to carry on, thus requir- ing a loan most probably beyond the power of the department to grant. They had to be guided by the valuation made by their own officers as to what amount it would be safe to lend. Mr. O'MEARA .- But you are not guided. Mr. MILLS said, That might be so, in some cases where the Board had other important and reliable information ; but the applicant could always ascertain what was the value of the security he had offered, and form his own judg- ment as to whether the department had acted in good faith. ADVANCES TO SETTLERS ACT. Mr. O'MEARA (Pahiatua) asked the Go- vernment, Whether they will consider the advisability of amending the Advances to Settlers Act, so as to enable the department to make advances on improvements made on education leases? This was an exceedingly important question to every country district in the colony. As a matter of fact, the Advances to Settlers Board was very reluctant to grant advances to Crown lessees at all. The Minister stated just now that the Board was

entirely guided by the report received from its valuers.

<page:194>

asked for the amount of the valuation, and the Deputy Superintendent very reluctantly disclosed the valuation that had been placed on this particular property by the valuer. The Deputy Superintendent said, "I may say, however, that Mr. Fraser's valuation of the improvements on your holding was \$225." And in the face of that valuation, given by one of its own valuers, the Board declined to make the applicant any advance. He had a letter here which also stated, - "After carefully reviewing the valuer's report and all other particulars connected with the application, the Board resolved that the circumstances were not such as would enable them to sanction an advance." That was the reply received in connection with an application for an advance. He would tell the Minister in charge of this department that he had almost daily complaints coming in from his constituents in respect to the administration of his office. There appeared to be a conflict between the Land Board and the Advances to Settlers Office. Unless a guarantee was given to the Advances to Settlers Office that a lease would not be cancelled by the Land Board it was unavailing for any Crown lessee to apply for an advance. With respect to this particular application, he knew the applicant. Personally, he did not know the value of the property, but he recommended the applicant as a thoroughly honest man, to whom the Board ought to have had no hesitation in making an advance, providing the valuation was all right. \- This man would have been perfectly satisfied to have received one half of what he was entitled to by the valuation placed upon the property. He received another letter, which stated, in respect to another application, that the value fixed upon this applicant's property -on a Crown lessee's improvements of £1,320 = \$600- was advanced two years ago by the Advances Department. This left a margin of \$120 they could borrow, so on the 1st August last they applied for a further loan of \$50, expecting that they would get it without another valuation-fee, as the valuation already made would justify that advance. However, the Superintendent replied that a valuation-fee was necessary. It was paid, and on the 17th September the Superintendent sent another circular definitely refusing any further advance. Last night he received two letters respecting the administration of the Advances Office, and he would read the termination of one :- "We are all waiting patiently for the freehold ; then we will be independent of the Advances to Settlers Office." With respect to the valuation-fees, he might quote an instance where their own valuer stated the value of the land to be \$225. Notwithstanding this, the Advances to Settlers Board replied that it could not advance any money on it. Under such circumstances, he thought the department would only be meting out justice to those applicants whose applications had been refused, not through any fault of their own, and not through the value of the Mr. O'Meara action of the department itself. He thought the valuation-fees in cases of this sort should undoubtedly be refunded to the applicant, because it was making false representations to the settlers of the country when the department told them it was prepared to advance one-half the amount of the valuation of improvements. provided, of course, that its valuer agreed to a certain valuation. Here they had a valuer agreeing to a valuation, and the department, in the face of that, declined to make any advance. Mr. MILLS (Minister in charge of Advances to Settlers Office) said, in reply to the honourable gentleman's question, which the honourable gentleman had not referred to, he would like to explain that no amendment of the Act was required. The leaseholds in question already came under the heading of "eligible securities," but when the leases contained such stringent covenants as rendered them undesirable and unsafe as securities the Board declined to grant loans. He might mention that most of the leases provided for absolute forfeiture in the event of the lessee committing a breach of covenant ; or, again, that compensation for improvements was payable on expiry of the lease only in the event of an incoming tenant being found. Now, both of these conditions were quite sufficient to make any Board hesitate about giving an advance. Of course, there were cases where he had no doubt the securities were ample for the loan required, but under the stringent provisions included in these leases the

Advances to Settlers Board had not considered it desirable to make advances. With regard to the other matter which the honourable gentleman had referred to, he might point out that it was quite possible, from the ex parte statement they had just heard, that there was another side to the question equally good. The honourable gentleman had never consulted him, and had not sent him these letters. Mr. O'MEARA.-- I did consult you. Mr. MILLS said the honourable gentleman did not consult him about the letters he had brought before the House that day, so he was at a great disadvantage in replying. As a matter of fact, the honourable gentleman acknowledged that he had only received them on the previous evening. Mr. O'MEARA said he had consulted the honourable gentleman respecting the lease- hold. Mr. MILLS said he was willing to give the honourable member all the information on the matter he wanted, and he had only to apply for it. The very fact of the applicant referred to going to the Advances to Settlers Department for a loan and being refused, then going to the Government Insurance Department and their finding that the security was valued at much lower than the figure of the Advances to Settlers Department, showed clearly that the honourable gentleman had taken hold of the wrong end of the stick. In reply to the many charges the honourable gentleman had made outside of his question, it was incumbent on him (Mr .. <page:195>

reasons that did not appear on the surface as to why the full amount of some loans applied for were not granted. When the valuator went to a person's property and came to a decision regarding its selling monetary value, there were sometimes other circumstances surrounding the case which were not desirable. It might be found that the applicant was behind in the payment of interest on his first mortgage, or of his rent. In one or two extreme cases it had been found that the applicant for a second advance had had to be sued by the department before they could obtain the interest overdue. Those were all matters for consideration. It was laid down by legislation that the Board must first ascertain the true value of the security offered, and it must be seen that the security offered to the State for the advance was ample. However, if the honourable gentleman would give him the names of the parties who had written to him, and if it was found that any one of them had made an application to the office which had not been fairly dealt with, the case would be looked into and full justice done to them; but he thought the honourable member would be convinced he had made a mistake in blaming the department. Mr. O'MEARA wished to make a personal explanation, as he had been misrepresented by the Minister. No application was made to the Government Insurance Department by the applicants mentioned, and he (Mr. O'Meara) did not know what the honourable gentleman meant by making such a statement. With respect to the other valuation, he had a notification from an officer of the department that the valuation was \$225; and, when the honourable gentleman stated that he (Mr. O'Meara) did not confer with him, all he could say in reply was that the conference certainly took place in connection with this and another application, and in the presence of Mr. McGowan, the Superintendent. The whole matter was threshed out on that occasion, yet the Minister now said there must be some good reason for the action that had been taken. Why did the honourable gentleman not tell him the reason at that time? However, he reckoned he knew as much about the matter as the Superintendent of the department or even the Minister himself. Mr. MILLS thought the honourable gentleman was in error in saying the matter had been threshed out in the presence of the Superintendent. So far as the application to the Government Insurance Department was concerned, he understood the honourable member himself to say that the applicant went to that department. It may, of course, have been some other department that he went to, but the fact was still the same : he found the valuation was much lower than that fixed by the valuator sent by the Advances to Settlers Department. # LAND VALUATION ACT. Mr. McGUIRE (Hawera) asked the Minister in charge of the Valuation Department, Whether he will have the Land Valuation Act bodies may appoint a valuer to act in conjunction with a valuer appointed by the department ; (b) the maximum and minimum valuation in each district may be fixed ; (c) a district valuer may have a basis to come and go upon, thus

preventing the irritation and dissatisfaction which is now caused by the inequalities under the present system ? (2.) So that loans under the Local Bodies Act may be classed as improvements and deducted from the capital value ? He hoped the Minister would see his way to give an affirmative answer to this question, because it was one that affected settlers throughout the whole of the colony, and particularly those of the Hawera electorate. Some time ago a deputation came to Wellington to interview the Minister with respect to the valuations. What the people of the district wanted was simply a fair and equitable valuation placed on their land. They wanted it arranged on a fair and honest basis. The Minister had already done something to carry out the wishes of the settlers by postponing the Valuation Court, and he had sent the Valuer-General to the district to confer with settlers, with the result that a satisfactory adjustment was arranged between the farmers and the department. It was the wish and desire, in the first place, that the local bodies should appoint a valuer to act in conjunction with the valuer appointed by the department. That, surely, was only right, just, and reasonable ; the local body, being affected, certainly had a right to be represented as well as the Government. In the past the valuations had been very uneven. In most cases they had been very high. It was now desired that the local body should have the right to appoint one of the valuers. The Government appointed their valuer, and the men they appoint have nothing to guide them. If a maximum and minimum valuation was fixed in each district by both valuers, as suggested in the question, the Government valuer would have a basis to come and go upon, and the irritation, dissatisfaction, and inequalities would disappear, and concord and harmony would be the result. He therefore trusted the honourable gentleman would have the Act amended in the direction indicated in the interest of all concerned. Mr. MILLS (Minister in charge of the Valuation Department) said it was not the intention of the Government to bring in an amendment of the Valuation Act this session. As far as the first part of the question was concerned, he did not think the suggestion would work out well ; but instructions had been given to the department to ask their valuers to consult with the local valuers, and to ascertain from them what was the true value of properties of which they had a good local knowledge. As a matter of fact, the department had been doing that for some time, and in that way they obtained the best advice they could possibly get. Of course, there was no wish on the part of the department that there should be any unfair valuation put on the roll. In reply to the suggestion that a maximum and minimum valuation should be

<page:196>

mind, the suggestion was impracticable. He did not think it was possible to arrive at a minimum and maximum valuation of any property ; there could only be one valuation, and that was its fair market value. As to the District Valuer having a basis to come and go on, he did not think if such a suggestion was carried into effect it would have the result anticipated by the honourable gentleman, because the basis at the present time was the right one - it was on the fair market value of the land. In regard to the second part of the question, the rates leviable to defray special loans, being a charge upon the land, already tended to depreciate the capital value, unless these special loans had been wisely expended ; but even then they were taken into account by buyers and valuers alike before fixing the capital value of the property. If there were any very heavy loans raised in a district which necessitated the owners of property having to pay heavy rates, there could be no doubt that they had the effect of lessening or otherwise the value of land, and that all these matters had to be taken into account. Mr. McGUIRE .- Is not the value raised on account of roading ? Mr. MILLS said, No, not always. For instance, he believed that around Oamaru the local rates were very high, and tended to depreciate the value of property very much. Mr. McGUIRE .- That is a different thing. Mr. MILLS said that the same circumstances might arise in other cases. He could assure the honourable gentleman that, so far as the department was concerned, all it wished to arrive at was a fair valuation of property. He had pointed out to the House before - and his statement was on record in Hansard - showing the instructions sent out to every valuer, which clearly

proved that the department only wished to obtain fair valuations-nothing excessive, but even a little under the true market-value. BALCLUTHA-OWAKA RAILWAY. Mr. J. W. THOMSON (Clutha) asked the Minister for Railways, Whether he will extend to the Balclutha-Owaka line the scale of fares on the Invercargill-Bluff line, the fare for a second-class return on the former being 3s. 6d., whilst on the latter it is only 1s. 6d., the difference of 2s. being apparently too much for the extra length of the Balclutha-Bluff line, which is only two miles longer than the Invercargill- Bluff line ? His attention had been drawn some time since to the difference in the fares between the two lines referred to. The second- class return fare between Invercargill and the Bluff was 1s. 6d., but the return fare between Balclutha and Owaka was 3s. 6d. It was true that the distance between Balclutha and Owaka was two miles more than between Invercargill and the Bluff, but 2s. for these additional two miles seemed to him too much altogether. He hoped the Minister would see his way to approximate the fare on the Owaka Section to the fare on the Bluff Section. Sir J. G. WARD (Minister for Railways) said Mr. Mills the Owaka line which would justify the Government in making exceptional rates for that line. The traffic was small, and the line was on the same footing as all other branch lines in the colony. The traffic on the Bluff line was of a suburban character. It was a port line, and there were special rates existing on every line between the port and the chief town ; but that was no reason why they should make that system apply to such towns as that referred to by the honourable gentleman, and he was sorry to say the Government could not do that. The rates on the Bluff line were not even yet low enough as compared with some other port lines.

WHANGAREI-KAWAKAWA RAILWAY. Mr. HOUSTON (Bay of Islands) asked the Minister for Railways, Why the member for the Bay of Islands was not notified last year of the Minister's visit to open the extension of the Whangarei-Kawakawa line from Whakapara to Hukerenui ; and what was the nature of the one-sided information he received at Whangarei which caused him on his return to Wellington to induce the Cabinet to consent to the extension of the said railway to Grahams- town in contravention of the previous determination of the Cabinet in 1891 that no further extension should be made southward from Whangarei until the connection with Kawakawa was completed ? As the line so nearly approached the confines of the district represented by the member for the Bay of Islands, he thought that an invitation should have been sent to that member to attend the ceremony he had referred to. He did not blame the Minister. There were other persons concerned in the matter. With regard to the latter part of the question, he felt sure that it was the one- sided representation made to the Minister which caused him to come to the conclusion he did-a conclusion which was in contravention of the arrangements which the Cabinet came to in 1891, which arrangement must have been known to the people in Whangarei, or to those who came in contact with the Minister when he was in the district opening this particular part of the line. He thought that very unfair treatment had been meted out to the member for the Bay of Islands and to the inhabitants of the Bay of Islands district in connection with the matter. He felt satisfied that if both sides of the question had been put to the Minister when he was in the district, and before he returned to Wellington, the Cabinet would have taken different steps than those they did take. He might say that he felt a considerable amount of annoyance over this matter, and he did not think that such treatment should have been meted out to the member for the Bay of Islands in connection with the opening of this railway. If the arrangement made by the Cabinet in 1891, in connection with this line, was not carried out he would feel in duty bound, in the interests of his district, to oppose any vote on the estimates for the extension of this line to Grahamstown until the connection with Kawakawa was completed.

<page:197>

he was sorry that the honourable gentleman should feel that any discourtesy had been shown to him in connection with the opening of this line. He could assure the honourable gentleman that his visit to Whangarei was an exceedingly pleasant one. It was an excellent district, and the development of the railway traffic there would contribute towards the prosperity of that part of the colony ; and by-and-by,

when the line was continued at the Kawakawa end, the honourable gentleman and his friends in that part of the district would be able to persuade him that the extension of the line would be a good thing, and would be in the interests of the country as a whole. He regretted that the honourable member should have been left out of the ceremony, the arrangements for which he might say he did not control in any way whatever. It would have been better if the honourable member had been present. He might say in reference to the other part of the question, that the Cabinet went into the matter and brought that broad intelligence to bear upon it which members of the Ministry were so capable of doing, and they came to the conclusion that the decision they arrived at would be the best thing in the interests of the country as a whole, and they then gave effect to their decision, and he believed it was a right one. # SOUTHBROOK GOODS-SHED. Mr. BUDDO (Kaiapoi) asked the Minister for Railways, If he will favourably consider the erection of a goods-shed at Southbrook, in order to provide shelter for the large and increasing quantity of produce railed from that station, when wagons are not available ? Sir J. G. WARD (Minister for Railways) said the traffic from Southbrook was insufficient to justify the expenditure suggested. There were many other stations in the colony which were not provided with shed accommodation. SAN FRANCISCO MAIL-SERVICE. Mr. WITHEFORD (Auckland City) asked the Postmaster-General,-(1.) Whether any offer has been made, "subject to ratification by Parliament," for the continuance of the San Francisco mail-service? (2.) If the answer is in the affirmative, what was the nature of the offer? (3.) Has the offer, if made, been accepted or otherwise ; and what is the position ? He only wished to say that he-and, he was sure, all the members of the House-only desired that that should be done which would be in the true interests of the colony. Sir J. G. WARD (Postmaster-General) might say that Messrs. Spreckels submitted proposals for a five-years contract at the rate of £26,562 per annum. That offer had been considered by the Cabinet, and the Government considered that it exceeded what the colony could afford to pay. The offer was declined ; but the Government finally offered, subject to the approval of the House, \$15,000 a year as a lump sum per annum for three years. The agents desired that a lump sum should be offered for a period of Messrs. Spreckels, through their agent in New Zealand, cabled refusing to entertain that offer, and that was the position of the matter. The Government would, in due course, formulate proposals and submit the whole matter to the House for its consideration. RAILWAY-SERVICE REGULATIONS. Mr. HOGG (Masterton) asked the Minister for Railways, Whether he is satisfied with the existing regulations for the engagement of persons entering the Railway service ; and, if not, when it is proposed to have the regulations amended ? A great many very eligible applicants for positions in the Railway service consisted of young men, but, owing to the extraordinary regulations as to age, the department was unable to take advantage of their services. He thought some change should be made in the regulations. The existing restrictions seemed to operate not only against the youth of the colony, but against the efficiency of the Railway service itself. He had heard from time to time that there was an intention of relaxing these regulations, and he would like to know from the Minister whether there was any prospect of an alteration being made. Sir J. G. WARD (Minister for Railways) said that, should they amend the Classification Act, the matters referred to could then be considered, but unless that Classification Bill came down he would not be able to amend the regulations in the direction suggested. # BALLAST-TRAIN HANDS. Mr. BUDDO (Kaiapoi) asked the Minister for Railways, If he will take into consideration the heavy work of ballast-train hands, and also the amount of lost time entailed by bad weather, and increase the pay of the men to 1s. per hour. Sir J. G. WARD (Minister for Railways) said that the ballast-train hands were paid 7s. per day. They did not lose a great deal of time through bad weather ; and that the wages paid were fair was evidenced by the fact that there were always numerous applicants for this work. ## CHRISTCHURCH-LYTTELTON RAILWAY RATES. Mr. G. J. SMITH asked the Minister for Railways, Whether it is the intention of the Government to abolish the penal rate at present charged on account of the tunnel traffic between Christchurch and Lyttelton, seeing that in the Railways Statement the "abolition

of the charge as for an additional five miles on all traffic passing over the Rimutaka incline" is promised ? The Minister was no doubt quite familiar with the promise made in his Railways Statement, and he would remind him that for years traffic on the railway from Lyttelton to Christchurch had been penalised on account of the tunnel between Lyttelton and Christchurch, the rates charged there being greater per mile than on the railway between Port Chalmers and Dunedin, or Onehunga and Auckland, or Bluff and Invercargill. Now, the cost of the tunnel had been paid for over and over again,

<page:198>

ways equally he would equalise the charges on the line between Lyttelton and Christchurch. Sir J. G. WARD (Minister for Railways) was sorry to say that he was unaware of any penal rate being charged between Lyttelton and Christchurch, and, so far as the present Administration was concerned, they had already reduced the rates on four occasions. If the honourable gentleman referred to the practice that the carriage of ship goods was by measurement, that was the same on all the port lines. He should be very glad, if possible, to see his way to abolish that, and to have the dead-weight system introduced ; but they had not yet arrived at the position when that could be done. They had made general reductions, many reductions, on the products of the settlers, and affecting many other matters on the railways throughout the colony, but unless they could see their way clear to stop these concessions it would be some time before they could apply it to goods over the port lines; but so soon as they were in a position to do that he should be very glad to do it. It would, however, involve a good deal of money, as the change would apply to the Bluff - Invercargill, the Port Chalmers - Dunedin, the Lyttelton-Christchurch, and the Onehunga-Auckland Railways. The honourable gentleman had said that the line between Lyttelton and Christchurch was penalised. That was not so in a strict sense of the term, for it was similar to the other lines to which he had referred. Mr. G. J. SMITH would like to be allowed to explain what he meant by "penalised." If they compared the rate charged on the port lines mentioned with those charged on the Lyttelton-Christchurch, and took into account the distance, it would be found that the Christchurch people were charged a heavier rate per ton per mile. That was the penalising he alluded to, and he would like the Minister to look into the matter. Sir J. G. WARD said he should be very glad to go into the matter, and was always most happy to give relief where possible. # RAILWAY SERVANTS SUPERANNUATION BILL. Mr. LANG (Waikato) asked the Minister for Railways, Whether he intends to proceed with the Government Railway Servants Superannuation Bill this session ? He was aware that similar questions had been asked this session, but the Minister was not then in a position to reply to them for reasons he explained at the time. He hoped he would now be able to say that this Bill was going to be proceeded with. There was no opposition, so far as one could tell from members of the House, and he believed the Minister was in favour of it, so that it was hard to see what stopped the Bill from being brought before the House. The people in the department were particularly anxious for this Bill, and therefore he hoped the Minister would be able to say that he would proceed with it this session. Sir J. G. WARD (Minister for Railways) said Mr. G. J. Smith had asked him concerning this matter that morning, and he had told the deputation that he hoped, with the consent of his colleagues, to be able to circulate the Bill, at all events, so that it might be considered ; but it was doubtful whether they could do more than circulate it this session. It was necessary, as he had stated before, that those immediately concerned should have an opportunity of looking into the matter and examining the whole scheme. If it could be done he would be exceedingly glad to do that, but that was the only answer he could give the honourable member. MUNICIPAL CORPORATIONS ACT. Mr. ELL (Christchurch City) asked the Colonial Secretary, When the regulations which are required before section 176 of " The Municipal Corporations Act, 1900," can be put into operation will be gazetted ? He would point out to the Minister that, under the provisions of section 176 of the Municipal Corporations Act of last session, before the Act could be put into operation, regulations must be made providing conditions under which a petition for amalgamation could be promoted. One

portion of the Act could only be given effect to providing they petitioned in accordance with the regulations, and the regulations had never been issued. Sir J. G. WARD (Colonial Secretary) said the following Gazette notice, which, he thought, bore on the matter, had been published on the 20th June : - "(1.) For the purposes of section 175 of ' The Municipal Corporations Act, 1900,' the term ' district electors,' and for the purposes of section 176 of the same Act the term ' electors,' mean and include all persons who are entitled to vote at the election of a member of any local authority within the area to which those sections respectively relate. "(2.) Clause 34 of the regulations made under . The Municipal Corporations Act. 1900,' and dated the 14th day of January, 1901. shall, with all necessary modifications, be read and construed subject to this regulation." He thought that met the question put by the honourable member. Mr. ELL said he had turned up these regulations and examined them before, but they did not meet the case. Sir J. G. WARD said, If they did not meet the case he would be glad to extend the regulations. Mr. ELL said he had studied the matter carefully, and believed they did not do so. Sir J. G. WARD said he had been advised that they did, but he would be very glad to go into the matter. # MUNICIPALISATION OF PUBLIC SERVICES. Mr. ELL (Christchurch City) asked the Colonial Secretary, If he will have compiled and printed a handbook on local government, giving, in addition to the particulars furnished in the "New Zealand Official Year-book," a concise account of the work done by each local

<page:199>

services as gas, electric lighting, trams, water, et cetera, assistance to or ownership of public libraries, assistance to technical education, et cetera, ownership of land and rent therefrom, and such other information as may prove of interest and be instructive to other local bodies ? Sir J. G. WARD (Colonial Secretary) said he thought that would be a very good thing to do, and would be very glad to have it arranged for. ## LITTLE RIVER AND LINCOLN RAIL- WAY. Mr. RHODES (Ellesmere) asked the Minister for Railways, If he will afford facilities to the residents of Kaituna to establish a creamery in the district by running a daily train between Little River and Lincoln, the directors of the Central Dairy Factory having refused to erect a creamery unless the cream can be sent in daily ? He would like to bring the Minister for Agriculture to his assistance in bringing pressure to bear upon the Minister for Railways in getting him to run a train daily between Little River and Lincoln. The question came under the department of the Minister for Agriculture, inasmuch as he must desire to encourage the establishment of creameries. Without a daily train it was impossible to establish any more creameries on this line. Exception had already been taken by the Inspector under the Minister for Agriculture's department to the cream supplied to the factory by the creameries already established on this line. The cream now supplied was on one day of the week three days old by the time it reached the central factory in Christchurch, and the company had refused to establish any more creameries until the product could be sent into Christchurch daily. An estate had just been cut up at this particular spot-the Kaituna Estate, of some fourteen thousand acres-and the settlers there had promised a supply from over three hundred cows if they could get a creamery, which they could not get without the train. The Railway Department was losing the passengers from Christchurch to Akaroa on three days of the week. They had on those days to travel to Lyttelton, thence by boat to Pigeon Bay, and from Pigeon Bay on by coach ; and all these passengers ought to be travelling to Little River by train. He did not know what would be the cost of running the extra train, but it could not amount to much, as the engine, carriages, et cetera, remained idle at Little River, and the department had merely to use this plant to connect it with the South-bridge train at Lincoln by means of a daily train. There was another point, which more immediately concerned the Minister for Public Works, and it was this : that the line had cost the country very little owing to the fact of a grant of land having been set apart for this line, so that the cost of the line was considerably under \$20,000; but he would like the Minister for Railways, if possible, to take this fact into consideration. As to the Minister for Public Works, he would have something to say later on. Sir J. G. WARD (Minister for Railways) might

state that he already had some information concerning this matter, but he would be glad to take the fresh representations the honourable gentleman had just made, and look into it again and see whether the train services he asked for were wanted. If there was anything to justify it he would be glad to do it. It was entirely a question of whether the traffic would warrant it, and he had, so far, been advised that it did not. # INDUSTRIAL HOME. Mr. WITHEFORD (Auckland City) asked the Government, Whether they will consider the question of carrying out the following suggestion of the Auckland Charitable Aid and Hospital Board, namely, "That great necessity exists for the establishment of a home wherein persons who are inadmissible to the Costley Home by reason of its constitution, and are unable to provide for themselves the necessaries of life from physical or other causes, may be admitted and held under restrictive regulations, and at the same time be required to contribute to their own support by being engaged in some industrial occupation, especially of an agricultural nature " ? Sir J. G. WARD (Colonial Secretary) thought that provision should be made for that object. CAPTAIN JACKSON BARRY'S BOOK. Mr. HORNSBY (Wairarapa) asked the Government, If it is true, as stated in the Evening Post, that the Government has decided to publish the book of Captain Jackson Barry ; and, if so, on what terms? Mr. HALL - JONES (Minister for Public Works) said Captain Jackson Barry was a well-known old colonist, and had already published one book relating to his experiences in this colony. There was no doubt he had a lot of facts and matter in his possession of interest to the colony generally. He had a large number of subscribers for his new publication, which was said to be much superior to the one last issued; but, unfortunately, the old gentleman had been unable, for financial reasons, to make arrangements with a firm of booksellers to undertake the publication of this work, and if suitable arrangements could be made by him by which he would refund the cost of the printing of the work, in all probability it would be undertaken by the Government Printing Department. # DEAF AND DUMB INSTITUTION, SUMNER. Mr. MEREDITH (Ashley) asked the Government, What they have done towards the erection of a new fireproof building to accommodate the inmates of the Deaf and Dumb Institution, Sumner, authority having been given last session by a vote of the House for the purpose ; and, in the event of a fire in the present old wooden buildings, what provision has been made to rescue those helpless children ? This ques-

<page:200>

portunity of asking it sooner. He might state that in December last he visited the Deaf and Dumb Institution at Sumner, situated about eight miles from Christchurch. He found the buildings were old and unsuited for the accommodation of the forty-eight deaf and dumb children who resided in that institution ; one building, known as Beach Glen, containing twenty-six boys, whose ages ran from eight to sixteen. These boys, with one exception, slept on the upper story of the house. On inquiry he ascertained that one female attendant slept on the upper story, also Mr. and Mrs. Buttle. The boys occupied several rooms, and as many as from three to six of these lads were in each room. He wrote to the Minister of Education early in this year, pointing out to him that in the event of a fire breaking out in that building it would be utterly impossible to save the lives of these children. The result of his representations to the Minister was that some additional fire-escapes were provided. He again visited the institution on the 29th June, just before he came up to Wellington to attend the session. He now desired to impress the fact on the Minister, and also on the House, that he was of opinion that, in the event of a fire originating in the building known as Beach Glen-a building which had been erected for about thirty years-it would be utterly impossible, even if men were residing on the premises, to rescue these boys; and even if there were half a dozen men sleeping in the upper story on the place, and if they were to discover the fire immediately after it commenced, even then it would be utterly impossible to rescue the whole of these lads, as they could neither hear nor speak, and each lad would have to be aroused and carried out of the building. They all knew that when a fire broke out in a wooden building it was only a matter of five or six

minutes until the building was gutted. He had had experience in that matter a month or two before he came up to Parliament, and therefore he could speak with some knowledge of the circumstances : and if ordinary persons, in the possession of all their faculties, found it difficult, in the event of a fire, to escape from a wooden building, he thought it was utterly impossible for these children to escape under the circumstances. The girls, to the number of about twenty-two, were kept in another building other than Beach Glen. They slept on the ground floor. There should not be much difficulty in enabling them to escape in case of fire. Still, there would be a difficulty, as it was a very old building. As the question of erecting a new fireproof building had been under the notice of the Minister for some time, his object was to urge that steps should be taken by the Government at once to provide a suitable building for the accommodation of the children. Last session \$2,000 was put on the estimates to enlarge the site, and €1,500 was placed on the estimates for a new building; but when he visited the place on the 29th of June last he found an addition of ten acres to the site had been purchased. Mr. Meredith building was that two stakes had been driven by the Inspector-General, marking the site for a new building, when the Inspector of Schools visited the institution nine months ago. He had no fault to find with Mr. Van Asch and his assistants ; he was a most efficient and competent officer, and his assistants were doing good work, and Mr. and Mrs. Buttle were well qualified for their position. This was a public institution containing some forty - eight deaf and dumb children ; and he hoped the Minister would be able to give him a favourable reply. He might remind the Minister, if the honourable gentleman were not already in possession of the facts, that some twelve years ago Mr. Van Asch was called on by the Government to report on the suitability or otherwise of the present site for new buildings, and he reported against the erection of a new and permanent building on that site, recommending that the institution should be brought nearer to Christchurch, so that the boys might have the advantage of technical training, and of learning trades by means of which they might earn an honest livelihood for themselves. Mr. HALL - JONES (Minister for Public Works) said, Dealing with the latter part of the honourable gentleman's question as to this recommendation from Mr. Van Asch, he had no hesitation in saying that that recommendation could never have been adopted, and any one who knew the site recommended by that gentleman would recognise that it was altogether unsuitable for the purposes of such an institution. There were many advantages in favour of the site at Sumner. Now, the honourable member, if he was there recently, must have noticed that great improvements had taken place as regarded the means of escape in case of fire. Previously the building was rented, but since it had been purchased by the colony great improvements had been made to provide means of escape in case of fire, and there had been but little cause for complaint. In regard to the girls' quarters, the rooms were all on the ground floor, and though formerly the windows were fixed windows, and there were no means of escape except by the doorway, now all these windows were made to open, and all a child would have to do in case of fire was to step out through the window on to the ground outside. Then, in the boys' quarters there were no less than four escapes through different parts of the building, all independent and apart from each other. Then, there was this important fact : that each attendant, both in the case of boys and girls, had only at most three children to look after in the case of a fire. One of the matters which had been carefully attended to at this institution was to provide that each attendant would know what children he had to look after, and the best means of exit, so that the danger was reduced to a minimum. He admitted that some parts of this building were old, but it was only recently that the site had been purchased, and the cost of that site had come to a fairly large sum. Last

<page:201>

building, but it had been found advisable to obtain information from other places as to the best class of building for deaf and dumb children, and the cost of a building to accommodate the whole of the boys and girls. It was found that a complete building would run into a sum of no less than £12,000, and he did not feel justified in entering upon so large a contract with so small a vote without first consulting the House.

When the public works estimates came down further provision would probably be made. At any rate, members would have before them the probable cost of the building, and would know how to deal with the matter. Every precaution had been taken in regard to fire, and he believed the whole system was so perfect that if a fire broke out there the children would stand a better chance of escape than was afforded in probably the majority of private houses in the colony. Mr. MEREDITH understood there was only one female attendant with the master and mistress of the establishment to look after twenty-five boys; and how could the attendants rush upstairs in the case of fire when their retreat might be cut off ? Mr. HALL-JONES said he was told that special arrangements were made so that, in the event of fire breaking out, no one attendant would require to look after more than two or three children. CANTERBURY COLLEGE AND CANTERBURY AGRICULTURAL COLLEGE ACT REGULATIONS. Mr. ELL (Christchurch City) asked the Government, When the necessary amended regulations under "The Canterbury College and Canterbury Agricultural College Act, 1896," as to elections will be gazetted ? The regulations as to the mode of electing the Board of Education were supposed to apply to the election of members of Canterbury College; but the Returning Officer for the time being last year called for nominations under the impression that members of the School Committees still had the right, the amended regulations not having been issued. Mr. HALL-JONES (Minister for Public Works) said this matter was entirely within the control of the Board of Governors. They had power under their special Act to make by-laws to regulate the conduct of elections, and so on. The only thing was that if they passed that by-law it had to be submitted for the approval of the Governor in Council. No such by-law had been submitted for the approval of the Governor in Council, and so far the department were not aware of any new by-law dealing with elections. Mr. ELL said the law stated distinctly that the School Committees should not have a voice in the election of members of the Board of Education ; and the Canterbury College Board of Governors to be elected by School Committees. This seemed to him to be simply bringing the old regulations into operation again. by-laws was regulated, and until they made a by-law they worked under the Act passed some few years ago. # PUBLIC WORKS ACT AMENDMENT BILL. Mr. FIELD (Otaki) asked the Government, Whether they will this session introduce an amending Bill having for its object the alteration of sections 20 and 21 of " The Public Works Act Amendment Act, 1900," in the direction asked by several deputations which have recently waited on the Government on this subject ? He might say shortly that section 20 of the Act provided that in cutting up land all streets laid off should be 66 ft. wide and should be formed, and that the formation should be made before transfers dealing with any subdivisions could be registered. In this case, the operation of the Act in the case of hilly land resulted in impossibilities and absurdities, and rendered the cutting up of the land out of the question. The cost of roading, even if possible, would exceed the value of the land in many cases. Section 21 provided that in the case of subdivision of land fronting a road less than 66 ft. in width the owner of the land should go back 33 ft. from the centre of road, leaving the owner on the other side of the road also to go back 33 ft., thus making a 66 ft. road of it. But these provisions went altogether beyond the intention of the Legislature, and in many cases it proved a great hardship - indeed, a matter of ruinous forfeiture - to landowners, more especially in the City of Wellington, where very few of the streets were 66 ft. wide ; because, in the case of a man cutting up his land and having to allow so much for the road, it often meant that there was very little of his land left. Several deputations he had introduced to the Government had put the case very fully, and shown how urgently the Act needed alteration. He cited a case in Manners Street, Wellington, where a person purchased a property worth over £10,000 in order to cut it up. The land fronted Manners Street, which was half a chain wide, and two narrow side streets of very much less width. The result which the Act would bring about in this case would be to reduce the property to a strip of land 10 ft. wide, and, therefore, valueless. Numerous other cases of a similar nature could be instanced. The Act as it at present stood was inflicting injury and loss on all classes of the community, and he trusted

that the Government would bring in an amending measure. Mr. HALL-JONES (Minister for Public Works) said he had no doubt that there were exceptional cases where there might be some hardship inflicted. Where there were cuttings to be made no doubt there were great disadvantages, and he thought it was right that some provision should be made for such cases. But in all road-formation he thought they must keep in view the necessity of the growth of the colony and of the various centres of the colony, and it was necessary that there should be some reasonable provision against narrow

<page:202>

lington were no use until they were formed and metalled ; and who was to bear the cost of that formation and metalling? In outlying and suburban districts perhaps it was not necessary that they should be metalled for more than a width of 20 ft., and formed for more than a width of 40 ft. ; but where the land was cut up for settlement the cost should be borne by those who owned the land, or otherwise it would have to be borne by the taxpayer. Mr. DEPUTY-SPEAKER said the Minister must not go beyond the limits of the question. Mr. HALL-JONES said that in that case he would say that the whole matter was under consideration, and before the session closed a Bill would be brought down to meet some of the difficulties that had been brought before the Government this session. # INDUSTRIAL CONCILIATION AND ARBITRATION BILL. On the order of the day for the committee of this Bill being called on, Mr. HERRIES (Bay of Plenty) said, I wish to move the following instruction to the Committee: That it be an instruction to the Committee on the Industrial Conciliation and Arbitration Bill to further amend the principal Act in the direction of bringing the Crown and the departments of State, and the workers employed by them, under the provisions of the Act. The reason I move this as an instruction is because last session, when I wished to amend the interpretation of " employer" in the same direction, I was met by an objection that this could only be done by Governor's message, as it was practically an appropriation clause. In order to avoid this, I am moving by way of an instruction to the Committee that they ought to do this. On bringing on the amendment last session, I was met by the Premier with the argument that it was a motion to reduce wages. That was not so ; but I had to put in a proviso that wages could not be increased, because I had to move it in that form in order to conform with the rules of the House. That, however, cannot be said of this instruction. It is a definite instruction that workers under the Crown ought to be included under the Act. This principle was accepted by the House last session by a majority of two, and the Crown was put into the interpretation of " employer." That clause, however, was struck out in another Chamber, and a clause at the end of the Bill, which was then clause 113 and now clause 118, and which was also struck out last session by the Labour Bills Committee, was, when the Bill went through Committee of this House, reinstated in the Bill. This proved that last session the Labour Bills Committee wished to include the Crown under the definition of "employers," and this House wished also to | It is merely an opinion that some such clause include them, and the proposition was only thrown out in the Upper House. In regard to the general contention that workers under the Crown ought to be included in a Bill of this Mr. Hull-Jones arguments against. Mr. SEDDON (Premier) .- I rise to a point of order. When do you rule is the proper time to raise the question that this proposal is not admissible ? Mr. DEPUTY-SPEAKER. - When the honourable member hands in his amendment. Mr. SEDDON .- I rise, then, to a question of order. The proposal is that the Crown should be made parties to the Conciliation and Arbitration Act, and that there should be taken from the Crown its prerogative. The Arbitration Court-and the same applies to Conciliation Boards, probably, but the Court, at all events-has the power of either increasing or reducing wages, and therefore, if the Court was to give an award increasing the rate of pay which had been sanctioned by Parliament, the power is being taken from Parliament and from the Crown and vested in a Court. Whilst I am quite willing to debate the question as a question of policy, I say that any proposal whereby burdens may be placed upon the people can only come down by message from His Excellency the Governor and from the Crown. The honourable member will not

dispute that it might be that the Arbitration Court would give an award to pay in excess of the vote by Parliament, and consequently the power of the Crown and of Parliament is interfered with. The honourable member may argue that he is proposing this simply as an instruction. But it is equal to the House passing a resolution, and a resolution whereby burdens upon the people are involved, and that can only be done by a message from His Excellency. It is a very important question, and I take it that if the instruction were now passed it would be a direction to the Committee, and that when we reach the Committee stage then the same question would be raised as was raised last time ; and if the ruling was that it could not be passed, then we are asked to vote for a nullity at the present stage. But I take it that this is a resolution of the House-that it is a resolution taking from the Crown its right to impose burdens, and that no such power should be given to any one else. This is delegating that power to the Arbitration Court-to an outside tribunal. That is my contention, and I leave it with confidence to the Chair. Mr. HERRIES .- Speaking to the point of order, the Premier's argument is very good, as far as my judgment goes, if it applied to a new clause to be added to the Bill. You, Sir, I think, ruled last session that that would be out of order ; but this is not a new clause, it is simply an instruction, and it can only be regarded as an expression of opinion by the House. If it was a clause, I could quite understand its being ruled out of order, according to your previous ruling ; but this does not propose to make any change or to impose any burdens. ought to be put in the Bill. And, if it is carried, it will be open to any one to move in the same way that I did myself last year, and it would : be perfectly in order for the Crown to bring

<page:203>

I might point out that this is not a money clause ; it does not put any burden on the people. It is only an expression of opinion from the House if it is carried. Mr. PIRANI (Palmerston) .- Speaking to the point of order, I would like to say there is no doubt that the Premier's contention is correct, providing that the instruction does put additional burdens on the people ; but the terms of the clause may be worded in such a way as to prevent that. A clause may be proposed in the Committee, bringing the Government employees under the Industrial Conciliation and Arbitration Act, with a proviso to the effect that it shall not entail any additional burdens on the people. I hold it is a matter for the Chairman of Committees to rule when such a clause is proposed, as to whether it is in order or not. But, as far as the terms of the instruction are concerned, there is surely nothing committing the House to anything. Mr. MASSEY (Franklin) .- Speaking to the point of order. I submit that this is not a definite provision for bringing the departments of State within the scope of the Industrial Conciliation and Arbitration Act. It is merely intended as an expression of opinion on the part of the House, and, if carried, it would then be for the Government to consider the desirability of introducing a clause to give effect to the instruction. There is nothing definite about it. It is nothing more or less than an expression of opinion. and I do not think it comes within the scope of the Standing Order referred to by the Premier. Mr. McNAB (Mataura) .-Speaking to the point of order. it seems to me that the question that is raised by the point of order is this : #cc-zero seeing that if it had been a clause to be inserted in the Bill you would have to require the consent of the Crown ; do you not require the consent of the Crown to move an instruction that requires the putting in of a new clause ? Turning to May on parliamentary practice, page 531. under the heading "Instructions needing recommendation from the Crown," I find this : - " No instruction to a Committee on a Bill can be proposed which would enable the Committee to add provisions to the Bill creating a charge upon the people, unless such instruction receives the recommendation of the Crown." I submit that this comes exactly within the statement made by May-that it enables the Committee to add a provision to the Bill ; and the effect of the provision would be that an outside person, or body, or Court, could create a charge upon the people of this colony, and, that being so, we must have the recommendation of the Crown before it can be moved. Major STEWARD (Waitaki) .- If you turn to Bourinot, which you have beside you, Sir, I think you will find a passage there which, to my mind, bears on this question. At page 537 I find this

:- " An instruction to impose a charge or tax cannot be given unless founded on a resolution of Committee of the Whole." tion does or may impose a charge, then, accord- ing to the rule laid down in Bourinot, it could not be given unless it had first been submitted to a Committee of the Whole. Mr.

DEPUTY-SPEAKER .- I have no diffi- culty whatever in ruling on this point. The authorities are very clear. In May, page 455, it is stated,- " An instruction to make provisions in a Bill which would entail a charge upon the people cannot be put from the Chair unless the re- commendation of the Crown be given to the instruction." The same words are found on page 531 :- "No instruction to a Committee on a Bill can be proposed which would enable the Com- mittee to add provisions to the Bill creating a charge upon the people, unless such instruction receives the recommendation of the Crown." The whole question is this: Does the instruc- tion have the effect, if it is given effect to by the Committee, of imposing burdens upon the people. To my mind there can be no doubt upon that question, because the only object in bringing the Crown under the Concilia- tion and Arbitration Act is to increase the wages of the men who are dissatisfied. There can be no object in bringing the Crown under the Act so that the Crown can reduce the wages, because the Crown already has that power without any Act. I must therefore rule that the honourable member, not having the consent of the Crown, is not entitled to move the instruction. Mr. PIRANI .- I understand the motion for the second reading was agreed to pro forma. Mr. DEPUTY . SPEAKER. - I have before me the Hansard report of the debate on the second reading. Mr. Seddon moved the second reading of the Bill on the 12th July, 1901, on page 333 of Hansard, and the debate was con- tinued down to page 363-that is, thirty pages. of Hansard are occupied with the report of the debate on the second reading. Bill committed. IN COMMITTEE. Clause 1 .- Short Title. Mr. G. J. SMITH (Christchurch City) moved to report progress. Amendment withdrawn. Clause 2 .- " In this Act, if not inconsistent with the context, 'trade-union' means any trade-union registered under ' The Trade Union Act, 1878,' whether registered under that Act before the passing of the principal Act or not." Mr. ATKINSON (Wellington City) moved, That the following words be inserted after " Act," " and the principal Act." Amendment agreed to. Clause 3 .- " Where a company registered out of New Zealand is carrying on business in New Zealand through an agent acting under a power of attorney, such company may be registered as an industrial union of employers, and in such case the provisions of section tive of the principal Act shall be deemed to be complied with if the application to register is made

<page:204>

and is accompanied by- "(1.) Satisfactory evidence of the registration or incorporation of the company ; " (2.) Two copies of its articles of association or rules ; " (3.) The situation of its registered office in New Zealand ; and "(4.) A copy of the power of attorney under which such agent is acting." Mr. SEDDON (Premier) moved to add the following subsection :- "(5.) A statutory declaration that such power of attorney has not been altered or re- voked." Subsection added, and clause agreed to. Clause 9 .- " Section eighty - eight of the principal Act, relating to the application to be made to the Court to extend an award to certain persons, is hereby amended by insert- ing the word "trade-union " next after the words "that section, every," in subsection two thereof. Mr. HERRIES (Bay of Plenty) moved to add the following : "and section ninety-four of the principal Act, subsection six, is hereby amended by inserting the word ' trade-union ' after the words 'industrial union,' wherever they occur in the said subsection." Amendment agreed to. Mr. SEDDON (Premier) moved the follow- ing new clause : - "24. The definition of 'worker' in the principal Act is hereby repealed, and the fol- lowing substituted in lieu thereof : - " Worker " means any persons of any age, of either sex, employed by any employer to do any skilled or unskilled manual or clerical work for hire or reward, but does not extend to any person employed in any agricultural or pastoral pursuit." " Mr. G. J. SMITH (Christchurch City) moved to strike out all words after "reward." Amendment agreed to, and new clause added. Mr. SEDDON (Premier) moved the addition of the following new clauses :- "4A. The notice of the names of the mem- bers and Chairman of the Board shall be in- serted in

the Gazette by the Registrar ; and section forty of the principal Act is hereby amended accordingly. "5A. The oath required by subsection eleven of section fifty-three of the principal Act to be taken by members of the Board may, in the absence of a Judge of the Supreme Court, be taken before a Stipendiary Magistrate or such other person as the Governor from time to time authorises in that behalf." New clauses added. Mr. SEDDON (Premier) moved the addition of the following new clause :- " Any award made prior to the coming into operation of the principal Act shall, notwithstanding the expiration of the currency of such award, continue in force, and shall have been deemed to have been in force until a new award shall have been made under the principal Act, except where, subject to the provisions of subsection two of section twenty of the principal workers bound by such award has been cancelled." New clause added. ' Mr. SEDDON moved the addition of the following new clause :- " With respect to any award made before the coming into operation of the principal Act, the Court may, upon notice to any person, industrial union, or industrial association not an original party thereto, extend such award and its provisions to such person, industrial union, or industrial association." Mr. MASSEY (Franklin) moved the insertion of the following words after "industrial association" : " within the district and engaged in the industry to which the award applies." Amendment agreed to, and new clause added. Mr. SEDDON (Premier) moved the addition of the following new clauses :- "The Registrar may, in any matter arising in or out of the performance of his duties, state a case for the advice and opinion of the Court." "The Board may, in any matter coming before it, state a case for the advice and opinion of the Court." "Where workmen engaged upon different trades are employed in any one business of any particular employer, the Court may make one award applicable to such business, and embracing, as the Court may think fit, the whole or part of the various branches constituting the business of such employer. Before the Court shall exercise such power, notice shall be given to the respective industrial unions of workers engaged in any branch of such business." New clauses added. Mr. CARNCROSS (Taieri) moved the addition of the following new clause :- "Section eighty-six of the principal Act is hereby amended by the insertion of the following additional paragraphs :- ". (4.) The Court may, in any award made by it, limit the operation of such award to any city, town, or district being within or part of any industrial district. "(5.) The Court shall in such case have power, on the application of any employer, industrial union, or industrial association in any industrial district within which the award shall have effect, to extend the provisions of such award (if such award shall have been limited in its operation as aforesaid) to any person, employer, industrial union, or industrial association within such industrial district. "(6.) The Court may, if it thinks fit, limit the operation of any award heretofore made under the principal Act to any particular town, city, or locality in any industrial district in which such award now has effect. " (7.) The limitation or extension referred to in the preceding paragraphs five and six shall be made upon such notice to and application of such parties <page:205>

direct.' " New clause added. Mr. WILLIS moved the addition of the following new clause :- " The provisions of sections thirty - six to thirty - eight, and forty to fifty-one, of the principal Act are hereby repealed, and the following enacted in lieu thereof : " (1.) The members to be elected under section thirty-five of the principal Act shall have jurisdiction to try such industrial disputes as may be referred to them by the Governor. " (2.) The Governor may make regulations providing, on the filing of the dispute, for the election of the members of the Board, such members to be elected by the unions of employers and of workers affected by the industrial dispute." Amendment, by leave, withdrawn. Mr. PIRANI (Palmerston) moved the addition of the following new clause :- "Section fifty of the principal Act is hereby amended by striking out all the words after the word . Conciliators,' in the fourth line, and substituting the words 'shall, on the application of either party to the dispute, and in the prescribed manner, be constituted from time to time to meet any case of industrial dispute.' " New clause read a second time, and added to the Bill. Mr. SEDDON moved the addition of the following new clause :- " 94. Proceedings for

the enforcement of any industrial agreement or award or order of the Court shall be taken by the Inspector of Factories of the district, and it shall not be necessary for a union or association to pass any resolution or take any ballot authorising such proceedings." New clause added. Mr. SEDDON moved the addition of the following new clause :- " 9B. Subsection six of section ninety-four of the principal Act, relating to the enforcement of awards, is hereby amended by inserting the words 'a trade-union or' next after the words ' in the case of,' and also by inserting the words . a trade-union or' next after the words ' if the judgment debtor is.'" New clause added. Mr. HUTCHESON (Wellington City) moved the addition of the following new clause :- " No person in the employ of the Government shall be allowed to appear or be heard before a Board or Court, or be elected a member of a Board or of the Court." The Committee divided on the question, " That the clause be read a second time." AYES, 19. Herries Symes Atkinson Thomson, J. W. Lethbridge Bennet Bollard Willis. Massey Mackenzie, T. Fowlds Tellers. Rhodes Fraser, W. Russell, G. W. Hutcheson Hardy Smith, G. J. Pirani. Heke Allen, E. G. Flatman McNab Fraser, A. L. D. Millar Arnold Mills Barclay Guinness Hall Palmer Buddo Seddon Carncross Hall-Jones Hornsby Carroll Stevens Collins Kaihau Tanner Colvin Laurensen Ward. Duncan Lawry Tellers. Ell O'Meara McGowan Field Mckenzie, R. Wilford. Majority against, 13. New clause negatived. Mr. WILLIS (Wanganui) moved the following new clause :- " Either party to an industrial dispute which has been referred to a Board of Conciliation may file with the Clerk an application in writing requiring the dispute to be referred to the Court of Arbitration, and that Court shall have jurisdiction to settle and determine such dispute in the same manner as if such dispute had been referred to the Court under the provisions of section fifty-eight of the principal Act." The Committee divided on the question, "That the clause be read a second time." AYES, 30. Allen, E. G. O'Meara Hardy Pirani Atkinson Heke Herries Rhodes Bollard Russell, G. W. Buddo Hornsby Smith, G. J. Colvin Hutcheson Kaihau Flatman Symes Wilford. Lethbridge Fowlds Fraser, A. L. D. Mackenzie, T. Tellers. Mckenzie, R. Fraser, W. Massey Willis. McNab Guinness Hall NOES, 18. Laurensen Barclay Stevens Carroll Lawry Tanner McGowan Collins Ward. Millar Tellers. Duncan Mills Arnold Ell Field Seddon Carncross. Hall-Jones Majority for, 12. Motion agreed to, and new clause added. Mr. FIELD (Otaki) explained that he had voted in error with the " Noes." Bill reported. Amendments agreed to. On the question, That the Bill be read a third time, Mr. HERRIES (Bay of Plenty) said, I understood while the Bill was in Committee that the Premier had given a promise that the third reading should not be taken to-night ; also, that the consideration of the amendments should be postponed till the Bill had been printed again. This is an important point, and I understood the Premier agreed to it. I am sure honourable members, when they see the amendments in cold blood, will see that they want some further amendments, and I am satisfied the amend-

<page:206>

instance, the amendment moved by the honourable member for the Taieri does not tally with the rest of the clause - namely, 86 .- to which it is added ; and there may be other misfits. At the beginning of the proceedings I intended to move an instruction to the Committee to the effect that the Bill should apply to all workers The Premier was employed by the Crown. frightened to go to a division, and objected to my instruction, and you, Sir, I presume quite rightly, ruled it out of order. The Premier, when any one moves that the Crown should be put into the Bill, rises, or gets some one to rise, to a point of order to prevent the House discussing the question. It always seems to me- Mr. SEDDON. - I ask your ruling, Sir, as to whether a question which has been ruled out of order can be referred to again ? Mr. DEPUTY-SPEAKER .- The honourable member is not in order in referring to a motion that has been ruled out of order. Mr. HERRIES. - The Premier also objects to anything about the Crown being put into the Bill, and, after the way he has allowed his Bill to be pulled to pieces this evening I do not wonder at his not allowing any discussion on that subject. I think, if I had been allowed to move it, it would have been carried by an overwhelming majority. As I was not allowed to proceed further at the time, I would like now to say something

about the Crown being put in . the Act as an employer. I never can see any reason why the Act should not apply to workers under the Crown. We have had it extolled all over the civilised world that this Act prevents strikes, and that it is one of the greatest suc- cesses of the labour legislation that this Govern- ment has introduced. Only the other day, when a cable was sent Home by some correspondents here with regard to the bad working of the Act, the Agent-General was immediately set to work to contradict this, and to point out that the Act was the greatest success possible. If it is the greatest success possible, why not apply it to the largest employers of labour in the colony -- namely, the Government ? If it is such a success as the Government organs lead us to believe, why should the Government hesitate to apply it to their own case? I may say here that I believe in the Act ; I believe in the prin- ciple of it, and I believe it has done good work, only the administration in some cases has been a failure, although not quite so great a failure as some of the Government supporters seem to think. But I have no objection to the principle of the Act, and that is why I want to apply it to all the workers in the colony. If it is a good thing for certain workers, why is it not a good thing for all workers, and why should not every one come in for the benefits of it? We admit it gives a benefit, and we pose to all the world as having given this benefit ; but to our own men we will not allow that benefit that every private individual is obliged to allow to his employées. I say the position of the Go- vernment is absolutely untenable. Sir J. G. WARD. - The Government em- ployés are provided for by statute. Mr. Herries Government departments - the Railways and Post Office - are controlled by Classification Acts, but would they not be better controlled by the Conciliation and Arbitration Act ? Much, no doubt, will be said about the recent poll of the railway officials. Suppose the Union Shipping Company, for instance, had taken a poll of their employes, whether they would come under the Arbitration Act or not, and the men had voted in the negative, would there not have been a storm of objection from some of the democrats at one time in this House, and would they not have at once said that the masters had put coercion on the men, who dared not express their own opinions? And here is the Government, as an employer of labour, calling for a vote on that question, and I do not believe that half the men voted. Sir J. G. WARD. - Yes, they did Mr. HERRIES .- There was only a small proportion of the railway servants who voted on that occasion. Of course, if it had been a private employer the Government would have said they had had an intimation as to how to vote. This vote was taken of a portion of one department ; but what about the other Go- vernment workers in the colony ? What about the Printing Office? What about the thousand- and-one labourers who are drawing wages from the Government ? And, Sir, we have strikes in this colony. Strikes are not dead. And where, Sir, do the strikes occur ? They occur among the Government labourers. We had a 3.0. strike of our own among the co-opera- tive labourers when building the parliamentary library, and at Karangahake, and when the Government ship "Countess of Ranfurly " arrived at the Cook Islands the other day the seamen all went on strike and a fresh crew had to be got. An Hon. MEMBER .-- Not Government em- ployés. Mr. HERRIES .- Well, then, they ought to have been under the Conciliation and Arbitra- tion Act. The Cook Islands are part of the colony, for that is one of our glorious annexa- tions, and the benefits of the Conciliation and Arbitration Act extend to the Cook Islands as well as to other parts of this colony. There is another point I wish to draw honourable mem- bers' attention to, and that is, by the Speech from the Throne the Government are about to enter into competition with private individuals. They are to own coal-mines and to own ships, and they are going to trade with other parts of the world. Are not the labourers in those coal- mines and the seamen in those ships to be subject to the Conciliation and Arbitration Act ? I ask, Is that right? Is it right for the Government to compete with private indi- viduals, and yet not to be subject to the same laws and regulations as those private indi- viduals ? And, again, I ask this : Taking the aims of the unions, I do not think it will be dis- puted that the effect of the unionist policy will always be to have the best men working for the employers. What is generally happening where awards are given and wages are fixed ?

<page:207>

the unfit are cast out, and the best men are employed by the employer. Well, then, what will happen now wherever any industry comes under the Arbitration Act ? We shall find that only the best men are employed in it. Where, then, are the unfit, the aged, and the feeble to go ? They will gradually go to the Government for employment. Is that a proper state of things ? Is it a right state of things that the Government service should eventually be manned by those who are cast out of private employment ? An Hon MEMBER .- Would you have them poleaxed ? Mr. HERRIES .- No; I would have some- thing done for them. I quite agree with that. An Hon. MEMBER. - With their being pole- axed ? Mr. HERRIES .- No ; of course not. I agree that some steps should be taken to assist them, and the old-age pension is a step in that direc- tion. This question of the aged and infirm has generally been admitted to be one fault of the industrial legislation as it is at present. I say they ought not to be foisted into the active departments of the Government in that way. The working departments of the Government should have the best men employed. as well as private individuals. If aid is to be given to the aged and infirm, as no doubt it should be, that should be done in a separate way. They should not be employed in Working departments of the Government ser- vice unless they are giving the best value for their wages, otherwise it ought to be admitted frankly that a great part of the Government service is in the direction of charitable aid. If the employés were put under the Conciliation and Arbitration Act we should find out more about the circumstances of the Government employés than we know now. Cases would be brought before the Court, evidence would be heard, and the representatives of the people would understand more of the way the Govern- ment servants are treated than they do at pre- sent, when everything is concealed from them. Now, why do not the Government allow their employés to come under that Act ? That we cannot find out. No arguments have been ever advanced by the Government against the Con- ciliation and Arbitration Act. They cannot advance such arguments, because to do so would condemn their own legislation. But the argument that some of us think must always weigh with them is that by having them under their control they are able to in- fluence them whenever they want to. That is what seems to us to be the reason for the Go- vernment always steadfastly refusing to give them the advantages of the Industrial Con- ciliation and Arbitration Act. It always seems to me that, if the Act is good for private individuals, therefore it ought to be equally good for the Government, and equally good also for the Government employés. I should like to have heard, if I had been able to move my instruction, the arguments that would have been used by honourable gentlemen on ments, surely, to bring forward for so steadily refusing to allow the Government employés to come in, and for steadily blocking any motion to that effect. If I can only succeed in eliciting some arguments from either of the two honourable gentlemen who are now filling the Ministerial benches I shall feel that I have not spoken in vain. It astonished me to-night in Committee to see many professed Liberals sitting on the Government side of the House who have been voting steadily for this Act when they thought it only applied to other people, but when it dawned upon their intelli- gence that it applied to the farmers and agri- culturists of the colony, as the Act of 1900 certainly does, they got up in alarm and said it would never do to subject the agriculturists of the colony to the friction that now exists wherever the Industrial Conciliation and Arbi- tration Act is in force. Mr. PIRANI .- Or the domestic servants. Mr. HERRIES .- Yes ; or domestic servants. Now, I have noticed the continual use of that word " friction " during the debate in Com- mittee, especially used by Government sup- porters. I always understood that the object of the Act was to avoid friction, that it was to put oil on the wheels of industry, and that, therefore, they would roll smoothly ; but in the course of the debate that has taken place this evening we have heard a good deal of this friction which is said to exist. Then, if there is this friction, surely the Act must want something to make the wheels go round. And, Sir, I hope that the Bill we are passing to-night is in this direction, though I must say that the amend- ments have been put in so fast, and we have had so little time to consider them, that I rather doubt whether it will

have the effect that the right honourable gentleman hopes it will have. The right honourable gentleman's attitude in Committee has been so peculiar, first opposing then agreeing to amendments, that I doubted whether he knew what he was doing ; and, with regard to the last amendment put on, the Premier strongly opposed but was beaten, which it must have been a rather bitter pill for him to swallow, and I should not be surprised to see the Upper House invoked to alter that. I shall not detain the House any longer. If I can elicit some explanation from Ministers why the employés of the Crown are not brought under this Act I shall feel that I have not spoken in vain. Sir J. G. WARD (Minister for Railways) .-- The speech of the honourable member, I think, is a very extraordinary one. During the course of the honourable gentleman's remarks he professed that he was a friend of the Industrial Conciliation and Arbitration Act, and yet the utterances to which he gave expression showed clearly that he was an enemy in disguise to the system of which he professed to be an upholder. The honourable gentleman, right throughout the whole course of his speech, was condemning in the strongest possible form a system which, it has generally been admitted, has prevented a great deal of industrial strife, and, conse-
<page:208>

the employers and the employés of the country. An Hon. MEMBER .- Then, why do not the Government bring their own employés under it ? Sir J. G. WARD .- I will deal with that presently. The honourable gentleman professed to be very anxious to elicit the reasons why this system was not extended to the Government departments, and, in apparent justification of the views he holds, he cites the Karangahake strike. Now, he is either misled himself, or he was trying to mislead the House and the country in referring to that in connection with the Industrial Conciliation and Arbitration Act. The Karangahake works were carried out under the co-operative system, and at the end of the month the price per foot at which the work was being done was found to be insufficient to give the men what they believed to be an adequate wage ; and they were perfectly right to make strong representations in the direction they did in order to have the rate per foot increased ; and that rate being too low it was increased. The Karangahake men were not Government employés in the general sense of the term, and, if their reasonable representations were not listened to, then they were clearly justified in taking the course they did. To attempt to use that, however, as an argument that the Government employés ought to be brought under this system is very extraordinary indeed. Why are not the Government employés under the operation of the Act ? I will endeavour to point out to honourable members the difference between the employés of the State and of private individuals. Whenever there is a difference of opinion between private employers and employés the dispute is sent to the Conciliation Board, and, if no settlement is arrived at, then to the Arbitration Court ; but with State employés, who fixes what is to be paid ? Parliament. I say Parliament fixes what is to be paid, under statute, and to talk about creating a power greater than Parliament itself would be a very extraordinary and, indeed, an impossible position of affairs. The employés of the Railway and Postal Departments, for example, are generally satisfied throughout the country. Many, of course, would like an increase in wages - that is but natural. If the State employés are underpaid they can appeal for redress to Parliament ; but when men are employed by private individuals they are completely outside Parliament, and they have no redress except through the Industrial Conciliation and Arbitration Act, and, therefore, the difference between private and State employés is as great as that between daylight and dark ; and many of those who advocate that Government employés should be brought under the Conciliation Act do so in the hope that it will break the system down. It would create intense dissatisfaction in some of the most important departments in New Zealand if we were to force the hands to come under the Conciliation and Arbitration Act. In regard to the railway employés, for instance, a short time ago a vote was taken in one important branch Sir J. G. Ward employes in the railway workshops only. It was not of the whole department. The executive officer representing the Amalgamated Railway Society of the colony made strong representations against employés outside the workshops

being included in that vote at all, unless with their consent, and, as they made no request of the kind, the clear inference is that the employés of the several branches were satisfied. Had they not been satisfied they would have made representations to the Minister for Railways and asked that the vote be taken of the whole service. But they did nothing of the kind, and my own opinion is that they are better to be governed by a Classification Act. If there was anything unfair attempted to be done under that Act they can and would make their representations to Parliament. If their grievances were at all reasonable they would be listened to, and redress would follow. And what about the branch of the railway employés that did vote -- the railway workshops employés. They nearly all voted : in fact there was as full a vote as it was possible to get of the employés who had been over twelve months in the workshops, and members know that by an overwhelming majority they decided against coming under the Arbitration Act. There is no analogy whatever in such a case as that referred to of the Union Company. State employés are quite unlike the case of the Union Company mentioned by the honourable member. If the wages of the employés of the Union Company were fixed by statute, and that company were to endeavour to force their employés to come under some other system whereby their salaries or wages would be fixed, there would for certain have been an outcry amongst the employés of the company and also from every right-minded man in the colony. The employés of the Union Company cannot appeal to Parliament, but Parliament has found a substitute in the Conciliation Board and Arbitration Court, and the employés can go there for redress. What is asked by the honourable member is that all State employés should not have the right to say "We are content with the Parliament of the country fixing our wages or salaries, and with the representatives of the people to appeal to in the case of injustice being done, and with the Government to make representations to if we desire." The honourable gentleman suggests that all the legislation now governing their services should be swept away, and they should be forced to come under the Conciliation and Arbitration Act. It would be a grossly unfair and improper thing to do, and it would be placing a Court of this colony over the head of Parliament and the country, and I, for one, am strongly averse to that. Now, Sir, the honourable member said that the aims of the union were to keep their best men employed, and that consequently the old, and infirm, and unfit -that was his own term-would be the only men who could be employed by the Government. The honourable member could not have made that statement seriously. Does he mean to tell me that under existing conditions the employés of the

<page:209>

tion Act-I mean casual workers, co-operative workers, and so on-that they are old, infirm, and unfit ? He said that the aims of the union were that the best men were to be employed, and that the old, infirm, and unfit would be shut out and would have to be employed by the Government. An Hon. MEMBER .- He said that the only employment they could get would be from the Government. Sir J. G. WARD .- I am quite willing to take that statement, though that is not the one he made. It amounts to the same thing, and there is no other conclusion that one could come to but that the men whom he terms old, infirm, and unfit, are to be cast on the world by the unions, and told to earn their own living as best they can. But I am sure he would not seriously contend that, in consequence of age and infirmity, nothing in the shape of State employment should be given them to enable them to keep themselves and their families. That would not be a fair view to take of the casual and co-operative workers of this country, who are quite able to do their work. The very essence of the co-operative system is that the weak are employed, and are paid by results. What was done in the northern part of the colony in the case of the Waihi dispute? An effort was made by the company to employ only strong men and to reject the infirm and the weak. What was done by both employers and the miners' union there ? They came reasonably and rightly to a decision that respecting those who, from age or infirmity, could not give a fair day's work, there should be an arrangement come to between the miners' union and the employers, that a wage should be fixed for the men who were not capable of doing as much work as when they were in the full strength of manhood,

and I think it was mutually agreed to pay them 5s. a day. That is a right thing, surely ; and if that has already been done under the Conciliation and Arbitration Act, such men are surely provided for by the unions, and they are not driven out to earn their living elsewhere. If the object of unions was to prevent the less fit of the workers from earning a living, I should be exceedingly sorry to know that any member of this House or any people in this country would uphold and support views of that kind. Provision for the weak and infirm has ever been necessary ; it is so to-day, and will be for all time. Then, the honourable member asked another question. He asked, "What was the reason the Government employés did not ask to come under the Conciliation and Arbitration Act?" and he answered it himself. He said it was because the Government brought influence to bear upon them, and let them know that they did not want their employés to come under the Act. Now, in this country there are, speaking from memory, some 11,000 or 12,000 employés in the public service. Does the honourable member seriously suggest that the reason he assigns why they should be brought under the Conciliation and Arbitration Act VOL. CXIX .- 13. the Government that does not want them to come under the Act, because the Government wishes to influence them, and is able to influence them, at elections, when they are wanted. Amongst the 11,000 or 12,000 men in the Government employ there are many who are just as intelligent, just as independent, and just as capable in every respect of forming their own judgment as the honourable member, and probably some of them more so ; and to suggest, in connection with a Bill such as this, that they are influenced by sordid and unworthy motives is nothing more nor less than an insult. The reason given is a gross reflection upon a large body of men, and also an unmerited reflection upon the Administration that the circumstances do not justify. I ask the honourable gentleman what can he expect to be the result of such a statement as he has made? Surely he must have made it thoughtlessly, and cannot realise its effect upon a large body of men. There are a great many of those men who have not been favourable to, or supporters of, the Government, but I venture to say that when they read that such reflections have been levelled against them by a leading member of the House opposite, they will seriously consider whether they can support a party whose leading men give expression to views of that kind; at any rate, I feel sure they will resent his making such sweeping reflections upon men who do not deserve such treatment. The suggestion is that they are influenced by unworthy motives, and are thereby influenced by the Government to stand outside of the operations of the Conciliation and Arbitration Act. Such an innuendo is a very serious reflection upon an intelligent, independent, and respectable body of men, and therefore I think it is my duty to refer to it. The honourable member expressed astonishment at seeing Liberals get up, he said, in alarm at what he termed the friction that exists wherever the Conciliation and Arbitration Act was in force. I think every member of the House who takes a right view, or endeavours to form an unbiassed judgment to the best of his ability, upon any difficulties that may have arisen in connection with the working of the Conciliation and Arbitration Act, must admit that the working of that Act has been most beneficial, and has done incalculable good to the colony; and though a member may, as the honourable gentleman did, take exception to that legislation, reformers throughout the civilised world applaud this country for having placed it upon the statute-book. Well, I say it is a measure that has done an immense amount of good, and that it is not to be wondered at that some friction has arisen in carrying it out. But is the whole system to be condemned because some people say that the composition of the Boards has not given satisfaction to the public at large? I say the men complained of have had a difficult and a thankless task to fill. But even if the strictures passed on the working of the Boards were correct, I ask is the whole system to be condemned because of the alleged want of judg-

<page:210>

the part of one or two of the Boards ? Why, if you are going to carry that reasoning out, and if we were to attempt to repeal the conciliation and arbitration laws, I venture to affirm that even the most prejudiced employers, who have felt at times when friction had taken place that the system was not being carried out

in a way that was satisfactory to them, would not for a moment countenance the repealing of those laws. I venture to say, in fact, that if any one in authority talked seriously of repealing the conciliation and arbitration laws of the country and that we should revert to the less satisfactory system of strikes that formerly prevailed, he would find that the employers themselves would rise in alarm and ask that it should not be done. Numbers of these employers felt that they were not safe before the Conciliation Board and Arbitration Court were set up. There has since then, at all events, been a general prosperity amongst the commercial, industrial, and agricultural worlds, and I think very few people in New Zealand will gainsay the fact that it is only right the employés should participate in the prosperity which has been going on in the time to which I have referred. If times of severe depression arose, the workers would for certain feel it, and are they to be deprived of their fair and just share of the good times ? I say no fair man could honestly advocate anything of the kind. Then, the honourable member again raised the question of the agriculturists, and that appears to be a string which some members in the House are anxious to play upon, in the belief that they are going to hoodwink a very large section of the community in connection with the labour laws of the country. Now if the matter is looked at from a common-sense standpoint, it is only reasonable that every section of the community should take such action as they believe to be best and most conducive to the progress and welfare of their individual interests ; and it is very gratifying, therefore, to see that the farmers of the country are combining with a view to the preservation of their own interests, and seeing to the welfare of the highly important industry in which they are engaged. No one can blame them for that ; on the contrary, they are to be commended for it. They should have done it long ago. But when we have it from the honourable gentleman that, because one or two members on this side of the House have expressed themselves to the effect that friction has existed in the administration of the conciliation and arbitration laws, we are not going to sit here and accept that sort of statement as implying that something unfair or improper has been done by the Government as regards a very large section of the community, namely, the agriculturists. We have not done anything of the kind. It was originally believed that the Workers' Compensation for Accidents Act did not affect the portion of the community engaged in agricultural and pastoral pursuits, because the Premier has given expression to that opinion on more than one occasion. We are not, Sir J. G. Ward on this side of the House are in alarm at the action or the working of the Conciliation Boards and Arbitration Court, or that some particular law has worked against that section of the community. If there are any grievances to be redressed for the agricultural portion of the community, and doubtless there are, then the members on this side of the House are prepared to find out their difficulties, and remove them if they exist; but we are not going to be deterred from what we believe to be essential legislation in the interests of the workers of the country by any such statement as that thrown across the floor of the House. I say we have to do what is fair and right to all classes, and I, for one, am prepared to do so. I believe the House, in a state of frenzy, has gone too far in some directions in its amendment of the Conciliation and Arbitration Act, though I recognise that majorities must rule. Sir, I had no intention of speaking, but I rose merely for the purpose of doing that which the honourable member invited the Government to do—namely, to show reasons why in the past the State employés have not been brought under the operation of the Act. Personally, I believe they are better off than they would be if they were brought under the Act. The State, and the State alone, is their employer, and there is no other person in the colony who can compare or compete with the State. There is no comparison which they can make as between the State and private individuals to extend the rates of wages or salaries ; there is no comparison whatever between the State and the individual employer, and I presume it will ever be the duty of the State to do what is fair towards its servants ; and the Government that did not do what was fair and right would soon find that they could no longer hold office, and another Administration would be put in their place that would do so. At this very late hour I do not wish to say anything more. Personally, I should have preferred to have seen the third reading of the Bill

passed without debate, but in view of the part taken up by the honourable gentleman in making an un-called-for attack upon the Government in connection with the Act, I could not do other than rise in my place and put on record, as briefly as I could, my views on the matter. Mr. PIRANI (Palmerston) .- I hardly think the Minister for Railways has treated the member for the Bay of Plenty with his usual fairness. The member for the Bay of Plenty did not imply that the employés of the Government were aged, infirm, or unfit. The honourable member's argument was that one of the drawbacks of the legislation in connection with conciliation and arbitration was that it had a tendency to drive out of the ranks of the employés the aged, the unfit, and the infirm. The member for the Bay of Plenty was asking where these men would find employment if they could not find it in the ordinary ranks of industry, except from the Government of the colony ; but to say that by this argument he intended to imply that the men in Government employment were infirm, aged, and unfit was

<page:211>

thought the Minister for Railways would attempt. We had a statement from the Minister to-night which is new to me, and that was that the recent poll of the railway employes consisted of the votes of the men in the workshops. I hardly think that is the case. I was under the impression that it was intended to be a poll of the whole service, and that was the impression in the country ; I am glad it was not so. I have seen statements published that if the railway employes were brought under the Conciliation and Arbitration Act, they would lose their privileges in regard to cheap travelling, holidays, payment for sick-leave, and other privileges that they receive under Government employment ; and I know instances where the idea of losing such privileges has caused employés to come to the conclusion that they would prefer to remain as they are. This argument to a very great extent influenced the votes. And then, again, there is another point: The honourable member objects to it being said that the wishes of the Government would influence the votes of men who are employed in the railway workshops. I do not know much about the workshops in any other place than Petone, but many of the employés in the workshops there, and I say that there are no handier men in the colony at election time than a large number of those men ; and if they acted in the same way against the Government during election times as many of them acted for the Government during the last election in Wellington, there would be a great many vacancies in the railway workshops. I do not say the present Minister attempts to influence them. They have not had any one who tries to be fairer to them than the honourable gentleman ; but influence may be brought to bear in an indirect way, and they may have been led to believe that it was the wish of the Government that they should vote and work in a certain way. But I rose more for the purpose of expressing my surprise at the objection of the Premier to the member for the Bay of Plenty moving his instruction to-night. An amendment in agreement with that instruction, last session, was carried by twenty-five to twenty-three, and incorporated in this very Bill; yet we were told to-night that the instruction could not be moved, and the Premier rose to a point of order to prevent the House doing what they did last year. I cannot understand one attitude being adopted one year and exactly the opposite the next year. I suppose the Premier thinks we do not remember what took place in the House twelve months ago. Another point in connection with the measure - and I am led to speak of it because of what the Premier said during the passage of the Bill in Committee - is that he uttered a sort of half warning that it was possible that another Chamber would strike out of the Bill certain provisions we have included in it during its passage through Committee in regard to Conciliation Boards, and decisions which the Premier himself agreed to. Now, if the Premier said on this subject, I say this to him : that if any attempt is made by another branch of the Legislature to alter the Bill in the direction of reverting back to the old system of Conciliation Boards, there will be very little hope of it passing this House. The last vote given in Committee in regard to the Conciliation Boards is an exact reflex of the opinion of the country from one end to the other ; and that is that, with the exception of one or two instances, the Conciliation Boards have been

a failure, and that employers and employés should have the right to go direct to the Arbitration Court. If any attempt is made to prevent that becoming the law, I am sure there will be very little hope of the measure going on the statute-book this session. Mr. McNAB (Mataura) .- The last honourable member made a very strong point to the effect that a certain amendment, moved as an instruction to the Committee this evening, had been moved in the Arbitration measure last session, and that no exception was then taken. Mr. PIRANI .- No, I did not. The Premier did take exception to it; but the Chairman ruled it was in order. My statement was, that the clause which would go with the instruction moved by the member for the Bay of Plenty, was moved in Committee last year, and was carried. Mr. McNAB .- Now we have it: that the clause which would correspond with the instruction moved to night was moved in Committee last year and carried. Now, I will read the clause :- "Mr. HERRIES (Bay of Plenty) moved the addition of the following words to amend the definition of 'employer': 'and shall include the Crown and every department of the Government of New Zealand: Provided that the appropriations to the service of Her Majesty shall not be increased by any award under this Act.'" The main provision of that clause-the proviso- would have removed the difficulty which was raised with regard to the instruction to-night, and the honourable member made no reference to the fact that there was included in that a proviso which did away with the difficulty that prevented the instruction being moved this evening. Mr. PIRANI .- I mentioned that on the point of order. Mr. McNAB .- I wish the honourable gentleman would not interrupt. I took care to get him to repeat it before I made my statement, and he has repeated it; and he has failed to make any mention whatever of the proviso, which was the real point at issue. Now, with regard to the question of whether the Railway servants, or any people in the Government service, should come under the Conciliation and Arbitration Act, I am one of those who believe that the Government servants should not come under the Act, and one of the reasons I have for that belief is this: that the Railway service, as the Telegraph service, is a monopoly of the Government. There are no other employers

<page:212>

of, perhaps, the Manawatu Railway Company. We have to deal with this class of labour-with the whole of this class of labour in the colony. Now, where there is one employer, and that employer the State, what reason can there be for interference? The reason the State, by the Court, interferes in connection with the employment of labour generally is that we have to deal with private employers-that is, that we have to deal with other parties-and that we can only deal with them in this House by legislation. We give our power, by statute, to a Court to deal with employers; but when we come to deal with the State as an employer there is a direct relationship. The employés of the State are the employés of the people of New Zealand, and the Parliament of New Zealand is the Court or the governing body which acts on behalf of the people of this colony; and if we were to set up a Court to regulate the wages of the employés of the State, that would be to put ourselves in the position of being second to that which we would occupy by ourselves forming the Court, because the Court which would have to decide the question would be the creation of Parliament itself, and would to that extent be subordinate to this Parliament. We are above the Court we could set up, and, I say, so long as we are dealing with the State employés, the Parliament of the country ought to deal directly with them; but when we are dealing with the employés of private individuals the only way we can carry out our functions with regard to them is by legislating, either directly fixing what their wages are to be, or by appointing a Court to control their wages, and the Conciliation and Arbitration Court does that. I fail to see how it can be argued that we are acting inconsistently in not including the employés of the Government in the Act. I would have liked to deal with other aspects of this important question, but as it is now nearly four o'clock in the morning, and some other members wish to speak, I do not intend to take up any longer time. Mr. PIRANI .- As a matter of personal explanation, I wish to state that I did not, at this late hour of the morning, want to elaborate to any great extent the question of right of the member for the Bay of Plenty to move the instruction to the Committee, because

I spoke on the point of order, and I put the aspect of the case as I saw it fully then. If the honourable member will take the trouble to look at my Hansard proof he will see that I there mentioned that it was in order to move the instruction with a proviso to the same effect as last year, and if he will look at the instruction he will see that it is an instruction merely to amend the principal Act in the direction of bringing in the Crown; but it does not say bringing the Crown under the Arbitration Act without qualification, and I maintain I was perfectly fair to the Minister in saying that the amendment which could have been brought in under this instruction was brought in last year. Mr. McNAB (Mataura) .- As further explanation, I may say that when I referred to the Mr. McNab I referred to the remarks which he made immediately preceding my own remarks. I did not refer at all to his statement of the point of order which had been decided earlier in the evening. I referred to that statement which he made, and it will be found in his reported remarks in Hansard, which must have been delivered about two minutes before I spoke, and in which he made no reference to the proviso. Mr. ELL (Christchurch City) .- Sir, with regard to the statement made by the honourable member for Mataura, that the financial condition of the railway servants could be improved at any time at the will of this House by the representatives of the people, it is well known by this House there is a barrier which I should imagine, from the long experience of the honourable gentleman in this House, he must be aware of, and this should have convinced him that there is a power above this House, and shown him that it is impossible to do what he suggested. An Hon. MEMBER .- We passed a resolution this session. Mr. ELL .- Precisely ; the honourable member knows that as well as I do. Why, we could not increase even the wages of the messengers of this House by one sixpence without the consent of the representative of the Crown. Sir J. G. WARD .- Hear, hear ; quite right, too. The Crown being responsible must consent to any and all increases. Mr. ELL .- I am merely mentioning what is a fact-that is all. Now, with regard to the vote that was taken by the railway servants, the honourable member for Palmerston, I think, has hit the nail on the head when he stated that he considered the result of the vote was largely due to the fact that the railway servants voting on the question did so under the impression that if they came under the Industrial Conciliation and Arbitration Act they would have to yield up privileges which they now have. Sir J. G. WARD .- They believe they are far better off as they are. Mr. ELL .- Well, that is not according to the statements I have heard from the railway servants. At any rate, looking at the conditions under which the vote was taken, the Government are not responsible, the Minister is not responsible, nor are his officers responsible in any way for influencing the vote of the railway servants. But an officer of the Railway Society-this I know of my own personal knowledge-went round influencing the opinions of the railway servants throughout the whole of New Zealand, and warning them against coming under the provisions of the Industrial Conciliation and Arbitration Act, because he said if they did so they would lose privileges which they now enjoyed ; and that had an effect, I firmly believe, in influencing the men to give their votes in the direction they did give them. I cannot speak for Dunedin, or Wellington, or Auckland ; I can only speak of the knowledge I gained through coming into contact personally with

<page:213>

The impression on my mind was that they desired to come under the Act, for this reason : they stated that they had been unable to secure from the department an increase of their wages to bring them in proportion with what they would receive outside; they had not been able to secure that which would have put them on the same footing as those in private employment. For many years past the Trades and Labour Conference have carried a resolution that the Act should have general application, and those employed in the Railway service have never raised any objection to what they urged. There is one other point I would like to refer to. The Minister, in giving an account of the vote taken-I may be mistaken, but the impression left on my mind was that the vote was taken amongst all those employed in the service. Sir J. G. WARD .- The statement made by me is strictly in accordance with facts. The vote was taken in

the workshops only. Mr. SEDDON .- I am in a position to congratulate the House on this occasion. I think our time has been well spent, and I am sorry that some of the speeches we had on the Bill in Committee were not reported, because I am sure they would have given to the world a general explanation of the labour laws, and would have met to a great extent the objections that are raised against their working. The member for the Bay of Plenty was determined to have something to say on the third reading of the Bill. He spoke of my not having given an opinion upon the amendment bringing the Government service under the operation of the Act. Well, Sir. I cannot understand myself the honourable member's weakness in respect to this matter. He desired to have my opinion and the opinion of my colleagues upon it, and said he would be quite satisfied if he got that opinion. Why should he desire to place members of the House in an unconstitutional position, and a position which would be contrary to the wishes of the people of the country ? I have heard the honourable member, and other honourable members, claim that the power of the purse was with them; and then in the next breath we find the honourable gentleman wishing to take away from honourable members the power of the purse, and to hand that over to the Conciliation Boards or to the Arbitration Court. I cannot understand the honourable gentleman claiming the privilege, and then wanting to divest himself of that very privilege which the people who sent him here have sent him to safeguard and maintain. I say that Parliament is the high Court to which every person in the colony has the right to appeal. All the servants of the Crown have the right to appeal to Parliament, and we, as the high Court, review yearly the payments made to the servants of the Crown quite different from those under an award of the Court or the Board. They have no one to review annually their payments, and I may say in this respect that triennially and after a general election the high Court of Parliament it makes to those whom it employs. An Hon. MEMBER .- Not the classified ones. Mr. SEDDON .- Well, the classified ones are, of course, exceptionally situated ; but there is no necessity for review where Parliament has fixed by classification the payments of its servants. The honourable member, I think, had to-night read out to him the authorities which are extant upon that point. You cannot divest yourself of the responsibility : the Crown is supreme; and in respect to putting & burden upon the taxpayer, that can only be done through the Crown itself. The honourable member not only asked us to do that which was unconstitutional, but he wished to take away from Parliament the power which is inherent to the position of Parliament ; and I think myself that that is a complete reply to the honourable member's desire for an opinion ; and the reasons why the Ministry could not- it is not for the Ministry-I say we should have to alter our Constitution ; and why the honourable member should want to alter the Constitution and take away from the powers we have, and which are ours by virtue of the position we hold, I do not understand. What is more than that, I say this: I have always held that we should as a State be, as it were, a beacon laying down the payments which shall be a guide to those outside, and I say that the State in that respect has been a great advantage to the workers of the colony ; and it cannot be said, when the honourable member comes to reason it out, that the servants of the State are placed at a disadvantage as compared with those who are otherwise employed. An Hon. MEMBER .- Yes; 7s. a day is below the current rate. Mr. SEDDON .- The honourable member forgets that he has himself given a complete answer to that. He said that practically all were driven out from private employment-that is, that the aged and infirm were driven out, and that the Government service was their salvation. Now, I can speak with knowledge upon the subject, and I say that those who are employed are receiving a fair wage, and it will be seen on examination that this is right. You would not have the State paying more than is paid by private employers. There may be, of course, exceptions where private employers pay more, but those cases are exceptional ; and then the honourable member forgets that there are concessions given by the State to its servants which are not given by any private employers. I may say, too, that it does not encourage one to accept amendments in Committee, when, after I have done so, the honourable gentleman tells me that I have had to accept the amendments, that I have had to

swallow bitter pills, and that the Bill itself has been so mangled by the acceptance of these amendments that practically it is unworkable. I say I do not think that should come from the honourable member. It does not encourage one to accept amendments, and I have accepted them because I believe they will improve the working of the law, and that

<page:214>

they will remove some existing difficulties. When one accepts amendments in a proper spirit, and with a desire to perfect our legislation, it is too bad for the honourable member to use the terms and language complained of. That will force me almost, when I am in the chair again, to ask the honourable member whether he is serious in requesting me to accept amendments, or if, after I have accepted his amendment, he then tells me that had he been in my place he would have done nothing of the kind. Probably the honourable member thought to place it on record, so that if hereafter, in the working of the Act, some of these amendments should cause confusion, he has safeguarded himself by saying that he told the Premier on the third reading what the result of accepting these amendments would be. Now, Sir, as the Bill was passing through Committee there was a difference of opinion as to the applicability of the law-as to whether it applied to those engaged in agricultural and pastoral pursuits. My own view of the wording of the Act of last session was that those engaged in working on farms did not come within the definition of "worker in any industry." I did not think that it either was intended to or did apply to them. Well, that is the opinion I hold. I have been reminded this evening of what I said before, and, so far as I can gather, I was of the same opinion then as I am now. But I then said, and I say again, if the Court gives a liberal interpretation, it is not for me to find fault with that interpretation. I am satisfied myself that in the working of it, and supposing that it does apply, those employing servants -the farmers or those connected with the industrial disputes - would meet them equally fairly and liberally as other employers have met their servants. But there are difficulties in the way, in my opinion, in respect to both the agricultural and pastoral industries that do not exist in respect to those engaged in the other industries of the colony. At all events, we have made it clear now, and, after what has taken place in striking out the words "in any industry," we have made the Bill apply generally. I think we have widened its operation by what we have done to-night. I shall watch with interest the result, and I trust the result may be for the good of both employers and employed, and I hope I shall not be later on reviled because, after carefully considering and listening to the debate that took place to-night, I came to the conclusion not to limit, but if possible to widen, the application. That is why I accepted the amendment proposed by the member for Christchurch City (Mr. G. J. Smith). Then, with regard to the amendment carried on the motion of the member for Wanganui, (Mr. Willis), I am afraid, Sir, that on reflection there will be a change of opinion in the minds of honourable gentlemen. I do not think that, because it has been alleged the working of one Conciliation Board has been unsatisfactory, we should have endeavoured to wipe out practically the Conciliation Boards of the colony. Mr. PIRANI .- That will not be the effect. Mr. Seddon Mr. SEDDON .- I am afraid that will be the effect of Mr. Willis's amendment, and, if so, I shall regret it, because it will mean that the industrial unions, who elect a member of the Conciliation Board in each case, will believe the employers flout them by taking cases beyond the Conciliation Board to the Court. In the first instance. it is bound to cause a feeling of friction, in my opinion, with the workers. The result of it will be, I fear, that their interest will wane as regards conciliation, because you must carry with you as you go along the moral support of those interested-the workers-you must carry them with you, and get them to recognise they have had fair play, and that in what has been done they have been consulted, and that justice has been done to them. If, on the contrary, they take the bit in their teeth and say they have not been treated fairly, but have been taken at once to the Court, and have not first had the opportunity of conference with their employers, and consequently of an explanation before the Conciliation Board-which was the tribunal set up for that purpose-and that they have been forced to the Court, in my opinion, it will create a feeling of

resentment, and that moral force which must be behind, and which is essential to and of paramount importance to the working of the Act will be interfered with by what has been done. I still think it would have been wiser, if there was to be a change at all, that both parties should consent before any dispute could be taken beyond the Conciliation Board to the Arbitration Court, because if they ignored the Conciliation Board, and take the cases to the Arbitration Court, it will cause a revulsion of feeling that will be against the good working of the law. I shall hope that that may not be the case. It would be better, in my opinion, to do away with the Boards altogether than to take the course the majority of the Committee thought fit to take this evening. However, there is still time for that to be considered. I fear the fault is more with the administration of the Act by some of the Boards than with the system. I wish, in conclusion, to say this: It is with regret I notice that a number of people in the colony, the moment when one has the courage to point out a defect, or call attention to a condition of things which is unsatisfactory-Parliament having done its work well, and the law working well with the exception of one or two cases, where there was a necessity for plain speaking - such people spread misleading statements. I repeat, I have never stated the labour laws passed were injurious. I have never seen the Act used against the employers for the benefit of the employés; nor have I seen it used to the detriment of the workers. There have been mistakes made in its administration, and immediately they have been pointed out communications have been sent away from the colony, north, south, east, and west, by those who are eager to grasp anything that would cast a reflection upon our legislation affecting labour, and it has been distorted and

<page:215>

magnified to such a degree that those who read the Home papers, and contrast our position as we really are with what we have been represented to be, must come to the conclusion that those men who have done this are unworthy of the power which has been given to them as representatives of the Press of the colony. I may say I deem it my duty, in the interests of the employers and employed in other parts of the world, to give a most emphatic denial to what has been stated, with the object of preventing a recurrence of what I believe to have been done wilfully and against the best interests of our colony. Mr. PIRANI .- That has already been done. There was another cable two or three days after. Mr. SEDDON .- I was not aware of that. I regret it should be necessary at all, for we in New Zealand are well satisfied with our labour laws. I say here, in conclusion, that I believe at the present moment, notwithstanding the great activity with respect to adjustments of the last few months, that the feeling between employer and employé throughout the colony is better than in any other part of the world. Contrast that with what is happening in America-I got some letters from America to-day, and from them have ample evidence of the bad blood existing, and the disaster and distress and the evil effected upon both capital and labour in the United States-contrast that with the condition here in our own colony, and I say we should respect the laws we have passed and do our best to uphold them, because they are in the best interests of the Colony of New Zealand. I am very pleased with our night's work, and if all our Bills and legislation were dealt with as we have dealt with the conciliation and arbitration question to-night it would be to the credit of the House, the representatives of the people, and. I believe, in the best interests of the great majority of the people of the colony. Sir J. G. WARD (Minister of Railways) .- As a matter of personal explanation, I would like to say that, as I was not at the moment able to get the proper Hansard in order to state exactly what I said in connection with the vote of the railway workshops, I think it is only right that I should be allowed to read from Hansard what I stated to the House :- " He might tell the honourable gentleman that, as he had previously indicated, it was not proposed to disturb the classification of the general staff of the Railway Department, but that all the men in the railway workshops throughout the colony who had been more than twelve months in the railway service were to have the opportunity of voting on this question ; and, in fact, a circular was already set up, in order to be issued, asking them to vote whether they desired

to remain under a classification scheme or to come under the operation of the Industrial Conciliation and Arbitration Act. He might say that their convenience in the matter would be in every way considered." I find two other statements made by me to the House on the same subject recorded in Hansard, and on each occasion I made the distinct statement that it applied to employés of the railway workshops only. Mr. PIRANI (Palmerston) .- I said at the time I spoke that it was not the Minister's words I was giving. I alluded to the impression that was conveyed to members of the House. He will see that Mr. Smith asked the question whether the whole of the railway servants were included and his answer to that will place the position clear. Sir J. G. WARD .- The honourable member may be right to some extent as to the impression ; but this is what I said on reporting the vote to the House some week or two after making the statement I have just read :- "I would like to make a statement to the House. Honourable members will recollect that a short time ago I announced that a vote would be taken of the railway employés in the workshops throughout the colony as to whether they desired to remain under the existing system of railway classification or come under the Conciliation and Arbitration Act of 1900. A vote has been taken, and the following is the result : 1,407 votes were cast. Of those, 82 were in favour of bringing the employés under the Industrial Conciliation and Arbitration Act, and 1,325 were in favour of remaining as at present. In consequence of that vote there will be no interference with the present system of classification. "Mr. HERRIES (Bay of Plenty) .- Will the honourable gentleman lay that on the table of the House ? "Sir J. G. WARD .- There is nothing to lay on the table. "Mr. HERRIES .- I thought the honourable gentleman was reading from a paper. " Sir J. G. WARD .- I have not the official poll. I have simply received an official intimation from the department containing the results, and I have given the figures to the House. "Mr. G. J. SMITH (Christchurch City) .- Were the 1,400 and odd votes cast representing the whole of the employés in the Railways Department ? "Sir J. G. WARD .- The position is that the casuals who have been twelve months and over in the service were allowed to vote, and all the employés from the railway workshops throughout the colony had the right to exercise their vote. I do not know whether all have exercised it or not ; they have all had the opportunity. I have simply given the figures I have received from the department." Mr. HERRIES .- Might I ask whether that vote was taken by ballot. Sir J. G. WARD .- I understand it was taken by ballot. Bill read a third time. # ADJOURNMENT. Mr. SEDDON .- I move, That the House do now adjourn. I regret having detained members so long to-night, but we have been engaged upon very good work, and, I think, with a satisfaction.

<page:216>

unanimously is proof positive that we are all satisfied with the labour laws of the colony and our own labours to-night. Motion agreed to. The House adjourned at twenty-five minutes past four o'clock a.m.