

LEGISLATIVE COUNCIL. Tuesday, 1st October, 1901. Election of Chairman of Committees. The Hon.

the SPEAKER took the chair at half- past two o'clock. PRAYERS. # ELECTION OF CHAIRMAN OF

COMMITTEES. The Hon. Captain BAILLIE moved,- (a.) A Chairman of Committees of the whole Council

shall be elected at the commencement of each session on the second Wednesday after the meeting of

the General Assembly. (b.) The election shall be by ballot. (c.) No member shall vote in any ballot for

more than one member. (d.) If any member receives a majority of the votes of those present and voting

he shall be declared by the Speaker to be elected. (e.) If no member receives such majority, an- other

ballot shall be taken, omitting therefrom the name of the member who received the least number of votes

at the preceding ballot ; and this process of balloting shall be repeated until

<page>102</page>

of the members present and voting, and that member shall be declared by the Speaker to be elected. (f.)

Where a question arises, owing to equality of voting, as to which member shall be omitted from any

subsequent ballot, such question shall be determined by an independent ballot. (g.) Where the number of

members balloted for does not exceed two, or is reduced as herein provided to two, and there is an

equality of votes the votes shall be taken again; and if there is again an equality of votes, the Clerk shall

de- termine by lot which of the members shall be elected, as if he had obtained a majority of the votes of

the members present and voting. (h.) On the occurrence of a vacancy in the office of Chairman of

Committees, such vacancy shall be filled up as speedily as possible, and in the manner hereinbefore

provided, the date of the election being fixed by the Speaker. (i.) This Standing Order is in substitution for

Standing Order No. 253, which is hereby rescinded. He thought it would be convenient to honour- able

members to take them seriatim, and that the resolution abolishing the Standing Order until the Council

had settled the new Standing Order, should be postponed. The Hon. Mr. T. KELLY wished to move, as an

amendment, That the report be referred back to the Standing Orders Committee, with the following

instructions, namely : - "That the Standing Orders Committee modify the proposed Standing Order for the

election of Chairman of Committees of the whole Council as follows : (1.) That candidates for the office be

proposed and seconded before ballot. (2.) That the candidate who received a majority of votes of

members present and voting at the first ballot shall be declared to be duly elected. (3.) In the event of a

tie, the question shall be decided by a second ballot between those candidates who received an equal

number of votes." He thought if that was done it would simplify the proceedings. Members of the Council

would like to know who were the candidates. As it was at present in the election of Speaker, and as was

proposed in this resolution, nobody knew who the candidates were ; and he thought that, before the

election, candidates should be proposed and seconded, and that only the names of those members

nominated for the position should go to the ballot. Then, when the ballot was taken, he would say that the

candidate who received the largest number of votes should be declared elected at once. In the event of a

tio there should be a second ballot, and the candidate who then received the largest number of votes

would be duly elected. But it was impossible to go into the details in Committee of the whole Council, and

he thought it would be far better to refer it back to the Committee, and let the Committee itself deal with it.

The Hon. Mr. PINKERTON might say that the whole question as put forward by the Hon. Mr. Kelly and other honourable members was Hon. Captain Baillie not think that sending the matter back to the Committee would have any effect in altering their decision. Certainly there was one part of the Hon. Mr. Kelly's amendment which he would object to, and that was that, in the event of a tie, if the two highest numbers were put to the vote again it might result in the striking-out of the third man, who might be the best of the three. As the Committee had come to a conclusion, which had been printed, he might say it was with this object : that whoever became Chairman of Committees by vote of the Council should receive a majority of the votes of those present. That was the whole principle embodied in this resolution. Whether there might be a shorter way to arrive at that principle he did not know, but the feature of the Hon. Mr. Kelly's amendment to which he objected he did not think fair, because A and B might tie with so-many votes, and C might receive a certain number of other votes nearly up to them ; but because he was not equal to them C would be cut out, and C might be the candidate of whom the Council as a whole approved. However, if the Council sent the report back to the Committee he should have no objection ; but he might say that almost everything that had been stated by the Hon. Mr. Kelly had been fully considered by the Committee. The Hon. Mr. SHRIMSKI agreed with the amendment proposed by the Hon. Mr. Kelly. He thought it would be far more consistent to name the candidates before putting them to the ballot than to vote in the dark, not knowing whether the person who might be elected was willing to act or not. By openly nominating a member he had an opportunity to raise an objection, and decline to be a candidate. Then, with regard to the member receiving the highest number of votes being elected, he also agreed that there was no necessity to go three or four times over the same ground. He thought the person who polled the highest number of votes should be declared elected. Members did all their voting openly at present ; there was no going into the lobbies, or anything of that kind ; and he did not see why, in the circumstances of the election of a Chairman, members should not exercise the same right as they did on other occasions. The Hon. Mr. W. C. WALKER said he must agree with the Hon. Mr. Kelly in regard to open nomination. He believed that was the best line for the Council to adopt. It would reduce the matter to business as soon as possible, and he did not think there was any reason to fear that any member of the Council would be afraid to say who he was prepared to nominate or second. He thought that the most satisfactory way of dealing with the ballot. regard to the other proposals the Hon. Mr. Kelly had on the Order Paper, so far as he could gather, both questions had already been considered, and were dealt with in the proposed Standing Order (d), which said, " If any member receives a majority of the votes of those present and voting he shall be declared by the

<page>103</page>

the second of Mr. Kelly's proposals. Then, in (g) : - " Where the number of members balloted for does not exceed two, or is reduced as herein provided to two, and there is an equality of votes, the votes shall be taken again ; and if there is again an equality of votes, the Clerk shall determine by lot which of the members shall be elected, as if he had obtained a majority of the votes of the members present and voting." That also referred to subclause (3) of the Hon. Mr. Kelly's proposals. He did not know whether it was necessary to send this matter back to the Committee for revision, but was strongly of opinion that the first proposal that the Hon. Mr. Kelly made as regards nomination should be adopted by the Council as conducive to business, and especially as there was only one vote to be cast each time. That being so, he thought the candidates should be nominated. He would ask the honourable gentleman to obtain the leave of the Council to divide his motion, and then they would be able to vote upon each proposal that was made. The Hon. Mr. T. KELLY said he was quite agreeable to take that course, so that each clause might be voted on separately. With the leave of the Council he would withdraw his amendment. He understood that many members of the Council were in favour of candidates being proposed and seconded before the ballot, and he would be satisfied with carrying that. The Hon. Mr. W. C. SMITH said

it would be very difficult for them to alter this proposal in the whole Council as it was at the present time, and would move, That the Council go into Committee to consider the question. The Hon. the SPEAKER said that motion could be made when the amendment had been disposed of. The question was, Was the amendment to be withdrawn ? An Hon. MEMBER .- No. The Hon. the SPEAKER said, There being dissent, it could not be withdrawn. The Hon. Mr. TWOMEY wanted to know why the amendment should be withdrawn. He thought the proper course had been taken. The proper thing was to send the matter back to the Committee, with a view to the Committee submitting the scheme in harmony with the ideas of the Council. Notwithstanding all the Hon. Mr. Pinkerton had said, he was inclined to think that, if the Committee found the Council would prefer another system to that which they had submitted themselves, the Committee would fall in with the views of the Council. He certainly thought that some other scheme than the one submitted by the Committee, and the amendments which would be proposed, ought to be submitted. It was a very cumbersome system, a system which would leave the voters practically in the dark. There might possibly be a dozen candidates, and he thought that clause (e) meant that there would be election after election until the candidates were reduced to two, and then the system of lot was to be adopted. Now, he certainly objected to the Council adopting any system, and no intelligence could be exercised in the case of lot. That was one of the great objections to the proposal. He thought the Council should never allow any question to be decided by lot, as it must always exercise its intelligence. Then, there was something said about open nomination and open voting, but for his part he did not see any necessity for open nomination. It would be enough to hand a name to the Clerk, and he should issue & voting-paper the next day, and members could draw their pencils through the names they did not want, leaving the name of the one they wanted on the paper. That, he thought, would be sufficient. Something had been said about the wrong of departing from open voting. He certainly thought the Council should never have any secret voting upon any public question ; but this was not a public question. It was a question of domestic arrangement of the Council for its own convenience. The outside public had no interest at all as to who should be Chairman of Committees of the Council, or who should be its Speaker. That was a matter of their own internal economy, and it would not affect any question of general policy, or the interests of the people of the colony, and, consequently, there was nothing in the objection that the principle of open voting was being departed from. The simplest and easiest way was, he thought, that which Mr. Kelly suggested. The matter ought to be referred back to the Committee. The Committee, he believed, would take a reasonable view of it, and say, if the Council would rather have a simpler mode of election, they would conform to the wishes of the Council, and they would bring up a proposal in proper form, which, of course, could not be done on the spur of the moment. He thought it was within the last ten minutes that the Hon. Mr. Kelly had attempted to draw up his proposals. For this reason he asked Mr. Kelly to allow the whole matter to go to the Committee, so that a system that would simplify matters might be submitted- a system under which everybody could vote intelligently and without hesitation. The Hon. Mr. JONES did not think this question was to be settled by mere talk. He thought the member who had just spoken should first have studied the proposal placed before the Council, and it would appear that he had not done so. The honourable gentleman said that the system was necessarily complicated. It, however, provided for a system of sifting, just as they might sift wheat, and the result would be absolutely fair. It was worth while, in order to get an absolutely fair result, that they should go to some little trouble, rather than that they, to secure speed, should adopt some rough - and - ready method. The honourable gentleman had countenanced the idea of settling matters by lot, but that was only an expedient to get out of a difficulty when there was no other way out of it. First of all, they were to try to decide the question by the voice of the Council, and when that

<page>104</page>

a tie there was to be decision by lot. He did not see that that was very wrong. It had been suggested that

the matter might be decided by the casting-vote of the Speaker, but that was not very satisfactory either, because the Speaker might not care to give his vote on such an occasion. For his own part, he thought that the proposals which came down to the Council from the Committee were very fair and very wise, and that if the Council itself went into Committee to try and devise some better scheme it might not succeed half so well as the Select Committee had. However, perhaps the best method of dealing with the matter now would be for the Council to go into Committee and discuss the amendments which had been suggested by honourable gentlemen, and if they did not succeed then in devising something which would be satisfactory the matter could be referred to the Select Committee again ; but he would like to point out, while he was speaking, that in all these amendments there was really no change suggested. For instance, after the provision that "the election shall be by ballot," the Hon. Colonel Pitt suggested the insertion of the words "for which purpose the Clerk shall deliver to each member a printed list of the names of members of the Council, and on which list each member voting shall place a cross against the name of the member for whom he votes in each ballot." He had no objection to that method, which was already implied in the draft prepared by the Committee, and he thought that it would be satisfactory to the Council. That was a matter also that was discussed in the Committee. Then, paragraph (f) stated, "Where a question arises, owing to equality of voting, as to which member shall be omitted from any subsequent ballot, such question shall be determined by an independent ballot." The Hon. Colonel Pitt was moving that the difficulty should be decided by lot, but he (Mr. Jones) would point out to him and the Council that section (g) would have to be altered if his suggestion were adopted, because it was provided there that the vote shall be taken a second time, and that if there is again an equality of votes the Clerk should decide by lot which member shall be elected. It would be undesirable, he thought, to have recourse to decision by lot until it had been discovered that the Council could not possibly arrive at a decision in any other way. He thought it would be more desirable to go into Committee on the matter than to discuss it in the Council. The Hon. Mr. FELDWICK would like to point out that, if the Hon. Mr. T. Kelly's motion was carried, then they really would refer the matter back to the Committee with an "instruction" to do a certain thing, and that certain thing was merely to burke this proposition altogether, and to return to the old system of open nominations, which had produced more or less scandal during the last two or three years in the Council. What this set of rules was intended to attain was that the nomination and election both should be by ballot, and that there should be no person proposed before the Council supported by a Minister. If the Committee's report was adopted they would attain the end they had in view—namely, that of getting rid of open nominations. He desired once more to point out that the proposal to refer the matter back to the Committee for consideration, with the instruction indicated, was that they should provide again for open nomination, which was a mere return to the Council's former position. The Hon. Mr. BOLT hardly saw the necessity of referring this back to the Committee again. The report of the Committee was, to his mind, very clear and very concise. It had been stated it was very cumbersome, but he did not see that that charge had been proved against it. He did not agree with the Hon. Colonel Pitt in regard to the nomination clause. There was no necessity whatever to refer the matter back to the Committee for that purpose. If that clause was put in he did not see that it would be an improvement, and it would certainly lead to a lot of discussion afterwards. The Hon. Captain BAILLIE said, With reference to the question of referring back to the Committee, he might state this question of nomination was fully discussed in the Committee, and the Committee almost unanimously decided that the single vote by ballot would really nominate the most eligible men in the Council, and if three or four were nominated they would know then who were really the candidates. As to there being perhaps eight or ten or twelve members nominated, he thought that was begging the question. He hoped the Council would not send the matter back to the Committee, as it would only be a waste of labour on their part to discuss the question over again. There was another point he would allude to, and that was the question of

going into Committee on this matter. It would be almost impossible to find time to dispose of it if they were to take each paragraph seriatim, and each member was to speak three or four times on each question. It would be eleven o'clock that night before they could hope to finish. The amendment was, by leave of the Council, withdrawn. The Hon. Mr. W. C. SMITH moved, That the Council go into Committee on this question. The Council divided. AYES, 11. Barnicoat Pinkerton Taiaroa Gourley Pitt Tomoana Harris Rigg Twomey. Smith, W. C. Jones NOES, 20. Kelly, T. Ormond Arkwright Kelly, W. Baillie Shrimski Smith, A. L. Bolt Kenny Feldwick Louisson Swanson McLean Walker, L. Jenkinson Montgomery Jennings Walker, W. C. Johnston Morris Majority against, 9. Motion negatived.

<page>105</page>

Committees of the whole Council shall be elected at the commencement of each session on the second Wednesday after the meeting of the General Assembly," be agreed to, The Hon. Mr. W. C. WALKER moved, as an amendment, That the word " second" be struck out, for the purpose of inserting "first." He thought this voting should be at a date as soon as possible in the session. It was in accordance with the spirit of the old Standing Order that the election should take place as soon as possible, and the Council would also probably notice there was no word said about a call of the Council. In the election of Speaker there was a call of the Council. It was taken for granted by fixing a date that this was equivalent to a call, because members would know exactly the date when the election would take place. There was a certain amount of difference of opinion in the Committee, as to whether the first Wednesday was too early or not. He did not think that the first Wednesday was a bit too early. Generally speaking, the Council met on a Thursday or Friday of one week, and proceeded to business in the week following, and he did not think there was any reason why they should not proceed to the election of Chairman of Committees on the first Wednesday. If honourable gentlemen did not care to come up, or were not able to do so, then he did not see why it would be more convenient for them to come the second week, and they might just as well get the officers elected and set to work the first week of the session as the second. The Hon. Mr. T. KELLY said the objection he saw to the amendment of the Hon. the Minister of Education was, supposing the General Assembly met on Monday or Tuesday, then the election must take place the next day. If the honourable gentleman would assure them that the General Assembly would meet always on & Thursday, that would remove the objection. The Hon. Mr. PINKERTON said the present session had met on Monday, and if they said the first Wednesday that would give a very short time. Their experience had shown them that the election of a Chairman had been hung up for a fortnight or three weeks. He thought, if they fixed the second Wednesday, that would practically meet the convenience of every one. The Hon. Mr. ORMOND approved of the proposal, as the second Wednesday would be a more convenient day for members, and it would give an opportunity of insuring a fairly full Council. He thought it was important that there should be a full meeting of the Council to decide such a question, and leaving it to the second week would give a better chance for that. The Hon. Mr. JONES thought that this question had been pretty well decided. Those who were on the Committee knew that it had been gone into carefully, and the feeling was that it could be best left to the second Wednesday after the meeting of the Council. That seemed a fair arrangement. It was not always convenient to members to come up at the first it was necessary that members should be present to take part in the election of their Chairman. Unless the Minister could give the Council some good reason why there should be a change, he thought the amendment should be rejected. The Hon. Mr. W. C. WALKER said, As the Council was not in Committee he was unable to give his reasons, but he would not press the amendment. Amendment withdrawn. Clause (a) agreed to. The Hon. Mr. T. KELLY moved the following paragraph, to follow clause (a) :- "Candidates for the office of Chairman of Committees of the whole Council shall be proposed and seconded by a member of the Council before being submitted to ballot." The Hon. Mr. FELDWICK submitted that that amendment burked the whole intention of the Council, and gave them the nomination which had caused all the trouble

in past years. He would sooner put into subsection (b) that nomination and election should be by ballot. The intention of the amendment, of course, was to defeat the whole object of the Council as expressed by very large majorities on former occasions. The proposal meant reverting to the old system, and if they were going to adopt it they might as well save time by not touching this new rule at all. The Hon. Mr. T. KELLY said that, so far as he was concerned, he had no intention of reverting to the old system. The Hon. Mr. JENKINSON hoped the proposal would not be carried. The Hon. Mr. FELD- WICK was perfectly right when he said that if carried it meant going back to the old position. The objection was in that the Government had the power of nomination, and during the last two or three years they had nominated a gentleman as Chairman of Committees who was not acceptable to the rest of the Council, though it had been with the greatest difficulty that those opposed to him had kept him out of the position. If they gave the Government the power of nomination it would be simply reverting to the old position. The Hon. Mr. JONES said he did not agree with the two former speakers in saying that this would cause a reversion to the old position, inasmuch as under the old system members were bound to vote for three candidates whether they liked it or not ; yet he did not know how they were going to improve the position by accepting the amendment of the Hon. Mr. T. Kelly. They had to vote for three members, and the result was that they voted for all sorts of individuals they did not want to vote for in order to comply with this ridiculous rule. He felt sure honourable members did not want to return to that state of things. But he did not know what good they were going to get from this open nomination. The Government might elect to nominate a member of the Council again, and then all the old trouble would arise. Private members would also nominate. They did not want anything that would lead to

<page>106</page>

procedure, and that was why the Committee sought to have the ballot carried out by the method which was suggested in their report. The Hon. Mr. TWOMEY said it was necessary for him to say a few words on this point in order to set himself right, and to make intelligible the vote he was going to give. He voted for the Hon. Mr. T. Kelly's amendment not because he approved of that part of it, but because he approved of the other parts of it. He did not approve of the open nomination. Now that there was nothing else before him he opposed the open nomination, and would vote against it. His own idea was that the simplest way to do these things was the best way. If they handed the name of the candidate they intended to nominate to the Clerk, and these names were placed alphabetically on slips of paper and handed round to the members, and the members were to strike out the names of all but the name of the candidate for whom they intended to vote, the whole thing would have been settled. That was, if they elected the Chairman much in the same way as a member of Parliament was elected at the general election he thought that would be the best way. The Hon. Mr. PINKERTON said the question resolved itself into this : that in a system of open nomination the Government would exercise more power than if the other system were adopted. In his opinion, the Council ought to assert its own rights. He thought that was the whole question involved in the matter, as far as he understood it. The Hon. Mr. ARKWRIGHT hoped the Hon. Mr. T. Kelly's paragraph would not be carried. It seemed to him, if it was carried, they might just as well save themselves the trouble of discussing this matter. The system of ballot it was not done to enable them to give their votes so that no one should be able to find out how they were cast. He took it the object was, in the first place, to prevent such a thing as a Government candidate being put forward for this office ; and, in the second place, to prevent members getting themselves put forward and canvassing other members in the lobbies for votes. He hoped that the clause which reinstated the practice of open nomination would not be carried. The Hon. Mr. W. C. WALKER must say that he thought it would be very advantageous for the convenience of members if the Hon. Mr. T. Kelly's motion was carried, because, in the first place, it was not only important as a matter of providing machinery for the election of Chairman of Committees, but he trusted this would also be important in the

way of probably altering the machinery by which they elected the Speaker of the Chamber. They had learnt by experience, and he felt quite certain that those who saw the election of Speaker without nominations must come to the conclusion that there was a great deal of deception in the apparent innocence of the ballot nominations, just in the same way as there was a great deal of deception in the three votes at each ballot. The present proposals went so far as to only Hon. Mr. Jones was quite necessary to be explained. He believed it was just as essential to get the true will of the Council as soon as possible, and with as little friction as possible, and that there should be nominations. For that reason, and simply for the purpose of assisting the Council to make the best selection possible, he trusted the Hon. Mr. T. Kelly's motion would be carried. The Hon. Mr. McLEAN hoped the Hon. Mr. T. Kelly's motion would not be carried. If they were to proceed in this election by ballot, then they should nominate by ballot. The whole thing should go in the one way, and he did not see any reason why they should have nominations by somebody standing up in the Council and stating that he nominated So-and-so, and then somebody else standing up and saying that he nominated some other person. The Hon. Captain BAILLIE said there was no system that they could devise which would prevent nomination in one form or another. It might be that the nomination often really took place in the lobby, and members were canvassed, and would be canvassed, it did not matter what system they adopted. But he thought the open nomination proposed by his honourable friend was not the best way. He thought the scheme brought up by the Committee was the best they could enunciate for the consideration of the Council. The Council divided on the Hon. Mr. T. Kelly's motion. AYES, 9. Tomoana Jennings Rigg Kelly, T. Shrimski Walker, L. Swanson Walker, W. C. Louisson NOES, 23. Pinkerton Arkwright Johnston Pitt Jones Baillie Kelly, W. Barnicoat Smith, A. L. Smith, W. C. Kenny Bolt Feldwick McLean Taiaroa Gourley Montgomery Twomey Morris Harris Williams. Jenkinson Ormond Majority against, 14. Motion negatived. On the question, That " (b) The election shall be by ballot," The Hon. Colonel PITT moved to insert, after the word " ballot," the words "for which purpose the Clerk shall deliver to each member present a printed list of the names of members of the Council, on which each member voting shall place a cross against the name of the member for whom he votes in each ballot." The Hon. Captain BAILLIE thought this almost unnecessary, as it had been the practice hitherto for the Clerk to furnish each member with a list, and to direct them how to record their votes. The Hon. Mr. JONES did not think there was any harm in laying down the course that should be pursued. Words added.

<page>107</page>

The Hon. Mr. A. LEE SMITH moved the addition of the following words : "The door shall be locked during each ballot." The Hon. Mr. JENNINGS said he wished to protest against members being locked out when a ballot was being taken. That was not a system that should be adopted in a democratic community. A member might be in the library or some other part of the building, and if he desired to record his vote he would be prevented from doing so by being locked out. Would the bell be rung on the occasion of such an election ? The Hon. the SPEAKER thought it would be the duty of the Speaker to order the bell to be rung before the doors were locked. The Hon. Mr. T. KELLY said that no reason had been given yet why the doors should be locked. The Hon. Mr. LOUISSON thought, if the doors were to be locked, some intimation should be given to members who might be about the building that an important question was about to be decided. It seemed to him the bell ought to ring a certain time before the doors were locked. The Hon. the SPEAKER said he would put the amendment originally proposed by Mr. Smith first, That the words "the doors being locked " be added to the paragraph. If that were carried, then, with the permission of the Council, he would redraft the clause. The Council divided on the question, "That the following words be added to the paragraph : ' the doors being locked.'" AYES, 17. Barnicoat Kelly, T. Swanson Bolt Tomoana Louisson Walker, L. Feldwick Montgomery Walker, W. C. Jenkinson Rigg Williams. Jennings Smith, A. L. Jones Smith, W. C. NOES, 13. Kelly, W. Arkwright Ormond Kenny Baillie Pinkerton Pitt

Gourley McLean Taiaroa. Harris Morris Johnston Majority for, 4. Words added. The Hon. Mr. W. C. SMITH moved to add the words "and strangers shall withdraw." There was no necessity for these proceedings being reported, as it was not done in the case of the Speakership. The Hon. Mr. ORMOND wanted to put in the words "provided that before the locking of the doors the usual notice be given by ringing the bell." Paragraph as amended agreed to. The Hon. Mr. W. C. SMITH moved the addition of the words "that strangers with- 1 draw." The Hon. Mr. JENKINSON hoped this amendment would be negatived, because he did not see why strangers should be excluded. The Hon. Mr. W. C. WALKER did not know why honourable gentlemen should blow hot one minute and cold the next. He had been told that open nomination was absolutely adverse to the principle of voting by ballot, because no man should know what his next neighbour did, for the very good reason that there should be no possibility of any intriguing or any personal canvassing, and that the day after the election members should be as they were before- absolutely ignorant of anything that had been done. He thought the motion that strangers should withdraw was only part and parcel of the understanding. They did not want to treat this as anything else but a sort of Masonic function which they set up for the election of the officer who was to preside over members. The honourable gentleman had precedent in his favour, because in the rules agreed upon for the election of Speaker he found the first one was, "The Speaker shall be elected by ballot, and during the election the doors of the Council Chamber shall be locked, and strangers shall withdraw." Words added, and paragraph (b), as amended, agreed to. Question put on paragraphs- " (c.) No member shall vote in any ballot for more than one member. " (d.) If any member receives a majority of the votes of those present and voting he shall be declared by the Speaker to be elected. " (e.) If no member receives such majority another ballot shall be taken, omitting there- from the name of the member who received the least number of votes at the preceding ballot ; and this process of balloting shall be repeated until some member receives a majority of the votes of the members present and voting, and that member shall be declared by the Speaker to be elected." Agreed to. On the question, That " (f) Where a question arises, owing to equality of voting, as to which member shall be omitted from any subsequent ballot, such question shall be determined by an independent ballot," be agreed to, The Hon. Colonel PITT moved to omit the words " an independent ballot," for the purpose of inserting the words "the Clerk by lot " in lieu thereof. It appeared to him that this was a much simpler process than what was proposed in the resolution of the Committee. Probably the difficulty provided for by the Committee might have arisen from several ballots, and he did not think that another ballot would help the matter much. : The Hon. Mr. W. C. WALKER must say that he agreed with the Hon. Colonel Pitt, as the object was not to select the successful candidate, but to run out the outsider. The Hon. Mr. JONES said this clause dealt with a position in which there were more than two candidates, and there was an equality of votes between the two lowest candidates. The equality of votes might be the result of voting for the candidate just balloted out. If the candidate who had just lost the ballot had not been voted for, in all probability one of these

votes might have got a larger number of votes. The Hon. Mr. W. C. WALKER said the honourable gentleman was mixing up the two ballots. D was voted out in one ballot because he was absolutely lowest, and the next ballot was to see whether C or B was to stand out. D had nothing to do with it. The Hon. Mr. JONES said, Supposing there were four candidates and three were left, and two of these had an equality of votes, if the one who had just been balloted out had not been in the ballot in all probability one of the two candidates who were equal would have had a larger number of votes than the other. That position might easily occur. He understood, when it was suggested that the services of the Clerk should be called in to decide the matter, that he should only be called in as a last resource-only in the case of an impasse, to use the language of the honourable gentleman re- presenting the Government. The next clause effected that object. It said there was to be a second ballot in the case of an equality of votes, and

that then the Clerk was to decide by lot. But where there were more than three candidates there was no necessity for the Clerk's services to be called in. It was only when the Council could not come to a decision that they should obtain the services of the Clerk. If they were going to do that before it was absolutely necessary, then the Chairman should be elected by lot, and they should not have election by ballot at all. If he was wrong in his estimate of the situation, he would like some honourable member to point out his error. The Hon. Mr. FELDWICK concurred that there was a possibility of a triple or quadruple tie, and if they resorted to lot at that stage they might put out the very man the Council most wanted. It was quite time enough to resort to lot between the two last candidates. If two candidates received so much confidence that each had a level half of the Council with them, then he thought it did not matter which man won. He thought the clause was better as it stood. The Hon. Mr. W. C. WALKER did not think the honourable gentleman exactly appreciated the position. It was not for the successful candidate the lot was to be cast, it was to run out one or two outsiders ; and, supposing they put that to the ballot, how did that operate against the final selection of the Council, or compel them to elect a man whom they did not like ? The Hon. Mr. T. KELLY said he would support the clause as it stood. Supposing there were thirty members of the Council and a ballot took place, the clause provided, in the first place, that a man must have an absolute majority of the members present and voting before he was elected. Supposing one had fourteen votes, another ten, and another six, the man who received the highest number had not a majority, and therefore under the regulations a second ballot must take place. Well, in a second ballot, with thirty present, it was just possible that each might get fifteen, and in that case it was absolutely necessary for Hon. Mr. Jones the two candidates should be elected. It was a very simple matter, and far better for the Council itself to decide this than for it to be done by lot, which was a most unintelligent way of selecting a candidate. The Hon. Mr. PINKERTON thought the Hon. Mr. Kelly was somewhat wrong in his contention. Suppose, for the sake of argument, that of the thirty members fourteen voted for one candidate, and the other candidates had eight votes each, then the ballot or lot was to be taken to determine which of the two having each received eight votes, should retire. It was not the winning member, but the member to be rejected, who was affected by the lot. Amendment negatived, and paragraph agreed to. Paragraph (g) . - "Where the number of members balloted for does not exceed two, or is reduced as herein provided to two, and there is an equality of votes, the votes shall be taken again, and if there is again an equality of votes the Clerk shall determine by lot which of the members shall be elected, as if he had obtained a majority of the votes of the members present and voting." Agreed to. The Hon. Mr. RIGG desired to move the following addition to paragraph (g) : "The number of votes received by each member in any ballot to be declared by the Clerk forthwith." Agreed to. Paragraph (h) . - "On the occurrence of a vacancy in the office of Chairman of Committees, such vacancy shall be filled up as speedily as possible, and in the manner hereinbefore provided, the date of the election being fixed by the Speaker." The Hon. Colonel PITT moved, after the words "Chairman of Committees," to insert the words " during the session." The Hon. Mr. PINKERTON asked, Could there not be a vacancy at any other time than during the session ? The Hon. Mr. WALKER said that it could only happen during the session, as this was an annual appointment. The Hon. Mr. FELDWICK said, Did not the amendment suggest the possibility of a vacancy during the recess ? He did not think it was necessary. The Hon. Mr. T. KELLY said, As it stood it would be effective. A vacancy might occur at any time, and it would be filled up during the session. The Hon. Colonel PITT obtained leave to withdraw the amendment, and it was withdrawn accordingly. Paragraph (h) agreed to. The Hon. Colonel PITT moved, That the following words be added : "Any member shall be entitled to examine the voting-papers prior to the Speaker declaring any member elected to be Chairman of Committees." The Hon. Captain BAILLIE asked the honourable gentleman not to move this. They had two gentlemen as Clerks who had

years past, gentlemen in whose honour they reposed the utmost confidence, and this pro- po- al cast a reflection on their honour that was outrageous. The Hon. Mr. W. C. SMITH did not think the honourable gentleman who moved the amendment had any such intention. Mem- bers had every confidence in the Clerks; but even clerks were liable to make mistakes. It was quite possible that in the ballot some informal votes might be cast ; then, why not allow mem- bers to see the voting for the purpose of check- ing any such informality, just the same as the Clerks? In ballots there was always a scruti- neer to see that no mistake was made. If there happened to be an informal vote, the member giving it ought to be allowed the opportunity of knowing it, and saying, " I did not mean that at all." The Hon. Captain BAILLIE .- You cannot draw it back. The Hon. Mr. W. C. SMITH .- You may not draw it back, but it is only right that members should see the ballot-papers. The Hon. Mr. JONES said, If that were done they must have a set of rules setting forth in what order - whether by order of age or other- wise - members should go up to inspect the voting-papers, so that the thing might be done decently and in order. However, he did not agree with the proposal at all. If the election was to be by ballot let it be by ballot, and there should be no indication and no means whatever of ascertaining how members had voted. The Hon. Mr. McLEAN did not think this proposal would do at all. It might be that some members would inspect the voting-papers just to see who had voted for them. It was not any reflection upon the Clerks. The usual way, of course, was to appoint scrutineers, and he took it that what was now wanted was that scrutineers should be appointed. But it would never do for all members to have the right of examining the voting-papers, because they would never get to the end of it. What was wanted was to provide against any mistake which the Clerks might possibly make. The Hon. Mr. A. LEE SMITH did not think there was a single member of the Council who would think for a moment the honourable gentleman had put this proposal forward in any sense as a reflection. All the same, it carried with it an implied doubt as to the competency of the Clerks, in whom they reposed just as much confidence as in any one there. Amendment negatived. The Hon. Mr. McLEAN moved the addition of a new paragraph, namely : "That the elec- tion of Chairman of Committees shall be the first order of the day on the day of such elec- tion." Agreed to. Resolved : " That Standing Order No. 253 be repealed, and the foregoing paragraphs be agreed to in lieu thereof." The Council adjourned at a quarter to five o'clock p.m. Tuesday, 1st October, 1901. Customs Returns-Supply. Mr. DEPUTY-SPEAKER took the chair at half- past two o'clock. PRAYERS. # CUSTOMS RETURNS. Mr. SEDDON (Premier) announced to the House that the amount of Customs duty col- lected during the month of September was £197,586 18s. 8d., as against £166,487 13s. 11d. for the corresponding month of last year. # SUPPLY. CLASS IV .- JUSTICE DEPARTMENT. Vote, Department of Justice and Patent Office, £2,254, agreed to. Vote, Crown Law Office, £2,500, agreed to. Supreme Court, £6,645. Mr. MILLAR (Dunedin City) asked whether the Minister would be prepared to put a sum on the supplementary estimates for extra remuneration to the Deputy Registrars of the Supreme Court, for the services as Clerks of Awards under the Conciliation and Arbitration Act. Year after year these officers had been doing this work, which was every year be- coming heavier, but they were getting nothing for their extra work. If honourable members would look through the estimates they would find that where another new department had been established which entailed extra work on officers. of another department those officers received extra pay for their work. Mr. PALMER (Ohinemuri) said that these officers-especially the one in the Auckland District - were worked very hard, and often had to be back at night to twelve and one o'clock on the work of the Arbitration Court, and were deserving of extra remuneration. Mr. McGOWAN (Minister of Justice) said that, if honourable members would look, they would see that increases had been given to these officers at Auckland, Wellington, and Christchurch. There was no increase at Dunedin, for that was a case of promotion and was an increase to the officer on what he had previously been receiving. In making those increases consideration had been given to the fact of their having to discharge the duties of Clerk of Awards under the Conciliation and Arbitration Act.

Mr. SEDDON (Premier) said it was quite true that the fact of their being Clerks of Awards had been taken into consideration in compiling these estimates ; but if any special salary was to be given for the position then it should come out of the vote for the Labour Department. It was to be remembered that these officers only worked from nine to five, and if a man's time was not fully occupied by his ordinary duties and he was given other duties to perform he should not be paid extra.

<page>110</page>

number of officers in the public service whom they were told were being oppressed by extra duties being thrust upon them. If that was the case, and they were to be paid an extra sum for those duties, he thought it was a matter for consideration whether it would not be better to get other officers or other persons to do that extra work. They had no right to call upon one man to do the work of half a dozen men, when there were numbers of men who wanted work. Mr. ALLEN (Bruce) desired to point out that the officers of the Government Life Insurance Department were doing work for the Accident Insurance Department. He understood that a great many of these officers were working the same hours as they did formerly. He understood it had been laid down by a Commission that there should be equal pay for equal work. If the Premier said he would bring down an additional sum on the supplementary estimates, that, of course, might settle the matter. Mr. PALMER (Ohinemuri) said these officers had to have special training for their work. There was no doubt the Government did the best they could under the circumstances when they selected the Deputy Registrars of the Supreme Court for these duties, because the labour people were not acquainted with the intricacies of the law, and it was hardly fair to expect the Deputy Registrars to do all the work or appoint a novice to do it. He knew that the Deputy Registrars had sometimes to work till twelve or one o'clock in the morning in order to overtake the extra work thus thrown upon them. He thought therefore they should get extra pay. Mr. ARNOLD (Dunedin City) said that outside the ordinary work, the amount of assistance they gave those who were filing these disputes was invaluable, and it saved a large amount of time both to the Board of Conciliation and the Court of Arbitration. There was a large amount of work in connection with these cases. In some cases there were a hundred people who were made parties to a dispute. The Deputy Registrar had to assist in getting the summonses ready which had to be delivered to these people. Whilst the Board was sitting, the Deputy Registrar was continually with them. He might mention that in Dunedin they were fortunate in always having had a solicitor as Chairman of the Board ; but in the other centres they were not so fortunate, and the Deputy Registrar had to give the members of the Board advice from time to time, and he had to do his ordinary work in the evenings. The extra work which they did should be recognised. Mr. NAPIER (Auckland City) quite agreed with what had fallen from other members with regard to making some recognition of the extra labour thrown on these officers, but he thought \$10 a year was not adequate. He knew that at one sitting of the Arbitration Court at Auckland the Deputy Registrar was continually at work to a very late hour in endeavouring to be seriously retarded by the sitting of the Arbitration Court. He thought there should be some recognition by the Labour Department of the extra work thrown on these officers. He might also remark that, in his opinion, the salaries of the Registrars of the Supreme Court were too small. These gentlemen were practically assistant Judges. They had, in the absence of the Judge, judicial functions to some extent. Masters in Chancery and other Masters in England were paid \$1,200 a year, and they did not, in many cases, do more work than our Registrars of Courts here at £400. The Registrars were professional men, and they had to be experienced men. He thought the Government should consider whether \$400 a year was an adequate salary for an assistant Judge of the Supreme Court. Mr. HOGG (Masterton) did not think large increases should be given to the Court officers in the way suggested by certain city members. The colony could not afford to give them. If the principle of paying for every extra piece of work allotted to an officer was to be recognised, then every Magistrate in New Zealand at the present time was labouring under a huge injustice because he was not paid extra for old-age pensions

work, licensing work, and other duties. If money was to be spent in that way, where was the money to come from for the country settlers, many of whom were much in need of road and bridges ? He had noticed that it was chiefly city members who were advocating increases of salaries. If the work referred to demanded extra pay, instead of adding to the work and increasing the salaries of officers sufficiently employed and fully paid, the proper course was to employ men within or without the public service for whom work of the kind was urgently required. Mr. FISHER (Wellington City) pointed out that the Deputy Registrars at three of the cities received increases, while at Dunedin the salary was decreased ? He would like to know the reason. Mr. McGOWAN said the officer at Dunedin had been transferred to that city from another quarter. Mr. MILLAR (Dunedin City) said the city members had simply been drawing attention to the cases of certain increases which they thought were warranted. The total sum involved was only £100, and if members were to take the advice of the honourable member for Masterton and refuse to consider these necessary increases, city members might do well to consider Class XI., Department of Agriculture, in which a vote of \$91,000 was proposed to be given to the country, and from which the city members derived no benefit at all. If opposition was shown, such as was suggested by the honourable member, he for one would be prepared to sit there till Christmas before he allowed some of the votes to go through. He did not want to give salaries that were too large, but where extra work was put on a man he was entitled to be paid for it. Then, it would not be possible to appoint an extra officer, as

<page>111</page>

The Clerk of the Arbitration Court received only \$25 per annum ; and was any man going to take up the position at that salary? Certainly not. Before he left the subject, he would like to know what principle governed the Ministry in the increases it was proposed to give to these officers. Mr. McGOWAN said the increases in some departments were made by classification ; many of the departments, of course, were not classified. As to the salary of the Deputy Registrars, who also acted as Clerks of the Arbitration Court, it was considered that the salaries now given were fair, considering the work done. He would be glad to confer with the Premier on the subject, and if it was thought that any further increase was deserved on account of extra work it would be given. In regard to the Registrars of the Supreme Court, referred to by the honourable member for Auckland City (Mr. Napier), he was informed that the salary of £400 per annum now allowed to them was fair remuneration for the office. He desired to see every man paid for his services, but no man should be overpaid. At present, the public service, he considered, was officered by good, reliable men, who were entitled to receive fair wages; and he could promise the House that if he found it necessary, after consultation with the Premier, who was in charge of the Labour Department, to increase the salaries, then the matter would be again considered. Mr. HERRIES (Bay of Plenty) asked if the present President of the Arbitration Court, in his capacity of a Supreme Court Judge, drew travelling-fees out of the amount of £2,000 put down on the estimates for "Travelling-expenses of Judges, and other expenses of Circuit Courts and Court of Appeal." Mr. McGOWAN said, When he was travelling on circuit as a Judge of the Supreme Court his travelling-expenses were paid out of this vote, but not when he was travelling solely on Arbitration Court business. Vote, £6,645, agreed to. Bankruptcy, £3,987. Mr. PIRANI asked for details of the item "Contingencies, £101." Mr. McGOWAN said the contingencies were as follows :-

s. d.	Clerical assistance (casual)	0	17	0
	Diaries, directories, ink, &c.	6	6	2
	Gas	12	4	10
	Fuel, cleaning, &c.	9	5	8
	Legal expenses	2	0	2
	Salary of office boy, Wellington	25	16	8
	Sundries	1	1	0
	Telephone subscriptions	31	10	0
	Total	6	£101	8

Mr. SYMES (Egmont) asked, What steps had been taken towards appointing a Deputy Official Assignee at Stratford ? Mr. McGOWAN said, So far as his information went, the business done in that locality did not warrant the appointment of a Deputy to confer with the honourable member with a view of ascertaining what was necessary in that direction. Mr. SYMES was assured by solicitors practising on the coast that there was a great deal more work done about Stratford than in many places where there were more officials to do the work. At present

much of the work had to go to New Plymouth to be attended to. Mr. McGOWAN said he would look into the matter. Vote, £3,987, agreed to. District Magistrates' and Warden's Courts, £46,550. Mr. O'MEARA (Pahiatua) asked why the Minister had not established a District Court at Pahiatua. Mr. LANG (Waikato) drew attention to the necessity of more Justices of the Peace in the back country. Mr. NAPIER (Auckland City) asked whether the honourable gentleman had considered the question of establishing a District Court at Auckland. He also wished to know whether the Minister was prepared to consult the Law Societies with regard to the suitability of those it was proposed to appoint to the magisterial bench. Some of those lately appointed were not experienced men. He admitted that the salary was quite inadequate for the work they were called upon to perform. Mr. R. THOMPSON (Marsden) said there was a desire on the part of the people of the Auckland Province to have a District Court established there, to sit in the various centres of population. With the present salaries paid he did not think that experienced professional men would accept appointments to the magisterial bench. He thought no Stipendiary Magistrate should receive less than \$500 a year to start with. Mr. HERRIES (Bay of Plenty) said he hoped the Minister, if he considered the question of establishing a District Court for the Auckland Province, would bear in mind the matter of mining centres. It would be very unfair to have matters tested, that might be of great importance, on appeal from a Warden's Court by an inexperienced man. Mr. BOLLARD (Eden) asked why Mr. Northcroft, one of the oldest Magistrates they had, received £50 a year less than some other Magistrates who were not nearly so experienced as was Mr. Northcroft. Mr. SYMES (Egmont) said the establishment of District Courts would not increase the cost of justice to the country one iota. There were dozens of towns in New Zealand where the District Court should sit. He also wished to again call attention to the urgent necessity that existed for the appointment of Justices of the Peace in the back country districts. He hoped the Minister would give them an assurance that if he did not know the necessities of the people of New Zealand in the matter of the establishment of District Courts, and the appointment of Justices of the Peace, he would make himself so acquainted in the early future.

<page>112</page>

Minister might during the recess go into the matter, and see if it were not possible to grant some measure of reform in connection with the administration of justice. Mr. HORNSBY (Wairarapa) trusted the Government would take into its serious consideration the rendering of District Court Judges independent of the Government of the day. He might mention that in New South Wales the tenure of office of District Court Judges was during ability and good behaviour : the Judges had to be barristers or solicitors of seven years' standing, the salary was not less than \$1,000 and travelling-allowances, while the civil jurisdiction of the Court was only £200. In Victoria the County Court Judge -which was the same position as our District Court Judges-must be a barrister of seven years' standing: he held office during good behaviour, and his salary was £1,500 a year and travelling-allowances, with £25 per month extra paid to the rotation Judge sitting in Melbourne, and he had a retiring-allowance. His civil jurisdiction was \$500. In Queensland the Judge must be a solicitor of three years' standing, and he held office during ability and good behaviour. His salary was £1,000, with retiring-allowance, and his civil jurisdiction was only £200. In England the County Court Judge had to be a barrister of seven years' standing, and he held office during ability and good behaviour ; he received a salary of £1,500 a year, and travelling-allowances, and was entitled to a pension. His ordinary jurisdiction was only up to £50. In New Zealand a District Court Judge must be a barrister or solicitor, and he held office during the pleasure of the Government. His civil jurisdiction extended up to £500; and, apart from that, in bankruptcy his jurisdiction was co-extensive with the jurisdiction of the Supreme Court. And here they had the anomaly that there were three District Court Judges, one of whom acted as District Judge only, and received £900 a year ; the other two were Judge Robinson and Judge Kettle. Judge Robinson received £550, and he also acted as Stipendiary Magistrate and Registrar of the Supreme Court ; while District Judge Kettle had to attend to three districts.

By the estimates he noticed that Judge Kettle was to receive £600 a year now, and he was Stipendiary Magistrate and also Registrar of the Supreme Court. The position was an anomalous one. There might be some reason why District Judge Ward should receive more than the other two Judges, but the reason was not quite apparent. He was not putting in a plea so much for the increase of salary as for the independence of the Bench. He would like to see the whole Judiciary placed in an independent position. If that could not be got at present, then let them have the District Court Judges appointed during good behaviour, for most assuredly it was wrong to have these Judges dependent upon the will of Parliament for the granting of their salaries. Mr. MILLAR (Dunedin City) would like the Minister to give the House the reasons why Brightwater were to receive an increase of £50 each. Those were the only three Magistrates -with the exception of Judge Kettle-who received an increase. There were older men in the service who were not receiving the maximum salary. He thought there ought to be some radical alteration made with respect to making up the jury-lists, because at the present time there was no doubt the lists were available to certain barristers, who knew who were to be called on a jury before the case came before the Court. Would the Minister take steps to put & stop to that? He was not talking of 4.0. any particular part of the colony, he was talking of the colony as a whole, and he said that the ends of justice had been defeated in certain cases through persons being able to find out the names of the persons who were going on the juries. Mr. T. MACKENZIE (Waihemo) also wished to refer to the case of packed juries. To his mind, it was simply another indication that juries ought to be swept away altogether. It was well known that if a man had a bad case he wanted a jury, and if he had a good case he wanted a Judge. He had heard it reported over and over again that it was possible to pack juries for certain cases. However, he rose specially to indorse the remarks of the member for Wairarapa. The Minister should certainly take a note of what that honourable gentleman had said. The matter of District Court Judges had been before the colony for many years, and the Minister must be aware that it was the desire of the colonists to place those gentlemen beyond the influence of those who might retaliate if their judgment did not meet with their approval. Mr. WILFORD (Wellington Suburbs) was pleased to find that the member for Dunedin City (Mr. Millar) was taking such an interest in the jury system, and, as one who had had a little experience with juries in the City of Wellington and in one or two other small towns, he would answer the remarks of the honourable member. The honourable gentleman was absolutely unaware of the subject he was discussing : his arguments were quite fallacious. A jury should be a kind of protection to the prisoner, a kind of barrier between the accused and the prison-house. When a lawyer defended an alleged criminal he first of all obtained from the Registrar of the Supreme Court a copy of the jury-list. A copy of this list was also supplied to the Crown. The Criminal Sessions of the Court began on Mondays, and the list could be obtained on the preceding Friday; and the reason such list was supplied to counsel was, of course, that it might be laid before the prisoner so that he would be able to say if there were among the names those of any persons who were antagonistic to him. Then, in the Court the prisoner had the right to challenge six of the persons called by the Registrar, and in that way had an opportunity to keep out of the box any person who might be known to be antagonistic to him. By what other process could a

<page>113</page>

prisoner be properly defended ? There was also this point : The Crown Prosecutor had handed to him the name of every jurymen, and when the Court opened he had ticked off in red and black ink those jurymen whom he thought it would be wise to keep out of the box in certain cases and to let on in others ; and, though counsel for a prisoner had the right to challenge only six persons, the Crown Prosecutor could order as many persons as he liked to stand aside. As for the challenges allowed to the prisoner, it was, he contended, only fair that they should be allowed to him, and it was a right that should not be taken away. To take away from a prisoner the right to see the names of the thirty-six jurymen in the panel would be a great wrong to an alleged guilty person. Mr. PIRANI (Palmerston) would like to hear the Minister's

reply to the question put by the member for Eden as to Mr. Northcroft's salary. That officer was one of the best in the service, but for some reason he seemed to have been knocked about from pillar to post, and now that increases were being given he was the one who had been selected to have none at all. Mr. McGOWAN said, in reply to the honourable member for Pahiatua, that every consideration was given by the Government to the interests of the back-block settlers. The honourable gentleman brought the question up in the House the other day, and was then informed that the business of the district did not warrant the establishment of a Court. The Government had made inquiries, and had conclusive evidence that there would not be sufficient cases there to warrant a Court being opened. In regard to the matter introduced by the honourable member for Auckland City (Mr. Napier), the Government had not come to any conclusion on that point. In regard to the honourable gentleman's suggestion that he should consult the Law Society, he was not going to consult the Law Society as to appointments to the magisterial Bench. In reference to the point mentioned by the member for the Bay of Islands, in regard to District Courts and the large interests often involved, it was necessary that consideration should be given to that. As regards what had been said by the honourable member for Wairarapa, as to the way in which District Judges and Magistrates should be paid, his idea was commendable, but the colony could not stand the amount he said ought to be paid. The honourable member for Dunedin City referred to the salaries paid to Magistrates. There was an increase in these salaries this year, and the reason for it was this : in order to equalise the salaries of the Magistrates in the larger centres. Then in regard to the jury-list, it was not a matter that came within his functions, but he would cause inquiries to be made ; no preference should be given in regard to the means of obtaining justice. In regard to what had been said by the honourable member for Waihemo, he was not going to express any opinion upon the jury question. Mr. LANG (Waikato) said, In regard to the increase in the salaries of Magistrates, he VOL. CXIX .- 7. thought Mr. Northcroft was entitled to receive the increased amount. Mr. O'MEARA (Pahiatua) said, With regard to the establishment of a District Court at Pahiatua, it was impossible for the Minister to know the amount of business that would be done at Pahiatua. Courts had been established at Palmerston North, Napier, Wanganui, and Wellington, and cases of bankruptcy, probate, et cetera, had to be taken to one of those Courts, great expense consequently being imposed upon those who had to travel long distances to those places. He moved, That the vote be reduced by £1, as an indication that the administration of the Justice Department in respect to the setting up of District Courts and other arrangements was unsatisfactory to the country districts. Mr. McGOWAN, in reply to the honourable member for Eden, said it was impossible to treat every Magistrate alike. His opinion was that the salary paid to Mr. Northcroft at the present time was a fair salary for the position he occupied. If he were moved to a larger district the probability was that his salary would be increased. There must always be the power to change the districts of Magistrates where necessary. As to the amendment moved by the honourable member for Pahiatua, he had made careful inquiry as to whether there was a necessity for establishing a District Court at Pahiatua. He found that in twelve months there were two civil cases and four bankruptcy cases at Pahiatua, and it was therefore hardly fair to ask that there should be extra visits to the place by the Magistrates. It would entail additional expense. Mr. O'MEARA did not see where the extra expense would come in. It would mean about a guinea for the extra day the Judge would spend in the district. Every case involving over £100 had to go to a District Court, and it was necessary for the convenience of litigants that there should be a Court established at Pahiatua. Mr. HOGG (Masterton) suggested that, if a District Court were established at Pahiatua, one should also be established at Eketahuna, and that it would be no inconvenience to the Judge to call there on his way from Masterton. Mr. HERRIES (Bay of Plenty) asked the Minister if he really intended adopting the new policy of paying the Magistrates that he had laid down this afternoon—namely, that Magistrates in the four large centres were to get £550, and that the others were to get less. The Minister had also advocated the changing of Magistrates. Did that mean that a

Magis- trate might get £550 one year in a large centre and the next year be transferred to a country district where, he presumed, he would be re- duced, and suffer a reduction by perhaps £100? He would like to know whether the salary was to be made to fit the position and not to fit the man ? Mr. SEDDON .- No, no. Mr. HERRIES said that if that was so, then a man might be appointed to a town at £550 and then be transferred to the country and still

<page>114</page>

the larger salaries to the Magistrates in the four centres would not hold water, and eventually all Magistrates would get £550 a year, as long as they had served for a period in one of the large centres. Mr. SEDDON said that before the present Minister took charge of the Justice Depart- ment the maximum salary was \$500, and when, so far as he could remember, Mr. Northcroft was transferred from the Thames to Auckland his salary was brought up to \$500. After that he was shifted down to the Wairarapa and afterwards to Waikato, but his salary was retained at \$500. Since then it had been decided that the maximum salary for the old Magis- trates at the four centres was to be £550. Those recently appointed direct to the cities were not getting \$500 or £550. Mr. McArthur, tho latest appointment, who was at North Can- terbury and at Christchurch, was only getting £450. When the work of the Magistrate in any of the four large centres was compared with that of a Magistrate in the country it would be found that the Magistrate in the country was well paid. Mr. Northcroft was well paid for the work he did, and had no reason to com- plain, and he did not believe he had com- plained. The Committee divided on the question, "That the vote be reduced by £1." AYES, 12. Rhodes. Barclay Lethbridge Field Millar Tellers. Parata Gilfedder Hornsby Herries Pirani O'Meara. Kaihau NOES, 35. Allen, J. Hanan Russell, W. R. Hardy Atkinson Seddon Bennet Hogg Stevens Carroll Hutcheson Tanner Collins Lawry Thompson, R. Duncan McGowan Thomson, J. W. Ell Mackenzie, T. Ward Fisher McNab Willis Fowlds Meredith Witheford. Graham Mills Tellers. Morrison Hall Napier Hall-Jones Palmer Wilford. Majority against, 23. Amendment negatived. Vote, £46,550, agreed to. Native Land Court, £11,175. Mr. HERRIFS (Bay of Plenty) trusted the Government would give the House some assur- ance that a Bill would be introduced dealing with petitions which had been before the Native Affairs Committee. He trusted the Bill would be brought down as early as possible so that it might have a chance of passing. Mr. CARROLL (Native Minister) said the Bill was being prepared now, and it would be brought down earlier than any such Bill had ever been brought down before. Vote, £11,175, agreed to. Vote, Validation of Native titles, £800, agreed to. Mr. Herries Mr. NAPIER (Auckland City) thought that with more modern methods a large saving might be effected in the conduct of these prose- cutions. The Judges at present took down their notes in longhand. Parliament passed an Act last year for the purpose of having short- hand reporters provided for the Courts. If that system had been adopted he was quite satisfied that there could be a saving of \$7,000 or £8,000 on this vote. He had seen criminal sessions prolonged to four weeks which could easily have been disposed of in eight or ten days. Some- times a hundred witnesses were detained, at enormous cost to the country, and frequently those witnesses were hundreds of miles from The expenses of witnesses their homes amounted to .£8,750. Of course, witnesses had to remain un il prior cases on the list were dis- posed of. The \$3,000 set down for the pay- ment of jurors would also be considerably reduced if the criminal sessions were shorter, as they would be if shorthand writers were employed. He hoped that some effort would be made to have shorthand reporters attached to the Courts, so that the conduct of criminal cases, as well as civil cases, might be ex- pedited. Some time ago he made up the costs which the Crown had to pay in an ordi- nary case of sheep-stealing from a remote dis- trict. The costs amounted to £70, and that case might easily have been settled, if a slight amendment of the law were made, by the Stipendiary Magistrate of the district in which the offence was committed. Considering the number of criminal prosecutions, he thought the amount set down was excessive. He might mention that by the passing of the Indictable Offences Summary Jurisdiction Act-of which he had

the honour of being the parent-the colony had been saved several hundred pounds a year. If sittings of the District Court were held in various parts of the Auckland Provincial District a considerable saving could be effected. He would also suggest that indictment forms should be printed on paper, instead of having to be written on parchment. Then, he thought there should be some discrimination in regard to the fees paid to the Crown solicitors in cases where prisoners pleaded guilty, and in those in which they pleaded not guilty. By supplying the Crown solicitors with printed forms of indictment the fees could be cut down one-half in the cases where prisoners pleaded guilty. Vote, \$15,250, agreed to. Vote, "Coroners Act, 1867," £4,200, agreed to. Miscellaneous services, £5,714. Mr. MONK (Waitemata) said he would like some information with regard to the item "Compilation of Maori History, £250." Mr. CARROLL (Native Minister) said that Mr. Stowell, of Hawera, had been appointed to compile a Maori history and old Maori folk-lore. He was a very good man for the purpose. He had already started to collect information from the very few natives who were able to give it. Mr. MONK asked what were the particular phases of Maori lore he was seeking ?

<page>115</page>

legendary lore, and the history of the Maori race. Mr. MONK asked what had become of the material collected by Mr. John White-a gentleman who had a large amount of material which, he understood, the Government purchased at his decease. Mr. White possessed more information on the matter than perhaps any other person. Mr. CARROLL said all the material that was gathered by Mr. White was now in the possession of the Government, and Mr. Percy Smith had been engaged to arrange and put into proper order all that had been collected. When Mr. Stowell applied for the position his application was referred to Mr. Percy Smith, who said that Mr. Stowell was a very estimable man, and a capable man for the work - one of the best, indeed, who could be selected. Arrangements had also been made with Mr. Smith to revise any of the work done by Mr. Stowell ; and others interested in the question would also be engaged to make it a complete work, and one that would be, as far as possible, a true and reliable collection of the colony's Maori history. Mr. MEREDITH (Ashley) was pleased to hear that the Minister was taking steps to have compiled an accurate and reliable history of the colony. Some eleven years ago Mr. White wrote a history of the early times of the colony, and at the time of his death had brought out six or seven volumes. It was an admirable work, and one that showed the writer was capable in every way for the work he had in hand. Was the house to understand that the work Mr. Percy Smith was now engaged on was a continuation of Mr. White's history, and that it was to complete a full history of the Maori race ? Mr. CARROLL said, That was the position. Mr. MEREDITH said that some time ago Mr. Hone Heke, member for the Northern Maori District, was engaged in collecting material for the purpose of bringing out a history of the Native races of the colony. Had the Government entered into any agreement with Mr. Hone Heke in the matter ? Mr. CARROLL said there was no arrangement between the Government and Mr. Hone Heke in respect to any work by the honourable gentleman on the Native race. Probably, the honourable member for Ashley was confounding Mr. Hone Heke with Mr. Hongi Hika, who was now engaged with Mr. Stowell. Mr. MEREDITH asked if Mr. Stowell was a member of the Native race ? Mr. CARROLL replied he was. Mr. NAPIER (Auckland City) urged that Mr. Stowell should visit the old Maori chiefs at as early a date as possible, as they were fast passing away. Only within the last few days a distinguished old chief named Hohaia Patuone, a nephew of Tamati Waka Nene, had died at Hokianga. He (Mr. Napier) had known Hohaia, and he had a marvellous store of Maori traditions. There were other extremely old men in the same district, some of them 50. valuable information was to be obtained from them ; and Mr. John Webster, of Hokianga, would be able to put any one in the way of going to the proper places to find them. Mr. COLLINS (Christchurch City) asked if the proposed history would include a history of Maori art, without which no history would be complete. Captain RUSSELL (Hawke's Bay) was glad to hear this point raised. Many members would be acquainted with a valuable work on Maori art

edited by Mr. Hamilton, of Dunedin. It would be a suitable thing if he-a gentleman who had devoted at least twenty years of his life to the study of Maori art, and all branches of Maori ethnics-were employed by the Govern- ment in doing this work ; nobody was more familiar with the scientific portions of Maori art ; and having succeeded in bring out a valu- able and beautiful work he should be en- couraged. Mr. WILLIS (Wanganui) asked whether, as Mr. White's book was out of print, all the volumes having been destroyed by fire, the Government had any intention of reprinting it. Mr. HOGG (Masterton) wished to indorse the remarks about Mr. Hamilton as a gentle- man who had devoted an enormous amount of pains in connection with the industries and arts of the Maoris. He had done a great amount of important work in this direction, and it should be recognised by the State. Mr. PIRANI asked for particulars as to the item, " Contingencies." Mr. McGUIRE (Hawera) said, In respect to Mr. Stowell, no man could be more suitable for the work he was now engaged in. Mr. ELL (Christchurch City) asked if the Minister would also include in the work all the names of the different streams, that they might be placed on record, with the different historical sites where Maori battles and other events had taken place ? Mr. FISHER (Wellington City) understood that, on account of the prudish objections of some people, the first volume of John White's work was withdrawn from circulation. Now, in the event of there being a reprint of Mr. White's work, the value of the work as a whole would be destroyed if any portion of it were suppressed. Mr. HERRIES (Bay of Plenty) said, In con- nection with the item "Expenses of Urewera Commission, \$250," there was a statement in the Crown Lands Report to the effect that the settlement of the ownership had not been nearly accomplished yet ; the Urewera country was an important block, and suited for settle- ment, and it was important to get the titles settled. This referred to the Urewera country, but it appeared that very little had been done up to the present. He hoped the Minister would see that more progress was made in the future. Mr. MONK (Waitemata) thought the objec- tionable article in one of the volumes of White's . work could not properly be accepted as Maori lore, but was a modern coinage of some imagi-

<page>116</page>

expunged from the work altogether the book would be more accurate. Sir George Grey had himself informed him that he considered it purely & creation of recent date. Mr. NAPIER (Auckland City) said the monument erected by the Government in 1872 over the grave of the late Wiremu Patuone, at Devonport, had fallen into disrepair and was not at present a credit to the country. This chief was one of the most sincere friends of the Europeans in the early days. He had been given a State funeral, and he thought some steps should be taken to make the tomb more worthy of his memory. Mr. CARROLL, in reply to the honourable member for Christchurch City, said it was the intention of the Government that the compila- tion of the Maori history, and the Maori art work which was being brought out by Mr. Hamilton, should, to some extent, be asso- ciated. He had already given notice of a Bill in connection with Maori relics, and when that came before the House he would discuss with members the question of preserving Maori art. A week ago he had had a long conversation with Mr. Hamilton, who quite agreed with the intention of the Government in connection with this matter. He admitted that the only thing that could be done by legislation this year was to pass a Bill restricting the exporta- tion of Maori relics and giving the Government the first right of purchase. During the recess it was his intention to have a conference with Mr. Hamilton, and other prominent men who were leading men in scientific bodies, with a view of drawing up plans for the establishment of a national museum in Wellington, in which to treasure up all Maori relics and works of art. Mr. MONK .- Do you intend to place them in a wooden building ? Mr. CARROLL would like to see them in a special building, say, on the piece of ground attached to the Parliamentary Buildings which was now used as a tennis court. With regard to the matter brought forward by the honour- able member for Auckland City (Mr. Napier), the Native Department would see that every- thing necessary was done in connection with the monument erected in memory of the late Wiremu Patuone. With regard to the Urewera question, the department had not yet been suc- cessful in the settlement of the titles to that vast

area known as the Crewera country. Many things had happened to bar their progress. This year had been a remarkable one, inasmuch as there had been the visit of their Royal Highnesses and other things which had prevented them going on with the prosecution of the work of ascertaining these titles. Mr. Percy Smith, who from the inception of this Act had been a Commissioner, had occasion to leave, and they had not a suitable person on hand and had to wait until Major Scannell was disengaged ; he was appointed late in the season. This summer he intended that the Commission should start their work at the earliest possible moment, and to keep them at it until the cold of winter drove them out. Mr. Monk good men, and he had every hope that this summer they would very nearly complete what was required of them in that country. The Lands Department and the Native Department were turning their attention to the matter mentioned by Mr. Eil. Mr. HERRIES (Bay of Plenty) directed attention to the necessity of the Commissioners starting their work at the Ruatoke Block. Mr. CARROLL said he would submit that to the Commissioners. Mr. ARNOLD (Dunedin City) said, For travelling-allowances and expenses last year \$200 was voted, whilst the expenditure was £384, and this year he observed that \$350 was asked for. He would like to know why this large increase should appear on the estimates. Mr. McGOWAN said that the travelling-allowances and expenses of two Secretaries were included in the amount. The "Contingencies" were as follows :- £ s. d. Annual certificates as barristers, 12 12 0 &c., issued to Crown Law Officers Ballot-boxes, District Court, Ku- 3 5 0 mara . Clocks, and repairs to clocks 7 0 1 . 2 10 0 Copying-press . Counsel for defence in murder cases 2 42 0 Draping Courthouses, &c., Queen's funeral 7 4 0 Despatch-bags for Stipendiary Magistrates, &c. .. Expenses of Magistrate holding inquiry re hauling down of Austrian 710 flag . . Freight and insurance on Patents 6 15 0 specifications . . . 9 0 Legal expenses .. 11 . . Overcoat for messenger, cartage of stationery, &c., and sundry items 0 40 18 under £1 Postages on foreign correspondence 1 16 (Patent Office) 0 .. 30 0 0 Railway pass Refreshments to jurors, District Courts 3 00 Refund of stamps accidentally destroyed by Clerk of Court, Te Awamutu, before being used 15 0 .. 3 17 0 Removing telephones, &c. Salary of night-watchman, Coromandel 6 0 0 Salary of W. Jolliffe, Acting Law- 7 0 Draftsman 123 Share of expenses administering licensing laws paid to certain local bodies 25 ... 2 0 .. Shrubs for Court-grounds, &c. 10 0 0 Typewriters. mimeographs, cyclo-styles, and supplies 139 9 0 £507 18 0 Less amounts credited to vote for copies of inquest proceedings 0 2 11 ings £505 7 0

<page>117</page>

Mr. PIRANI (Palmerston) asked, What were the contingencies under the Native Land Court vote ? Mr. McGOWAN said they were as follows :- d. £ 8. Advertising and printing 6 31 6 Allowance to constable attending sittings at Ohacawai 0 5 17 Cartage of records, freight, &c. 31 15 0 49 Cleaning, &c. 12 0 .. Gas. fuel, &c. .. 1 10 7 . . Ink, stationery, tracings, &c. 10 5 2 Typewriters and supplies 21 0 0 .. £156 17 6 Mr. ARNOLD (Dunedin City) asked for an explanation of the increase in the item "Travel-ling allowances and expenses, \$350." Mr. HERRIES (Bay of Plenty) wished further information with reference to the Law Draftsman and Crown Law Officers, as an amount of #123 appeared in the "Contingencies" just read out for Law Draftsman. Mr. McGOWAN said the travelling-allowances and expenses were for two Secretaries, and officers of the department ; and he presumed the Royal visit had something to do with the increased expenditure. He might state as to the Law Draftsman, that only a portion of the salary had been paid ; \$650 was the salary which had been given for years to the Law Draftsman. Dr. Fitchett had been appointed Solicitor-General, and the position of Law Draftsman had not yet been officially filled. Mr. PIRANI (Palmerston) asked if the Law Draftsman would be appointed at that salary. Mr. McGOWAN said it was necessary the salary should be voted, no matter who filled the position. Mr. PIRANI asked who was to get the £4 " Refund of part of fine of \$5 imposed for breach of . The Printers and Newspapers Registration Act. 1868. ' " Mr. McGOWAN said he thought that was the case of Mr. Grant. Mr. PIRANI said that for similar offences other newspapers had been fined 5s. in one case and #1 in others. He thought it was

only right that a portion of the larger fine should be re-mitted. He would be satisfied if the Minister would promise to consider the matter. Mr. McGOWAN said he would make inquiries. Mr. PIRANI said it was reported that the Government were going to reprint Captain Barry's book on New Zealand. He hoped there was no truth in the statement. Mr. ATKINSON asked for further information with reference to the item "Purchase of reports and treatises for Crown Law Office, \$150." Last year only £42 was spent. Mr. McGOWAN said it had been found that this extra expenditure was required. Vote. \$5,714, agreed to. Prisons. \$30,886. Mr. HUTCHESON (Wellington City) desired to draw attention to certain discrepancies in the expenditure in the various gaols of the colony. The cost for medicines and medical comforts in the Wellington Gaol was very largely in excess of that in other prisons. For instance, it compared very badly indeed with Auckland. The cost for medicines and medical comforts in Wellington Gaol was £209 11s. 8d., as against £84 13s. 10d. in Auckland; yet the number of prisoners in the Wellington Gaol was less than the number in the Auckland Gaol, and the average on the sick-list was considerably less in Wellington than in Auckland. Mr. McGOWAN said the reason would be understood when he explained that the medical comforts used in prisons were not always what might be called medicines. They were classes of food, and prisoners who did certain labour—hard labour and so on—got food accordingly. An Hon. MEMBER asked, Are they all solid foods? Mr. McGOWAN said some of them were liquids, but none of them were spirits. Milk was classed as a medical comfort, although, of course, it was a food. Tobacco, rice, sugar, cocoa, oatmeal, butter, cheese, and tea were all comforts, which were supplied under the head of "medical comforts." Mr. HUTCHESON asked whether the same conditions did not apply in all of the gaols? Possibly they had a kind-hearted gaoler in Wellington. At any rate, he wanted to know something now about the clothing. He had looked up the records for the last ten years, and he found this: the average showed that for bedding and clothing, in the two prisons at Wellington and Auckland, the cost was 50 per cent. more in Wellington than in Auckland. How could that be accounted for? An Hon. MEMBER.—The climate. Mr. HUTCHESON said there were a lot more strange things to account for. He was not satisfied with the explanation of the Minister that rice, cheese, butter, and tobacco were classed as medical comforts. He would like to know if there had been any check on these medical comforts by the medical officer in charge in Wellington. Surely, of all men, the medical officer in charge of the gaol should be the man to make out requisitions for medical comforts. Had the medical officer in Wellington been in the habit of doing so, or had he even been given the opportunity? The climate would not account for the increase of 50 per cent. between the cost of the two gaols. He knew something about the Auckland climate, and it certainly would not account for the great discrepancy. Mr. HOGG (Masterton) thought the honourable member for Wellington City had rather understated than overstated the facts of the case. As far as he could make out, the difference was not 50 per cent., but was in many cases over 100 per cent.—that was to say, the cost of bedding and clothing for each prisoner was more than double in Wellington what it was in Auckland. It was a state of affairs that really could not be accounted for. Take the year 1892: The daily average number of prisoners in Auckland was 134, and the cost £160; the daily average number of prisoners in Wel-

<page>118</page>

be accounted for by the difference in climate? In 1893 the daily average number in Auckland was 134, and the cost £167; the daily average number in Wellington was 122, and the cost £536. All the way down for ten years there was the same difference in the figures. He was of opinion that in the Wellington Gaol there was but little control in the matter. He understood that tenders were not called for the bedding and clothing, and, as a matter of fact, it appeared that the taxpayers' money was being disbursed too freely. In ten years the difference amounted to £1,426—in Wellington the expenditure on clothing and bedding during that period was £4,332, and in Auckland £2,906, a difference of £1,426. Mr. COLLINS (Christchurch City) thought this matter wanted some explanation. He would be the last man in the House

to complain of any proper expenditure of money on medical comforts for prisoners, but he would ask members to look at the average number on the sick-list in the two gaols. The daily average on the sick-list in Wellington Gaol was 0.81 males, and 0.70 females ; in Lyttelton the daily average on the sick-list was 1.03 males, and 0.99 females. The average was greater in Lyttelton than in Wellington. And what was the cost of medical comforts? Lyttelton spent £42 11s. 5d., and Wellington £209 11s. 8d. It appeared to him that if the matter was susceptible of any explanation such as the Minister had suggested, it was practically accusing the gaol authorities in other places of not having done their duty to those who were sick. Such medical comforts as had been referred to by the Minister were practically unknown in the Lyttelton Gaol : some of the items were supplied, no doubt. He wished to call attention to another matter-the Hokitika Gaol. Did the Minister of Justice not think it was time that gaol was closed? The daily average number of prisoners was thirteen, and to control those thirteen prisoners there were a gaoler (at a salary of \$400), a surgeon (at £50), a matron (at \$50), and two warders (at a cost of #230). The average wage paid per prisoner was therefore \$45 per annum, while in other gaols of the colony it was about £30. Mr. MASSEY (Franklin) quoted the following figures to show that the cost for each prisoner in the gaol at Auckland was very much less per annum than in any other gaol in the colony : Net cost per prisoner per annum : Auckland, #19 1s. 3d. ; Dunedin, \$38 11s. 8d. ; Hokitika, £56 11s. 3d. ; Invercargill, £29 9s. 1d. ; Lyttelton, £21 10s. 9d. ; Napier, £48 7s. 7d. ; New Plymouth, £69 10s. 2d. ; Wanganui, £58 11s. 3d. ; Wellington, \$26 8s. 3d. It appeared from this that the Auckland Prison was a model one so far as keeping down the cost was concerned. In the last report from the Chief Gaoler at Auckland he said,- " With a greater number of prisoners, and a larger staff of officers, I could push on work in the quarries more energetically than at present, and so hasten the completion of the new prison. There is also a very great demand for road-metal for country districts where no stone can be obtained. Mr. Hogg has a most valuable asset in this Prison Reserve -it contains a practically inexhaustible supply of fine stone, eminently suitable for building or road-making, and for which the demand is sure to increase as years go by. On this account I look upon Mount Eden Prison as a perfect place for the employment of prisoners in almost any number ; for, although not far from the city, it is to all intents and purposes isolated, and hundreds of men could work on the reserve without in any way coming in contact with the public. The work can be done at a minimum cost with a maximum gain, and without in the slightest degree competing with free labour. For these reasons it would, in my opinion, be a great misfortune if by any means this reserve were curtailed or alienated, as I consider that so long as the Government hold this land the problem of suitable employment for prisoners is solved." Now, seeing that the cost of maintaining prisoners in the Auckland Gaol was so much less than in other parts of the colony, it might be as well for the Government to send some of the long-sentenced prisoners in the south up to Auckland, as obviously it would be in the interests of the taxpayers of the colony that they should be sent there, on the understanding, of course, that they should be taken to where they came from when their term of imprisonment expired. Mr. SYMES (Egmont) understood that in Auckland the prisoners were making roads and planting trees, and otherwise competing in the labour market. Mr. MONK (Waitemata) would like to see the Government come down with a comprehensive scheme by which the prisoners could be made to pay for their cost to the colony without interfering with private enterprise. They could be employed on harbour-works, breaking stones for roads, and so on. When a mole, for instance, which he believed some time in the future would be run out to the Sugar Loaves at New Plymouth, to be decided on at that place, that was a work on which all the prisoners in the colony could be utilised for the next twenty years, and ultimately produce a harbour for the large and fertile district of Taranaki. They could also be employed, he suggested, in breaking up and distributing from the Mount Eden Reserve scoria metal to the local bodies in the Auckland District, where in the winter the roads were almost impassable. Mr. WILFORD (Wellington Suburbs) suggested that the prisoners could be very profitably engaged in

vegetable growing for a time, especially in this district, where this class of work was practically confined to Chinamen, and they could carry on their work until they had wiped the Chinamen out of the land by competition, and then Europeans would have a chance. He now wished to allude to a note which had been struck by most of the gaolers in their prison reports, in reference to sending to the different gaols people suffering from delirium tremens. In regard to the Dunedin prison the Gaoler said in his report,-

<page>119</page>

of lunatics under remand, often of a violent character, being sent to the prison is very detrimental to discipline. There are no sur- gical conveniences for such cases, either in effective supervision or qualified attendance." The Lyttelton Gaoler said the same thing in almost the same words. In the report from Napier appeared the following remarks :- " Three male lunatics were received : of these, two were certified to by the doctors as being of unsound mind, and committed to the Lunatic Asylum ; one was discharged at the local Stipendiary Magistrate's Court, the Prison Surgeon, after a few days' medical treatment, under close observation, certifying that the prisoner was suffering from an over-indulgence in alcohol, and not from any permanent form of insanity." From the gaoler at Wanganui :- " I feel that I should be leaving a duty un- done if I neglected to draw attention to the old-fashioned cruelty of sending lunatics and prisoners suffering from delirium tremens to prison. There is no proper accommodation for them, neither are the officers experts in lunacy or medicine, and it is a great injustice to both the officers and other prisoners, who are fre- quently kept awake for two or three nights in succession by the noise made by these un- fortunates." Mr. Garvey, of the local prison, used these words :- "Two prisoners were received on remand- ore for drunkenness, the other theft. Both were sent to the District Hospital, where they died. These persons should not have been sent to a prison." In the face of these strong recommendations he hoped the Minister would see the necessity of some reform in this particular direction. Now, in reference to the comforts, so-called, supplied to prisoners, he had a talk with three of the principal gaolers of the colony, who all concurred in what had been advocated by Major Arthur Griffiths, at one time Governor of the Milbank Prison - namely, that a small allow ance of tobacco should be supplied to the prisoners in the gaols at regular intervals. The experience of these gaolers went to show that the very fear on the part of a prisoner that his allowance of tobacco would be stopped would be quite sufficient to make him toe the mark and conform to the discipline of the gaol. He himself believed that such a reform would be conducive to good discipline in the prisons of the colony. Mr. NAPIER (Auckland City) pointed out that there had been six avoidable deaths during the year in the prisons of the colony, and ac- cording to Inspector Hume none of those per- sons should have been sent to prison at all. Inspector Hume said a reference to the Gaolers' reports would show that the men who had died were not fit subjects for a prison, but should have been sent to a hospital or some similar institution. He (Mr. Napier) thought that, as power had been given to Magistrates to send persons of this class to hospitals, some institu- and a gaol should be provided in which deten- tion would be compulsory, and at the same time curative treatment could be applied. The sug- gestion made by the member for Wellington Suburbs, as to market-gardening, had been sug- gested by the Gaoler of the Wellington Prison in his report ; and it was a suggestion which he (Mr. Napier) supported. He had always thought that the present system of employing the prisoners on non - productive labour was a vicious one. He thought prisoners ought to be employed on remunerative work, and, further, that prisoners, and long - sentence prisoners particularly, ought not to be dis- charged incapable of afterwards earning an honest living, but that they should be taught some trade during the period of their incarceration. He believed the tree-planting at Rotorua by prisonsrs was going to be profitable to the State, and the work already done there was surprising. He hoped that still further efforts would be made, so that the whole of the Kai- 1 ngaroa Plains might ultimately be planted with trees. He did not entirely agree with the re- port of the Auckland Gaoler with regard to the completion of the new prison, because he be- lieved that a time would come when it would

be condemned as being in an unsuitable site. It was contemplated, apparently, that prisoners would for all time be employed in stone-breaking by hand, which was most unprofitable work. The prison should be in the country, and have a large area of land attached to it. He thought all stone-breaking should be done by machinery. He agreed with the suggestion of the honourable member for Waitemata that the services of many of these prisoners should be lent to the local bodies in the country to help in road-making. The prisoners could be taken out by rail, and be employed in road-formation, and returned to the prison each evening. Mr. MEREDITH (Ashley) said he noticed by the report that the number of prisoners in the gaols last year increased by two as compared with the previous year, and he noticed also that it was proposed to increase the number of officers from 127 to 129, from which it appeared that, although there was only an increase of two prisoners, there was a necessity for two additional officers. He noticed an increase in the expenditure of £135. He noticed also that it was costing almost double to maintain the inmates of the gaols than it was to maintain the inmates of lunatic asylums. As all the male prisoners in gaols were able to work, it appeared to him that their labour was not sufficiently utilised at the present time. He thought all gaols should be self-supporting, and it appeared to him that so long as the gaols were kept in the large centres this was not likely to be brought about. He thought the time had arrived when a block of between one and two thousand acres of varying quality of land should be obtained in the North and South Islands as sites for gaols, by which means long-sentence prisoners could be made self-supporting. He had brought this question up on previous occasions, and he hoped something would be done.

<page>120</page>

of Prisons, he noticed that of 188 long-sentence prisoners, there were among them for indecent assault, nine; indecent exposure, nine; rape, seven; attempted rape, five. He thought the time had come when the Minister should direct the attention of the administrators of justice to the frequent occurrence of offences against women, and that something should be done in the way of using the lash to prevent their occurrence. He wished to refer to the item mentioned by the member for Wellington, of "Medicines and medical comforts." He found that the cost for each prisoner for the year for medical comforts amounted to, at Invercargill, 23s.; Auckland, 47s.; Napier, 32s.; Lyttelton, 33s.; Dunedin, 41s.; and at Wellington, 60s. Under the heading of bedding and clothing, he found the cost of each prisoner was: Invercargill, 7s. 7d.; Napier, 15s.; Lyttelton, 8s.; Dunedin, 7s. 6d.; Auckland, 10s.; and Wellington, 30s. He thought the Minister should go thoroughly into this matter, and ascertain why it was this excessive expenditure occurred at Wellington. There was sufficient in the facts he had quoted to show there was something decidedly wrong in the management of the Wellington Gaol. Mr. MASSEY (Franklin) said that in making his suggestion he spoke from the taxpayers' point of view. It seemed to him that the Gaoler in Auckland made out a very good case when he said there was an unsatisfied demand for road-metal, and an inexhaustible supply of the raw material in the prison reserve there. He said it was the duty of the Minister to send prisoners to those gaols where the cost was least, and where they would be compelled to earn a fair proportion of their own living. Mr. HUTCHESON (Wellington City) said there were a number of discrepancies in the expenditure in connection with the Wellington Gaol compared with the expenditure in other gaols in the colony. For instance, £344 was expended in gratuities in the Wellington Gaol, as against £155 in Dunedin, and #133 in Auckland. It appeared to him that the Wellington Gaoler practically "ran" the gaol. He did not submit tenders for clothing, bedding, et cetera, to the visiting Justices, nor did he submit the tenders for medicines or medical comforts to the Medical Officer. He had heard rumours which made him feel much concerned about this matter. He heard that all sorts of services were rendered to particular friends, both by day labour in the gaol and by warders outside gaol hours. He was told that two warders looked after Mr. J. C. Martin's house when that gentleman was on a visit to England. Mr. Martin was then Public Trustee. Then, a flag-staff was taken down by the warders on one property and

re-erected in another place. He was told that the Gaoler could get many advantages in his own private purchases over other private individuals. He thought the Minister should cause a searching inquiry to be made into the management of this gaol. He might tell the Minister that he must look into this matter, and the Com- Mr. Ceredith till they got a promise that an inquiry would be made. Mr. FISHER (Wellington City) said it seemed to him that the honourable member had made a series of most specific charges against the Wellington Gaoler, and he (Mr. Fisher) would be wanting in his duty if he did not say that these serious charges, laid at the door of the most experienced Gaoler in the colony, ought not to be allowed to pass without protest. He hoped the Minister would be able to give the charges a strong denial. Mr. Garvey was admitted to be the most efficient Gaoler in all New Zealand. Mr. NAPIER (Auckland City) maintained that it would be a very unwise thing to act upon the suggestion of the honourable member for Franklin, to concentrate the long-sentence prisoners in the Auckland Gaol, because they could be maintained there at a less cost than in other gaols. The obvious remedy was to reduce the cost of maintaining prisoners in the other centres. He (Mr. Napier) had studied the subject of penalogy for many years, and he contended that the Government should reduce the cost of prison management by the profit- able employment of prison labour. This could easily be done without coming into contact with free labour. He had no objection to the employment of prisoners on the fortifications. There were some prisoners employed on the forts in Auckland, and they were doing very excellent work. The Defence Department was charged 2s. per day as the wages of each prisoner. There were many other works of a similar character upon which they could be employed. He maintained it would be a wrong policy to concentrate the prisoners in one particular place. None of the modern autho- rities on prison discipline and management favoured undue concentration of prisoners in any one centre. The reform of prisoners was a most important factor, and such reform would be prejudiced by over-centralisation. Mr. BOLLARD (Eden) said that the Auck- land prison authorities were not able to supply one-fifth of the amount of broken metal required by the local bodies. He had known local bodies who had to wait for nearly six months before they could get their order execu'ed. If the Go- vernment supplied stone-breaking machines to the gaol, perhaps that would enable the demand to be met. He thought the member for Frank- lin was quite right in suggesting that it would be a relief to the taxpayers if prisoners from some of the other gaols were sent to a gaol where they could be more profitably employed. Mr. ARNOLD (Dunedin City) said, If pri- soners were to be occupied profitably to the State upon any class of work they must have warders over them who knew how to do the work themselves, and those warders should be treated properly. Last year the Minister pro- mised him that in regard to some complaints he had made about the Dunedin Gaol an im- provement would be effected. Well, for six months there was an improvement, inasmuch as a person who, he understood, was employed

<page>121</page>

in the Public Works Department was put on for night duty, which relieved the warders to a very considerable extent. What he wanted to point out now, however, was that the Gaolers in their annual reports, with only one exception, reported favourably on the warders under their charge, and that one exception was the Dunedin Gaol. Now, he believed that a month or two ago the Gaolers of the colony met in conference in Wellington, when it was decided, so he was informed, that in consequence of the attitude taken up by him (Mr. Arnold) last session, something must be done to punish these warders, and that punishment was to be found in the report, where it was stated that there was a desire on the part of the Dunedin warders to be off duty, and that they showed a spirit of indifference regarding duty. He believed that in both Wellington (Point Halswell) and Auckland (Fort Cantley) an officer was also appointed to perform night duty, and so relieve the warders of that work. The warders in the Dunedin Gaol had onerous duties cast upon them when the prisoners were working at Taiaroa Heads, and on returning to Dunedin they were called on to perform night duty. He hoped the Minister would see his way to allow this

officer of the Public Works Department to continue to perform the night duty at Dunedin. Re- specting the question of Sunday work, the Minister of Justice promised him last year that if it was found impossible to let the warders off every other Sunday, they would be given a day or two every month, as in the lunatic asylums. Now, in the Dunedin Gaol there was one warder who had only had one Ssl:bath off in twenty-four weeks, one had three in twenty-four, one had four in twenty-four, three had seven, one had eight, and one had eleven. Honourable members would admit that these men-and a number were married men-should be allowed to return to their homes and spend Sabbath with their families more frequently than they were now permitted to do. The expense to the colony would be a mere bagatelle. Another difficulty had cropped up since last year : Each warder was allowed an annual leave of fifteen days, and it was the custom of the department to get an extra warder for that period from the Public Works Department. In March last, however, the In- spector, when in Dunedin, gave instructions that for the future the remaining warders should also take the work of the man who was off. He (Mr. Arnold) trusted the Minister would look into these matters, and rectify the grievances the warders undoubtedly laboured under. Mr. BARCLAY (Dunedin City) said there was a system in Dunedin under which prisoners were taken from Dunedin to work at Taiaroa Heads, and there was a slight injustice in the working of that scheme, in this way: the married men who were taken down to the Heads to guard the prisoners were obliged to pay for their food, and at the same time they had, of course, to keep their families and their homes going in the town. He thought something extra-say, 1s. a day-might be allowed to men who were placed in such cir- cumstances. The officers in charge of the prisoners tree - planting were, he understood, allowed their rations. As to the hours of the warders, there was a system under which attendance in the evening did not seem to be counted in the hours of work, so that a man who went on at eight in the morning, and left at ten at night, was said to have done only eight hours' work. In that way the book that re- corded the hours of work done could hardly be said to be strictly correct. Again, the officers at the Heads, if off duty, should be allowed to come home on Saturdays and Sundays. He knew of one man who in twelve months had spent only about three months' evenings at home. There was another matter : the officers did not get a proper opportunity of answering charges that were brought before the Visiting Justices, and many times it seemed to him the fines that were inflicted were altogether out of proportion to the offence. There was, for in- stance, such a thing as a fine of 10s. for being five minutes late. He trusted the Minister would ascertain whether these statements were correct, and if they were, he hoped the honour- able gentleman would do something to remove the grievances. Mr. WILFORD (Wellington Suburbs) said, He felt that he must join with the honour- able member for Wellington City (Mr. Fisher) , in deprecating the attack made by the senior member for Wellington City (Mr. Hutcheson) on Mr. Garvey, the Wellington Gaoler. It seemed hard to fathom the reason of such an attack. It was not a fair way to attack a man who had no opportunity to reply. You might as well tie a man's hands behind his back and then punch him in the face. It was not manly. For himself he had not the necessary knowledge of the details of the charges to enable him to speak in defence of Mr. Garvey, but he could, at any rate, say this : that Mr. Garvey was a man who was as capable as any gaoler in New Zealand. He was a firm disciplinarian, he was a kind and humane man, and he knew from personal observation that men who had to pass through his (Mr. Garvey's) hands, had nothing but eulogium for that gentleman. Mr. Garvey was absolutely just to all who came under his care. And it was wrong for the mem- ber for Wellington City to damn by suggestion without proof. It seemed to him that, no matter what answer the Minister might make, the injury was done, and some people would always imagine that there was something in the charges made by the honourable member. Mr. Hutcheson had only to father charges of the kind, and, no matter how unjust these : charges were, and how unfounded, some of the mud was bound to stick. However, as long as Mr. Garvey remained in the colony he would be surrounded by friends who would never believe these entirely personal reflections that had been made against him by the honourable

gentleman. Mr. COLLINS (Christchurch City) said that earlier in the evening he referred to the dis- \---
<page>122</page>

the Lyttelton and Wellington Gaols. His object in doing so was to get an explanation of the matter from the Minister, and he regretted that opportunity had been taken to level charges against Mr. Garvey, who, it seemed to him, must lie under an imputation until an explanation was given as to the reason for the large sum expended on medical comforts in the Wellington Gaol as compared with the other gaols of the colony. He had no intention of casting any reflection on the officer in charge of that gaol. Mr. FISHER (Wellington City) 9.0. wished to point out to the Committee that every Judge in the colony had the utmost confidence in Mr. Garvey. A great deal had necessarily to be left to Mr. Garvey's judgment in dealing with offenders under the First Offenders' Probation Act, and in such cases the Judges had always acted in accordance with Mr. Garvey's report. In his opinion, the proposal to set up a Committee to inquire into these charges was utter nonsense. Mr. J. ALLEN (Bruce) said it had been reported that two children under the age of ten were committed to prison during the year, and between the ages of ten and fifteen no less than twenty-three were committed to prison. He considered this was a relic of barbarism. Last year they were informed that provision was to be made for such children being committed to reformatories and institutions of that kind. If a young child was committed to prison it was a brand upon him for a lifetime, and it made any effort to reform him all the more difficult. In his report the Inspector of Prisons said there was a necessity for something being done in connection with the gaol in Wellington. Mount Cook was not to be made available ; and he wished to know if there was to be any provision for the extension of the gaol on the Terrace, or whether some other place was to be provided. He thought it better to place the prison elsewhere altogether. It was also reported that new houses for the Gaolers at Wellington and Dunedin were required. He wished to ask more particularly whether any provision was being made for a new Gaoler's house in Dunedin. Mr. ELL (Christchurch City) said, In connection with what had been stated by several members as to mentally afflicted persons and those suffering from drink being committed to prison, the Minister would find that for a number of years past the same objections had been raised to this system. The recommendations of the different Gaolers that some change should be made were by no means confined to this year. This year a protest came from Auckland, Dunedin, Wanganui, and Lyttelton, and in Lyttelton there had been another death from the same cause, and the jury had added a rider that these cases should not be sent to the gaol. The Minister said he disapproved of it, and the officers of the department disapproved of it, and yet we found the same thing went on. He hoped there would be no need for these protests next session. He thought the Minister Mr. Collins authorities to deal with these cases, and that he should exercise that power, in accordance with the desire of the members, his own officers, and the country. Then, why should persons temporarily mentally afflicted be branded as gaol-birds ? He thought all that was needed in these cases was to erect suitable accommodation at the asylums, where there was the necessary medical and nursing staff. He hoped the House would have a most distinct assurance from the Minister that these things would be attended to. Mr. HUTCHESON (Wellington City) had hoped that the Minister would have given some extended information with regard to this vote. Although he did not know anything of this matter personally, yet he was persuaded that he would have been absolutely lacking in his duty if he had not taken the course he had. He said the Visiting Justices had not the opportunities given to them to which they were entitled. They were not permitted to see the contracts for bedding, clothing, et cetera, and he thought they should. The Gaoler here apparently fixed the whole of these contracts, but the startling fact remained that in nearly every line, and throughout a long period of years, the cost per head in the case of Wellington Gaol had been enormously in excess of every other gaol. Mr. SEDDON .- Everything is dearer in Wellington. Mr. HUTCHESON said, That could not account for the fact that for a period of ten years, although the daily average was forty-four prisoners more in Auckland, yet the actual cost for clothing,

bedding, and other supplies was, for Wellington, £1,426 in excess of Auckland. He said, too, that the large houses who catered for the supply of these institutions were in a position to contract at the same rate in each of the large centres. He also said that the doctor was not allowed to see the contract for medicine and medical comforts, and he thought the doctor was the only officer who was in a position to certify in regard to such con- tracts. Mr. McGOWAN said the honourable gentle- man had made very serious charges against an officer who was held in very good repute, and who bore a most excellent character, and if the honourable gentleman had come to him direct with these complaints a full and ample inquiry would have been made. Now, these complaints in regard to Visiting Justices were entirely new to him. No Visiting Justices had ever complained to him of the way they had been treated, or in regard to contracts. He was not aware even if it was the duty of Visiting Justices to know all about contracts. He would tell the honourable gentleman that the doctor did certify to medicines. He would be fair, and would say that he believed this had not always been the case; but the doctor did now certify and see all the vouchers for medicines and medical comforts. He believed some mem- bers of the House had mixed up medical com- forts with medicines. They were two different things. These medical comforts were not

<page>123</page>
 were doing their best under the circumstances. always given to sick prisoners, but, as he said They had made an attempt in one place to do before, were given for different classes of work. tree-planting, and he thought the result would Now, he would take a period of ten years, and be useful hereafter to the country, and it did show the medical comforts that had been pro- vided for Auckland and Wellington, and the not in any way compete with free labour. He honourable member would find that the differ- was exceedingly pleased with what had been done so far. With regard to supplying metal ence was not so great as had been stated :- and dealing with contracts, the fact of this having been brought up in the House would Auckland. Wellington. cause him to inquire into the matter. He did not know any Gaoler who had a higher repu- ! Prisoners. Prisoners. Number Number tation than Mr. Garvey, and he did not think -- of Year. of Year. Cost. Cost. that complaints should have been made against him in the way they had been made that evening. With regard to clothing, very much the same remark applied to that as to medicine and medi- £ £ cal comforts. A great portion of the clothing 1991 100 134 135 124 1891 was made up in the prisons, and they some- 122 1502 124 169 1892 109 times had a considerable stock in hand. It was 1893 108 107 102 1893 113 his duty, if he saw that any particular prison 90 1.94 1894 123 139 120 cost more than other prisons, to inquire into 13! 1995 .. 1895 165 140 75 the matter ; and after the discussion which had 14. 127 101 1896 1506. 143 taken place in the House he intended to make 10€ 143 1-97 .. 1897 174 155 a closer inspection in regard to all these matters. 1838 169 164 1898 164 133 .. With respect to the flags, that could be easily 1599 170 138 153 1899 116 accounted for. They were required at Waio- 1900 1900 166 84 209 138 tapu for signalling, and at some of the other gaols, and had been sent there. He did not 1,331 €1,293 £1,311 1,393 think when that was inquired into that any great fault would be found. With respect The summary for last ten years was, there- to medical comforts, they were given to those fore : Auckland, 1,393 prisoners, on £1,311, or, to whom the doctor ordered them. He might 1s. 10d. per head ; Wellington, 1,331 prisoners, state that in some cases road-metal had been cost \$1.293, or. 19s. 5d. per head : a difference sold to local bodies in the North, and also to the Railway Department. He did not think in favour of Auckland of 7d. per head. He that in any way interfered with free labour might also point out that there was a very large supply of medicines in hand at the Wel- there. It was the object of the whole of the lington Gaol just now, which had all been officers of the department to carry out their charged for, and which made the return for the duties in as satisfactory and economical a way past year higher than it would otherwise have as possible. been. In regard to the fault that had been found with the management of the prison excuse given by the Hon. the Minister of Jus- tice for the defects which had been pointed under Gaoler Garvey, he thought it was only right that such a complaint should have been

out was scarcely a valid one - namely, that made to him (Mr. McGowan), as Minister of legislation was required. If that was so it was Justice. He had always heard Mr. Garvey the Minister's duty to introduce such legisla- spoken of in the very highest manner, and even tion, and the Parliament would willingly pass prisoners on leaving gaol often depended upon it. He had no hesitation in denouncing as a nim very much for advice. In regard to the national crime the continued committal of question of committing children to prison, that little children to prison. He might mention was a matter that required to be dealt with that in the Auckland Prison he some time ago by law. The question of committing persons saw a little boy breaking stones. There was a to prison for drunkenness was also one which warder to look after him, and this boy was in a yard where the ordinary prisoners did not would require fresh legislation if any change work. What he (Mr. Napier) submitted should was to be made. In regard to the difference in the cost of the different prisons, as a general be done was to establish proper reformatories. rule any one knew that the smaller the prison They ought to have reformatories, as distinct the greater the cost per head. With reference from industrial schools. The latter should .be to prison labour, he was not going to be one reserved for children who were neglected, but to introduce prison labour to compete with free from crime. There was no graver error free labour. If the House was prepared to ever committed than the abolition of the train- spend about \$200,000-say, £100,000 for each ing-school at Kohimarama. Children rescued Island-to construct properly equipped gaols, from criminal surroundings were committed to and take up a sufficient area of land so that these that school. He believed that the reports went two prisons would have land enough to enable to show that the boys who were committed them to support themselves and the whole of the to the Kohimarama School scarcely ever re- lapsed into crime. The boys were trained in warders, something could be done ; but to do this in a piecemeal way would mean that it maritime pursuits, and in many cases became sailors on coastal vessels, and some of them would not be successful. The Government \---- \--- Mr. NAPIER (Auckland City) said the \---- - -

<page>124</page>

his report the Inspector of Prisons indorsed Gaoler Garvey's suggestion for the establish- ment of brick-making and pipe-making in- dustries for Wellington prisoners. The pro- ducts of prison labour could be kept from competing with those of free labour. In American prisons the products did not come into competition with those of free labour. He submitted that the suggestion that men should be kept at useless work, such as break- ing stones, which unfitted them to become useful members of society after their dis- charge, was an act of folly. What was the consequence of the existing system ? That the Justice Department, as far as the prisons were concerned, was the most unprogressive department in the colony, and men went back to gaol year after year, and no reformation was attempted at all. We were fast rearing up a criminal class. Mr. McGOWAN said it was a fact that American prison-made goods had been sent to London and afterwards shipped to this colony, and came into competition with locally manu- factured articles, and, as far as he was concerned, he would not be one to encourage such a state of things. Mr. T. MACKENZIE (Waihemo) said that not only American prison-made goods, but German prison-made goods had come to this colony and come into competition with locally made goods. Regarding the charges made by the member for Wellington City (Mr. Hutche- son) against the Gaoler at Wellington, he de- sired to say that, although he knew nothing of the conditions, every member had a right to ventilate grievances on the floor of the House. Members all knew that if they approached a department with such matters no satisfactory reply was received, and, as a result, no reforms were carried into effect. Very often these at- tacks on public officers redounded to the credit of the officers who were attacked ; and, as a proof of that assertion, he need only point to the many expressions of public approval they had recently heard of Mr. Commissioner Tun- bridge, the head of the Police Force, who was recently very severely attacked in the House by the member for Wellington City (Mr. Fisher). As to the employment of prisoners, he agreed with what the Minister had stated. The honourable gentleman said he would not have their

labour employed in competition with free labour, and in that he was quite correct. The honourable gentleman also said he would employ prisoners on works that might not otherwise be performed, such, for instance, as tree-planting. In the earlier days of Otago the prisoners did a great deal of useful work in connection with the public parks, and such works had not interfered at all with free labour. There were many other ways in which prisoners' labour might be utilised in works that would not otherwise be done. The member for Wellington Suburbs had spoken about prison labour being employed in vegetable-growing in competition with Chinamen. Well, if the Chinamen had votes, and were in sufficient numbers, Mr. Napier urging everything in favour of the Chinamen ; but, as Chinamen were industrious and did not interfere with politics, it seemed they were to be met with all sorts of opposition. Mr. ELL (Christchurch City) said, With reference to the Minister's statement that he could not give effect to what was needed-~~ag~~ the law stood it could not be done; an alteration of the law was needed-he would refer the honourable gentleman to " The Police Offences Act, 1884." Subsection (2) of section 21, in reference to drunken persons brought before Magistrates, states,- "The Justice before whom any such person as aforesaid shall be brought may, if he shall think fit, remand such person for not more than seven days, and thereafter for such further time as he shall think proper, to some hospital, infirmary, or other fitting place for curative treatment and care. When any person shall be so remanded he shall be deemed to be in the custody of the Gaoler, and he may be brought from the place to which he has been sent, and taken before any Justice, to be proceeded against for the offence in respect of which he was originally arrested." With respect to the sending of persons charged as lunatics to gaol, a practice which was so strongly condemned by the authorities and the public, if the Minister would turn to section 67 of "The Lunatics Act, 1882," he would find that the existing law gave him all the power he needed to enforce what was needed. Section 67 was as follows : - "The Governor in Council may from time to time make and alter and repeal orders and regulations requiring the Board or other body or the persons in whose hands shall be vested the management of any public hospital (herein referred to as ' the Board ') receiving pecuniary aid from the public revenue, to provide wards for the temporary reception of lunatics; and may also from time to time make and alter and repeal orders and regulations providing for the construction of such wards; and the Board are hereby required to conform to and comply with such orders and regulations." The Minister would thus see that he had all the power in the existing law, so all he had to do was to use the strong hand which the law gave him to give effect to what was so generally desired. Mr. ATKINSON (Wellington City) said he was glad the Minister had said that he would exercise a closer scrutiny than had been practised hitherto in connection with the Wellington Gaol, but he did not know that that answer sufficiently met the facts and figures that had been adduced that evening, more particularly with regard to the Wellington Gaol. The Minister denied the right of the Visiting Justices to be consulted as to tenders for the gaols ; but he (Mr. Atkinson) called the attention of the Minister to the fact that Colonel Hume, when speaking in his report on the matter of tenders, said this : - "The practice of submitting the public tenders to the local Visiting Justices and adopting

<page>125</page>

served." This contradicted the Minister : at the same time Mr. Hutcheson's statement that the Wellington Justices had not been consulted contradicted Colonel Hume. Perhaps Colonel Hume himself had not been so vigilant as he should have been. As far as Mr. Garvey, the Gaoler at Wellington, was concerned, he (Mr. Atkinson) could repeat what had been said by his colleague and Mr. Fisher, the member for Wellington Suburbs, that, as a police officer, Mr. Garvey was a capable man and had a high reputation ; but it did not follow that he was a business-man or a good book-keeper. The Minister had given some figures with regard to medical comforts and medicine, and he was quite right in saying that for some special reason a comparison of the returns for a single year might be delusive. Well, he (Mr. Atkinson) had taken but the averages for three years, comparing Wellington with the rest of the colony, and his no reason why

Wellington should cost more results were these :- Proportion : Welling- Wellington to Colony. 1898-1900. ton. Colony. Daily average of 597 148 24 per cent. prisoners .. Daily average on 1.20 8.5 sick-list 14 . Medicines and me- 433 40 dical comforts 176 So that, comparing Wellington with the rest of the colony, Wellington had 14 per cent. of the invalids, but 40 per cent. of the medicines and medical comforts-that was to say, the invalids in the Wellington Gaol cost three times per head as much as the average cost of the invalids in the rest of the colony. There was the item of a Civil Service Board, to whom such matters of "gratuities," for instance. In Wellington the cost was \$344, whilst the total for the colony was only £949. The cost of Wellington prisoners on their discharge-125 of them -- showed that Wellington prisoners got as much & the 249 prisoners of Auckland, Dunedin, and Invercargill combined. The recoveries in Wel- item be reduced by £5, in order to give Mr. lington for maintenance were also extraordi- narily small. The amount was £493 in Lyttel- ton. \$650 in Auckland, and only £97 in Wellington, which again seemed to indicate looked up the figures with respect to the cost remarkable laxity in the Wellington manage- mint. land and Wellington Gaols during the last Mr. TANNER (Avon) said he would like to ten years. They showed that, while there was see some provision made for the treatment of an average of forty-four more prisoners in the those suffering from alcoholism, several of whom Auckland Gaol per annum than in Wellington, bad met their death in the cells of Christchurch lington £4,332, as against £2,906 for the greater and in other places, such as to create a sensation throughout the colony. In Canterbury, juries number of prisoners in Auckland. He had the bad made recommendation on the matter, but assurance of the Visiting Justices that no tenders up to the present nothing had been done, and it for bedding and clothing had been submitted to was high time that the department moved in them ; and, as to the statement that the vouchers the matter. for medicines were certified to by the doctor, Mr. R. THOMPSON (Marsden) said he always he felt assured that that had only been done understood that Colonel Hume was responsible since he had brought the matter before the for the management of the gaols, but he would suggest that Mr. Garvey, the Gaoler at Wel- ance of the Minister that he would look into lington, should be transferred to some other gaol, so that they might see whether that honourable member for Dunedin City (Mr. would not make some difference. Wellington Prison before being accepted were submitted to the Visiting Justices, and the recommendations were made on their approval. In regard to gratuities, the department had no power to alter them, because all over the colony they were awarded according to the time served by and conduct of the prisoners. In regard to the bedding and clothing, much of that was made up in the gaol, and to show that there was no disparity he might say that last year the balance was in favour of Auckland by £17 1s. 8d., whilst the year previous the balance was in favour of Wellington by #110 16s. 5d. If honourable members took the prisons of the colony they would find that the cost of one was not much greater than another, so far as the large ones were concerned ; but, of course, \----- - the smaller ones were more expensive in pro- portion than the larger ones. Mr. R. THOMPSON (Marsden) said he saw than Lyttelton, and he was perfectly convinced 1 something was wrong. Mr. ARNOLD (Dunedin City) pointed out that a number of prisoners at Dunedin were kept down at the Heads from Saturday to Mon- day, when there were forty unoccupied cells in the Dunedin Gaol. If these prisoners were to be kept down at the Heads there should be an extra warder appointed to assist in looking after them, otherwise they should be run up to Dunedin in the little steamer that was always available for the purpose. In regard to the complaints that were made about the conduct of the gaol officials, he believed the majority of those complaints never reached the Minister. He advocated the setting-up should be referred for investigation. He did not belive in power being given to the Gaolers 1 to punish warders without appeal either to the Justices or to a Civil Service Board, which he advocated should be set up. Mr. PIRANI (Palmerston) moved, That the Hutcheson an opportunity of making some further remarks. Mr. HUTCHESON (Wellington City) had of bedding and clothing supplied to the Auck- the cost of clothing and bedding was for Wel- House. He was satisfied to have the assur- the matter. Mr.

McGOWAN said the request of the

<page>126</page>

to Dunedin, so that the business might be properly conducted, and in order that the men should be allowed proper rest, would be attended to, and, if it were found necessary, an additional officer would be sent. Mr. SEDDON (Premier) would like to point out that the Inspector of Prisons had his head-quarters in Wellington, and it would appear almost impossible for the condition of things as referred to by the member for Wellington City to have existed without his knowing something of it; but when the Inspector knew nothing about it, and the Minister knew nothing about it, and when none of the Visiting Justices had complained of different treatment here from that received in other places, naturally the honourable gentleman's position and contention was weakened. It might be, of course, that there was a new Visiting Justice without any experience at all, and he probably had a grievance and went to a member of Parliament. Referring to the table quoted by the honourable member for Wellington City (Mr. Atkinson), he might say it was brought forward on a previous occasion, and when the attack was to be made on the large amount of medical comforts used in Wellington as compared with other gaols it was in members' minds that there was more alcoholic stimulants used in Wellington than in any other gaol in the colony. However, he would undertake to say, taking the relative cost with the relative productiveness over a given period, that the Wellington Gaol returned £3 to £1 of any other gaol in the colony; and he thought that fact ought to be shown, in justice to the Gaoler. The Wellington Gaol, so far as its management was concerned, stood equal to the best gaol in the colony; and there was no doubt, if they took the credits for the sale of bricks made, and the defence-work done, and if they brought to credit the bricks, tiles, and pipes, et cetera, in hand, the Wellington Gaol was the most productive gaol in the colony. And then, in regard to the cost per head, members must remember that the prisoners were divided, and that they worked at the Terrace Gaol and also at Point Halswell, and this brought the cost almost the same as in a country district, and this extra cost had to be added to the management of the Terrace Gaol. However, he took it that all the honourable member for Wellington City (Mr. Hutcheson) intended was to call the attention of the Minister to the facts as they had come to him, and it was the duty of the Minister, when anything was brought before him by a member, to inquire into it, but not to take it as a charge against one of his officers. He would ask members not to lay too much stress on what was said outside, because they could not believe what every one said: and, so far as Mr. Garvey was concerned, he would believe him to be a good and efficient officer until the contrary was proved. Mr. HUTCHESON (Wellington City) said his desire was to have a thorough inquiry into the allegations, by the Minister. There was Mr. McGowan when the operations were distributed over a wide area, but that did not account for the whole difference in the extra cost. But he would point out that every gaol in this colony could be made not only self-supporting, but could be turned into a huge profit-earning machine, if the Ministry were undeterred by any consideration for outside employers, and were not debarred by the idea of competing with free labour. Mr. ATKINSON (Wellington City) said the Premier told them that the Wellington Gaol produced more than any other gaol in the colony. Now, that statement was incorrect, because the table showed that the total credit for the Wellington Gaol amounted to £3,027, whereas the total credits for the Auckland Gaol amounted to \$3,556 - that was to say, the Auckland Gaol earned £500 more than Wellington, which showed that the Premier was absolutely wrong. Then, Lyttelton Gaol earned £2,578, which, of course, was \$500 less than Wellington, but by the time they allowed for the smaller number of prisoners at Lyttelton the average at Lyttelton for productivity was slightly better. Amendment by leave withdrawn. Vote, £30,886, agreed to. CLASS V. - POST AND TELEGRAPH DEPARTMENT. Postal and Telegraph salaries, £257,636. Mr. G. J. SMITH (Christchurch City) wished to ask whether all the advances shown in this department were strictly in accordance with the Classification Act, or whether there were any increases not provided for under the Act. In addition to that, he wished to know, in connection with the

Telephone Department, whether his statement of the following figures were correct. According to the Post and Telegraph Report laid on the table, the total cost of telephone construction to date was shown to be £176,349. Was that the cost of all connections up to date? Sir J. G. WARD. - Yes, it is. Mr. G. J. SMITH said a deduction was shown under working-expenses for wear-and-tear of 10 per cent. up till 1897, and after that of 5 per cent. This was charged on the basis of the total cost of the Telephone Department, but was not deducted or written off the capital cost year by year. If, then, the total cost of construction was £176,349, and the deduction for wear-and-tear was £131,789, it left a reduced total cost of construction on the books of the department of £44,560, and it was on this amount that the interest earned by the department should be calculated, and not on the larger amount of £131,789; and yet it was made to appear as if for a number of years the department was working at a loss, whereas in reality it was not so, but at a handsome profit, and the charge to subscribers to the various exchanges might very well be reduced. There ought to be a reduction in connection with the private subscribers, as the department should encourage

<page>127</page>

private individuals to have their houses connected with the Office Savings-Bank. He noticed that at the exchange. Mr. PIRANI (Palmerston) said that two years ago he had drawn the attention of the Minister to the fact that a number of positions as Postmasters in the smaller centres were vacant during the daytime, and, if it could not be done in the vacant for a long time without any effort being made to fill them, and relieving officers not during the daytime, whether the Minister had under consideration the question of increasing the staff, those officers, who, besides the salary, received an allowance of 7s. 6d. per day. This was not night-work. It was only unfair to officers entitled to promotion, but unfair to the taxpayers of the colony. The Minister had promised that the same thing would not occur in the future, but he was told that the same practice was still going on. There were also several instances of men who had been suggested. The instructions were to have been promoted to such positions over the avoid overtime if possible, and to have the heads of men who had been longer in the necessary work done in ordinary hours. He service, and were as efficient in their work, might add that the men were paid for overtime but who had not political influence, or who were supposed to be connected with members of the Opposition. relieving officers were kept from month to month. Sir J. G. WARD (Postmaster-General) said that at vacant stations instead of permanent the particulars given by the member for Christchurch City were correct so far as he could judge. It ought not to be a difficult thing to fill. The question of the reduction of any such vacancies within a reasonable time. It was one which he would be glad to see. Then, promotion in the service was not always done when possible. There had been considerable expense incurred through the substitution of copper wires, which had been found necessary. Those who had been political friends who were able to get at certain necessary. He would be very glad to look into officers in the department could get promotion, the whole question of rates, with the view of whereas other officers who were more efficient seeing whether the Government could not do did not get promotion simply because they had something in the direction indicated. As to not friends shameless enough to push their the items on the estimates referred to by the claims. honourable gentleman, there were some below officers should get promotion according to the the amount fixed by the classification of last position they held on the classification list. year. For instance, in the linemen branch that was the case. It would be necessary to make glad if the honourable member would give him some provision by legislation to get over the the names of the officers he referred to, and difficulty. He hoped there would be time to he would look into the matter. The effort correct that injustice during the present session had been to administer the Classification Act as Bon. These necessary adjustments were principally as possible. The desire was to give proportionally in connection with the lower salaries. motion to those

officers under the classified In reply to the member for Palmerston, he service who were entitled to it, and there was might state that the matter which the honour- no such thing as political influence creeping able member brought under his notice last year into this department so far as he knew. He had been given attention to. He could assure had made no promotions in the department honourable gentlemen that, as far as the ad- upon the representations of any one. ministration of the department was concerned, there was no desire whatever to give any undue preference to any one. The effort was to carry out promotions and transfers of officers through- to. out the colony fairly. He was bound to say, with reference to the statement made by two honourable members, that he had never had a tion of the San Francisco mail-service was case brought under his notice such as they had uppermost in the minds of some honourable referred to. Instead of the old system of ap- members. He could assure honourable gentle- pointing relieving officers, each of the central men that dealing with this item was not going offices now provide their own reliefs-that was to affect the matter one way or the other. It to say, different officers were from time to time would be very much better to wait until the given relieving duty. The old system of ap- resolutions were submitted, and then members pointing half a dozen relieving officers was now would have full time to consider them. He quite inadequate to meet the wants of the de- might mention that the resolutions would be brought down as early as possible. The item of partment. Mr. G. J. SMITH (Christchurch City) wanted £17,000 was partly for the payment of current to know what arrangements the Minister had accounts, and until the Government came down made with reference to the officers in the Post- with their proposals it was only beating the various balance periods numbers of these officers had to work a considerable amount of overtime. He wished to know if definite instructions had been given to the officers in charge that this work was to be done as far as possible in the so that the work could be got through without Sir J. G. WARD said, Wherever it was possible the honourable member it was avoided, but it would not be possible to overtake the require- ments by the appointment of extra officers, as Mr. PIRANI said his contention was that Under the Classification Act efficient Sir J. G. WARD said he would be exceedingly Vote, £257,636, agreed to. Vote, Telegraph cable subsidies, £250, agreed Conveyance of mails by sea, \$51,732. Sir J. G. WARD said he knew that the ques-

<page>128</page>

upon this item. Mr. FISHER asked when the existing con- tract expired. Sir J. G. WARD said it expired on the 21st November. Mr. G. J. SMITH said that last year £17,579 was spent out of a total vote of £24,000. It was now proposed to vote £17,000, and, of course, the whole of that amount would not be required if the service was terminated in November. So long, however, as it was understood that mem- bers would have an early opportunity of voting on the Government's proposals on the matter, and that the position would not be prejudiced by allo ving the vote to go through, he would say no more at the present time. Mr. MILLAR (Dunedin City) hoped the Minister would not leave the mail-service resolutions over till the last day of the session. They should come down in the course of a few days. Sir J. G. WARD could assure the House the resolutions would not be brought down at the end of the session. He could not fix a day, but he would say that they would, at any rate, come down within the next fortnight. Mr. MILLAR said, if the House agreed to the vote, they were not committing themselves to the San Francisco service. Sir J. G. WARD .- Certainly not. Mr. HERRIES (Bay of Plenty) asked for an explanation of the item, "Contingencies (land- ing and shipping mails), £500." Sir J. G. WARD said this was the ordinary cost of paying for boat-hire, or for the services of men between the post-office and the wharf, and emergencies of one kind and another. Vote, \$51,732, agreed to. Vote, Conveyance of inland mails, £44,950, agreed to. Vote, Carriage of mails by railway, £15,401, agreed to. Maintenance of telegraph- and telephone- lines, £19,300. Mr. BOLLARD (Eden) reminded the Minister of a deputation that waited on him in Auck- land with regard to the Devonport telephone. The honourable gentleman then said that if the Harbour Board would agree to keep the line from Point Resolution to Devonport clear of ships' anchors the Government

would lay a cable across the harbour. Telephone communication could be established with Devonport on the usual conditions without a charge per message. Since then he had been informed unofficially by the department that they were quite willing to carry out the arrangement, but that they would have to charge 3d. for each message, an imposition that was resented very much by the residents at Devonport. The Devonport people, he was informed, were willing to pay an extra fee to be placed in communication with the Exchange, but to pay even 3d. a message they considered was too much. If the Minister, when considering any question of reduction of charges, could see his way clear to give the people the telephone in the ordinary way without charging for each message, his Sir J. G. Ward people of Devonport. Mr. NAPIER (Auckland City) supported the request of the honourable member for Eden, that there should be a reduction of the charges between Auckland and Devonport. The Harbour Board recently agreed to a cable being laid across the harbour, and the Harbourmaster was instructed to prepare a plan which had the approval of the department showing the location of the cable. The route saved a distance of about eight miles. Instead of going by way of Birkenhead, it went directly across the harbour. It was admitted that there was sufficient cable in stock for the work, and the cost of laying it would be trivial. No special charge beyond the telephone subscription should be demanded. Mr. G. J. SMITH (Christchurch City) said the Telephone Department was one of the best paying in the service, and he wanted the Minister to seriously consider whether he could not reduce the subscription to the Telephone Exchange. Although he admitted the amount was not exorbitant, it was a heavy tax upon a number of the smaller business people and householders. If a reduction were made, many more householders would become members of the Exchange, and so increase the usefulness of the department. Sir J. G. WARD said the honourable member for Eden and the honourable member for Auckland City (Mr. Napier) appeared to be under a misapprehension as to what the Government were prepared to do in connection with the telephone to Devonport. He (Sir J. G. Ward) agreed to have a cable laid across to the North Shore provided a suitable bed could be got for it. He also agreed to establish an Exchange at Devonport ; but he did not agree, nor could he agree, to make the through rates different from those in any other part of the colony for the use of the Exchange between Devonport and Auckland. The regulations and scale of rates were gazetted, and they must be adhered to in every part of the colony. Mr. NAPIER asked if the people of Devonport would be allowed to work direct from the central Exchange. Sir J. G. WARD said they must necessarily pay the connecting-fee between Devonport and Auckland ; but when the Devonport people were working amongst themselves they only paid the annual subscription, and no more. Mr. BOLLARD certainly understood the Minister to promise that when the cable was laid across he would forego the extra charge for connection. Sir J. G. WARD said he had not done so. There could be no differentiation of the rates which were gazetted. The concession that was allowed was that the cable service should be treated as a land service. Mr. BOLLARD asked if the Minister would consider the question of doing away with these extra charges altogether. Sir J. G. WARD said that was impossible, as the cost of maintaining a long line was very heavy.

<page>129</page>

tion for the complaint. He had a full report of Mr. NAPIER asked if it would not be possible to abolish the local bureau at Devonport, little reason for those who complained. On so that they could communicate through the the contrary, the facts before him showed the central bureau. duties were of the lightest possible character, Sir J. G. WARD said that in the case of averaging about five hours to eight hours and Devonport it was necessary to have a bureau twenty minutes ; and after careful investigation there. he had come to the conclusion that apparently Vote. £19,300 agreed to. the men had been put on the wrong track by Miscellaneous services, \$51,945. somebody. There were from time to time Mr. WILLIS (Wanganui) would like the minor matters that required attention, and he Minister to say if the department could do was always ready where real

grievances existed anything to assist settlers in the case of tele- to remove them. He would be very glad to phones necessary to go long distances where the show the honourable gentleman the result of requisite number of subscribers was wanting, the investigation. owing to gaps along the route. Sir J. G. WARD said, In these cases some regulation was necessary to insure a start. No matter what limit was fixed, there must be a minimum to apply to the whole colony. This past twelve o'clock p.m. minimum was absolutely necessary to insure something like a return on the expenditure necessary to connect telephones with outlying places. He had gone into the matter carefully several times to get the minimum as low as possible, and he was sorry it could not be reduced at the present time. Second Reading-Third Readings- Coupons in Tea Mr. HERRIES (Bay of Plenty) said the item, " Rent of premises for Post-Office Savings- Bank. Wellington, nine months at \$900 per annum," seemed an enormous rental. He would like to know where the Post-Office half-past two o'clock. Savings-Bank was to be removed to when the nine months were up. Sir J. G. WARD said the rental was for the premises formerly occupied by the Bank of New Zealand. The department had to transfer entirely, owing to want of room in the existing building. To meet the future requirements of the service the Government had authorised the ment Bill, Smoking by Youths Prohibition purchase, under the Public Works Act, of the Bill. whole of the remaining block behind the Post Office, and the moment they got clear of the existing people they were going to build and make provision for the whole service. The recommendation contained in the report of the rent of \$900 appeared to be high, but it was not Public Petitions Committee upon the petitions of David Anderson and Son and others and George high in this city. He might say the department- Payling and Co. and others, brought up yesterday got \$250 from the School Commissioners day, be agreed to. This petition was to the effect for the upstairs portion. The department had of asking Parliament to pass such legislation as got the right to occupy the premises for three would prevent the issuing of coupons with tea, Fears if necessary. Mr. PIRANI (Palmerston) would like the and the Committee had reported that the matter should be reported to the Government Minister to explain the item "Overtime, for favourable consideration. \$1,700." He saw £2,183 was spent last year, and he would like to know who got it. appeared, from the evidence taken before the Sir J. G. WARD said it was owing to the Committee, that the Act passed last year was increased business, and the amount was paid to not sufficient to prevent what he could not help the whole of the officers who were called upon thinking was an evasion of its intention. He to work overtime in the department. believed there was a decision of the Supreme Mr. PIRANI said he understood the department- Court which supported the position of persons ment did not pay overtime. who dealt in coupons, very much to the detriment- Sir J. G. WARD said, Yes; overtime was ment of the quality of the tea supplied. He paid right throughout the colony. would represent the matter to his colleagues to Mr. PIRANI would like to ask the Minister see if it was advisable to alter the law. what had been done to remedy the grievance complained of by the Wellington operators, of having to work overtime without payment. He knew nothing about the merits of the case laid on the table of the Council a return show- beyond what had appeared in the public Press. ing,-(1) The total amount contributed to the Sir J. G. WARD said there was no justification. VOL. CXIX.- 8. Vote, \$51,945, agreed to. Progress reported. The House adjourned at twenty-five minutes # LEGISLATIVE .COUNCIL. Wednesday, 2nd October, 1901. -Land Transfer Assurance Fund-Shops and Shop-assistants Bill-Statutes Compilation Bill. The Hon. the SPEAKER took the chair at PRAYERS. SECOND READING. Rabbit Nuisance Bill. THIRD READINGS. Counties Act Amendment Bill, Law Amend- COUPONS IN TEA. The Hon. Mr. JENKINSON moved, That the The Hop. Mr. W. C. WALKER said it applied- LAND TRANSFER ASSURANCE FUND. The Hon. Colonel PITT moved, That there be

<page>130</page>

Transfer Acts of 1870 and 1885 respectively up to the 31st March, 1901 ; (2) the total amount paid away in satisfying claims against such Assurance Fund ; (3) in what manner the moneys at any time to the

credit of the said fund have been disposed of or applied ; and (4) the amount at present to the credit of the said fund. He moved for the return because he thought it would be found when it was laid on the table that the amount to be contributed to the Assurance Fund under the Land Transfer Act was larger than necessary. When a similar Act was first introduced into the Australian Colonies the idea was that an indefeasible title should be given to land under the Act. That was the case now, he believed, both in South Australia and Tasmania, but it was not so in New Zealand, the object gained under the Land Transfer Act here being that the title is clearly explained in a single document. In bringing land under the Act the expense had been considerable ever since the Act of 1870 until the amending Act of 1889. Every person who brought his land under the Act had to pay a halfpenny in the pound on the value of the land towards the Assurance Fund. A similar payment was required again in the event of land being devised to any person who was registered as proprietor, or who became entitled to the land under a settlement. In 1889 the liability for the second payment was repealed. The object of the Assurance Fund was to protect the department against claims in reference to the land of any person being erroneously dealt with. But, as he had said, the title was not indefeasible, and the New Zealand Act contained so many provisions by which mistakes might be corrected that comparatively few claims against the Assurance Fund had been successfully established. Some years ago the Government of the day had appropriated a considerable sum -some \$15,000 or \$18,000 of the amount to the credit of the fund -- for colonial purposes ; and, so far as he could see, there was no objection to their doing so, because the money belonged to nobody, and it was not likely that many claims would be made upon it. As he had said, he was moving for the return because he thought, when laid on the table, it would show that there was at present a very considerable sum lying to the credit of the fund, and he hoped that the Government and Parliament would see, through that fact, that the amount now required to be paid to the fund could be very advantageously reduced, and therefore persons bringing their land under the Land Transfer Act should be required to pay much less than at present. It might be that the Government were now able to use the fund for colonial purposes, the colony being liable to make good any claim against the fund. He ventured to think it was a taxation upon a particular portion of the community which was not wholly required, and much less taxation in that direction would be sufficient. The Hon. Mr. W. C. WALKER had no doubt the question was a very pertinent one-namely, as to whether the amount of assurance paid to Hon. Colonel Pitt small number of claims on the fund. He saw no reason why the Council should not agree to the motion so far as clauses 1, 2, and possibly 4 were concerned, but he was informed that the information required by clause 3 of the motion would be very difficult to embody in a return. It would take a great deal of time to compile, and possibly would not be complete when supplied. The Hon. Mr. McLEAN presumed the Hon. Colonel Pitt wanted by clause 3 of the motion to ascertain how the money was disposed of- what the Government took from the fund to go towards revenue. He did not think there could be any difficulty in getting that, because what had been taken had been taken in a lump sum, and there could, at any rate, be only two or three entries. If that was what the honourable gentleman wanted by No. 3, he did not think there could be any trouble in supplying the information. The Hon. Mr. W. C. WALKER .- The motion does not say that. . The Hon. Mr. McLEAN thought it did. The Hon. Mr. JONES said it seemed to him that question No. 3 was one of the most pertinent of the series of questions put in this motion, and he could not understand why it was the Government could not give an answer to it -why there should be a difficulty in ascertaining how these moneys had been devoted, and what they had been invested in, or if the Government had taken possession of them as revenue. No. 3 question should certainly be answered. The Hon. Colonel PITT said the Hon. Mr. McLean had correctly interpreted the intention of this motion. He did not think there would be any difficulty whatever in supplying the information asked in No. 3. So far as he had followed the matter, he thought there would turn out to be but one taking of the moneys credited to this fund by the colony. That was in the year 1881 or 1891 ; he was not sure of the exact year, but

he thought it was taken in a lump. He was not asking the Government to say how the moneys had been applied in satisfaction of claims. All he wanted to know was the total amount to the credit of the fund now, the total amount paid away in satisfaction of claims, and how the money to the credit of the fund from time to time had been applied. He understood that it had really been applied in aid of revenue. It was in the first place paid into the Land Assurance Trust Fund. How that trust fund was dealt with he was not quite sure. It might be that it was appropriated as a part of the Consolidated Fund and paid into that fund. If it was, he did not of course want the money traced throughout the fund, but it would be a sufficient answer to say that it had been applied in that particular way. He did not want the details of it at all, but his real object in moving for the return was that he thought when supplied it would demonstrate that an excessive contribution was now required from persons bringing land under the Land Transfer Act. He

<page>131</page>

understood from what took place at a meeting pass the Shops and Offices Bill first. But the of the Joint Statutes Revision Committee the Shops and Offices Bill, he held, was on the previous day that there was a possibility of its being occupied at the bottom of the Order being necessary to amend the Land Transfer Paper because of the opposition of such Act; and, knowing that that Act required honourable gentlemen as Mr. McLean. He amendment. it would, he thought, be of value would always do anything he could to lessen the burden of the workers so long as no hardship to have this return, with a view of including the question of reducing the contribution to was inflicted on the public. the Land Assurance Fund Account in any amending Bill. able member who moved the amendment was Motion agreed to. not present on the second reading of the Bill, for, had he been, he doubted whether he would SHOPS AND SHOP - ASSISTANTS BILL. have taken the course which he had now On the motion, That this Bill be committed, taken. This Bill had passed through the other The Hon. Mr. SHRIMSKI said he was absent branch of the Legislature. It was promoted when the second reading was taken, and he by one of the members for Dunedin City, at which was intended to congratulate the Hon. Mr. Jones on the request, he believed, of the representatives the part he took when opposing the measure. of chemists throughout the colony. All that I was a very serious measure, and it was all was done by the Bill was to put the law back very well for them to take things just as they to what it was in 1894. In 1895 the word "chemist" was inserted, excluding chemists. At the present moment, but in the case of unforeseen circumstances, especially in a large firm those who had to close, and this Bill put this, it might be very dangerous to life to have the chemists back to the position they occupied all the chemists' shops closed. No one would previously to that amendment. The Bill safe- be able to obtain medicine, and all because of guarded the danger the honourable member a few employees in the druggists' shops. The feared, of a person taking suddenly ill. A whole of the inhabitants of the town were to chemist could open his shop at any time. he subjected to all kinds of sickness and pain for the benefit of those few people. It was a cannot find the chemist. very serious step they were taking. On the all the chemists chose now to shut up their Continent a druggist would not have a license granted to him if he were to close his premises shops, what was there to compel them to on Sundays or holidays. Moreover, take Willis open? Nothing whatever. This Bill was Street, in this city: There were five or six merely providing that chemists should enjoy the half-holiday the same as anybody else, and, druggists in that street, and if they chose to as he had pointed out, provision was made for close by rotation no one would have any objection cases of emergency. He ventured to think; but to shut up on Sundays and holidays that there was no difficulty in meeting cases of was an unheard-of thing. It was not in the urgency. The Bill merely provided for putting Interests of the people, nor was it in the the law back in the position it was in 1894, and interests of humanity. He would therefore was promoted at the instance of all the chemists oppose the Bill going into Committee, and in the principal towns of the colony. It re- would move, as an amendment, That the Bill be referred only to boroughs and town districts,

and Committed this day three months. The Hon. Mr. McLEAN said he would take not to places in the country. In reference to what had been said by the Hon. Mr. McLean, that opportunity of saying that he did not think he ventured to submit that if this Bill was a this kind of legislation should be brought down desirable one in itself it would not be fair to in this manner. The Government had a Bill of postpone it on the chance of the Shops and a similar nature on the Order Paper, and this Offices Bill passing this session. Having regard matter should be dealt with in it. He thought to the period of the session, the chances were they should postpone the Bill until the Govern- that the latter Bill would not get through ment Bill was dealt with. He hoped the another place this session. He trusted the amendment would be carried, so that the Bill Council would agree to the Bill going into would be put out of the way; and, when that was done, the matter could be dealt with in the Committee. Government Bill. The Hon. Mr. JONES said he would not like that last year the chemists, in giving evidence, stated what he believed to be an absolute fact- any false impression to arise as to the attitude that the chemists of the colony had always been be had assumed on this Bill. He had not op- careful to endeavour to consult not only their pred the Bill. He merely had said that he own convenience, but the public requirements quite agreed that shops wherein were sold in the matter of health and possible cases of perishable articles should not be closed ; and he illness. But he must say, in a city like Wel- ako said that the suggestion made by another lington, or any of our cities, he was astonished bononrable member that chemists' shops should at the chemists and medical practitioners not keep open by rotation all night long was a very forming some combination by which they good one, and should be carried out. Of course, there was something in what Mr. McLean had could assure to themselves every week any holidays they wanted. They had also had said-that it would be better not to have these evidence that for several years some of the measures brought down piecemeal in this most enterprising chemists had endeavoured fashion, and that it would have been better to The Hon. Colonel PITT was sorry the honour- i The Hon. Mr. SHRIMSKI .- Suppose you The Hon. Colonel PITT said, Suppose that The Hon. Mr. W. C. WALKER remembered

<page>132</page>

the premises -- in order that necessitous cases might be attended to night or dav ; but they had found that these cases were so few that it was hardly worth their while to make that pro- vision. He thought if there was some common- sense arrangement made by which some shops were kept open night and day, each taking his turn in the rota, there would be no more trouble. He did not, however, like the idea of absolutely closing all chemists for so many hours in the week, and saying that it was anybody's duty to attend to any special call. As regards the relation of this Bill to the Government Bill, he did not see any reason why it should not be proceeded with, at any rate, another stage. He hoped on the following day to be able to state what the Government intended to do with regard to the Shops and Offices Bill. The Hon. Mr. SCOTLAND thought that chemists, like doctors, should be always acces- sible to the public. They formed almost a close corporation, and the profits they made were unusually large-much larger than in any other business. There were very few of them that could not well afford, if disposed to take a holiday themselves, to keep some qualified per- son on the premises to be ready to meet the requirements of the public. The Hon. Mr. TWOMEY said it would be as well to go into Committee on the Bill, because, so far as he could see, the questions being dis- cussed were Committee points. He was glad to hear the Minister say he was going to muster up sufficient courage to declare his intentions regarding the Shops and Offices Bill, because the nervousness with which he had approached it on the Order Paper had been conspicuous, and had raised a suspicion that he did not intend to proceed with it. He thought if the Bill were not allowed to go into Committee it would be unfair to the honourable gentlemen who had passed it through the Lower House. The Council divided on the question, " That the Bill be committed." AYES, 24. Reeves Arkwright Johnston Jones Rigg Barnicoat Smith, A. L. Kelly, T. Bolt Smith, W. C. Kelly, W. Bowen Feldwick Louisson Swanson Tomoana Montgomery Gourley Twomey Jenkinson Pinkerton Walker, W. C. Pitt

Jennings NOES, 11. Taiaroa Baillie Morris Walker, L. Ormond Harris Williams. Scotland Kenny Shrimski McLean Majority for, 13. Amendment negatived, and motion agreed to. Bill committed and reported. STATUTES COMPILATION BILL. IN COMMITTEE. Clause 1 .- Short Title. The Hon. Mr. BOWEN moved, That the Chairman leave the chair. Hon. Mr. W. C. Walker AYES, 15. Scotland Arkwright Kenny Louissou Shrimski Bowen Mc Lean Jenkinson Swanson Ormond Walker, L. Johnston Kelly, W. Pitt Williams. NOES, 13. Barnicoat Smith, A. L. Kelly, T. Feldwick Pinkerton Tomoana Twomey Gourley Reeves Harris Walker, W. C. Rigg Jones Majority for, 2. Motion agreed to. The Chairman left the chair. The Council adjourned at ten minutes to five o'clock p.m. # HOUSE OF REPRESENTATIVES. Wednesday, 2nd October, 1901. First Readings - Unopposed Notices of Motion- Wellington Gaols-Medical Comforts for the Wel- lington Gaols - William Claxton - Habitual Inebriates-Grand Hotel Fire, Auckland- Raro- tonga Justices-High Commissioner's Court for the Western Pacific-M. A. Donnelly-Appoint- ments as Stipendiary Magistrates - Police- Sergeant Wright - Point Halswell Gaol: Es- caped Prisoners - Charges of Drunkenness - English Sunday-closing Hours, &c .- Australian Lottery Advertisements - Milk - testing-Otara Bridge - Maori Leaflets - Wire Netting for Settlers-Wellington Land Board-Lawrence- Roxburgh Road-Wellington Public Abattoirs -W. D. Leslie-Preservation of Scenery along Cheviot-Kaikoura Road-Crown Tenants' Reut Rebate Act - Farmers' Union-Forest Reserves -Sanatorium at Turakina-Waikakahi-Land for Workmen's Homes-J. W. Kayes - Levin Experimental Station-Poisoning of Poultry- Lime for Farmers-Mangaweka Bridge-Kirk's "Forest Flora " - Noxious Weeds Act - Epuni Settlement-Fair Rent Bill-Dairy Stud Stock -Veterinary Surgeons - Milk Tests in Dairy Factories-Kelsey's Bush-Maerewhenua Bridge - Waikato - Onehunga River Trade - Noxious Weeds - Reserves for Ngatihuiua Tribe - Stud Horse for South Canterbury-Otekaike Estate -Mokau River Scenery-Money-lenders' Bill- Royal Visit Expenses Bill. Mr. DEPUTY-SPEAKER took the chair at half- past two o'clock. PRAYERS. # FIRST READINGS. Shipping and Seamen Bill, Crown Grants Bill, Egmont County Bill, Smoking by Youths Prohibition Bill, Law Amendment Bill. UNOPPOSED NOTICES OF MOTION. Mr. FISHER (Wellington City) wished to ask why the unopposed notices of motion were not called on ? This deliberate and persistent setting aside of the Standing Orders was getting beyond all endurance. He had some notices of motion on the Order Paper which he knew to be unopposed. In connection with this matter of the refusal to allow these motions to be called

<page>133</page>

Speaker to a reference given last year by Mr. could not get our questions answered, so that Speaker O'Rorke. A member had intimated that they could make no inquiry through the House he would oppose all the unopposed motions. That regarding their motions, and he wanted to know wa, exactly what had happened here through when this Standing Order No. 78 was to be observed. He held that in accordance with the the Premier having stated that, because he was opinion of Mr. Speaker O'Rorke these notices not allowed to move a motion, no other motion should be called on. Why should the whole of motion ought to be taken, if not from day to House suffer because of a personal feud between day, at least at periods convenient to members two members of the House? Standing Order of the House, who sought to gain information No. Ta laid down the order of business. The for their constituents and the people of the Standing Orders were for the protection of country by means of returns. minorities, and here was the Right Hon. the Premier setting the Standing Orders at de- was raised by the honourable gentleman he tance because of his feeling of pique. Mr. seemed to take it that once members gave Speaker O'Rorke. in giving his opinion upon notice of motion for a return that ought to be the matter in the session of 1899, said- taken as final, and the return ought to be given. " After a statement of that kind" - an The honourable member's interpretation of the honourable member having stated that he Standing Orders was entirely erroneous. The would oppose all the unopposed motions-"it question was, Were there any returns which seemed to him to be his duty to observe that, the Government were prepared to give ? as the guardian of

the privileges of the House, said, as he had said to-day, that there were the privileges of honourable members would be none of these returns which the Government s.ously infringed if an individual member were prepared to give, surely he was within his should be permitted to intimate that he would rights ? oppose all returns, as was recently done by an- other honourable member." them when the embargo was taken off. That was exactly what the Premier had done the sort. LOW. Mr Speaker O'Rorke proceeded :- " The honourable member who had now an- ncurved his intention of opposing all returns Das at present be technically within his rights, cumstances " was the term he applied. What but he thought it was an abuse of the powers he said, and what he claimed still, was that a enjoyed by members if they were permitted to Minister ought to be in the same position as a block the business of the House in this whole- private member, and if he had a return which She manner. A remedy should be devised to he thought ought to be given he did not see meet such abuse. The unopposed motions why it should be opposed. would not be further called on to-day, but he thought the House should take some means to because there is an embargo on your return ? potret its privileges from being violated by individual members." punishment ; it was a question whether there The Premier, following upon the remarks of were any returns to-day which the Government Sir Maurice O'Rorke, said this : - could see their way to give as unopposed re- " He coincided with the views expressed by turns, and, as a matter of convenience, Mr. Mr. Speaker. There was a difficulty, and it Speaker took them out of turn if the Govern- would be the duty of the Government to call ment desired to give them. If the Government on these motions which they agreed should be did not give them, then they stood on the Order given unopposed, and to take them even though Paper, subject, of course, to any course that might be subsequently followed ; but any mem- there might be some individual members op- ber of the House could stop any of these returns Lixd to them. What he would like to impress by simply saying "I oppose them." It prac- toon members was this: that there ought to tically meant-and the Standing Orders bore t: some forbearance, though, of course, there this out-that, where the House and the Minis- Erzet he in some cases good and valid reasons for desiring a debate on a motion ; but, under try were unanimous in allowing a motion to go without debate as an unopposed return, then it di the circumstances, he thought there should could be granted ; but if a member said "I be some amendment of Standing Orders in re- object," then the motion could not be put. spect of returns." What brought about the observations of Mr. Now, he might tell members that at the pre-Speaker was this : The then member for Patea sent time we had more returns ordered than could possibly be supplied this session. He had asked for a certain return, which was op- pred by an individual member. The member would tell members also that our staffs were for Patea then said he would oppose all other kept going on these orders to the detriment of their other work, and no doubt towards the returns. Now, that was the exact position in which we were to-day; but then, the member end of the session the Government would be for Patea had this advantage which was now accused of having granted returns and then neg- denied to us : he could put a question on the lected to supply them ; and during the recess members opposite would take advantage of this Order Paper asking whether his certain return fact, and accuse the Government of wilfully Was to be granted or not. This was the state keeping back information, which they had of things now. In addition to our unopposed Mr. SEDDON (Premier) said, As the question If he Mr. FISHER. -- You said you would give Mr. SEDDON said he had said nothing of Mr. FISHER .- I heard you say so. Mr. SEDDON said that "under the cir- Mr. FISHER .- Why should I be punished Mr. SEDDON said it was not a question of \----- ---

<page>134</page>

country. Mr. FISHER .- There are two of my returns ready now. Mr. SEDDON said the honourable gentleman was no better than other honourable members, nor was he entitled to special consideration, and he did not know the returns he alluded to. But the honourable member had only got the same privileges as any other honourable member, and he claimed for the Government that if they had no

unopposed returns to give he could say so. There had been no alteration of the Standing Orders since Mr. Speaker gave the ruling quoted by the honourable member. It was quite true that a simple return that Ministers decided to pass as an unopposed re- turn was blocked for no other purpose than to prevent Ministers having this information made public ; but as the member who had opposed it was not present he had nothing more to say. Mr. FISHER said the honourable gentleman distinctly said that the returns would be given as soon as this embargo had been removed, meaning the termination of his feud with the honourable member for Palmerston. Mr. J. ALLEN (Bruce) hoped that Mr. Speaker, in ruling on this point of order, would recollect the circumstance that caused the debate this afternoon and caused the feeling in the House, because there was a considerable feeling over the blocking of these returns. It would be in the recollection of Mr. Speaker and honourable members that this arose at a time when the member for Palmerston objected to a return of the Premier's. He was not saying whether the honourable member was right or wrong in doing so; but the honourable member was entitled to object if he saw fit. Immediately the Premier then said, " No more returns will be given this year until that embargo is taken away," and the Premier repeated those words to-day, and also led the House to believe that there were certain returns which he was prepared to give to honourable members, but that they would not be given so long as the member for Palmerston objected to a certain return. Well, that was an injustice to the House, and he had no doubt that the ruling of Mr. Speaker O'Rorke, given in 1899, was absolutely on all fours with the position that now obtained, and it was obvious that it would be *infra dig.* at least on the part of the Premier to object to give returns he was prepared to give. Mr. SEDDON .-- How do you know ? Mr. J. ALLEN said the Premier said so on the day the member for Palmerston objected to his return, and the Premier said so in almost the same words to-day. At any rate, the House know what the honourable gentleman meant, and he thought it was doing away with the privileges of the House were returns to be blocked which were admittedly unopposed on behalf of the Crown and on behalf of individual members. He hoped something would be done to get rid of this deadlock. At present only fifty - eight returns had been ordered, and although he had not the record | clearly intimated was that the House should Mr. Seddon point out that returns ordered on the 3rd of July had not yet been given. Here was a return of Civil Service appointments ordered on the 3rd July, and he saw no reason why that should not have been given long ago. There was a return of the cost of the visit of the Duke of York, and the cost of the visit of the Indian troops, and many more, and he did not know why they were kept back. Mr. SEDDON. - You want still further returns, and will find further fault because you cannot get them. Mr. J. ALLEN said he complained that members had not got the returns already ordered, and some of which should have been ready by the end of July instead of still being unprepared. He would like to know why they were not presented. Mr. SEDDON .- Because, owing to pressure of other work, the departments could not get them ready. Mr. J. ALLEN said he did not know why the Government could not get them ready. He never knew a session when there had been so few returns placed on the table. Admitting that only a few were ordered, still, many were ordered in July, and only eighteen out of fifty- eight ordered had been put on the table. Mr. DEPUTY-SPEAKER said the question submitted for his consideration, so far as he understood it, was this : whether motions for unopposed returns should be proceeded with. In the first place, he had to rule that it was within the right of any member, whether Minister or not, to state that he opposed the return, and that return could not then be moved. Therefore, the decision quoted by the member for Wellington City (Mr. Fisher) did not, to his mind, bear upon the question, because Sir Maurice O'Rorke had distinctly ruled that, according to the Standing Orders then in force, and still in force, he could not see his way to get over the difficulty ; but it would be necessary to have the Standing Orders amended before he could interfere, because the honourable member who opposed the return being granted was strictly within his rights. So far as he could see, there was nothing in the Standing Orders to take away the right of any honourable member to say that he opposed a motion for a return. Mr. Speaker had distinctly stated

that something would have to be done to amend the Standing Orders, so as to permit of a return being ordered by the House, although it was opposed by an individual member. He quite concurred in that expression of opinion that the Standing Orders should be so altered as to prevent, when there was a great majority in favour of a return, any one or two members defying the whole House and preventing the House from having the return placed before it. But, under the Standing Orders at present in force, he could not see his way to rule that the motions for returns on the Order Paper should be put as unopposed returns. Mr. FISHER said, What Mr. Speaker had

<page>135</page>

set at defiance by the caprice of one member, as was now being done. Major STEWARD (Waitaki) said, If he was in order, he would point out that last year a new Standing Order to meet this very difficulty had, on the suggestion of Mr. Speaker, been passed by the Standing Orders Committee, and was included in the Committee's recommendations to the House, but the report had not been brought up by the Government for consideration. Subsequently, Mr. SEDDON (Premier) said, In reference to returns that had been ordered by the House, he hoped he was not out of place in asking that Mr. Deputy-Speaker give instructions to the officer of the House to send to the various departments and ask that these returns be supplied. Speaking as the head of the Government, and he was sure he could speak also for his colleagues, he would say that they had not in the slightest way impeded any returns being granted. In fact, it was their desire that they should be got ready and laid on the table. He hoped that in the departments there would be no unnecessary delay ; but on one or two occasions when he had mentioned the subject to the heads of the departments they had told him they could not get them quicker unless they got instructions to put on an extra staff. Of course, he could not see his way to authorise that ; but he hoped that a gentle reminder, through instructions from Mr. Deputy-Speaker, would have a beneficial effect. Mr. DEPUTY-SPEAKER said that he would do as suggested by the Hon. the Premier, and that he would also ask for a report as to when the returns would be ready. # WELLINGTON GAOLS. Mr. FISHER (Wellington City) asked the Minister of Justice, Why the tenders for medical comforts, also bedding and clothing, for gaols have not been submitted each year to the Visiting Justices, seeing that the cost of the same in Wellington greatly exceeds that in Auckland, although Auckland has more prisoners than Wellington ? Mr. McGOWAN (Minister of Justice) said that medical comforts were tendered for annually, and the tenders accepted were invariably those recommended by the Visiting Justices. Bedding and clothing were made at the gaols, and could not be tendered for. Under this item for last year there was a balance in favour of Auckland of £17, and on the previous year there had been a balance in favour of Wellington. MEDICAL COMFORTS FOR THE WELLINGTON GAOLS. Mr. FISHER (Wellington City) asked the Minister of Justice, If the medicine and medical comforts procured for the Wellington gaols are ordered and certified to by the Gaoler ; if so, will he give instructions that for the future the Gaol Surgeon shall issue the orders for the medical supplies ? that the medicine and medical comforts procured for gaols were always ordered by the Gaol Surgeons, and they were now required to sign vouchers for such before they were certified to by the Gaolers. # WILLIAM CLAXTON. Mr. FISHER (Wellington City) asked the Minister of Justice, Whether he will remit or reduce the fine of \$2 and 13s. costs imposed upon William Claxton by three Justices at the Stipendiary Magistrate's Court, Wellington, on the 18th September, for having driven across the Queen's Wharf, Wellington, while the train was within half a mile of the crossing at the wharf? This appeared to have been a particularly hard case, that a man should have been fined £2 and 13s. costs for crossing the railway-line at the Queen's Wharf while the train was within half a mile of the crossing, that being the offence according to the regulations. He had made some inquiry into the case, and he found that the man who was driving this express was not within 30 yards of the train when it passed, and there was not the least danger, but merely the fact that he was within the prescribed distance of half a mile. Of course, he did not want to reflect on the Magistrates who heard the

case. They heard all the evidence bearing on the matter ; but even if the man were technically guilty, and he was within the half-mile limit, he thought the fine imposed upon him was too heavy. If he had been fined 1s., with costs, that would have been sufficient warning that express-drivers must not cross the railway-line within reasonable distance of an approaching train. Under the circumstances he thought the Minister might well remit the whole fine, leaving the man to pay the Court costs, which would be sufficient punishment for him, and also sufficient warning to other express-drivers. Mr. McGOWAN (Minister of Justice) said this matter had not been brought either under his notice or before the department. If Mr. Claxton made application for a remission, he would make inquiries and see if that remission was justified.

HABITUAL INEBRIATES. Mr. COLLINS (Christchurch City) asked the Minister of Justice, If he will this session intro- duce legislation for more effectually dealing with that class of inebriates to which his attention was drawn some weeks ago ? Some few weeks ago he drew the attention of the Minister of Justice to the class of inebriates who were here referred to, and he wished now to ask the honourable gentleman if he would introduce legislation this session dealing with this particular class of offenders. He thought he had explained, at the time he referred to, that both the Magistrates and the Justices of the Peace found it was extremely difficult to deal with this class of inebriates. They could scarcely be sent up for medical treatment. They were a vicious class, and a continual menace both to the peace and morality of the

<page>136</page>

all the larger towns, and as he had previ- ously said, they fluctuated constantly between the pavement and the gaol, and when they were in gaol they were only imprisoned there for a sufficiently long time to get a consuming thirst. It was generally admitted that some longer period of detention was absolutely neces- sary in order to effect any possible good with creatures of this class. The longest term it was now possible to inflict was six months, and he thought power ought to be given to the Magistrates to send them to gaol for a much longer period than that. They were not the kind of persons to be sent to an inebriates' home. They would destroy the character of any home to which they might be sent. He believed the gaol was the proper place for them, but the terms of imprisonment to which they were subjected in it, as he had said, were altogether too short. They passed again and again through the same routine of twenty-four hours for the first offence, a week for the second offence, and three months for the third offence. It was simply playing with the matter, and at the same time spreading disease through the town. It was impossible for him to ade- quately describe the danger this particular class was to the community, and he thought the Minister should give some attention to the point that he had brought under his notice before, and see if he could not give some larger power to the Magistrates. Mr. McGOWAN (Minister of Justice) quite admitted this was a very important question, and it was a very troublesome matter to deal with these particular cases. He thought the honourable gentleman recognised that. He did not know whether a longer term of imprison- ment would be the proper thing to prescribe, or whether it would be better to have power to send these offenders to some separate institu- tion, in which care would be given to their treat- ment. He would bring the matter before the Cabinet, and see what was best to be done. It was a difficult matter to deal with, but it was the desire of the Government to do the best they could under the circumstances.

GRAND HOTEL FIRE, AUCKLAND. Mr. FIELD (Otaki), for Mr. Witheford (Auckland City), asked the Government, If they will offer a reward of \$500 with a view to discover the person or persons supposed to have set fire to the Grand Hotel, Auckland ? Mr. McGOWAN (Minister of Justice) said that experience showed that the offering of re- wards for information in criminal matters had seldom resulted satisfactorily ; whereas, on the other hand, the prospect of obtaining some considerable pecuniary benefit had frequently been the cause of unscrupulous persons at- tempting to cast suspicion on innocent people, on the off-chance that they might possibly hit on the guilty party and thereby secure the reward. In the case in question, the Coroner's jury, after going very fully into the matter, found that the

place was wilfully fired by Jessica Minns, the pantry-maid, and some Mr. Collins brought before the Court on a charge of murder, and the Crown Solicitor conducted the prosecution, but the Magistrate rejected the evidence of accused taken at the inquest, and dismissed the charge. So much time had elapsed since the fire took place that he did not think anything would be gained by offering a reward of \$500 for the discovery of the person or persons who were supposed to have committed this crime. # RAROTONGA JUSTICES Mr. HERRIES (Bay of Plenty) asked the Minister of Justice, - (1) Whether it is a fact that two gentlemen residing at Rarotonga have been appointed Justices of the Peace for the Colony of New Zealand ; (2) if so, under what Act have they been appointed ; and (3) whether the Act under which they are appointed is in force in Rarotonga? This question had been standing on the Order Paper for a very long time. He believed that two gentlemen of the name of Craig, of Rarotonga, were gazetted in the New Zealand Gazette as having been appointed under the Justices of the Peace Act. Now, he would like to know whether that Act was in force in Rarotonga, as it would have an important bearing on the Bill which they were to be asked to pass in regard to the Cook Islands. Apparently there was a Native Court there called the High Court, which apparently dealt with most of the matters that generally came under the Justices of the Peace Act, and there were also the Ariki Courts, which were lower Courts ; and if the Justices of the Peace Act was in force, and these other Courts also had jurisdiction, they might have two rival Courts which would be in conflict in the Cook Islands. He thought they should have some explanation of this matter. Mr. McGOWAN (Minister of Justice) said the honourable gentleman himself had almost given the explanation ; in fact, he had pointed out some of the difficulties. He would reply to the questions as the honourable gentleman had numbered them. In regard to No. 1, his reply was " Yes " ; and in regard to No. 2, he would say they had been appointed under the Justices of the Peace Act ; and the answer to the third question was that that Act was in force in the Cook Islands. He thought that covered the whole of the questions. HIGH COMMISSIONER'S COURT FOR THE WESTERN PACIFIC. Mr. HERRIES (Bay of Plenty) asked the Minister of Justice, - (1) Whether it is true, as stated in the public Press, that R. W. Gosset was charged with and convicted of embezzlement before Lieut. - Colonel Gudgeon, C.M.G., in the High Commissioner's Court for the Western Pacific within the limits of the Cook Islands ; and (2) whether, if this is the case, he will state what powers (if any) the High Commissioner's Court for the Western Pacific has over any portion of the Colony of New Zealand ? No papers were laid on the table with reference to the Cook Islands, and there-

<page>137</page>

of the Minister. Now, this was a rather more important question than the last. He found, according to a newspaper report, that Mr. R. W. Gosset was tried for embezzlement, and it went on to say, - " Mr. Gosset was suspended from duty on the 1st July on account of drunkenness, and during his absence from his office an audit of the books showed a total deficiency of about \$1.100, of which Gosset was responsible for \$637 and Goodwin for \$460. Goodwin's death put out of the question of proceedings against him. Gosset was tried before the High Commissioner's Court, including Colonel Gudgeon, on a charge of embezzling £637, the property of the Government of the Cook Islands. Accused pleaded guilty." He was quite aware that before the annexation Colonel Gudgeon was appointed a Judicial Commissioner under the High Court of the Western Pacific. That was shown in the despatch of Mr. Chamberlain, dated the 24th August, 1899. But the Order in Council constituting the High Commissionership of the Western Pacific says that it shall have no effect in a British colony. Directly the Cook Islands became part of the Colony of New Zealand it seemed to him that the High Commissioner's Court could not exist at all. It might possibly be that the paper was wrong, and that the charge against Gosset was heard before the High Court of the Cook Islands. He would like the Minister to explain the position. Mr. McGOWAN (Minister of Justice) said the honourable gentleman again had asked him a number of questions in addition to the question on the Order Paper, and, as they were questions #cc-zero of a technical and

difficult nature, it could hardly be expected that he could answer all of them off-hand. He would endeavour to answer the question as it appeared on the Order Paper. He was not responsible for what appeared in the Press. He had no special report in regard to this case, but he would make inquiry. He was informed that the Cook Islands would retain their existing laws and Judiciary until they were altered by competent authority : and in the present case the Government would follow the course adopted in Cape Colony. He did not know that he could give the honourable gentleman any further information. Mr. HERRIES .- Was he tried before the High Commissioner ? Mr. McGOWAN said he did not know whether he was tried at all, except from what appeared in the Press. When he (Mr. McGowan) got the full information he would be able to answer the honourable gentleman's question. Mr. HERRIES asked if any reports had been received. Mr. McGOWAN said he had received no reports. # M. A. DONNELLY. Mr. FISHER (Wellington City) asked the Government, Whether they will place on the supplementary estimates a sum for the pay-Donnelly, wife of the late Sergeant Donnelly, in accordance with the recommendation of the Public Petitions Committee of last session ? Sergeant Donnelly was for very many years in the service of the Provincial Government, and afterwards he was in the service of the General Government. He was a man about whose respectability, integrity, and performance of duty no question whatever had been raised. The case was inquired into by the Public Petitions Committee last session, and they referred the petition to the Government for favourable consideration. He (Mr. Fisher) knew the case to be a most deserving one. He trusted the Minister would see his way to place a sum on the estimates for the widow of Sergeant Donnelly. Mr. McGOWAN (Minister of Justice) said he believed the honourable member was quite correct in what he had said with respect to the ability, et cetera, of the late Sergeant Donnelly ; but there was this difficulty in regard to granting his widow a compassionate allowance : For very many years Sergeant Donnelly was not living with his wife. Mr. FISHER .- He allowed her £1 a week. Mr. McGOWAN said that Sergeant Donnelly died possessed of considerable means, and he willed his means in another direction ; and, that being so, he did not know that the Government were called upon to pay compassionate allowance to his widow-at any rate, that was one of the reasons for the decision come to by the Government. However, if the honourable member wished it, he had no objection to bring the matter again before the Cabinet. Mr. FISHER said that Sergeant Donnelly voluntarily allowed his wife #1 a week so long as he lived. He thought some consideration might be granted to the widow as suggested in the question. # APPOINTMENTS AS STIPENDIARY MAGISTRATES. Mr. MORRISON (Caversham) asked the Minister of Justice, If the department, in making future appointments to the Stipendiary Magistrates' bench, intends to confine these appointments to solicitors only ? Mr. McGOWAN (Minister of Justice) said the Government had come to no decision. They wanted to appoint the men best qualified for the position. POLICE SERGEANT WRIGHT. Mr. HUTCHESON (Wellington City) asked the Minister of Justice, Whether Sergeant Wright, Clerk of the Wellington Police-station, has recently been instructed by Commissioner Tunbridge to transfer himself to Wanganui; and, if so, why has he not done so ? Mr. McGOWAN (Minister of Justice) said, No, he had not been recently instructed. He might say that some time ago certain instructions were given, but they were afterwards countermanded by himself (Mr. McGowan).

<page>138</page>

PRISONERS. Mr. HUTCHESON asked the Minister of Justice, Whether the Visiting Justices to the Wellington gaols have inquired into the recent escape of prisoners from Point Halswell Gaol ; if not, why not ? Mr. McGOWAN (Minister of Justice) said, In answer to the first part of the question, he had to say, No. As to the second part, the recent escapes of prisoners had been inquired into by the Inspector. In all such cases an inquiry was held by the Inspector if he was available, and, if he was not available, by the Visiting Justices. # CHARGES OF DRUNKENNESS. Mr. FISHER (Wellington City) 3.30. asked the Minister of Justice, Whether his attention has been called to the following passage in the annual report of

the Commissioner of Police : "As stated in my previous reports, I think the increase in the number of charges of drunkenness is attributable to the continued prosperity of the colony"? In all their references to the beneficial legislation of this Government the Premier and other members of the Ministry had said that the prosperity of the colony was due to the legislation of this Ministry. The Government were themselves, in fact, the makers of that prosperity. Mr. Tunbridge said the prosperity was the cause of the increased drunkenness. Therefore, the drunkenness was distinctly traceable to the action of the Premier and his Government. Mr. McGOWAN (Minister of Justice) said that, however ingenious the deductions of the honourable gentleman might be, he had no hesitation in saying he could not indorse them. Experience had shown that the general prosperity of the colony did increase the amount of drunkenness. He agreed with Mr. Commissioner Tunbridge in regard to the prosperity of the colony. # ENGLISH SUNDAY CLOSING-HOURS, ETC. Mr. FISHER (Wellington City) asked the Minister of Justice, Whether he has carefully studied the following statement contained in the annual report of the Commissioner of Police: "I reiterate the remarks made in former reports on the question of the law being amended on the lines of ' The Intoxicating Liquors Act, 1872,' in force in England, which renders any person who is neither a lodger nor bona fide traveller found on the premises during prohibited hours liable to a prosecution "? And whether the Commissioner of Police has at any time called the honourable gentleman's attention to section 24 of the English " Intoxicating Liquors Act, 1872," which is as follows : "Subject as hereinafter mentioned, all premises on which intoxicating liquors are sold or exposed for sale by retail shall be closed as follows : that is to say, on Sunday, Christmas Day, and Good Friday, during the whole day before one of the clock in the afternoon, and between the hours of three and six of the clock the clock at night "? And, also, whether the Minister of Justice has any intention of applying the English Sunday closing-hours to licensed houses in the Colony of New Zealand ? It was now two months and ten days since he put this question on the Order Paper, and, that being so, the House would not wonder that all interest in it had died out. At the time it would have been of interest to know whether the honourable gentleman or the Government had any intention to introduce the clauses of the English Act into the colonial Licensing Act. He knew from a close study of the English Act how desirable many of its provisions were, and he had therefore deemed it advisable to put this question to the Government. As a logician of some standing, the Minister must see that one must follow the other. If the clauses suggested by his colleague Mr. Atkinson were viewed in an affirmative light in one case, the answer must be in the affirmative in the other. The Commissioner of Police, in his annual report, recommended the Government to bring in one of the clauses recommended by Mr. Atkinson, and he (Mr. Fisher) now asked the honourable gentleman whether, having unbounded confidence in his Commissioner of Police, he intended to bring in the clause he (Mr. Fisher) referred to. The one was the necessary corollary of the other. Mr. McGOWAN (Minister of Justice) thought the honourable gentleman would hardly blame him for the delay that had taken place in answering the question. As for the honourable gentleman's explanation of the question, it really confused the matter still more : at any rate, the honourable gentleman had not made it very clear to him (Mr. McGowan). In regard to the introduction of the new clauses suggested by the honourable member, he had no intention at present to give notice of any new clauses in the Licensing Act. The honourable member had himself given notice to move four new clauses. Other honourable members had also given notice of several new clauses, and he (Mr. McGowan) had no intention of proposing any additional clauses until he had seen those that were being brought forward. Possibly the clauses the member for Wellington City (Mr. Fisher) was going to introduce were the very clauses he (Mr. McGowan) himself wished to introduce, and until he saw them he declined to say what his intentions were in regard to the Bill. # AUSTRALIAN LOTTERY ADVERTISEMENTS. Mr. O'MEARA (Pahiatua) asked the Minister of Justice, If he will give effect to the recommendation of the Public Petitions A to L Committee to remit the fine imposed on John Grant, Woodville, for publishing Australian lottery

advertisements in the Woodville Examiner ? He hoped the Minister would give the question the consideration it deserved. He knew it was almost impossible to get a Minister of the Crown or the Government to alter a decision once it had been arrived at, no matter what the justice of the

<page>139</page>

particular case, he would like to explain the circumstances to the Minister, and after he had done so he hoped the honourable gentleman would not prove himself a Minister of In-Justice-that he would not refuse to do justice in the case of Mr. Grant. The advertisement in question was sent to this colony by a well-known firm of publishers in Melbourne, Messrs. Gordon and Gotch. It was an advertisement in connection with the Eight Hours Day art union, and was to be published at a nominal price. It had been approved of by the Colonial Secretary in Victoria. It was inadvertently printed by the proprietor of the Woodville Examiner, but immediately the proprietor found he had committed a breach of the New Zealand law he withdrew the advertisement. In the Court, though he pleaded guilty, the Magistrate said he had no option but to fine him \$5 and costs. Now, judging by the various decisions given on a number of similar cases throughout the colony, one would really imagine that New Zealand, instead of being one colony, was divided into a number of States. The Wyndham Farmer was prosecuted for the same offence, and the Magistrate thought so little of it that he dismissed the case. At Stratford the outcome of a similar case was a nonsuit. At Dannevirke, which was almost contiguous to the borough in which the Woodville Examiner was published, the proprietor of a paper was fined 5s. Immediately north-at Hastings-another proprietor was fined 5s. At Mangaweka the proprietor of another paper was fined #2 and costs, and in the Eketahuna district, and before the same Magistrate, the Eketahuna Eroress was fined £2 and costs-all for the same offence. Still, in Mr. Grant's case the Magistrate said he had no option but to inflict a fine of \$5 and costs. The Minister, he thought, would see that an injustice had been done to Mr. Grant. There were others who had been also unjustly treated, and he trusted that on the supplementary estimates the Minister would propose a vote so that a refund might be granted to those proprietors of papers who had been fined unjustly, or, at any rate, with unnecessary severity. Mr. McGOWAN (Minister of Justice) said the honourable gentleman had put his case pretty well ; but he imagined he had gone a little further than a request for a remission of the fine, because he had taken up the position that the fine was absolutely wrong. Mr. O'MEARA .-- Undoubtedly. Mr. McGOWAN said that before he could deal with that matter the law would have to be altered. There was no doubt there had been a breach of the law, and honourable members would condemn him very strongly if he interfered with the decision of Magistrates in regard to breaches of the law, even though, as] sometimes happened, a Magistrate in one district had given a different decision with regard to a particular offence from a Magistrate in another district. Mr. O'MEARA .- It is the same Magistrate. gentleman had the whole particulars of the case he was not in a position to judge, because the same Magistrate might give a more severe sentence for the same offence if a warning had been given by a conviction elsewhere. A first offence was usually treated lightly. In regard to the remission of this fine, he might say that several other newspaper proprietors had been fined for publishing the same advertisement, but in no case had a remission yet been granted. He stated incidentally to the honourable gentleman in Supply yesterday, that probably a refund of £4 on the estimates was for this particular case. He found he was wrong in saying so, but he would inquire into this. case now that it had been brought before him. # MILK-TESTING. Mr. E. G. ALLEN (Waikouaiti) asked the Minister for Agriculture, If he will make arrangements that disinterested persons be appointed to test the butter-producing quality of milk supplied to butter-factories and skimming-stations ? There was some dissatisfaction amongst milk - suppliers with the system of testing milk at the butter-factories throughout the colony. In some cases, he was informed, the testing-machines had proved to be out of date and unreliable, and in some cases the testing was done by inexperienced young persons, and in all cases the supplier had to trust to the intelligence and honesty of

the person in charge of the factory. Now, what was wanted-and he would impress this upon the Minister -- was that there should be a check tester appointed, who would be disinterested, to see that a correct test of the milk was made, because the price paid for the milk depended on the amount of butter-fat it was ascertained to contain. If the Minister could introduce a system that would satisfy the milk-suppliers that their milk would be in all cases correctly tested he would confer a very great boon on the dairy farmers. He was not making any charge against the people in charge of these factories; it was the system that he complained of. There was a suspicion that sufficient care was not always taken in reading the machines, and the farmers had an idea that in all cases justice was not done to them. Mr. DUNCAN (Minister for Agriculture) might say that it would be very difficult indeed to comply with the request of the honourable gentleman, because to do so thoroughly would require an expert at every factory. And, then, to do the testing thoroughly the milk should be tested every day, because the milk taken from the same cattle varied every day, and farmers often thought when the milk fell away in quality now and again that it was the machine and the people in charge of the machine that were at fault. He believed it would be right to have an expert with an independent machine to go to any place where a dispute arose and test the milk once or twice. But he could not go further than that, because it would cost too much money to keep a man at every factory. He knew there was discontent amongst the suppliers, for the reason that the milk did not

<page>140</page>

because of the reason he had pointed out, and therefore he thought there should always be a certain amount of give-and-take between the factory and the suppliers. # OTARA BRIDGE. Mr. LETHBRIDGE (Rangitikei) asked the Minister of Lands, If he will this session place a sufficient sum on the public works estimates to pay \$1 for #1 on the total cost of the Otara Bridge and approaches, as promised by the late Sir John Mckenzie? Some few years ago the Kiwitea County Council applied to the then Minister of Lands (Sir John Mckenzie) for a subsidy to erect a bridge over the Rangitikei River at Otara. They did not then, nor for some years, go on with the bridge, but applied to be allowed to use the money granted to make the approaches. This was agreed to by the Minister. Sir John Mckenzie went Home, and when he came back again a deputation came down and, with himself, interviewed the Minister, and got a promise that he would give a pound-for-pound subsidy for the bridge. It must not be forgotten that the money so far placed at the disposal of the Council had been spent on the approaches when the interview took place. The Kiwitea County Council built the bridge, and spent all the money they had and all they could borrow ; but when the Council came to ask for the subsidy the department demurred, and said there was no agreement to this effect. He then wrote to Sir John Mckenzie and asked if he remembered making the promise, and Sir John Mckenzie wrote back saying he remembered making a promise, and hoped Mr. Duncan, the present Minister of Lands, would carry out the agreement. He would say the present Minister of Lands had carried out the agreement so far as he could, but, unfortunately, other members of the Ministry did not see as the Minister of Lands did. He hoped now the Ministry would give way and see that it was a fair thing to give this Council a pound-for-pound subsidy as promised by the late Sir John Mckenzie. Mr. DUNCAN (Minister of Lands) said the official reply to this question was this :- "The Government has been drawn into an expenditure over this bridge that was not contemplated when the alleged promise was made. The utmost that the Government then understood it would have to contribute was \$1,250. Instead of that, grants amounting to €4,668 1s. 4d. have been made. The Kiwitea County Council include in the cost of the bridge two approach roads, costing \$1,891 14s., and, as there is nothing to show that the late Sir John Mckenzie intended his promise to apply to these roads, the pound-for-pound subsidy has been refused, but a sum of \$500 has been promised towards that work." MAORI LEAFLETS. Mr. O'MEARA (Pahiatua), for Mr. Symes (Egmont), asked the Government, If they will have the leaflets distributed to farmers trans- Mr. Duncan same to be distributed to the Maoris ? Mr.

DUNCAN (Minister of Lands) said there had been no application made by the Maoris for these leaflets. The carrying-out of the suggestion would involve considerable cost, and it was a question whether it was worth the cost to get this done, at least, until the Maoris asked that the boon should be granted them. Mr. O'MEARA said they did ask it, through the member who put the question. Mr. DUNCAN said they ought to ask it through his honourable friend the Native Minister. If he saw that the Maoris were taking advantage of the Act, and were going into the work as their European neighbours did, then these leaflets should be supplied to them. That was as far as he could go.

WIRE NETTING FOR SETTLERS. Mr. BENNET (Tuapeka) asked the Minister of Lands, If he has carried out his promise of last session to take into consideration the desirability of supplying wire netting to settlers at cost price ? This was a matter of much consequence to the settlers, who had for a long time been trying to get the Minister to supply them with wire netting at prime cost. He hoped the Minister would, on this occasion, be able to give a satisfactory answer. Mr. DUNCAN (Minister of Lands) might state that there had been no application whatever made in this direction during his term of office. If they wished to go in for this to any considerable extent, and would make representations to the Government that they required this assistance, he thought it ought to be given. If proper representations were made the Government could get out as much wire netting as settlers required, and get it cheaper than when farmers sent for it individually. But so long as no applications were made for it it was not to be expected that the Government would keep a stock of wire netting on hand until a number of people were prepared to apply for it.

WELLINGTON LAND BOARD. Mr. O'MEARA (Pahiatua) asked the Minister of Lands, If he will appoint some person to fill the vacancy that at present exists on the Wellington Land Board ? He had no desire whatever to cast any reflection upon the Commissioner of Crown Lands, for he thought he was an exceedingly good officer, but he was not given the assistance he deserved. For the last year and nine months there had been a vacancy on the Land Board, caused by the death of the late Mr. Field. He would like to ask why that vacancy had not been filled ? Why did not the Minister of Lands appoint Mr. Pirani or himself to the Board. He was not anxious to obtain the post himself, but had suggested the two names because the appointment of either would cause the dissatisfaction that existed among settlers to disappear. He would, in fact, like to see the personnel of the Board changed altogether, but that was possibly a debatable matter. He would suggest to the Minister that

<page>141</page>

Board some one who had something to do with and understood small land - settlements. By doing that he would do justice not only to himself and the department, but to the small settlers in the Wellington District also. Mr. DUNCAN (Minister of Lands) believed that this question was one that should be answered. An Hon. MEMBER .- There are too many candidates. Mr. DUNCAN said it was not exactly that there were too many candidates ; but, as soon as it had come under his notice, the opinion he had formed was that they should get a man from nearer the interior than any one on the Board at the present time. He thought they should have some one from Mangaweka, or somewhere in that direction. They should, if possible, get a suitable man from that part of the district. Such a man could get to Wellington in one day, and, though it would be at some expense, there would be the advantage of having one who was amongst the back bush settlers. They had Mr. Stevens on one side, Mr. Reese on another, and Mr. Hogg on another, and the district of Mangaweka was not represented as he would like to see it. That was under consideration, and he hoped soon to arrive at a decision and make an appointment.

LAWRENCE-ROXBURGH ROAD. Mr. BENNET (Lawrence) asked the Government, If they will take over and maintain the main road from Lawrence to Roxburgh until the railway is extended in that direction ? He was sorry to have to bring this matter up again this session. He had brought the matter before the Government last session, but was afraid they had not given it the consideration it deserved. He would point out that there was a large amount of dredging-machinery carried over it. There was also a heavy

traffic in coal to the dredges. The cartage had been very heavy on the roads since the dredges had been built, and had cut them up badly. The circumstances were certainly such as to merit consideration. He might also point out that a very large quantity of gold was being got out of the district at the present time; it was the largest yield for twenty - eight years. During eight months of the financial year gold worth \$400,000 had been got in Otago, although the river had been higher than it had been known to be for many years; and he expected that during the next few months they would get gold worth \$200,000. He thought this was a fact that was worthy of consideration. Further, there were a great many men employed on account of these dredges. The material for road-making was of a very inferior class, and the heavy machinery that was taken over the roads did great damage to them, some of the loads being as much as 10 tons in weight. He thought the Government certainly ought to take the road over as far as Roxburgh, and if that were done then they could get along. He hoped the Government would see its way to sum as would go in the direction indicated. Mr. DUNCAN (Minister of Lands) 4.0. said, What the honourable gentleman had stated was quite true ; but this was an abnormal traffic. It had been created by the development in the dredging industry, through which they had been getting this enormous quantity of gold ; and the heavy traffic that passed over this road was such that no man could keep it in order in winter-time. If you went and metalled it now all the way, in three weeks' time it would be a quagmire. It would be impossible to keep it up. He remembered the time when very nearly as much traffic for as large a population as they had now was taken through to the Dunstan without a road at all, and they had to find their own roads as best they could. Of course, that was not the case now, and the only thing now was to put the road in order at the beginning of summer and let them do their carting then when the road was dry. But if they were to do it in winter-time, when 10.ton loads were passing over it, the best stuff they could put on would not keep it up. Therefore they would have to take advantage of the finer weather, and the Mines Department would have to do something. The Government had already given something, and they would have to give more, in order to keep the road in order. But he did not think it would be the right thing to take it over and absolve the county from all responsibility. Mr. BENNET just wished to make a short explanation. The Minister of Lands was under the impression that the traffic was as heavy in the early days as it was now. In those days it was simply for the good of the miners, but now it was not only for the good of the miners, but for the whole of the settlers in that district. He believed there were 10 tons carried now for every ton that was carried in the early days. WELLINGTON PUBLIC ABATTOIRS. Mr. WILFORD (Wellington Suburbs) asked the Government, Whether they intend settling the question of the site for public abattoirs for the City of Wellington ; and whether the Minister has given his approval for any particular site ; and, if not, why not ? Under section 15 of the Slaughtering and Inspection Act the power of delegation from the Wellington City Council to the Meat Export Company was taken away, and it was then settled that the Wellington City Council should themselves erect abattoirs for the city. There had been a great deal of controversy between several of the members of the City Council and the small butchers as to the proper site for the abattoirs. Two sites were proposed, one at Ngahauranga and the other midway between Ngahauranga and Wellington. There were increased facilities at the latter site, as well as paddocks for the depasturing of stock, and these facilities were supposed to make its advantages paramount ; but he believed the City Council was in favour of the site at Ngahauranga. Now, he understood the approval of the Minister was re-

<page>142</page>

if the Minister had approved of the Ngahauranga site, and, if so, why ? Mr. DUNCAN (Minister of Lands) said he had not approved of the Ngahauranga site, because he considered the other one to be much superior in every way. The Ngahauranga site was in the middle of close settlement, and there was a public school close to the site, and altogether there were many disadvantages in the Ngahauranga site as against the other one nearer the city. All the butchers who had approached him were in favour of the

other, not the Ngahauranga site. Therefore, if the Council were to compel the butchers to go to a site that they objected to, and leave another that would suit them, he thought they would not be considering the best interests of the butchers in the district nor the residents in the Town of Wellington. Mr. WILFORD asked if the honourable gentleman's consent were required to their selection. Mr. DUNCAN believed it was. Mr. WILFORD .- What are you going to do, then ? Mr. DUNCAN must state that he had been waited upon by a deputation of about twenty- four butchers, introduced by the member for Otaki, Mr. Field, and also a deputation introduced by the member for Wellington Suburbs, Mr. Wilford, and all and every one were in favour of what was known as Banks's site. Mr. WILFORD said there was also a petition. Mr. DUNCAN said he had had several petitions. He took the trouble to go and see the sites for himself, and unquestionably he approved Banks's site, because he considered, if the abattoirs were built on the Ngahauranga site, within a very short time they would have to remove them, because they would become a nuisance to the people living about there. It was not a very nice thing to have butchering done in the centre of population, and in a hollow such as Ngahauranga was. He said that the other site was clear of anything at present. There were a number of paddocks there suitable for stock that could be acquired. Of course, the Abattoirs Committee had stated in a letter to him that the price of this site was prohibitive, but they did not give him the price. And the price of the Ngahauranga site was problematical, because they stated it belonged to the Natives and they would have to take it under the Public Works Act. At any rate, they had said that the price of this site was prohibitive, but they had not ascertained what the cost of it would be. He thought they were standing in their own light, and against the interests of the city and the butchers concerned, if they did not come to some arrangement with the butchers by which they would fall into line and be satisfied with the arrangement. He would like to see that arrived at, before he gave his consent to the Ngahauranga site. W. D. LESLIE. Mr. HOUSTON (Bay of Islands) asked the Minister of Lands, If he will place a sum of in getting it passed. Mr. Wilford out the recommendations of the Waste Lands Committee of the 10th October, 1899, on the petition of W. D. Leslie, of Whangaroa ; or, if not, what steps does he intend to take to settle the claim ? This question had been brought up on several occasions, and he was sorry to say it had not been answered yet. Prior to his entering the House this settler had found that an encroachment had been made on his property by the Natives, entirely owing to a mistake of the Survey Department in overlapping. Mr. Leslie applied on several occasions to the Survey Department to have the error rectified, and they always refused. Then Mr. Leslie conferred with him (Mr. Houston) before he came down to Wellington, and the late Minister of Lands and himself went into the matter carefully, and the Minister ordered a resurvey. However, a considerable time elapsed, and in the meantime the timber on this overlapping portion of the land was sold by the Natives to the Kauri Timber Company for something like \$700. When at last the resurvey was made it was found that the overlapping alleged by Mr. Leslie was correct, and that the land on which the timber stood which had been sold to the Kauri Timber Company actually belonged to this settler. Now, Mr. Leslie contended that, having been deprived of the use of his land and of this timber, which was in reality his, the Government should make some amends for the serious loss he had suffered. The value of the timber sold to the Kauri Timber Company was \$700 cash. Mr. Leslie applied to the Government, but could not get any redress. He petitioned Parliament on the subject in 1899, and the Waste Lands Committee reported that they considered an injustice had been done, and recommended the Government to pay a small compensation for the loss petitioner had sustained, the amount recommended being \$200. This was the report of the Waste Lands Committee :- "I am directed to report that the Government be recommended to place a sum of £200 on the supplementary estimates as compensation to the petitioner. "R. THOMPSON, Chairman, Waste Lands Committee, House of Representatives. " 10th October, 1899." He considered this man was entitled to some compensation, seeing that a mistake on the part of the Survey Department had deprived him of the value of the timber on his property. He considered the sum recommended by the

Waste Lands Committee would be a very poor recompense for the loss sustained. Mr. DUNCAN (Minister of Lands) said this was one of those cases that did occur occasionally, and which were very annoying to all concerned. However, he intended to bring the matter up again for consideration this year. It was only by placing a sum of money on the estimates that the matter could be reviewed by the House, and he hoped he would be successful

<page>143</page>

CHEVIOT-KAIKOURA ROAD. Mr. BUDDO (Kaiapoi) asked the Minister of Lands, What steps, if any, are being taken to preserve the scenery and native bush on the road from Cheviot to Kaikoura, especially through the Hundalee Settlement and on the Beach Road? This question referred to the road running from Cheviot to Kaikoura, past Hawkswood ; and down the Conway River and along the Hundalee Road there was some native bush growing. He and other settlers in Canterbury considered this would be the main road to Kaikoura and Blenheim, owing to its being a much more easy grade than the higher road leading past Greenhills. He believed that steps had already been taken to preserve the scenery along the higher road, but he was not aware that anything had been done in this direction along the road he had referred to. The Board of Education had sent two of its members along this route to make arrangements with the tenants of school reserves with the view of preserving the bush on their sections, and he hoped the Minister would see that the proper steps were taken by the Lands Department. There were considerable areas on the Hundalee Settlement, and also along the Conway River, which contained many of the elements of our best bush scenery. Although it could not be compared with the luxuriant growth in the North Island, the bush standing there was a relief to the eye when people were travelling through the country, which was to a very large extent without forest-trees. If the Minister would look into this matter and have something done it would be a great pleasure not only to the people of Canterbury and the Marlborough people, but also to the many tourists who would soon travel between Canterburs and Marlborough by what was known as the Seaward route. Mr. DUNCAN (Minister of Lands) said there had been great difficulty in dealing with this matter. One of the small grazing lessees in the locality mentioned in this question, despite warnings, had started to burn his bush, and the probability was that all his bush would be destroyed : so that the honourable member would see the difficulty the Government would have to experience in endeavouring to save the bush on the adjoining reserves. It was the wish of the Government that the bush should be preserved, more especially in Canterbury, where patches of it were so few and far between. The Government were doing their best in the matter, and were considering the question of directing the Ranger of the district to protect the bush which some of these vandals were attempting to destroy. Mr. ELL (Christchurch City) said the Ranger had assured him that he was doing his best, and he urged that the bush land should be absolutely reserved. The Ranger also said that, so long as the settlers were allowed to go on as they were doing, there would be little possibility of preserving the scenery. Mr. DUNCAN said the Marlborough Land Board should take the matter up, and keep a any of the beautiful patches of scenery that were now left. Mr. MEREDITH (Ashley) pointed out that the country referred to was under the control of the Marlborough Land Board, and that the Ranger mentioned by the honourable member for Christchurch City (Mr. Ell) had no jurisdiction in the matter, as he was under the Canterbury Land Board. The settlers along the Hundalee Road had taken steps to remove the scrub and scanty bush with the view of laying down English grass; but there were reserves along the line which he would ask the Minister of Lands to request the Marlborough Land Board to exercise a little more vigilance in preserving. CROWN TENANTS' RENT REBATE ACT. Mr. FISHER (Wellington City) asked the Minister of Lands, Why settlers who have taken up land under the small-grazing-runs clause of "The Crown Tenants' Rent Rebate Act, 1900," are excluded from the benefits of the Act ? Various and strong opinions had been expressed with regard to the indecent haste with which the Premier had rushed this Bill through the House last session, and the country looked to the Minister of Lands to explain the Pre-

mier's action in the matter. The Act of last session in reality made the large holder of land a present of one-tenth of his holding, while the poor small settlers of the country, whom the Government professed to protect and defend. were left without any rebate upon their leases whatever. Did the Minister consider the holders of small grazing-runs were fairly treated under the Act passed last session ? The Minister of Lands alone could explain, as he was an agriculturist, while the Premier was not. Mr. DUNCAN (Minister of Lands) said, although he was answering a question that should have been put to the Premier, he would explain that those to whom the rebate had been allowed were paying 5 per cent. on the capital value, while the small - grazing - run holders were only paying 2½ per cent., and some of those runholders were very well off. Then, again, their leases were not so long as were the holders of leases in perpetuity, and when the terms of their leases expired, if the rates were found to be too high, the rates could be reduced. It would be seen, therefore, they were not on all-fours with the others. However, the matter would be considered, he hoped, later on ; but the trouble over the Rebate Bill was not forgotten, and the opposition shown at that time would likely be repeated when the matter came up. Mr. SEDDON (Premier) said the honourable member had made a great reflection on him. He wanted to know whether it was in order for one member to ask another member to explain the conduct of a third member. If that was not in order, why should a member ask one Minister to explain the conduct of another Minister ? He might ask the member for

<page>144</page>

member for Wellington City (Mr. Fisher). Mr. DEPUTY-SPEAKER said that the difference was this : There was not the connection, so to speak, between one honourable member and another that there was between members of the Cabinet. # FARMERS' UNION. Mr. FIELD (Otaki) asked the Government, Whether they will have branches of the New Zealand Farmers' Union throughout the colony supplied with all Bills affecting the interests of farmers and country districts ? The Farmers' Union had now apparently become a firmly established institution on non-party lines, and as such its deliberations and doings were likely to be for the good of the country, and the good it was likely to do would be curtailed if the various branches had not an opportunity of seeing Bills dealing with matters affecting farming interests before they were dealt with by the Legislature. One of the first functions of the union seemed to him to be to criticize measures dealing with farming matters. Not only was the exercise by the union of that function a vast benefit to the farmers, but it was also an enormous assistance to many members who represented farming constituents, because many of these members could not be expected to understand all the intricacies of farming interests. He (Mr. Field) confessed to being such a member, and he looked forward with gratification to the assistance which the union was likely to render him. He trusted the Minister would see his way to comply with this most reasonable request. Mr. DUNCAN (Minister for Agriculture) might say at once that every Bill introduced into the House affected farmers. It did not, perhaps, affect them directly, but it had some effect on them. The honourable member doubtless meant Bills that affected the farmers directly ; and he thought there would be no difficulty about that, because, so far as he knew, any one who applied through the library, or to any member of the House or any member of the Government, for Bills affecting them or their interests had been supplied with them. But to send the Bills to every one would mean that they would require to be furnished with a list showing where they were and how the Bills were to be despatched to them. Any one who applied he would see that, as far as he was able, they were supplied with Bills. # FOREST RESERVES. Mr. ELL (Christchurch City) asked the Government, Whether, out of the large blocks of land that they intend to open up for settlement in Kawhia County, they will make reserves of native forest of, say, one hundred or one hundred and fifty acres at reasonable intervals of distance ? Mr. DUNCAN (Minister of Lands) said he had had this question in his mind for some time, and it was brought prominently before him during his last tour through the North | made a recreation-ground, and placed under Mr. Seddon and see nothing but black stumps and no shelter, and in

a few years the people in those districts would be at their wits' end to get a piece of timber. In future it would be necessary to cut out patches of the best timber and have it reserved. A very small area would not be worth reserving, because there must be a sufficient area to give shelter for itself, otherwise it could not exist. He would do what he could to have such places as those mentioned by the honourable member reserved when cutting up new country. # SANATORIUM AT TURAKINA. Mr. STEVENS (Manawatu) asked the Minister of Lands, If he will vest the Government reserve at the mouth of the Turakina River in the Lethbridge Town Board for the purposes of a public sanatorium and seaside resort ? He would point out to the Minister that there was a vast tract of land between the Rangitikei and Turakina Rivers, a distance of sixteen or seventeen miles, and there was no access for the public from the inland country to the sea-shore except at the two rivers he had mentioned. At the mouth of the Turakina there was a reserve of a small area, which was originally intended as a ferry reserve. The Natives, however, claimed the reserve ; but he had ascertained from the department that the Natives were not, as shown by the records, entitled to it. Now, this reserve consisted partly of grass land and partly of drifting sand. The people in the locality of Turakina and inland, and especially those in the Town District of Lethbridge, were anxious to have something like a sanatorium, where they could in the summer-time take their families, and this reserve would be a very suitable spot if the Minister could see his way to dedicate it to a Board. He would suggest that the Natives in the locality should have the same right of access and use of the reserve as the Europeans. He would further point out that, unless something was done to prevent the sand drifting. in the course of a few years the reserve would not be worth anything either to the Natives or to any other person. He understood from the principal residents in the locality that they would be prepared to do something towards arresting the drifting sand, and he therefore hoped that the Minister would see his way to favourably consider this question. Mr. DUNCAN (Minister of Lands) said, As stated by the honourable member, this reserve was made many years ago, and was shown as a ferry reserve on the oldest maps in the district office. It contained about seventy-five acres, and was used when traffic went along the coast as a crossing place for stock, et cetera. It was at present under no one's charge, unless, probably, the County Council took an interest in it. He thought it was not now wanted for the original purpose for which it was reserved, and might be vested as asked for. A public sanatorium, however, was not one of the purposes for which Crown lands might be reserved. It could be

<page>145</page>

Council as a Domain Board. This would not admit of buildings being erected upon it as residences or as a seaside resort. The rights of the public would have to be preserved in case of stock being driven along the coast, to enable them to cross the river at this place, or to rest on the reserve during the night. Therefore he thought a portion of this reserve might be left as a resting-place and the balance placed under a Domain Board. If the honourable gentleman would indicate the proper gentlemen to be made trustees for the domain, and who would attend to it and do something with it, he would make an effort to get it vested in such a body. # WAIKAKAHI. Major STEWARD (Waitaki) asked the Minister of Lands, -(1) Whether he will cause trial borings to be made at Waikakahi, in order to ascertain whether a supply of artesian water can be obtained ; and (2), failing this, will he lend to the settlers the necessary boring rods ? At the request of the Waikakahi settlers he had submitted to the Minister a few weeks ago a memorial from them asking that he would cause trial borings to be made, with a view to ascertaining whether a supply of artesian water could be obtained. If he did not see his way to do this at the cost of the Government, then, in the alternative, they asked that they might be supplied with boring apparatus in order that they might make experiments for themselves. The honourable gentleman replied to him that he did not see his way to undertake the matter himself, and that the Lands Department had no boring apparatus; but stated that he would make inquiry from the Mines Department and see whether that department possessed suitable apparatus, and, if so, if that apparatus could be placed at the disposal of

the settlers. He wished to know whether the Minister had reconsidered the matter, and if he had ascertained whether the appliances could be placed at the disposal of the settlers. Mr. DUNCAN (Minister of Lands) said the honourable gentleman had almost answered the question himself. because at present, as he had stated, the Lands Department had no appliances of this kind. The only boring appliances possessed by that department was merely suitable for short depths. He believed the Mines Department had boring appliances. He would make inquiries whether they could be granted as suggested, and he would let the honourable gentleman know.

LAND FOR WORKMEN'S HOMES. Mr. WITHEFORD (Auckland City) asked the Government, Whether, if they continue the purchase of land for workmen's homes, they will consider the advisability of securing land, such as is obtainable, on the shores of Auckland Harbour, where by means of water carriage the cheapest form of transit is obtain- able? He understood that there were five hundred or six hundred acres of land available 16 JT \$8 an acre. This land would provide VOL. CXIX .- 9. Government decided to start shipbuilding or other industries requiring water frontage, prove a valuable acquisition; and, whether or not any industry would some day have to be pro- vided for the unemployed, one thing was certain -- namely, that the land on the shores of Auckland Harbour was of great prospective value. Land on the deep-water side of the harbour, above the Sugar-works, would cer- tainly increase in value very greatly. He did not see why the Government should not acquire some of the land, especially when they could both utilise it and make a profit out of it, and secure valuable future sites for manufacturing concerns requiring shipping facilities.

Mr. DUNCAN (Minister of Lands) said this question was one which required to be dealt with, and he intended, as soon as Mr. McKer- row, the Land Purchase Officer, returned to Wellington, to draw his attention to this matter. He would ask the honourable mem- ber (Mr. Witheford), in the meantime, if he would be good enough to ascertain from the owners of the land if they were willing to sell, and at what price. If that were done it would facilitate matters, and then the Government would have some one sent at once to try if pos- sible to secure the land. ## J. W. . KAYES. Mr. MASSEY (Franklin) asked the Minister of Lands, Whether, in accordance with the recommendation of the Waste Lands Com- mittee, he will request the Auckland Land Board to make further inquiry into the case of Mr. Joseph W. Kayes, formerly a Crown tenant, whose section was forfeited by the said Board ? While he admitted that there were two sides to every question, there were elements of hardship involved in this case which he hoped the Government would recognise. The facts of the case were these : This settler, Mr. Kayes, took up land in the Rotorua district, and complied with the provisions of the Land Act with regard to paying his rent and making the necessary improvements. He even went the length of building a small house on the land. But the Crown Lands Ranger reported to the Land Board that he (the settler) had not complied with the provisions of the Act as to residence ; and, further, the Ranger reported that, in his opinion, it was a case of dummyism. On the report of the Ranger the Board forfeited the section. He (Mr. Massey) knew Mr. Kayes, and he believed he would make a genuine settler. Mr. Kayes felt that he had been treated harshly. He had spent a considerable sum of money on the land, and he had given a good deal of his time to making improvements, and he intended to make it his permanent home. He petitioned Parliament, and the Waste Lands Committee went ex- haustively into the case, and they recommended that Mr. Kayes should be given another oppor- tunity of complying with the law. He hoped for a favourable reply.

Mr. DUNCAN (Minister of Lands) said this was not the only case that had come under his notice of a similar character. The difficulty

<page>146</page>

the power to allow settlers to go off their land at periodical times for the purpose of getting work. But settlers should in such cases notify the Board in order to get leave, because, as the honourable member well knew, it was necessary to keep an eye on them, because some people took advantage of the permission, and when such cases were found it was quite right for the Board to forfeit. But if a band live

settler wanted to go off his section for a few months, or even longer, they had a perfect right to do so, and the Board would not in such cases forfeit sections with his sanction. He would certainly ask the Board to reconsider this case, because he did not think it was one in which there should have been forfeit. Mr. MASSEY. - Then, you will ask the Board to give him another chance ? Mr. DUNCAN .- Yes. LEVIN EXPERIMENTAL STATION. Mr. FIELD (Otaki) asked the Minister for Agriculture, Whether it is true, as reported, that the Government is entering into competi- tion with and underselling the milk-suppliers of the Hutt Valley, and other dairying districts in the vicinity of Wellington, by supplying the Wellington Fresh Food and Ice Company with milk from one hundred and fifty cows on the Levin Experimental Station at a price which will not allow the private milk-suppliers to make a living after payment of their rent and other necessary expenses, and at a price which probably will not afford a margin of profit to the colony ? Since putting the question on the Paper he found that he had been rather under a misapprehen- sion. Instead of milk being supplied it was cream. The difference was only one of degree. It seemed to him that, if it was improper for the Government to supply State Farm milk to the Wellington market in competition with milk-suppliers in the Hutt and other districts im- mediately surrounding Wellington City, it was by the same reasoning wrong to supply the cream. To his mind, it was wrong that the Government should be competing with private individuals in the sale of produce. The result of the matter under discussion had been a very serious outcry from the milk-suppliers of the Hutt and other milk-supplying districts round Wellington. He trusted the Government would put an end to this competition. He approved of what had been done with the State Farm milk last year-namely, supplying it to the Levin Dairy Factory. That was an assistance to the Levin district and the Levin people. But it was unfair to swamp the Wellington market to the detriment of the milk-suppliers who were best entitled to that market, and many of whom, he was told, would have to give up dairying if the Government persisted in the action complained of. Mr. DUNCAN (Minister for Agriculture) said it was not the intention of the Govern- ment to send milk or cream to Wellington or anywhere else; but, in the meantime, they were getting a stock of cows together for the purpose of establishing a dairy school, and it Mr. Duncan the farm to supply the milk, because if they were dependent on the public they might not get the milk at the time they required it. The year before last the cream was sold to a com- pany in Wellington; last year there was a factory started at Levin, and that company applied for the cream, and they got it at the price they offered. This year the secretary gave notice to both the Levin factory and the Fresh Food and Ice Company of Wellington as to the price to be charged for the year's cream. The Fresh Food and Ice Company in Wellington gave 9d. per pound for the cream for eight months of the year and 94d. per pound for the other four months, as against the 8d. per pound given by the dairy factory for the whole year. It was easier for the suppliers to put the milk on the train than take it to the factory, as there was a considerable saving. As stated by the honourable member, the cream was not all used in Wellington. Most of it was made into butter, which was princi- pally for export and for sale outside. It was not the intention of the Government to get a stock of cattle to compete with the public. POISONING OF POULTRY. Mr. FIELD (Otaki) asked the Minister for Agriculture, Whether the Government will make independent inquiry concerning the alleged poi- soning of ducks and other poultry at Silver- steam by poisoned oats laid by the Agricultural Department ; and, if it is found that that de- partment is to blame, whether the owner of the said ducks and poultry will be duly compen- sated ? The facts of the case were these : Close by the property of the settler referred to was a property belonging to the Government, con- trolled by the Department of Agriculture. Re- cently poison was laid for rabbits on part of the Government land, without, he understood, notice being given to the settler in question. This settler was a man in a small way, and was largely dependent on his poultry for his living. Recently a large number of his ducks and several fowls were found to be dying, and on examina- tion it was found they had been killed by eat- ing poisoned oats, presumably those which had been laid for the rabbits. Under the circum- stances, the Government might well take an equitable view of the case and

award the settler something like fair compensation for the loss he had suffered. That was, of course, apart from the legal aspect of the question, for he (Mr. Field) and the settler were anxious to avoid litigation. It might perhaps be said the poultry had strayed on to the Government land ; but, even though that might be so, he still thought the Government would take a generous view of the case. Mr. DUNCAN (Minister for Agriculture) said the property belonged to the Defence Department ; it was a rifle-range. Some rabbits had accumulated on the land, and an attempt was made to exterminate them, so that they would not be a menace to the surrounding district. In carrying out the work poison was laid, and the owners of the ducks

<page>147</page>

the phosphorus with the water which had found its way into a stream. Mr. FIELD said the oats were found inside the fowls. Mr. DUNCAN said, Well, there were many ways in which they might have got the oats ; they might have been carried a distance. At any rate, the department said that they had found on inquiry that the oats were put down carefully, and that, in their opinion, the fowls had been poisoned in some other way than by means of the oats on that land. # LIME FOR FARMERS. Mr. O'MEARA (Pahiatua) asked the Minister of Lands, If he will cause an officer to be sent to prospect the country between the Gorge. Woodville, and Pahiatua for the purpose of opening up a lime-kiln to supply lime to farmers? A similar question was asked by the member for Rangitikei some time ago, but the answer the honourable gentleman received was not altogether satisfactory. In addition to what the member for Rangitikei said on that occasion, he (Mr. O'Meara) wished to say this : There was a lime-stone hill running from Woodville to the south of Pahiatua. It was in a good farming district, and there was a demand for lime by farmers all through the Wairarapa. Some twelve months ago an expert from Taranaki visited the district and inspected the limestone deposit at the mouth of the Manawatu Gorge, but it was said he was not satisfied with it. Would the Minister at once send an expert to explore from the Gorge to the south of Pahiatua ; and, if his report was favourable, would the honourable gentleman at once establish a lime-kiln for the purpose of supplying lime to the farmers at Pahiatua and in other districts. He understood that if this supply was available the lime would be carried as far as New Plymouth. Mr. DUNCAN (Minister of Lands) said a much easier way to get lime was already available, within 3 chains of the railway-line-he . referred to Mr. Branchley's property. Mr. O'MEARA said that was a long way down. Mr. DUNCAN did not think it mattered if it was a distance down, because the Government carried lime free for a distance of a hundred miles. He did not think the locality referred to by the honourable member was so convenient as Mr. Branchley's property. Mr. O'MEARA said it was quite convenient. Mr. DUNCAN said, The honourable gentleman having said so, he would look into the matter, and if it was nearer the line than Mr. Branchley's property something might be done in the matter. Mr. O'MEARA .- At once ? Mr. DUNCAN said, As soon as a man was available he would be sent to undertake the work of reporting on this lime question. MANGAWEKA BRIDGE. Mr. LETHBRIDGE (Rangitikei) asked the Minister of Lands, If tenders are to be called in to the local bodies ? He believed it was for the erection of Mangaweka Bridge at an early date? The bridge was started in 1896. Two abutments were built on either side of the river, but -- he thought it was in 1897 -- a flood came down the Rangitikei River, washed away a temporary structure, and apparently paralysed all further effort on the part of the department. He believed the Minister was doing his best to get the bridge built, and he hoped the honourable gentleman would say, in reply to the question, that tenders would at once be called for pushing on the work. Mr. DUNCAN (Minister of Lands) might state that this bridge had been a very unfortunate undertaking. There was what was called a low-level bridge there, so that only at flood-time was there any great difficulty. Still, a bridge was wanted there, and they had made several efforts to have a bridge. But when they put the abutments up, that seemed high towering abutments, it was found when the next flood came down that the water went 10 ft. higher than what was supposed to be the proper height of the bridge. Then they thought to put up a suspension bridge, and plans were prepared and tenders were called for. The

department sent Home twice to the Old Country to see what a suspension bridge could be got for, but the price seemed so very high that it was held over. However, he hoped to be in a position in a very short time to call for tenders again and go on with the bridge as soon as possible. KIRK'S "FOREST FLORA." Mr. LETHBRIDGE (Rangitikei) asked the Minister of Lands, If he will supply honourable members with a copy of Professor Kirk's "Forest Flora"? It seemed to be the practice now for the Government to supply members with books, and he was sure this book would be very much more useful to members than many that had been supplied. He thought if members got this book and studied it a little they would know more about the forest timbers and their uses than they did at present. It was only a beginning, certainly, and he would like to see a book published containing the whole of the forest flora of New Zealand. He hoped the Government would persuade some competent man to write a book and present it to members. Mr. DUNCAN (Minister of Lands) said there was a number of these books, he understood, in the Printing Office, and he thought that anybody who applied would be supplied with a copy. His information did not mention the cost, but said it would be a very small cost. There had been no applications for the books, and they had been there for ten or twelve years. Mr. LETHBRIDGE said he bought one the other day, and the cost for cash was 9s. 4d. NOXIOUS WEEDS ACT. Mr. LETHBRIDGE (Rangitikei) asked the Minister of Lands, If he will introduce an amendment to the Noxious Weeds Act, in the direction of handing over the administra-

<page>148</page>

impossible for the Minister of Lands to carry out the Act, because in some parts of New Zealand the noxious weeds were so thick that it would cost more to clear the land than it was worth. Now, in some districts there were places where the noxious weeds were not numerous, and if taken in hand at once these districts would be saved very great future expense. He was sure that if the honourable gentleman would bring in legislation to enable the work to be handed over to the local authorities, in some parts of New Zealand the local authorities would take the matter in hand and exterminate these weeds at once, and the country would be saved a great deal of future trouble. Mr. DUNCAN (Minister of Lands) said he would be very willing to do so, because nothing would give him more pleasure than to hand this work over. But the general feeling was that the local bodies would not, as a rule, administer the Act, because very often the members of these local bodies were the greatest sinners themselves. Mr. LETHBRIDGE.-- No. Mr. DUNCAN said it had been the case in some places, and information had been stated to him that they would not be the proper parties to administer the Act. But even as it was the Act would do some good, because it would keep people from growing these weeds up In cases where it against their neighbours. would take more to clear the land than the land was worth, the owners were not compelled to eradicate the whole of the weeds, but were only made to prevent them from seeding and to keep half a chain of land clear along the fences. such cases, if the people were compelled to wholly clear their land they would leave the land, and then the expense would be thrown on the department. It was a very difficult subject to deal with, but he would see if the suggestion of the honourable gentleman to hand the work to the local bodies who would undertake to do it could be carried out. # EPUNI SETTLEMENT. Mr. J. ALLEN (Bruce) asked the Minister of Lands, Whether the particulars in return 128c, showing the number of blocks of land acquired under the Land for Settlements Act re Epuni- namely, 100 acres 3 roods 14 perches ; cost per acre of each block, .99 2s.-- are correct ? If so, will he explain why return C.- 5c, estates purchased between 1st April, 1900, and 31st March, 1901, and signed by James McKerrow, gives the particulars of the same estate as 103 acres, price £9,146? Since he had put this question on the Order Paper another return had been laid on the table dealing with this Epuni Settlement, and he noticed that in every return the area of this particular block was given in different figures, and the price was different. He would like an explanation of this, and why the acreage and price was stated as follows in different returns :- " 128c : Number of blocks of land acquired under the Land for Settlements Act, 100

acres 3 roods 14 perches ; cost per acre, \$99 2s. Mr. Lethbridge " C .- 5c: Estates purchased between the 1st April, 1900, and 31st March, 1901, signed by . James McKerrow,' 103 acres ; price, #9,146 - i.e., £88 15s. per acre. "C .- 5: Land for Settlements Consolidation Act, 101 acres ; price, \$9,146-i.e., £90 11s. per acre." Mr. DUNCAN (Minister of Lands) said, The return 128c, ordered on the motion of Mr. Meredith, gave the cost of the Epuni Estate when the construction of roads and the cost of administration, advertising, et cetera, were added to the purchase-money. The area acquired was 100 acres 3 roods 14 perches, and the cost when the roads were constructed, et cetera, would probably be \$99 2s. per acre, or thereabouts. The statement given by Mr. McKerrow, and laid on the table of the House by the Right Hon. the Premier, was one given from memory, and was written hurriedly to give immediate information. There were two areas purchased : 98 acres 1 rood 34 perches at £90 per acre, and 2 acres 1 rood 20 perches at £120 per acre, to give better access to the first purchase. The actual area put into the market was 94 acres and 28 perches, the remainder being absorbed by roads. The actual purchase-money was £9,146 12s. 6d. # FAIR RENT BILL. Major STEWARD (Waitaki) asked the Minister of Lands, Whether it is intended to proceed with the Fair Rent Bill this session ? Mr. DUNCAN (Minister of Lands) said he had some doubt about this Bill passing through the House this year. He had been making inquiry, and found there was very little support for it. Therefore, when so much time had been wasted, he did not care to annoy the House for a night or two over a Bill that had no chance of passing. He was prepared to let it stand over until the people got educated up to it, and then, no doubt, Parliament would pass the Bill. ## DAIRY STUD STOCK. Mr. O'MEARA (Pahiatua) asked the Minister for Agriculture, If he will provide stud bulls to be distributed among dairy-farming districts in the colony ? He thought it necessary to explain to the Minister of Lands the importance of this question. the Minister had full information on the subject he would grant the request. As a matter of fact, the stock all over New Zealand was becoming deteriorated, and he believed it would be very wise to adopt the suggestion. The cost would not be very great, and it would be of much importance in assisting one of the staple industries of the colony-the dairy industry He hoped to receive a favourable answer. Mr. DUNCAN (Minister for Agriculture) said they had done a little service in regard to this, but it was impossible to place these animals in every dairy district of the colony unless they had a tremendous sum voted for the purpose. He might also tell them that there was great difficulty in getting proper cattle. When Mr. Gilruth went Home he had great difficulty in

<page>149</page>

in bringing them away. Large numbers were offered that he could have got, but he would not bring them with him. He had brought a few out, and these would be distributed among the different centres where they were expected to do most good in improving the breed. Later on they intended to do a little more, but they could not do what they wanted all at once. He thought they had made a fairly good start, and if they brought out as many every year they would soon have enough to satisfy even the back blocks. # VETERINARY SURGEONS. Mr. O'MEARA (Pahiatua) asked the Minister for Agriculture, If he will consider the advisability of distributing the veterinary surgeons in country districts, instead of their residing and giving their attention to the larger centres of population ? This was a very important question, respecting the distribution of the veterinary surgeons that had been brought from the Old Country to look after the stock in the colony. He would point out to the Minister that there were at present, quoting from the estimates, thirty-one veterinary surgeons, one chief. and one assistant chief. An Hon. MEMBER. - Where are they ? Mr. O'MEARA said, That was what he wanted to know. They had thirty - three Veterinary surgeons, as well as four dairy instructors and a perfect army of other officers. As a matter of fact, he thought it would be wise if the Minister would consider the advisability of allowing these veterinary surgeons to be distributed all over the colony, so that they should not confine their attentions and their actions to the larger centres of population. He presumed there was quite an army of

them in Wellington and other chief centres, and would suggest that they should be placed in districts where their services would be of some use. If a farmer now desired to obtain the assistance of one who possessed special knowledge in dealing with cattle, sheep, or horses, he had to communicate with the Minister himself, or some one in the large centres of population, to get a veterinary surgeon sent to the district. He did not think the farmer should go to the member for the district, and did not wish that his constituents should consult their member on such a subject. The proper thing, he thought, was to communicate with the Minister or the head of the department. He hoped the Minister would see the necessity of doing something in this respect, and that, instead of allowing the veterinary surgeons to remain in the large centres doing nothing, he would have them distributed about the country - for instance, one at Palmerston, another at Pahiatua, another at Masterton, and Woodville, and so on. He hoped the Minister would give a reply stating that he agreed with his suggestion. Mr., DUNCAN (Minister for Agriculture) said the honourable gentleman forgot that these surgeons were imported specially under the Slaughtering and Inspection Act, and therefore about the large centres, it was the large centres that were paying for them, and particularly for their duties in connection with the abattoirs. An abattoirs Act had been passed so that the meat consumed in the towns should be properly killed and inspected ; and how could it be inspected unless they had such men as these ? Mr. O'MEARA .- It does not require thirty-three of them. Mr. DUNCAN said it required one in every centre, and they were very busy. There might be one in the honourable gentleman's district if abattoirs were erected there, and he could give some time possibly to other wants in the district. The fact was, the Government had been censured for allowing these surgeons to practise outside what they had been brought to the colony for, and it was said that they were interfering with people who had taken up this business. Several applications had come in from outlying districts to have a man sent up to see what was the matter with the stock, and they had always been sent, and had given the people the benefit of their experience; but if they were to get one, as the honourable gentleman suggested, for Patea, one for Masterton, one for Woodville, and one for along the line, they would soon have an army, and there would be an objection to pay for them. An Hon. MEMBER. - You have an army now. Mr. DUNCAN said that clearly they had not too many, because they had not one to spare for Pahiatua. MILK TESTS IN DAIRY FACTORIES. Mr. O'MEARA (Pahiatua) asked the Minister for Agriculture, If he will cause dairy experts to visit dairy factories and test the instruments used in factories for milk-testing purposes by making milk tests themselves ? At the present time a good deal of dissatisfaction existed amongst those who supplied milk to dairies. For instance, in his own district they had two companies that were running factories, and the farmers were entirely at the mercy of the companies. They could not go there and examine for themselves ; a test was given them, and they had to be satisfied. Well, he thought arrangements might be made to overcome this. If, for instance, the Government were to appoint one of their own officers -- it was a very easy matter to test milk-and if either the Postmaster, the policeman, or a competent Justice of the Peace were to go to these factories and test the milk, then the milk-supplier would be perfectly satisfied with the test of an independent person. At the present time there was dissatisfaction, and until this was taken up by some one of responsibility that dissatisfaction would continue to prevail. It behoved the Government to protect the interests of the suppliers, and so foster a very important industry. He hoped the Minister would give him a favourable reply to the question, as it was a very important one. Mr. DUNCAN (Minister for Agriculture) might state that he knew a little about this matter. He had been a director of a dairy factory for a good number of years, and he had

<page>150</page>

factory with milk. He knew all the troubles and vexations of the whole thing, but the real difficulty was to find a remedy. Mr. O'MEARA said he had suggested one. Mr. DUNCAN said, Yes, but it was not a sound one. The only thing that could be done was that there might be an expert who might go round and stop at

the factory for a few days, and test the factory's milk for two or three days in succession. That might be some guarantee which would tend to settle some of the disputes. But they could not go further than that, because the milk varied so much that it would not be the same all through during a month. This had been the cause of disappointing people when they had their milk tested at its very lowest, and some of their neighbours might get their milk tested at its very highest, which, of course, gave them a great advantage. He believed it would be right that a competent man should be appointed to go round and visit each factory once a month or two, but, of course, they could not have a man for every factory. Mr. O'MEARA asked, Why not keep the milk there until the man went round and tested it? Mr. DUNCAN said. That was not the way it was done at all. He did not think the honourable gentleman knew anything about it. ##

KELSEY'S BUSH. Major STEWARD (Waitaki) asked the Minister of Lands, Whether he will give effect to the recommendation of the Waimate Borough Council by setting apart Kelsey's Bush, or at least a portion thereof, as a forest reserve? The very fine bush which at one time immediately surrounded Waimate had in the course of a few years disappeared through axe and fire. But there was still a very nice area of bush, known as Kelsey's Bush, about five miles from the township, which, if it could be preserved, would be a great boon to the district. The Borough Council had sent up a resolution to him asking that this should be done. He had received a reply from the Minister to the effect that he was not sure whether this bush, or any part of it, was in the hands of the Crown, but that he would make inquiries. He would be glad to know from the Minister the result of those inquiries; and, if this bush, or any part of it, was in the hands of the Crown, would the honourable gentleman give effect to the request? Mr. DUNCAN (Minister of Lands) said, As far as they could gather, there was no part of this bush Crown land. It belonged to a man named Studholme. There was about four hundred acres in the section, and the owner wanted £4 an acre for it. It was a very nice place, as stated by the honourable gentleman; that was, there was a fair amount of bush on it - not first-class, but still there was part of it that should be preserved. He had brought the matter before the Government, and was making further inquiries to see if they could come to some arrangement with regard to the purchase of this bush. Mr. DUNCAN Major STEWARD (Waitaki) asked the Minister of Lands, - (1) What is the contract date for completion of the bridge now in course of construction over the Macrewhenua River at "Hutton's"; (2) will the bridge be completed at such date; and (3), if not, at what date he anticipates that it will be completed? If he was correctly informed, the contract time for the completion of this work had expired, and he wished to know if that were so, and what were the Minister's advices as to the date when it would be completed; also, if the contractor had incurred any penalties for delay, whether they would be enforced. Mr. DUNCAN (Minister of Lands) said that some time since he received information that the contractor said the work was finished, but the Inspector would not pass it. There was some dispute between the Inspector and the contractor at the present time, and until that was settled he could not say what would be done.

WAIKATO-ONEHUNGA RIVER TRADE. Mr. MASSEY (Franklin) asked the Minister of Lands, Whether he will direct the Survey Department in Auckland to report on the feasibility and probable cost of connecting the Waikato River with the Manukau Harbour by way of Waiuku, so as to make it possible for river steamers to trade between Waikato and Onehunga? The matter referred to was one of importance to a great many people in the Auckland Provincial District, as the connecting of the Waikato River with the Manukau Harbour by way of Waiuku would enable the steamers now plying on the Manukau to reach the Waikato or the steamers on the Waikato to reach Onehunga. Besides, it would have another effect - namely, the diverting of a very small portion of water from the Waikato through the Waiuku Creek to Onehunga would tend to scour out the channel, making it very much easier for small steamers to reach the Township of Waiuku than was at present the case. He only asked for a report at present, because he understood the capital required would be forthcoming privately if necessary. Mr. DUNCAN (Minister of Lands) might state that the departmental answer to this question was :- "There is said to be a depression

between the head of the Waiuku Estuary and the Waikato River, through which the latter river probably at one time flowed, part of which is now swamp and part the Awaroa River. The scheme suggested by Mr. Massey is a pretty old one, and the Government has, in draining the Awaroa Swamp, straightened the Awaroa River in order to give a sufficient outlet. It may be that if the river was deepened a little more, and the swamp cleaned out, a channel might be made through which a portion of the Waikato River would flow. It is to ascertain if this is feasible that, I understand, Mr. Massey asks that a survey should be made. It could be done if you will give instructions."

<page>151</page>

and he would give instructions to have this looked into. Mr. MASSEY .- Thank you. NOXIOUS WEEDS. Mr. R. MCKENZIE (Motueka) asked the Government, If they will offer a substantial bonus for the discovery of some cheap and effective process for killing noxious weeds, such as blackberry, briar, gorse, et cetera ? This was the most important question that had been placed on the Order Paper this session, and he hoped the Minister of Lands would give him a plain and clear answer to it. He did not want an answer that was full of a lot of padding, that probably nobody would understand or would take the trouble to read. He wanted an answer that was clear and definite. He might remind the Minister that last session they passed a Noxious Weeds Act, and that under that Act the Minister was to clear all Crown lands of noxious weeds. There were several millions of acres of Crown lands in his district full of noxious weeds, and if the Government would give a bonus for the discovery of some chemical process that would destroy the noxious weeds they would save the colony thousands of pounds. Mr. DUNCAN (Minister of Lands) said the plainest and briefest answer he could give was that there would be no bonus offered for the ! present. RESERVES FOR NGATIKUIA TRIBE. Mr. PARATA (Southern Maori) asked the Minister of Lands, Whether the two small islands situated between Rangitoto and Pelorus Sound have been set apart and reserved for the Maoris of the Ngatikuia Tribe as fishing-places and mutton-bird preserves, in accordance with the promise made to that effect by the Lands Department ? This question was the outcome ! might have an opportunity of availing them- of a petition sent to the House by members of the Ngatikuia and neighbouring tribes of the South Island in reference to the matter. In that petition it was pointed out that the two small islands referred to had been from time immemorial made use of by these Maoris as fishing-grounds, karaka-grounds, and mutton- bird preserves, and they asked that those islands should be reserved by the Crown for Native purposes. The matter was eventually sub- mitted to the Under-Secretary for Crown Lands, who gave a promise that the Government in- tended to reserve the islands for Native pur- poses. He wished now to be informed when the Government intended to give effect to that promise. Mr. DUNCAN (Minister of Lands) said the answer from the Under-Secretary of Lands was to the effect that a promise had been given that these islands should be retained for the Ngatikuia Tribe. But the other residents in that part of the country wished the islands to be re- serve for the preservation of native fauna, and considered they ought to be kept for the pre- servation of native birds and scenery, and not allowed to go to the aboriginal natives alto- might destroy the scenery of this very beauti- ful place. Mr. PARATA said it was not the desire of the Maoris, in the event of these islands being set apart for their use, to spoil their natural beauties in any way. They only wished the right to use them as fishing-grounds, mutton- bird grounds, and so on. Mr. DUNCAN said the only fear on the part of the department was that the Natives might destroy the bush by fires, and so forth ; but they did not wish to prevent the Natives from going there altogether. They would still have a perfect right to go there, just as Europeans had. Mr. PARATA asked if the Government would gazette an order to that effect. Mr. DUNCAN said, Yes, that would be all right. ## STUD HORSE FOR SOUTH CANTER- BURY. Mr. FLATMAN (Geraldine) asked the Minis- ter for Agriculture, If he will locate one of the imported stud horses in South Canterbury ? Some of the best stock in New Zealand was to be found in South Canterbury, and he hoped the Minister would see his way to locate some of the imported stock in that

district. Mr. DUNCAN (Minister for Agriculture) said there were three imported stud horses in the South Island, all within easy distance by train of the country intervening. Mr. FLATMAN .- How far ? Mr. DUNCAN said there would be one stationed somewhere about Oamaru, one about Maitai, and one about Christchurch, and arrangements could easily be made for sending stock to those horses. The Government had considered these to be the most convenient 1 places so that each part of the South Island serves of their services. OTEKAIKE ESTATE. Major STEWARD (Waitaki) asked the Minister of Lands, Whether he has received a numerously signed memorial praying that the Otekaike Estate may be acquired and opened up for settlement under the Land for Settlements Act ; and, if so, have any steps been taken in that direction, or is it intended to endeavour to carry out the wishes of the memorialists ? The memorial referred to was numerously signed, and since it was sent up he had received frequent letters from persons residing in that part of his electorate urging that this land should be taken for settlement. Mr. DUNCAN (Minister of Lands) said this was an old friend, and he might say at once that if this request was acceded to and the land taken from the present owner, he would be compelled to give up the Crown lands he now held on the high lands adjoining. The configuration of the country was such that there must be a certain amount of low country included in the holdings, because some of the mountains down there were over 5,000 ft. in

<page>152</page>

five months of the year, and the low country was required for depasturing the stock in winter time. The department, at one time, did take a portion of this land and cut it up for small grazing-runs as a trial, but it had not proved a success, as it had to be abandoned by several of the people who took it up, and it fell back to the man who originally held the whole area. Under the circumstances, he thought it better to wait until these leases fell in, and cut up the land into blocks with frontages which would give the holders a small farm at the lower end, and back-country on the high ground to work his sheep. MOKAU RIVER SCENERY. Mr. LAURENSEN (Lyttelton), for Mr. Eil (Christchurch City), asked the Minister of Lands, What steps he has taken, if any, to preserve the beautiful scenery on the Mokau River ? Mr. DUNCAN (Minister of Lands) said he had had the pleasure of a trip up this river as far as the coalfield, and it was one of the most beautiful spots one could imagine. He intended to make inquiries to see if some arrangement could not be come to, to reserve, say, half a mile on each side of the river, for the preservation of the scenery, as the land was of very little value for cultivation. They might have to purchase the land adjacent to the Crown lands. An Hon. MEMBER .- Is it Native land ? Mr. DUNCAN believed Mr. Joshua Jones had some kind of claim upon it, but he would see if some satisfactory arrangement could not be arrived at. MONEY-LENDERS BILL. On the question, That the amendments made in Committee in this Bill be agreed to, Mr. ATKINSON (Wellington City) said, I protest against this Bill passing in its present form. It was a harmless Bill as originally introduced-it would not have done very much good in this colony, but, at any rate, it could not possibly have done any harm ; but in endeavouring to enlarge its utility I am very much afraid that, with the best intentions in the world, we have made it positively a mischievous measure. The measure as originally submitted to us was merely a transcript of the Imperial Act of last session, to meet the professional money-lender pure and simple. Unfortunately pointed out in Committee that it seemed hard on the borrower that the fact of his getting relief from an unconscionable bargain should be dependent solely on whether or not it was the practice of the man lending the money to drive unconscionable bargains. If it were the habit of the lender to lend money on oppressive terms-if he were a professional usurer-in that case the borrower would have a remedy under the Bill as submitted to us. I pointed out, and the Committee seemed to think it reasonable, that if possible we should authorise the Court to inquire into any usurious transaction, irrespective of the Mr. Duncan We therefore set to work, with the approval of the Minister in charge, to give the Bill a wider scope. But the Bill has now such a very wide scope that I fear it will do positive harm. It is certainly a curiosity in draftsmanship. If members

will look at the Bill as reported from Committee they will see that it is indeed a curiosity in draftsmanship. The interpretation clause, clause 2, which occupies about half a page, defines what " money-lender" under the Bill means. Clause 3, which occupies a whole page, proceeds then to deal with the money-lender. "Money-lender " is mentioned there in the first line of the 3rd clause, but not till we come to the 50th line-the last subclause of clause 3, do we find the money-lender who has been spoken about. The one mentioned in clause 3 is an entirely different person from the gentleman whom we have taken the trouble to define in clause 2. It is a most in- artistic piece of work, and positively misleading if allowed to stand. It was absolutely un- necessary to have put it in this form. All that was needed to give effect to the intention of the Minister, and the majority of the Com- mittee, was to strike out "money-lender" in the 3rd clause and substitute for it the word "person," because the 3rd clause is made universal in its application-it applies to any person who lends money. Honourable mem- bers will see that that is the sole effect of the last subclause of clause 3 :- "For the purposes of this section (but for no other purpose) the expression ' money-lender ' includes any person who lends money for in- terest." So that, as I have said, if the word " person " had been substituted for "money - lender " throughout the clause-the clause sufficiently shows that it deals solely with persons who lend -then without any definition in clause 3, and without anything misleading, we should have attained the same object that we propose to attain by the present clause. But when we go on to clause 4 we seem to have realised that the Bill was something of a muddle, and instead of allowing " money lender " to rest upon the in- terpretation clause, we make assurance doubly sure by beginning clause 4 as follows : " A money-lender as defined by section 2 of this Act," et cetera. Then we pass on to clause 5 and speak of money-lenders again, without qualification. Of course "money-lender," ex- cept in clause 3, must be taken to be money- lender as defined in the interpretation clause ; but the different definitions in clauses 2 and 3, and the special reference in clause 4-and clause 4 only-to one of the definitions, will be very farcical to the lay mind, and must be a source of confusion. I also wish to point out to the House that the substitution of the word "or " for "and " in the eighth line on the second page has effected a complete revolu- tion in the scope of the Bill, and has entirely falsified the preamble. The 3rd clauce, as originally drawn, applies to cases where the interest charged is excessive, and the Court is satisfied that the transaction was harsh and

<page>153</page>

unconscionable, in which case the Court might the interest is excessive, the Court will be free refuse to sanction the bargain, and might to consider, and would be bound to consider, substitute for the contract what it deemed to the case of a mortgage on real security spread be a reasonable contract. It was urged by the over a term of years during which the rate of Minister that the English Act had been made interest on the market has fallen. That is the practically a dead letter by the word "and " position in which we are landed by the amend- being there instead of "or "; and he said that ments which, with the best intentions in the Mr. Justice Ridley had a case before him in world, the Minister and the Committee have which the interest charged was excessive, but put into the Bill. I do not think there is any it did not appear that the bargain was harsh or honourable member who would say that that unconscionable, or that there had been deceit. kind of transaction-a straight up and down The borrower had gone into the transaction with bona fide mortgage-should at all be subject complete knowledge of it-thinking it fair and to review, and I understood the Hon. the worth his while to pay the interest charged. Minister to admit as much ; but his argu- Mr. Justice Ridley held that, under the Act, ment was that you must make the provision the interest must be excessive and the bargain general. He refused an amendment which was must also be harsh and unconscionable in order to exempt real securities from the operation of to upset the transaction. In this case, although the interest was excessive, it was not thought unconscionable transactions in regard to real that the bargain was harsh or unconscionable, estate, you must make the clause have general there being no oppression or fraud, and there- application to all loans. The result, of course, fore be said

he could give no remedy. The would be that if the clause were a bad Minister said that nullified the effect of the clause, it would be something analogous to a Fair Rent Bill. It would be a "Fair In- English Act. I do not know that there would terest Bill," forcing every mortgagor or mort- have been any grave harm in the substitution of "or " for "and " here, if this Bill had re- gagee to come to the Court to have a fair mained a mere copy otherwise of the English rate of interest fixed by the Court, or by whom- Act, because I have pointed out already, under soever it might be fixed. the English Act the term "money. lender " only one-sided, and can benefit the borrower only. applies to the professional money-lender. We Assuming the interest to rise from 4} per cent. have altered the clause so as to make it apply to 7 per cent. during the next five years, the to all lenders of money, and at the same time mortgagee would have no such redress under we have struck out the condition which the the Bill as the mortgagor has if the interest English Act requires as to the bargain being falls, because the remedy is contingent on the har-h and unconscionable. As I say, that fact that the interest charged is excessive. So that it is a very unfair Fair Interest Bill as we falsifies completely the preamble of this Bill, have amended it. It operates in favour of only which says,- " Whereas certain persons trading as and one party to the transaction, and it operates, I known by the name of money-lenders inflict submit, in a large number of transactions that by harsh and unconscionable bargains great the House has no intention at all of interfering with. The insecurity and the annoyance to injury upon those who borrow money from them ; and it is expedient that such money- which not professional money-lenders, but trus- lenders and their methods of carrying on such tees and other bona fide persons who invest in business of money-lending should be subject to real security, would be subject if this Bill be- control.' came law is obvious. There is absolutely no The Minister must admit that that preamble limitation to the proceedings possible under the had been doubly falsified by the amendment Bill. No judgment of the Court is to be binding made in this Bill ; because, in the first place, for any stated period. There is no reason Lot merely professional money - lenders are whatsoever why a mortgagor who is desirous of trought under the scope of the Bill by this litigation should not repeatedly hale his mort- amendment, but, in the second place, transac- gagee before the Court, and have the fairness of tions which may not be harsh and unconscion- the transaction tested ; and, as impecuniosity alle bargains are now subject to review by the and a taste for litigation often go together, the tourt under the Bill as amended. The effect mortgagee might not even recover the costs. of clause 3, as amended, is that it gives power There is nothing whatsoever, the Minister will to revise the terms of any bona fide loan, but admit, in the provisions of the Bill to prevent it applies only in the case of falling interest. as he chooses. He can do so every half-year, Take our own case during the last five years, where securities worth perhaps 7 per cent. five or even every quarter, assuming the interest is paid quarterly, and it is to be noted that he years ago are now worth 5 per cent. or even 4} per cent. It is perfectly clear that under the need not wait until any instalment is due or in arrear before he makes his appeal to the Court. terms of clause 3, as amended, any person who on good real security is now paying an interest Therefore, he may just go on harassing the of 7 per cent., is paying an excessive rate of mortgagee as long and as often as he likes ; and interest. seeing that if he went into the market such a provision on the statute-book, though, at the present time he could get money at 4} unfortunately, that is just what the House is per cent. It is almost 50 per cent. in excess of the market rate. And it is perfectly clear that if doing if it passes the Bill in its present form. There are other points in the Bill, but I do not the Court can reconsider any loan merely because the Bill, urging that because there might be But this clause is him bringing the case to the Court as often the House does not seriously intend to put

<page>154</page>

propose to enlarge upon them. I am sure that the provisions for the registration of the money- lender will be practically inoperative ; but, as I said before, certainly no harm can be done, and, by threatening further publicity to certain gentleman who prefer not to be shown up in the light, it is possible in some way

registration may be of some use in checking the transactions of the professional usurer. But the way to get a proper hold upon the professional is not to subject him to a small penalty if he carries on his business without registration, but to say that every sum of money he has advanced as a usurer without being registered under this Bill shall be absolutely lost to him, or, at any rate, that he shall not have the right of suing to recover in any Court for money advanced as a professional money-lender if he is not registered under the Act. That would make that part of the Bill effective ; but that part in my view is a very small part of the Bill, seeing the extension we have given to the operation of clause 3. I, therefore, hope that the Minister will be able to let us get into Committee again with this Bill, or, at any rate, adopt such steps that some of the evils to which I have called attention may be remedied before the Bill goes on to the statute-book.

Mr. HERRIES (Bay of Plenty) .- Sir, I am rather surprised that the Minister in charge of this Bill did not fulfil the promise I understood him to have made to recommit this Bill for the purpose of reconsidering the definition clause of a money-lender ; and I was surprised that when you, Sir, called on the order of the day, the Minister did not rise at once to move to recommit the Bill. Now, Sir, I quite agree with the member who last spoke that this Bill is quite different from the Bill as first introduced in the House, and it has a far-reaching effect which I fear will prove disastrous not to the money-lender the Bill is supposed to check, but to the ordinary man who loans out money at interest on real or personal property. Every one will agree, I think, that it would be a good thing if we could clip the wings of what we may call the real money-lender ; that the money-shark who gorges on his victims should be effectually squashed. This, no doubt, all of us desire; but we do not desire to harass the ordinary person who lends out money at interest, and that is just what clause 3 as amended will do, and the only result will be in my opinion, that the rate of interest will be raised-that the person who wants to borrow money on land or chattel security will have to pay a little bit more on account of the risk we have introduced in clause 3, because, no doubt, every man who lends money will be liable to be subjected to annoyance by any creditor who wants to give him trouble. Whenever he sues for his money the creditor can demand by clause 3 that the whole transaction be re-opened, and not only the actual account before the Court, but by subclause (2) he can actually go back and re-open every transaction that has taken place between the creditor and debtor. That seems to me a retrospective clause which Mr. Atkinson should have been further considered in Committee. I do not think the Government originally intended so to harass the ordinary investor ; but I am sorry to say the Bill as it stands does not affect the professional money-lender at all, who will hardly be touched, but the ordinary investor will be seriously annoyed. The clause will have this effect : that when a mortgagee goes to his lawyer to instruct him as to a mortgage, and this clause is read to him, the lawyer will say, " You had better charge another } per cent. interest, to cover the risk of this annoyance you might be put to if the debtor prove recalcitrant." I hope that in the Upper House, after taking the opinion of the Law Officers, some amendment will be made in clause 3, if the Minister does not intend to recommit the Bill, as I understood him to promise when we were in Committee.

Mr. HALL - JONES (Minister for Public Works) .- The promise to recommit was conditional in this way : attention had been drawn to the fact of certain persons, who were not professional money-lenders, lending money at extraordinary rates of interest not coming within the scope of the Bill. I then stated that if provision was not made in the following clauses I would agree to recommit the Bill. But, Sir, the provision was made in the following clauses, and the first to suggest the improvement was the honourable member for Wellington City (Mr. Atkinson), and, strange to say, the first to complain of the alteration having been made is also the honourable member for Wellington City (Mr. Atkinson).

Mr. ATKINSON .- I did not suggest this.

Mr. HALL-JONES .- The suggestion was to bring in those money-lenders who only lent money occasionally, but who charged a high rate of interest ; and now in clause 3 there is a provision to meet those cases. Then, the honourable member for the Bay of Plenty says that this provision is going to raise the rate of interest, and will not touch the ordinary money-lenders. How is that borne out by the Bill?

The Bill provides that those who lend money and charge for expenses, or for inquiry fees, fines, bonuses, premiums, renewals, and other charges, at excessive rates, and that the transaction is harsh and unconscionable- An Hon. MEMBER .- " Or." Mr. HALL-JONES .- Or that the transaction is harsh and unconscionable, shall be liable to have the matter reviewed by a Court. Is it not right that any man who charges a rate of interest which comes within the definition mentioned in the clause here should be liable to have that arrangement reviewed ? The suggestion, that a man lending money at 8 per cent. would be brought before the Court is ridiculous, and it would only require one or two such cases to be before the Court when the decisions would be such as would deter any one else from bringing further cases into Court where the interest was not higher than that mentioned. The honourable member for Wellington City referred to the striking-out of the word "and" and the substitution of the word "or." Now, he has greater legal knowledge than I have, and I know

<page>155</page>

of the Royal guests. There can be no question that in his own mind he knows that the Bill as it was introduced was, as he said, harmless, and I think about that. Members might very well that the word "and" in that part of the Bill ask, and probably have asked, themselves the would have left it harmless with regard to question whether authority had been given to His Excellency in respect to incurring the a professional money-lender or any other person, and that by the substitution of " or " you expenses. The answer to that, Sir, is this: His Excellency, by arrangement with Ministers have got a workable clause, and that without that the Bill would have been inoperative in terms, consented to act as host for the colony. New Zealand, as it was proved to be now in the colony, in inviting their Royal Highnesses, undertook that all expenses in entertaining and visiting the colony. I think we have a very good Bill, incidental to the visit would be defrayed by and a Bill that will only be operative where the colony itself. There was no one else, of interest charged is extortionate or unconscionable. for only in such cases will there be any course, to act the part of host except His remedy to be obtained before the Court. If His Excellency. We had the advantage of the two Government Houses at Auckland and Wellington of a different kind were brought, those in Christchurch and Dunedin there who brought them would be mulcted in costs, and that would deter others from bringing were other expenses outside those incurred by His Excellency which were directly incidental further cases. But I do not believe that any to and in connection with the visit. As I am in New Zealand would bring a case before the Court, outside the amount where the interest was not more than are asking the House by this Bill to pass, there that fixed in the second clause-that is, 10 per cent. can be no doubt His Excellency was put to the test. I move that the amendments be agreed additional expense. In order to enable us to do so. Mr. ATKINSON .- Sir, might I be allowed to look at the matter from a proper standpoint, all we have to do is to estimate His Excellency's ordinary expenditure for a period. Minister has misrepresented me-I do not say intentionally. As he said, I was the first to equal to that during which their Royal Highnesses were here, and allow for the expenses point out that this Bill as introduced applied solely to the professional money-lender. The preparatory to their arrival. After deducting Minister is also correct in saying that I pointed from the total amount the sum which it would cost His Excellency under ordinary circumstances, the balance, I hold, is a liability of rate of interest should be subject to the Bill. But the Minister appears to overlook the fact the colony, because Ministers were asked what that clause 3 as amended expressly provides the arrangements in respect to entertaining were to be in New Zealand. The answer was that no money-lender shall be exempt from the that New Zealand would cheerfully bear any operation of the Bill, whether the rate of interest charged is excessive or not. What I expense incidental to the Royal visit. Under the Bill wanted to get at was the money-lender, and not these circumstances, I think the House would be consulting their own dignity; and members the trustee or other bona fide investor. The members would be voicing the wish of the country, amendment of clause 3,

though it arose through by simply passing this Bill. Having invited my suggestion, was therefore opposed by me in the Royal guests here, and after they have Committee as it is now. Amendments agreed to, and Bill read a third spent a very pleasant time amongst us, after we have entertained them in such a manner Rome. as commended itself to them and to the people ROYAL VISIT EXPENSES BILL. throughout the British Empire, it would, I Mr. SEDDON (Premier) .- Sir, we practically think, be derogatory to our dignity and a re- had the second-reading debate on the motion flection upon the colony if there was anything to introduce the Bill. It has been pointed out like an acrimonious discussion or objection that on the appropriation being passed, had the taken to what we are asking Parliament to amount mentioned in this Bill been passed on grant under the Bill now before honourable members. the estimates, the question would have been think that the amount is rather high. raised as to whether or not the Appropriation Bai itself would have to be reserved for the Rosal as ent. As I said previously, the Go- Terminent were advised by the Solicitor-General we would desire to question the accounts, the that such a contingency could not arise, and if management, or the economy or otherwise of His Excellency in respect to the amount. I exception was taken that His Excellency would do not think it is necessary, nor do I think be quite right to approve of the Appropriation Bill, seeing that he is not at all interested in members would care to have the vouchers respect to this amount-that he has simply placed on the table of the House in respect to been the host for the colony, and only appears this expenditure, but, if I might give honour-cominally as being liable for the amounts which rable members a general outline, probably it are mentioned in the Bill. He has already dis- might remove some doubts in the minds of a cursed on the part of the colony over £1,100-I few honourable members. If it would prevent think the correct amount is £1,153 19s. Then an acrimonious discussion, and what I think the balance is due for accounts which were would be a reflection upon us, I should be very happy to give every reasonable information reuderred to His Excellency, and which were to members. I suppose many members think necessary in respect to the proper entertaining Some honourable members may Hon. MEMBERS .- Hear, hear. Mr. SEDDON .- Well, I do not think myself

<page>156</page>

and expenses of that class, and they cannot un- derstand that it would cost anything like this amount ; but included in some of the accounts are the furnishing of Government Houses at Auckland and Wellington, amounting to some hundreds of pounds. Whilst the furnishing of Government House at Auckland, for instance, might be suitable for His Excellency, it would not be so for the Royal visit ; and we had to obtain furniture and other things for both places, and the accounts for these are sent to the Government. Mr. MASSEY .- Are they included ? Mr. SEDDON. - Yes, they are included. There is no harm in my giving as an illus- tration the account from Kirkcaldie and Stains, blankets, et cetera, £91 ; then, for other fur- nishing items, there is another account from Kirkcaldie and Stains for £81 ; so there are two items making £172. Mr. HORNSBY .- There was £700 voted last year for that. Mr. SEDDON .- The honourable member is a year out in his recollection. The extra fur- nishing for the unofficial rooms at Government Houses in Wellington and Auckland was voted two years ago. I do not think members would ask me to give other articles of a similar character, where the colony has received good value. There remains in hand the goods to credit. An Hon. MEMBER .- Where are they now ? Mr. SEDDON .--- In Government House at Auckland, and in Wellington. I have many a dozen vouchers for articles which are still the property of the colony. Mr. ATKINSON .- There is an item of £350 for lighting later on, for Government House. Mr. SEDDON .-- I have got an account here for \$29 18s. from the Electrical Syndicate for extra lighting, and which is charged to His Excellency. What the honourable member points out will be in addition to this. At all events, those were the liabilities, and, after carefully going through the items, I have come to the conclusion that you cannot with self- respect question the payment. There are the items for glassware at Wellington and Auck. land which amounts to nearly \$100, in addition to what I mentioned before. We

have the goods still to the credit of the colony. An Hon. MEMBER .- What will you do with them ? Mr. SEDDON .- They will remain at Govern- ment House, I suppose, or we may take and use them on our steamers, or, if necessary-al- though it would be at a sacrifice-we may sell them. If members were to look at the list sup- plied they would find that there was a very large amount of these items which at the present time are good value for the colony. The same, of course, applies to Christchurch and Dunedin. At all these places we have articles which were necessary for the visit, and which now remain to the credit of the colony and can be disposed of, and in some instances we have disposed of them. Members will see on the estimates that we have taken credit for \$5,000. I would not Mr. Seddon an earnest desire to prevent either suggestions or statements being made that would detract from the course I think is in the best interests of the colony. I believe, myself, the colony would desire that we should pass this Bill through all its stages, relying upon the fact that the representative of the Crown has done his duty, and has not incurred more liabilities than were reasonable and right, and in our interests, and to promote the comfort and plea- sure of the Royal guests. It would be to me painful, and I should be greatly disappointed if what was threatened in respect to the esti- mates should now take place after we have changed the vote from the estimates and taken the course that is now before members. I say. under the circumstances, that the Bill should without lengthy debate be read a second time and be passed into law. \--- Mr. HORNSBY (Wairarapa). - I cannot understand the attitude of the Premier with regard to this matter. He says that when the \-- vote was removed from the estimates it was : so removed in the belief that it would go through without any difficulty. Why, I can tell the right honourable gentleman that if that vote had been kept on the estimates, or had there been an attempt to pass it in its original shape, there would have been a very strong show of antagonism, and it would have been con- tested step by step. We have heard from the Premier about the purchase of sheets, blankets, glassware, and that sort of thing in connection with the reception and providing for the Royal visitors. Why, the whole of the money for that purpose was voted last year. It will be found on the estimates of last year; and surely, that being the case, we should not now be told that this £2,250 is for furnish- ings. There was a sum of £700 voted for refurnishing certain portions of Government House, Wellington, and prior to that there had 1 been a very large sum of money spent on Co- vernment House, Auckland ; so that the whole of this alleged expenditure was provided for in the estimates of last year. Sir J. G. WARD. -- The money was not spent. Mr. HORNSBY .- Whose fault was it if that money was not spent, and that this question is dragged on the floor of the House to-night ? But let us see if the money was or was not spent. I will give some figures : At Govern- ment House, Auckland, there was spent in re- pairs and improvements in 1899-1900, \$1,149; and in refurnishing. \$1,190: \$2,339 altogether. The sum total of the amount voted for Auck- land Government House in repairs and re- furnishing in 1900-1901 was £2,449; for Govern- ment House, Wellington, there was spent in additions, restorations, and renovations in 1900, \$740 ; and last year, as I have already stated, \$700 was voted, making a total of #1,440 ; or a grand total on the Government Houses in the two cities of \$3.889. Sir, in reply to the mem- ber for Riccarton, the Premier stated that this £2,250 was to be voted to cover expenses conse- i quent upon the feeding or provisioning of the

<page>157</page>

Royal party in New Zealand. And the member members of the House another contrast. How for Riccarton said, "On your reply will rest often does a Committee report to this House on how I shall vote on the subject ; if it is for pro- the case of a man who has been maimed in the visioning the Royal party, then I shall vote for public service, and has perhaps died, leaving a it." widow and children? The Committee, I say, Mr. SEDDON .- "Extra cost of entertain- makes a recommendation that the widow and ing." orphans shall be granted only a pittance. Can Mr. HORNSBY. - No; "provisioning the anybody remember when any Minister of the Crown has got up and asked the House to vote Royal party." Mr. SEDDON .- I will get my Hansard proof. a couple of thousand pounds for such people ? Never! Yet we have the Premier of the

colony Mr. HORNSBY .- It has transpired since that all the provisioning at Auckland was by asking us to vote this money to the Governor- contract. We know the Government has to for what? For private entertainments or semi- pay for the provisioning and the accommoda- private entertainments held by the Governor. tion at Searl's Hotel, in Wellington. And I say, Sir, if a country gentleman were to Mr. SEDDON .- They were not the Royal hold a great banquet, a reception at his home, and was then to go among his friends and ask guests. Mr. HORNSBY .- Indeed ! Were they not them to subscribe the amount it had cost him, members of the Royal party ? But if the some people would have a good deal to say honourable gentleman will allow me to pro- about it of an uncomplimentary nature, and to cred he will have the right to reply later on. me the one case is even worse than the other. Then, at Te Koraha, in Christchurch, the colony So far as the discussion of this matter is con- foots the Bill ; and at the Fernhill Club, in cerned, I feel at liberty to speak very plainly, Dunedin, it does the same. The whole of the because I am one of those who has never yet cast of providing food and " medical comforts " "stretched his legs under the mahogany" of for the Royal pair is already on the estimates. the Governor. I have been invited ; but of set Now, Sir, shall we be honest and say what this purpose I declined to go, because I knew the money which is claimed by the Governor was question of the Governor's salary would come for-what this amount represents ? I will tell up, and if I had eaten a man's salt I would not the House. like afterwards to criticize him or his affairs. An Hon. MEMBER .- Blankets. But in this connection, Sir, one very strange Mr. HORNSBY. - No, not blankets, not and remarkable thing has happened. Last year, sheets, not glassware, which are to be made when the Governor's Salary and Allowances use of in the Government steamers ; but it Bill was before the House, while it was passing was for the specially got-up receptions for a and afterwards, there were certain functions at favoured few at Government House, Auckland Government House to which members of this and Wellington, and in other places. Sir, I House were invited. Every Saturday night want to put a contrast before the House in this there was a sort of parliamentary dinner. matter. In this building where we are at the There have been no parliamentary dinners present moment, there was a reception held this year. At any rate, the rank and file of by the Government of the country which was the House have not been bidden to the feast. a credit to the colony -one of the best func- And, Sir, I am reminded very forcibly of, and tions ever held in this or any other country. am constrained to quote, a verse of one of the It was truly a representative gathering of the Breitmann ballads :- people ; it represented all classes of the com- munity without distinction. It was worthy of the great occasion ; and I take this oppor- tunity of congratulating the Government on that reception. Had all the arrangements been carried out in the same way it would have been very much better than it has turned out to be. But what about the receptions that I say, Sir, that this may be a coincidence. I were held by the Governor at Auckland and do not say it is not, and I do not say that it is ; Wellington ? What about the receptions held but I leave members to say whether or not it is for a special coterie? Sir, the people stood a coincidence - and a powerful one at that ! outside and were splashed by the mud from Now, Sir, finally, let me say that I shall vote the wheels of the vehicles in which these against the passing of this Bill, and I do so on . specially honoured guests drove to these the principle that we have no right to be asked parties ; and now the people-" the mob"- to vote this amount of money. His Excellency are asked to pay for it. If we take the the Governor is now paid a very large salary, amounts and add them together-that is and if he was put to a little extra expense in \- to say, the rise in salary provided for last connection with the entertainment of the Royal year, and add to it this £2,250 which we are guests, I want to say we have more than made now asked to vote - we find that the Governor up to him for it. We were told, not in this 1 has cost us in one short year something like House, but on one or two occasions, as an in- \$11,900. And I say that this colony is not ducement to the passing of the Governor's able to stand it ; and, speaking as one of the Salary and Allowances Bill, that "presently there would come an occasion which would representatives of the people, I say that I, for one, will not stand it. I want to bring before entail upon His Excellency the

Governor a Hans Breitmann gife & barty Vhere ish dat barty now ? Vhere ish de lofely golden cloud Dat fload on de moundain's prow ? Vhere ish de himmelstrahlende stern -- De chtar of de spirit's light ? All gonod afay mit de laager beer- Afay in de ewigkeit!

<page>158</page>

considerable amount of expense ": and I believe that was one of the moving factors in the passing of the Governor's Salary and Allowances Bill. Mr. SEDDON .- No. Mr. HORNSBY .- Sir, I believe that was a factor ; at any rate, it did influence some members of the House. Let me say, in conclusion, that I hope, when the vote is taken on the second reading of this Bill, that the members will not consider their private feelings in this matter, that they will not consider the sacredness - almost "that divinity which doth hedge a king"-which we have heard so much about in connection with the Governor, but that members will vote according to the wishes and desires of the taxpayers of this colony. Mr. WITHEFORD (Auckland City). - When Auckland is mentioned I feel it my duty to say a word or two. His Excellency the Governor is the representative of the King of England, and we are accustomed to treat His Excellency with respect ; and when his name is mentioned in this House in connection with " a message from the Governor " the whole House rises. Does not that show respect ? Now, I am quite satisfied that the honourable member for Wairarapa, by the termination of his address, was really not in earnest in what he said, because the greatest authority he quoted in support of his argument was a German authority, and it is well known we are all Britishers here. The money expended has been expended for the benefit of the colony at the request of the colony, and we have benefited in reputation, and have really not lost anything at all; because the money that was spent has all been spent amongst the #cc-zero tradespeople and the working-classes of the colony. The consequence is that the money expended has gravitated back again into the pockets of the taxpayers who provided the money; so that, so far as actual cash goes, there has been no cash lost to the colony. Now, with regard to the question of the Government House at Auckland : Permanent improvements have been made there. The money has not had to go entirely for blankets, as has been the case in Wellington, because we have such a beautiful climate in Auckland ; so that that was a great saving there. Then, the fitting-up of the Government House at Auckland will prove an improvement to our city, and that is why I refer to it. What is to prevent the suites of rooms being occupied by the Ministers, who can now come and reside for part of the time in Auckland? The Hon Mr. McGowan, our Minister of Justice, can give his balls and parties, when in Auckland, with befitting dignity. There was previously no suitable Ministerial residence in Auckland, and that is the reason, no doubt, why we have seen so little of the Ministers there. In future, now that the Government House at Auckland has been so greatly improved, I do not see that the Ministers could have any excuse for not coming up and staying a time with us. I am not going to detain the House further, Mr. Hornsby except to take the opportunity of saying this : The King of England is represented here, and I do hope we are not going to demean ourselves by entering into a discussion upon this expenditure, when it is a paltry matter of \$2.000. Why, I spent a greater sum of money myself in carrying through negotiations with the British Admiralty to get New Zealand appointed a naval station, and did not cry out for the colony to reimburse me. while this amount under discussion is to be divided amongst seven hundred thousand people. There is no necessity for us to object to it at all, and I trust the House will pass it with a good grace. Mr. BARCLAY (Dunedin City). - I do not think this question ought to be allowed to go without debate, having regard to some of the utterances which we have already heard with respect to the matter. I should say, Sir, that I do not feel inclined to agree with the attitude taken up by the Premier in respect to a discussion of this kind on the floor of the House. The Premier seems to display a trepidation and anxiety and nervousness that is quite unaccountable when the name of the Governor is mentioned in connection with a Bill, or on the floor of this House. Sir, I see no reason for that, because I understand the practice of the English House of Commons does not recognise any principle of the kind. When the question of the liabilities of the

Prince of Wales, the present King, came before the House of Commons ; when the question of the despatch of the "Ophir" and the visit to the colonies of the Duke and Duchess of Cornwall came before the House of Commons, there was a frank, It seems to a free, and a full discussion. me the Right Hon. the Premier wishes us to have a new title for His Excellency the Governor. It almost seems as though he would have us call him " His Holiness." It is said of one of the Pitts, the great Ministers, that he never could go into the presence of the King without feeling his knees bend under him. But I do not think it is necessary to true loyalty or patriotism that a man or a Minister should have any feelings of the kind. Nor, it must be remembered, is the position of the Governor or of the Crown now that which it used to be in times gone past. The position of the King now is that he is the instrument by which the Ministry carry out the decrees of the Houses of Parliament and of the people who elect the representative House. That is the position of the Crown now. Without the approval of Ministers, without the approval of the Cabinet, the King, constitutionally, now cannot move even a little finger. What- ever the Cabinet wish him to do he must do ; whatever the Cabinet desire him not to do. that he must not do ; and it is exactly the same with respect to the position of the Governor. The Governor is merely the executive officer through which the decrees of the House and the wishes of the Cabinet or the Government are carried out, and I see nothing especially sacred about that position or that office. Now, I also do not subscribe to this doctrine: that in order to enhance our own dignity it is neces-

<page>159</page>

sary to pour large sums of money into the | to refund to the Governor duty paid on certain coffers of the Governor. I do not subscribe to liquor he had imported-as illegal a vote as that doctrine at all. I believe, in the case of some Oriental nations, and in the case of bar- had been drawn to it there surely would have haric and half-savage people who are dazzled by the glitter of gilt and gold, it is possible that been some very sultry correspondence about it. Then an amount was placed on the there may be some necessity for such things, estimates for the cost of furnishing the private and that they may have some influence on people of that kind ; but it has no influence, apartments at Government House, in direct violation of the agreement entered into with and ought to have none, on a civilised people the Governor when he was appointed, and in like ourselves. Is it necessary, for the sake of the dignity of the nation, that the head of direct violation of the Act under which his one of the greatest nations on earth-the Presi- appointment was made. Last year we had, dent of the United States-should be paid again, a precedent that has never been set some hundreds of thousands of pounds a year ? Nothing of the kind ; he only gets his have had reductions and increases in the salary \$10,000 or £20,000; and does the nation suffer of Governors in this colony, but never before in dignity or is there any loss of prestige has there been such an unblushing way of deal- through that fact? I say there is not. I do not think that this Bill ought to be passed. I ing during his term of office with a Governor do not agree, also, with what has fallen from as we had last year. And this year the Govern- the honourable member for Auckland City (Mr. ment are following the consistent example they have set during their term of office. I say, Witheford), that this money has been expended on what he calls the working-classes of the community. I should be very glad indeed if branches of the Legislature -the Governor, the Legislative Council, and the House of Repre- I thought so ; but I venture to say that the wine merchant had a very considerable share, sentatives-it is an improper thing for one branch of the Legislature to give to either of probably, of this amount. I also desire to point out that it must have been expected by His Ex- the other branches, at the instance of the Go- cellency the Governor, when he knew that the vernment, what can only be called an incentive to be kind to the Ministry of the day. It has colony was to be honoured by a visit from the Duke and Duchess of Cornwall, that he would been a common thing of late for the Governor, have to incur some considerable expenditure, as at the request of the Government, to interfere in the administration in such ways as I feel many private citizens did-as, for instance, the Mayor of Christchurch, who must have incurred certain that,

if they were drawn attention to a very considerable expenditure out of his private pocket, and would very soon be put to it. Why, we cannot get from the Governor's exertions and Premier the correspondence which has taken his efforts in receiving and entertaining the place between himself, the Governor, and the Royal visitors were not unrecognised and were not unrewarded, for he received the decoration Home authorities about the game of precedence and the insignia of one of the highest orders of nobility which, I understand, can be bestowed. months. Is that another reason, because the Premier has been able to exalt himself in that? Now, under these circumstances, and if it be correct that the bulk of the money just referred to was expended in giving entertainments to certain select people—which, I observe, Governor? And I could go on enumerating numbers of other incidents connected with the is the practice still—I do not see that the administration where the Governor has acted country, as a country, ought to be called upon in a way such as has never been done here to pay the account, and I, for my part, trust the before. There has only been one precedent in Bill will not be persevered with. this colony for a Royal visit—the visit of the Mr. PIRANI (Palmerston) .- Sir, I do not in- younger brother of the present King. And no tend to follow the bad example set by the Premier and enter into the details of expenditure attempt was made at that time to get a special included in the vote contained in this Bill. I vote to the Governor to cover the expenses he incurred in connection with the reception. If do not think that there has ever been in this this course is to be followed, if one official in House such an exhibition of imprudence as the colony is to be paid the expenses he has was given by the Premier in his speech to- night, and I very much regret that he should Royal reception, why not refund to every Mayor have attempted to set a key-note to this debate in the colony who has spent a penny in the same by reading a list of articles of furnishing ob- way in pursuance of the duties of his office? tained by the Governor in connection with the Why not refund to the Mayor of Christchurch Roval visit. But I do object to the usage the great cost he incurred in entertaining during which has crept into our system of govern- the Royal visit. If anybody is responsible for ment in regard to the present Governor- dragging the name of the Governor on the floor namely, of every year giving him a sum of of the House it is not the members of the House money over and above his salary for some pur- who are discussing the Bill but the Govern- pose or other. The Government commenced ment, who are responsible year after year for the game some years ago by placing a large putting the representative of the King in the amount—I think it was £350—on the estimates was ever passed through this House. And if the attention of the Imperial authorities before in this colony, of increasing the salary of the Governor during his term of office. We that, while we have what may be called three which has been played during the last few been put to personally in connection with the

<page>160</page>

containing votes for himself, in contravention of the terms of his appointment, and in causing by such message a discussion on the floor of the . House that has never had a parallel except under the present Administration. The proper course to increase a Governor's salary is by doing so during the term of office of the pre- decessor of the representative who is to gain the benefit. It is not at all unlikely, as the member for Motueka says, that we shall have another vote next year for another \$2,000. I do not intend to go into the details of the entertainments, or into any other reason for objecting to the passing of the vote, beyond the constitutional reason that the Ministry has no right to bring down a vote during the currency of the term of the Governor which is a pay- ment directly to the Governor himself. If the powers conferred on the Governor by last year's Public Revenues Act had been directly brought under the notice of the Home authorities . if they had been told that whenever a paltry dis- pute of \$137 arises, as was the case in the last dispute between the Auditor and the Colonial Treasurer, the Governor has to step in and authorise payment - what would the Home authorities think of the position of the repre- sentative of Royalty. Why,

the King himself would not interfere in the Home-country in the administration of public affairs in such a way as the representative of the King is compelled to interfere in this colony at the present time. I say it is time representations were made to the Home authorities as to the relations existing between the Ministry of the day and the representative of the King in this colony. And, if the authorities in the Old Country knew exactly what was going on here, there would be an alteration in the Royal Instructions and in the relative positions of the representative of Royalty here and the Government of the day that would prevent a continuance of this sort of thing. No man who looks at this question from a constitutional point of view can assent to this Bill; and it seems a great pity it has been thought necessary by the Government to deal with the expenses of the Royal visit in the way they have. So far as the amount is concerned, I do not cavil much at it. As the honourable member for Auckland City (Mr. Witheford) says, he spent more out of his own pocket in getting the Calliope Dock for Auckland than is involved in this amount. But it is not the amount at all, because I believe in the \$70,000 that the colony is going to pay for the entertainments which took place from one end of the colony to the other there are many larger items more objectionable so far as degree of expenditure is concerned than this one. But I say it was a wrong thing, and it is improper for the Government to be continually bringing the representative of the King on to the floor of the House in the way they are doing : and when the discussion took place - one of the most painful discussions I ever remember in the House - on the refund of duty a few years ago, the Premier then very distinctly led the House to understand that that would be Mr. Pirani colony ; yet year after year we have had the same thing going on, and I regret that the Premier has thought fit, for the sake of a paltry couple of thousand pounds, to bring His Excellency into the discussion, as he cannot fail to do by the measure now before the House. Mr. FISHER (Wellington City) .- The Bill is a mistake, and, if it is possible for the Government to withdraw it at this stage, that is the course I recommend them to adopt. The Hon. Mr. Rolleston, in speaking in a former session of the remission of duty on Customed goods imported by His Excellency the Governor, recommended a similar course in order to save His Excellency from the indignity to which he must inevitably be subjected from the discussion of such a subject. We are to-night in exactly the same position. Again, in this case, His Excellency has been badly advised by his Responsible Advisers, and again he must inevitably be subjected to indignity in consequence of that bad advice. If we are charged with speaking disrespectfully of the representative of the King, that is the answer. The Bill provokes plain speaking, and plain speaking is the thing demanded of us, for we are in the place where we are demanded of conscience to speak the truth. I do not speak with any warmth on the question, but I wish it not to be understood that my moderation of language minimises the strength of my opinion. First, let it be remembered that His Excellency the Governor was appointed at a salary of \$5,000 a year. Last year we increased that salary by £2,000, making the salary #7,000; and we are now asked to vote another sum of \$2,250. I think we ought not to be asked to pass this vote, for reasons I will afterwards endeavour to explain. At the outset I object to the title of the Bill. It is styled the " Royal Visit Expenses Bill." It is not the Royal Visit Expenses Bill. The bill for the Royal visit expenses amounts to £100,000. It is a Grant to the Governor Bill, that being the title of the vote which appeared on the estimates, "Grant to His Excellency the Governor, #2,250," and I ask why Parliament should be asked to vote, as a separate vote, £2,250 to His Excellency the Governor when the colony up to the present moment has had served upon it bills to the extent of \$70,000 for the entertainment of the Royal party, and we have in our possession the knowledge that bills to the extent of #30,000 more are still to come in. Putting it roundly, the cost to the colony is £100,000. After receiving the Royal party with the loyalty and the feeling of veneration and respect with which they were received, and after undertaking to pay all the expenses in connection with that visit, I cannot understand why we should now be called upon to pay this extra \$2,250 to His Excellency the Governor. It was such expenditures that gave ground for the commentaries of Cobbett and Bradlaugh regarding the Royal extravagances which took place in their

time ; and, if the comparison be regarded as extreme, I say there is good ground for the comparison. It

<page>161</page>

will convince the House how slender are the grounds urged in justification of this vote when one calls to mind one of the illustrative arguments given by the Premier in moving the second reading of the Governor's Salary Bill of last year. Without the least possible apposition he told us that Lord Hopetoun, Governor-General of Australia, was to receive a salary of from \$10,000 to \$15,000. There is a rather wide gulf between \$10,000 and £15,000; but there was the illustration : £10,000 or £15,000 was to be paid to Lord Hopetoun as Governor-General of Australia, and only \$7,000 to Lord Ranfurly as Governor-General of New Zealand. Mr. PIRANI .- And Rarotonga. Mr. FISHER .- I am coming to that-the member for Palmerston has spoilt my illustration : he is a little "too previous " -- the term " Governor-General of New Zealand " being applied to Lord Ranfurly because we have joined to New Zealand a few islands called the Cook Islands. Then, to allude to the point touched upon by the member for Dunedin City (Mr. Barclay), the Duke of Cornwall brought with him £20,000 to be distributed as presents, and certain titles. I believe a title was conferred on His Excellency the Governor. That should be regarded, I think, as a sufficient recognition by the King for any service rendered by His Excellency. Now I come to the constitutional point. The honourable gentleman took this vote of £2,250 out of the estimates because the Governor's assent could not be given to the Appropriation Bill if that amount had been included. Mr. SEDDON .- Yes, it could. Mr. FISHER .- Then, why did the honourable gentleman take it out of the estimates ? Mr. SEDDON .- For peace' sake. Mr. FISHER .- " For peace' sake " clearly shows that we all are placed in a false position. Then, it follows that if the Governor would have been compelled to reserve the Appropriation Bill for the signification of His Majesty's assent, the position is not changed in the least. This Bill will have to be reserved for the signification of His Majesty's assent. Mr. SEDDON .- Hear, hear. Mr. FISHER .- I am glad the honourable gentleman has made that admission, because he told us only a day or two ago that the Solicitor-General was of opinion that the Bill would not have to be reserved. Mr. SEDDON .- Hear, hear. Mr. FISHER .- I take it that if the Bill of last year increasing the Governor's salary was reserved for the signification of Her Majesty's pleasure thereon, it follows that this Bill will have to be reserved for the signification of His Majesty's pleasure, and I have no doubt what the result will be if this Bill is sent Home for the consideration of the King and his Responsible Advisers. I hold now, as I held when I spoke on this Bill at a previous stage, that the Governor had no authority whatsoever to expend moneys on behalf of this country. VOL. OXIX .- 10. point very ingeniously ; but the point ought to be made clear that, while the Parliament authorised the Government to expend the moneys of the country in the reception of the Duke and Duchess of Cornwall, it did not authorise the Governor to expend moneys on his own responsibility on its behalf. That is a point in regard to which the House ought to draw a very plain distinction. For, if the Governor could incur expenditure to the extent of \$2,250, why not \$5,000 ? If he had authority-and I lay great stress on the question of authority in the matter-to expend £2,250, why not \$5,000-why not £10,000 ? Where was the limit ? There is as much authority for the Governor to expend £10,000 as to expend £2,250. And there was no authority. Then, again, upon whom was this money spent ? It was spent on a very limited circle-the select few-and the people of New Zealand have a rooted and a radical objection to that kind of thing. It is a thing repugnant to the nature of the people. It was said by the member for Wairarapa that the very wheels of the carriages of those who drove to these entertainments splashed the faces of those who are called upon to pay the money. Those who were plastered with mud are called upon to find the "dust." Sir, there is nothing more to be said. His Excellency the Governor took French leave in the matter. He took this expenditure into his own hands, without receiving any authority from this Parliament or from the people of this country. Mr. SEDDON .- No ; emphatically, No. Mr. FISHER .- I say Yes ; emphatically, Yes. Money was flowing like water, and it is quite possible that the

Premier, with a large generosity which cost him nothing, may have indicated that the Governor could exercise carte blanche ; but the honourable gentleman's cheap bounteousness could not be regarded as an authority coming from the people or from the Parliament. The people of this colony, having spent £100,000 in the reception of the Royal party-which is an ample sum and a liberal sum-have paid sufficient. Sir, I do not want to labour the matter. The speeches that have already been delivered correctly indicate the feeling of the people of the country in regard to this particular vote. Mr. SEDDON .- No, they do not. Mr. FISHER. - At all events, the people's representatives are here to speak on behalf of the people. I am not going to endeavour to influence any member of this House in regard to the way in which he should vote ; but this is an exceedingly delicate question, and we are called upon to speak plainly, and to vote plainly. I make no appeal of any kind to any member. I say that members should be neither influenced nor coerced. No influence should be brought to bear to sway their votes in one direction or another. My mind is clear as to what my duty in the matter is, and I shall vote with those who vote against the passing of this Bill.

<page>162</page>

in listening to the three speeches which have been delivered by honourable members, one cannot but think, although those honourable members may not realise it themselves, that they appear to be governed by a certain amount of prejudice against the representative of the King in this country. An Hon. MEMBER .- No; not in the slightest. Sir J. G. WARD .- Well, that is the impression which the speeches of honourable members convey to those who have listened to them. Mr. ATKINSON .- There will be a row directly. Sir J. G. WARD .- Well, it does not matter. If there is to be a row we may as well have one now as not. Sir, let us take the last speaker first. Why, the honourable member says this is going to cost the country £100,000, yet the full authority being asked for from Parliament is \$70,000. How could the honourable member swell this by £30,000, unless by wilful design to exaggerate? Why, Sir, when the honourable member or others talk about the expenditure of \$70,000, what does it amount to when you come to analyse it ? It is not all money actually spent, and we have also got some moneys in return. There is a sum of about £15,000 of the cost charged to the railways of the country ; there is a sum of about £20,000 charged the Defence Department, a considerable portion of which was used for the purpose of payment of the men who served at the different reviews in connection with the Royal visit here. And, when honourable members talk about this expenditure of £70,000 in connection with the visit, I would ask, Who was it who was instrumental in bringing about the visit ? Was it the representative of the King, His Excellency the Governor, or was it the members of Parliament ? I say that it was the members of Parliament here assembled who invited the Duke and Duchess of Cornwall and York to visit this country ; and, if the members of Parliament have invited the future King of England to come to the colony, why do they now cavil over the expenditure of a few thousands of pounds incurred by the entertainment of the Duke and Duchess of Cornwall and York while in this country ? And, even if we come down to the sordid business of the money side, what does it amount to ? If the whole £70,000 has been expended, what should be taken into consideration ? I say that we have made up for the greater portion, if not for the whole \$70,000, by the increased revenue derived by the country from the traffic on the railways and through the Customs duties. And yet honourable members after having in their places in Parliament, on behalf of the people of the colony, extended to the future King and Queen of England an invitation to come here, and His Excellency the Governor having by his position to represent the Government of the country where the Government of the country could not act the part that the Governor did, and having the authority of the Government so far as this expenditure is concerned-we find on His Excellency the Governor in connection with this expenditure. Why, Sir, the last speaker stated that His Excellency the Governor took French leave in the matter. Sir, I say the Governor took no French leave in the matter. He acted with the full authority of his Responsible Advisers. Let honourable members try and

realise what the position is. Now, one remark was made by the honourable member for Wairarapa to which I wish to refer-I have no doubt that the honourable member made it hastily and under some excitement- when he reflected upon the invitations issued to functions at Government House in the four respective centres of the colony. When the honourable member reflected on the class of people who were invited to the various functions held by His Excellency the Governor, he ought to realise-although perhaps he is not aware of the fact-that none of the Government Houses would contain more than four or five hundred people in connection with these functions. Mr. HORNSBY .- None but the crème de la crème. Sir J. G. WARD. - I think if the honourable member will look at the history of the present representative of the King in this country he will find that it has been to his credit all along that he has recognised none of these class distinctions, but he has treated all classes of the colony alike, and I say if there has been one Governor of this colony who ought to be complimented for his desire not to show class distinction it is the present representative of the King in New Zealand. I have only to mention in Wellington, and wherever His Excellency the Governor has been, that he has made it an invariable rule -- and he is the first Governor who has ever done so-to show some courtesy and consideration and hospitality to the old veterans of New Zealand. Mr. MASSEY .- And he asks the people to pay for it. Sir J. G. WARD .- Sir, the honourable member will pardon me for saying that in the entertainments that the Governor has given to these people he has never asked the people to pay for them. Mr. MASSEY .- The Premier told us on the first reading of the Bill that the people were to be asked to pay for the dinners given to the old veterans. Sir J. G. WARD .- I am not talking about the Royal visit now. It was the country, and not the Governor, that was entertaining in connection with those functions. I am talking now of the hospitality extended by His Excellency the Governor to all classes in New Zealand, and to the veterans, quite independent of the Royal visit, and I say that these entertainments have always been paid for out of his own purse. I think, when we are unexpectedly called upon to face a position such as this is in the House, it is our clear duty to allude to these facts. I was surprised to hear the honourable

<page>163</page>
 member attempt to accuse His Excellency the is that the cost of all the entertaining done by Governor of making distinctions. The honourable members complain-at all events, judging by the utterances of the honourable member for Warrarapa-of the absence of entertainments and balls this session. Why, Sir, the honourable member must know that there have not been, unfortunately, for some time past in certain circles the usual entertainments, owing to circumstances entirely beyond the control of the representatives of the King, not only in this but in other colonies. An Hon. MEMBER .- There have been several dances. Sir J. G. WARD .- I say that these entertainments to a very large extent have been curtailed by circumstances entirely beyond the control of those who occupy this high position, not only in this country, but in the adjacent countries. Now, Sir, honourable members ought, I think, in a matter such as this, to make comparisons, and if they make comparisons they will find the evidence greatly against the advocacy of such views as those to which we have just listened. What has been the experience in Australia? The Governor-General there, who was referred to by the honourable member for Wellington City (Mr. Fisher), has a very large salary compared with that paid to the Governor of this country. An Hon. MEMBER. - What does he get ? Sir J. G. WARD .- I think it is £20,000. An Hon MEMBER .- No ; £10,000. Sir J. G. WARD-Well, say £10,000; and he is a millionaire almost. I think that is so. Very well, I understand there was a sum of £8,000 allowed to him to entertain the Duke and Duchess of Cornwall and York while they were in Australia. An Hon. MEMBER. - In all the colonies. Sir J. G. WARD-Well, the Government of Queensland entertained the Royal party in Queensland ; the South Australian Government entertained the Royal party there ; the State Government of Tasmania entertained them in Tasmania ; and the State Government of Victoria entertained them in Victoria. I say that the whole general expenses of the respective States were borne by the State Governments. But it is the fact, and I

think it has been referred to before, that this country invited the Royal party to come here, and I am very sorry. indeed, -I do not feel called upon to go into details, - but I know that, while honourable members are endeavouring to make out that the whole of the cost to His Excellency arising from the visit of the Duke and Duchess are brought upon the colony in this £2,250, that is absolutely contrary to fact. An Hon. MEMBER .- I did not say that. Sir J. G. WARD .- Well, some honourable members have endeavoured to create that impression, for we have been told that other people have privately spent large sums of money, as though that were especially to their credit. An Hon. MEMBER .- They do not ask it back again. Sir J. G. WARD .- Clearly, then, the inference the Governor is put upon the colony. It is not so ; and the personal expenditure connected with the visit of the Duke and Duchess of Cornwall and York incurred by the Governor is enormous compared with his normal expenditure in this colony. The point is that the Royal guests were invited here by the country, and therefore the country should pay the cost, and do so without grudge. Mr. R. MCKENZIE .- You have said that half a dozen times. Sir J. G. WARD. - And, knowing how strongly opposed you are in the matter, I will tell it to you half a dozen times more. However, the honourable gentleman has made up his mind, and, I am sorry to say, without exercising that sound common-sense which usually characterizes him, and I suppose he is going on this occasion to oppose us. I shall be sorry to see that ; but still I say the colony is not prepared to have imposed upon the Governor expenditure which he has no right to be called upon to pay, and which would virtually mean a repudiation of the debts incurred by the Government for entertaining the Royal parties while they were in New Zealand. There is no getting away from that. I am not going to take up the time of the House further upon the matter. I rose merely for the purpose of expressing personally my regret that there does certainly appear to me to be an effort made to reflect upon the present representative of the King in connection with this matter. An Hon. MEMBER .- That is unfair. Sir J. G. WARD. - I will do the honourable member the justice of at once accepting his statement that he does not mean that ; but all that I can say is, considering the statements that have been made as to the Governor's increase of salary and allowances last year to £7,000, and the statement made by the honourable member for Wellington City (Mr. Fisher), that His Excellency ought to have provided for this extraordinary expenditure out of his salary, and the observations made by each of the three speakers, that conclusion was well-nigh inevitable. I say that this expenditure has not been incurred in connection with anything to which his ordinary salary should apply. That is, therefore, not a right proposition to make. Then, honourable members have suggested that this Bill should be withdrawn. If they can tell me of any other way in which the expense can be provided for that has been incurred by the Governor with the consent of the Government, the Government itself admittedly having the authority of the House to do so, I shall be surprised. I say, that being so, the attempt to prevent the payment of this money to His Excellency the Governor is practically asking the House to repudiate a just liability which has been incurred by him on behalf of the colony. All the talk I might indulge in on such an occasion as this, I am quite sure, would not influence those honourable members who apparently have made up their minds to do what in their calmer moments they will realise was a great mistake and a very

<page>164</page>

Majesty the King in the colony at the present time. On the other hand, I am persuaded that this colony does not want the idea cast abroad that we will attempt to do anything that would derogate from the excellent entertainment that has been given to our Royal visitors by the people, through His Excellency the Governor, and with the co-operation and assistance of the Government. We do not want the impression created abroad that, after having given one of the best entertainments to the Royal visitors, by comparison with any other country, anything should be done to reflect on the people, through its Parliament, in connection with the visit of their Royal Highnesses. I can only express the hope that the attitude taken up by some honourable members does not reflect the views of their constituents. should be

very sorry indeed to think it was so. If they thoroughly understood the position I do not believe those honourable members would urge that the colony should virtually repudiate the payment of expenses incurred by the Governor, and with the full authority of the Ministry. And the Ministry, in turn, has acted with the authority of Parliament, which invited the Duke and Duchess to visit our shores. Mr. R. MCKENZIE (Motueka) .- I do not wish to say much on this question, but I must protest against the remark of the last speaker that the members who are opposed to this Bill are trying to cast a reflection on His Excellency the Governor. I am quite sure that none of the members of the House who oppose this Bill have any intention whatever of casting any reflection upon His Excellency the Governor. But it must be recognised by the whole House, from the speech we have just heard from the Minister for Railways, and also from the Premier's speech on the Bill, and from the special pleadings they have indulged in, that they recognise they have a very bad case. To my mind, honourable members must have noticed the strained and laboured speech we had from the Premier. Then, the last speaker told us eight or nine times that the colony invited the Royal visitors. That is admitted ; and we paid for it. As far as I am concerned, I supported the Governor's Salary and Allowances Bill last year on the distinct understanding that the increase then made to him was in anticipation of the increased expenditure the Governor would be put to through the Royal visit, and consequently I cannot see my way to support this measure. Ministers themselves must have had considered - Why do they ask us to pay their expenses on account of the visit. not they ask us to pay their expenses? It is quite true also, as has been pointed out, that the Mayors of cities and the heads of the local bodies throughout the colony have been put to a great deal of expense in the same way ; but it certainly would not be right to ask the colony to pay it. Now, I do not for a moment wish to say that the present Governor is not worth his salary. I believe he is as able and as anxious to promote the welfare of the colony as any Governor we have ever had ; but at the same time Sir J. G. Ward affords to pay a certain sum, and I think that the salary we are now paying is sufficiently high without this additional vote. In fact, so far as these additional expenses are concerned, I do not think the Ministry are justified in asking the taxpayers of the colony to make up anything the Governor had to incur in entertaining their Royal Highnesses. Mr. SEDDON. - His Ministers requested him to entertain on behalf of the colony, and, in so doing, gave him authority to incur the necessary expenditure. Mr. R. MCKENZIE .- Not at all. That is one of the fallacies which the Premier tries to impose on the House. The House recognises that it is a fallacy, and, personally, I do not take the slightest notice of it. We did not ask the Governor of this colony to spend a single shilling ; and, if there was any extra expenditure incurred, why did not the Government take these accounts along with other accounts ? I think they are placing the Governor in a false position altogether. Mr. G. W. RUSSELL (Riccarton) .- Sir, the honourable gentleman who has just sat down has stated that if this Bill were rejected it would be no reflection on His Excellency the Governor. I would remind the honourable gentleman that this Bill must have received the tacit assent of His Excellency, because it had to be introduced by message from him. When His Excellency, with the advice of his Ministers, has sent down such a Bill as this to the Parliament of the colony, to say that its rejection would be no reflection upon him shows that the honourable gentleman does not see the whole of the issues involved. Then, the honourable gentleman said that Ministers and members, like His Excellency, had been put to increased expense. Sir, I do not suppose this sum would cover the whole of the private increased expenditure of His Excellency the Governor. But the honourable gentleman and the House and the country must recognise that there is a great deal of distinction to be drawn between expenditure of what I might call a private character and the expenditure which this Bill is meant to meet, which is of an official and public character. It appears to me that that is the position involved in this Bill, and, holding that view, I intend to vote for the second reading of it. The position has, I admit, been somewhat altered by the fact that the Government have brought down a Bill to pay the account. If the Government were now asking the House for a vote, and if we were now asked to take the responsibility of voting money for an

expenditure which we could stop by refusing to vote the money, then I would be with those who intend to vote against it. But this money, we are bound to assume, on the statement of the Responsible Advisers of His Excellency, has been expended; and can we therefore, with honour and dignity to ourselves as the Parliament of this colony, turn round and say, after this money has been spent, we refuse to pay the account ? That appears to me the logical position to take up. Now, it is

<page>165</page>

clear. from the statement that has been made by the Government, that some part, at any rate, of this expenditure has been for goods which still remain the property of the colony, and that were essential for the comfort of the Royal party while they were staying in New Zealand. It is, of course, necessary that those goods, which are paid for by the colony, should not be left as assets in the hands of His Excellency the Governor. Now, I draw a distinction in a matter of this kind, as I have said, between a vote of money which is to be spent and the payment of a debt which has been incurred in good faith, and presumably by His Excellency the Governor on the advice of his Ministers. Whatever may be said as to the constitutional position, as stated by the member for Dunedin City (Mr. Barclay) and the member for Wellington City (Mr. Fisher), it appears to me that, whether or not the Government have allowed His Excellency to overstep the strict line of responsibility which divides their respective duties and their responsibilities, we are bound to recognise that in this case what has been done has been done in each case by His Excellency with the tacit consent of his Responsible Advisers. That being the case, I do not see how the colony can now honestly say to the Governor. " You have spent this money; and you can pay the cost." That would be 9.30. an act which, throughout the whole of British speaking communities, would stamp the Parliament and the country as a place which was prepared to boil over with enthusiasm and loyalty when the Royal visitors were here, but, when they had turned their backs, was prepared to throw the proper responsibility of the colony on the high officer who happened to have ordered the expense. To carry out the argument of the honourable member for Motueka, let us suppose that the Governor had not expended this money. What would have been the position of the colony? Either the Government must have expended exactly the same amount of money for the purpose of entertaining the Royal party, or the reception of the Royal party would have been of an imperfect and fragmentary character. It would have been left largely to the Mayors of the cities, and to those who took private responsibility. I say the Government must have accepted the responsibility if the Governor had not done so. Now I come to another point, and this is where I feel inclined to blame the Government. This matter should never have been brought before the House, because the Governor should never have been placed in the position of spending the money. Instead of there being Commissioners like Mr. Holmes and others, who incurred responsibilities and set up liabilities ; instead of there being officers like Mr. Donne, who made arrangements and contracts which in some cases had to be broken ; one Minister should have been set apart specially to act as the representative of the Government and to arrange the whole of the functions, and all the accounts should have been made out to the Government direct through that Minister. Then such a debate as we have had this evening would not have occurred. Something has been said in connection with the personal element in regard to the reception of the Royal party and some of the festivities given by the Governor. To some extent I agree with the remarks that have been made. If you compare some of the very exclusive functions that took place at some of the Government residences-where a privileged few belonging to, shall I say, the alleged more select section of society were invited to meet Royalty -with the large and broad functions given by the Mayors, the comparison is largely against those given by His Excellency. It is not, of course, for us to dictate who His Excellency is to invite. It was impossible, for instance, when residing in Christchurch, for him to invite a thousand people to meet Royalty. An unfortunate remark was made by the honourable member for Wairarapa - which spoilt a very excellent speech -in connection with the dinners given at Government House. I think it is a

great pity that a matter of that kind was introduced into this discussion, because it might be implied that he intended it to be conveyed that those dinners were given with the view of securing the passage of a particular Act. I think the honourable gentleman will admit that more of those dinners were given after that Act was passed than before. The understanding I had in connection with that matter was this : that an alphabetical list was made out of members of the House, and the invited guests started with the A's and finished with the W's. I, being amongst the R's, came near the end, and I know that that was the case with other members. I think it is a great pity that any such question as that should be raised, because it tends to take away from the dignity of the discussion of a broad question, and I am prepared to believe that those who oppose this Bill do so as a matter of principle, and not as a matter of personal feeling ; and it is therefore to be regretted that personal feeling should have been introduced. I do not know what the intention of the House may be in connection with this matter, but I think, had the Government found some method by which they could have taken the House more fully into their confidence regarding the details of this expenditure, it would perhaps have facilitated the passage of the Bill. I do not mean that the details of the expenditure should have been laid before the House and given the fullest possible publicity, but I do think that if the Premier had laid this fully before the Public Accounts Committee, and taken it into his confidence by giving them all the details, he would probably have secured the imprimatur of that Committee, which would probably have reported that, having made the necessary inquiry, it was satisfied that this money was spent for public purposes. As I previously said, I merely rose for the purpose of explaining the position I take up. Had this been the occasion for initiating this expenditure I should oppose it ; but, as the money has been spent, and as the Ministry, as the Re-

<page>166</page>

sponsible Advisers of the Government, have advised that this money should be voted, I do not see how the House can with dignity refuse to pass the amount placed before it. Mr. HEKE (Northern Maori) .- I repeat the expression that has been already made by members-that it is to be regretted that the feature of the discussion has taken the form in which it already has gone. My view of the whole question is that as Parliament undoubtedly expressed the wish by which an invitation was sent to their Royal Highnesses to visit New Zealand, then it devolved upon some one to take the high position of host to represent the people of the colony, and that position is undoubtedly realised and acknowledged to be placed in the hands of His Excellency the Governor. We all know, also, that there are social phases of the treatment given to our visitors that we outsiders do not know anything about, and we must allow some license to the host of our distinguished visitors in dealing with such matters. It is no argument to say, as has been said by the honourable member for Dunedin City and the honourable member for Wairarapa, that, because the salary of the Governor had \$2,000 added to it last year, it was not proper for this House to pass the extra amount for disbursements to be made by the Governor in extending courtesies to our visitors. We must all regret what has been said in this debate when we consider that what is said will reflect back on the reception we have accorded to their Royal Highnesses, and will detract to some extent from the splendid receptions given to them. We ought to try to avoid that. The essence of the argument of the member for Wairarapa was that it was not proper for us to pass this Bill to enable this sum of money to be paid because His Excellency acted in a certain way by sending out invitations to a special few. That, of course, raises the thought that what was said by the honourable member arose from a disappointed heart. We cannot, however, control His Excellency as to whom he should invite, and, no doubt, as the Minister for Railways has pointed out, the Governor has extended courtesies in the different centres of the colony. I may mention that he has invited all soldiers, and the old soldiers are not classed amongst the highest in our society. But I rose specially to speak on this matter from a Maori standpoint. It is our custom, if we have to receive a high and distinguished visitor, to show every courtesy, and we always try to avoid anything which will belittle the reception given to such visitors. The honourable member for

Waitemata says that according to Maori custom we simply give a quid pro quo. What is the feature amongst all nations in receiving distinguished visitors ? If you were invited by the Imperial Government to go to England you would receive especial attention because of the good reception their representative received at our hands, and that would be their recognition of the effort made by us in receiving the Royal visitors. It is the case all over the world. I simply wish to say now that the Bill ought to receive the Mr. G. W. Russell support of members of the House for no other reason than that we invited the Royal party, that His Excellency the Governor had, perforce, to be the acting head, and that he must know of expenditure which was incurred for the benefit of the visitors. That being the position, we do not want a discussion on the Bill, and arguments brought forward in regard to it, for such treatment of the measure would only reflect on the grand efforts the colony made in receiving our visitors. Mr. HORNSBY (Wairarapa) .- Sir, I wish to make a personal explanation. The honourable gentleman who has just sat down has misrepresented me. I do not think he did it purposely or designedly, but he certainly did misrepresent me when he attributed personal motives to me in my opposition to this Bill, and said that my remarks showed that I had a disappointed heart. Sir, let me tell the honourable gentleman that I was the recipient of invitations which I did not accept. Mr. HOGG (Masterton). - There was a blending of common-sense and outspokenness in the speech of the honourable member for the Northern Maori District, and I felt that it was very refreshing. The spirit of that speech, I think, might well have been emulated by others who have taken part in the debate. For my own part, I must say I exceedingly regret the debate that has taken place. With reference to the measure that has been presented to the House, I wish to say that I have given it & great deal of consideration, and I consider it would not be wise to allow the Bill to pass its present stage without saying a few words with regard to the opinion I have formed. The vote we are asked to pass is no doubt a very considerable one, \$2,250. But why is the vote necessary ? We invited Royalty to visit New Zealand. We have had a very good festival. The people have enjoyed themselves. The Government have piped, and the people have danced ; and the dancers must pay the piper. Sir, we are not in the habit of doing very unwise things, but if we do what is foolish I do not believe in "whipping the cat." What is there to be gained by crying over spilt milk ? We cannot gather it up again. We must put up with the consequences, and the more gracefully we do so the better it will reflect upon ourselves. The money has been spent by the Governor of the colony. Mr. FISHER .- Where is the authority ? Mr. HOGG. - The authority has been given to His Excellency, otherwise this Bill would not have been submitted to us this evening. I have, at all events, that confidence in the Vice-Regal authority of New Zealand to know that nothing that would detract from the high and honourable character he bears would be submitted to an Assembly of this kind. Mr. FISHER. - This House controls the public purse ; where is the authority ? Mr. HOGG. - " Where is the authority ? " That is only in keeping with some of the sentiments expressed this evening. I am very sorry to have heard these sentiments, because they do not reflect very creditably on members of this

<page>167</page>

Vice-Regal representative, to go back for years and rake up old ashes that I thought were buried for ever? What has been the aim and object of some honourable members? Has it been to elevate His Excellency the Governor, or the Parliament, in the eyes of New Zealand and the world ? Certainly not. The tendency, if not the desire, has been to degrade everything, and to detract from the honour and glory that attached to this colony on account of its hospitality during the visit of the Duke and Duchess of Cornwall and York to New Zealand. The people have had a fair amount of invitations. I have had invitations, but, for my part, I never participated in one of the functions, and I do not regret it. His Excellency the Governor has surely a perfect right to select his company and say who shall eat at his table. No one would seek for a moment to place a gentleman occupying his position in the humiliating situation of being compelled to invite every one who think they ought to attend his functions. I will say this as regards His

Excellency Lord Ranfurly: that a man more accessible and ready to mingle with all classes, and more disposed to throw off that reserve that severs the Governor from the generality of the people, we have not found occupying his exalted position in this country. He has travelled from place to place, from municipality to municipality, he has mingled with Mayors and Councillors and leading men in each place where he has gone, and he has always been prepared to shake hands with every one who came in front of him, rich and poor alike. He has patronised our public festivals, he has attended the openings of some of our rail-ways, and he has mingled with the people to an extent which I think no other Governor of New Zealand has ever done before. I say His Excellency the Governor has been an example to him occupying that position. Now, some references have been made to Mr. Commissioner Holmes and Mr. Donne. I believe these gentlemen carried out their duties not only with ability, but in a way that helped to promote the success of the festivities that took place. What I wish particularly to say is this: that I am satisfied the people of New Zealand as a whole are not likely to begrudge the payment of the money due to the Governor in connection with the work that he had to perform. He was unsparing. I am satisfied that he gave away most freely not merely his time, but largely from his own private purse in maintaining his high reputation and securing a name for hospitality that will continually attach to New Zealand in connection with the Royal visit. How would we have compared with the Colonies of Australia if we had not treated the Duke and Duchess of York as we did? I say it would have been a severe reflection on the people of New Zealand if they had not been entertained by His Excellency and by the Government and the Mayors and leading citizens of the colony in a manner worthy of a great occasion. And, having earned a name for hospitality, what are we doing to-night? Are we not endeavouring to besmirch the lustre which the colony has acquired by what it did on that occasion? I much regret that so much adverse criticism has been bestowed on the Bill. If it had been passed almost in silence we would have been consulting our own dignity and the dignity of the colony. I trust honourable members will look at the matter fairly, and, when the division takes place this evening, no matter what their feelings may be with regard to economising the public funds as far as possible - I believe there is no member of the House more determined to see the funds properly administered than I am myself - I hope they will prove that they can rise above sordid or paltry considerations, and accept the responsibility of voting for this expenditure; I say that, seeing we have placed the Governor in this position, we should unhesitatingly pay the amount claimed.

Mr. MONK (Waitemata). - Sir, I feel the position is a very unpleasant one, and my censure rests entirely upon the Ministers who have placed us in this position. I think it is from a want of business method or we should not have been placed where we are to-night. Last session a sufficient sum of money was placed at the disposal of His Excellency to do all the entertaining and spending which was requisite for him to do. The rest should have been done by the Ministry of the day, and then the name of the Governor would never have come before this House, and His Excellency would not have been in the position in which he now is. From the remarks made by the honourable member for the Northern Maori District it seems as though he wanted to make a nice little complimentary speech, and that it was discourteous to offer any objection to what was done; but my idea is that we ought to have propriety before we are complimentary. We have a position of responsibility to the taxpayer. I believe, however, in being generous, and I am very sorry we are placed in the position we occupy -- that we have to make any remarks upon what has taken place in connection with the visit of their Royal Highnesses to this country. My opinion is, Mr. Speaker, that we ought to have been content to expend £30,000 or £40,000, and to have done it in a different manner from that in which it has been done. The taxpayers would have then been well satisfied, and there would have been no less an expression of kindness and courtesy, and there would have been no room for remarks to the effect that the expenditure had not been administered rightly. With such as have been made this evening. regard to the remarks of the honourable member for the Northern Maori District, he knows very well that when distinguished Maori

visitors come in and are entertained by Maori tribes all are present-every one is there. But one of the most disfiguring features, if there is one feature more disfiguring than another, among the indecorous incidents in connection with the visit of their Royal Highnesses, is that it has been made, as I have said before, a

<page>168</page>

invited to the functions and there were those who were not invited; but it was a very singular thing that the invitations all ran to one "colour," and the non-invitations to another. Mr. SEDDON .- You are doing the Ministry a great injustice. An Hon. MEMBER .- Were you invited ? Mr. MONK .- It is none of your business whether I was invited or not. It is my business to make a plain statement of a fact. That is a discreditable characteristic that will never be forgotten or effaced in connection with the functions, and not even the semblance of such treatment should have been associated with them. What I wish to impress upon the House is, that the functionaries appointed by the Government and the permeating control of all the functions were extremely partisan. Well, Sir, the business method should have been this : that while leaving His Excellency to direct what should have been done-and we should have been pleased to accept with feelings of consideration any suggestions he might have given to our Government as to what expenditure should take place and the manner in which it should be made-I say that his name should not have been brought upon the floor of the House in the form in which it has been brought here. I say, I have been consistent in this respect : With regard to the £380, I objected to it, and honourable members have since learned that it was a most illegal payment. I say it was a payment that, had I been His Excellency, I would not have allowed my name to be connected with-dragged on the floor of the House, with the indignity inseparable from such a transaction. And I believe the Governor himself knows better-that he knows his name should not be associated in the manner it has been mixed up with these matters, and he himself should have taken care that the etiquette, if nothing else, belonging to his class should not be so ruthlessly traversed. Now, what is the feeling of the country, Mr. Speaker ? It is that no regular account has been kept of this expenditure. It is the talk of the colony, associated with wild rumours of wrongdoing. That is a very unpleasant feeling, and the manner in which the Premier laboured over the introduction of this Bill in its second reading this evening rather confirmed my suspicion that there was not a businesslike method with regard to this expenditure ; but it has been the disbursement of a reckless scatter-cash frenzy, the accounts of which ought to have been 10.0. sent in to the Government of the country, and the Governor's name should not have appeared along with them. If there is anything about which I feel concerned as an element in public ethics it is the dignity of Parliament and the dignity of its public officers, and it seems to me that the Premier indeed aims to ignore what he describes as the " musty, fusty precedents " of the past. He scatters them to the wind, and in doing so the traditions of the past, and the experience of past Parliaments and of past generations, Mr. Monk placed in the discreditable position in which on this occasion we find ourselves. I am bound to vote against it on principle, because I am representing here the taxpayers of the colony. I do not vote against it for the amount, but for the manner in which such expenditures have irregularly taken place. The taxpayers never intended the public treasure to be disbursed with the partiality which was exhibited in connection with the Royal visit; and, altogether, these things make me feel it to be my duty to quietly vote against it. One could make a long and an impassioned speech on the matter, and could say things that would be very disagreeable indeed, and the pity is they would only be too true ; but I shall refrain and say only what is necessary. But I feel it my duty to express a very strong objection to the manner in which - and repeatedly-the Premier has placed us in the position of having to object to his method of dealing with public moneys. Mr. MEREDITH (Ashley). - Sir, before the Premier replies I desire to say a few words on this occasion. I have to compliment honourable members who have spoken on the frank and free manner in which they have expressed themselves. Nothing has been said to-night in any shape or form by any honourable member that has been derogatory to the dignity of this House, or in any way at

variance with the usual decorum that characterizes members when they address you, Sir, on questions of importance. Indeed, the only remark I have heard this evening in the debate that was derogatory to it and tended to lower the debate was the unfortunate reference by the Premier to blankets, sheets, and glassware provided at Government House for the reception of the Royal visitors; and it is a matter for regret that any member of the House should so far forget himself as to refer to these small matters in connection with His Excellency the Governor and the reception of their Royal Highnesses the Duke and Duchess of Cornwall and York. Sir, I notice in looking through the pages of the House of Commons debates that whenever the question of the marriage portions of the sons and daughters of Her late illustrious Majesty was before the House each member of that Chamber expressed himself in the ordinary manner that he would express himself upon any other vote that was submitted to the House, and there was never any suggestion on the part of the Marquis of Salisbury or his predecessors in office with the view of blocking discussion or discouraging members in speaking on the question before the House. The Premier this evening, in moving the second reading of the Bill, hoped there would be no debate. Then he suggested that the question should be discussed with bated breath, that we should approach the question with a sort of timid feeling --- with a feeling of servility and adulation, which, in my opinion, is entirely alien to the feelings of the people of this colony, and to the members of the House who represent them in this Chamber. Fifty years ago the Japanese looked upon their

<page>169</page>

great deal of superstition respecting him, and hesitated even to approach the place in which he dwelt. They looked upon it as a sort of holy ground; but, with the rise of intelligence and the spread of education among those people, they have got away from that old idea, and to-day they look upon the Mikado of that country as one of themselves. Now, I do not know why we should be called upon to regard His Excellency the Governor with a feeling of superstition. I look upon him as a friend, a gentleman, and a citizen of the colony, who in the position of Governor carries out his duties constitutionally and to the best of his ability. But, to call a spade a spade, we know that his position is to a large extent a sinecure, and that was the opinion of Sir George Grey when he introduced his Elective Governors Bill some years ago, when he spoke so eloquently on the floor of this House, and when he was listened to with so much attention and interest by those members who had the privilege of hearing him. On that occasion there was no disposition on the part of the Premier to recommend that members should approach the question of elective Governor with bated breath. Now, as to the vote the Premier asks this House to consent to in the Bill before the House for second reading, the honourable gentleman must know that the authority for the expenditure of money rests entirely with this House. We, the representatives of the people, have control of the public purse, and it rests with us either to tighten or relax the strings of that purse as we think proper, and if the Government commit this colony to an expenditure which we do not approve of, we have a duty to discharge, and say distinctly we shall not vote for such expenditure. I have no doubt the Premier will see the force of these remarks, and will not dispute for a moment the right of members to discuss such questions. So far as the people of New Zealand are concerned, they gave the Duke and Duchess a right Royal welcome; and if it had been left to the people there would have been perhaps less ostentation connected with the reception, but there would have been as great if not even a greater degree of enthusiasm connected with the reception. And now the Duke and Duchess have left our shores, and I have no doubt that the people of the colony from the North to the South have made a splendid impression on them. They carried away the impression which we desired them to carry away as loyal subjects to the King. Sir, we have treated the Governor since he came amongst us by no means niggardly; indeed, we have treated him handsomely. His salary is at present £7,000. The expenses of both Government Houses at Auckland and Wellington for fittings, repairs, and so on, cost the colony about \$1,500 a year. This brings the expenses to £8,500. Add to this the £2,250, that brings the amount

up to £10,750, to which has to be added refund of Customs duties, and many other little items that we know nothing about. steamers. Mr. MEREDITH .- Yes. So I do not think the member for Wairarapa is far astray in saying that this year the Governor will cost the colony £11,900. The President of the Swiss Republic, who controls a population of 3,312,531, receives the magnificent sum of £540 a year, and does his work very much to the satisfaction of the people. The President of the United States of America -- and I must compliment the United States on producing the finest class of men in the world-serves his country efficiently and well for \$10,000 a year, the Vice-President receiving £1,500. The population of the great republic is over 76,000,000. The Chief Justice of our own colony, who must be a man possessed of rare capabilities, gets the magnificent sum of £1,700; the Premier of the colony receives £1,600; and when we contemplate these figures we are forced to arrive at the conclusion that we deal very handsomely indeed with the Governor. If the question of this additional sum had been before the House last session I am quite sure that members would have had more to say than they did on the occasion of the increase in the Governor's salary. The House voted last year the £2,000 increase with the distinct understanding that it was to defray the expenses of coming events. I cannot see for the life of me why this account for entertaining the Duke and Duchess should be sent in by the Governor. It would be just as reasonable for the Mayors of Auckland and Christchurch to send in their accounts for entertaining the Royal visitors, or for the citizens who spent from £1 to £20 in bringing their families to our cities to do honour to the son and daughter of our King. If the Government had been so foolish as to promise the Governor this sum, the blame rests with the Government. I, as a representative of the people, am not prepared to support such a vote, and shall therefore vote against the second reading of the Bill. Mr. A. L. D. FRASER (Napier) .- I did not intend to speak on this unpleasant debate, but, after hearing the speech delivered by the honourable member for Ashley, who has just sat down, I think it is my duty to explain what are the real facts. This is not a party question, and I am glad to see that it is not one, for there are members on the other side of the House who are voting for the Bill, and some who are opposing it. This sum is not a sum to be given to the Governor in addition to the annual amount voted to him. It is something which he tells the Government "I have expended on behalf of the colony." Now, the moment we veto that we say he has not done so; and I suggest that no member of this House will go so far as to say, when His Excellency says "I have spent this money on behalf of the colony," that he did not spend the money, but is attempting to make something out of the colony. Mr. PIRANI .- He has not said so. Mr. A. L. D. FRASER .- I can adduce no other deduction from the estimates and the Bill now before us. There may be some in-

<page>170</page>
 member for Palmerston that we know not of, but I am speaking as I analyse the estimates placed before the House, and from them I say His Excellency says that that money has been expended on behalf of the colony; and it is the duty of the colony to pay it. The honourable member who has just spoken said, without any qualification or reservation, that when last year we passed an Act increasing the Governor's salary it was to meet the expenditure that was anticipated in the Royal visit. Such a statement is either wilful misrepresentation or transparent ignorance. The honourable member was in the House at the time, and, whether he voted for it or not, there is the Act on the statute-book, and that Act provided for an increase in the salary of the Governor-not for the present Governor only, but for all Governors until the Act is repealed. The only sum on the estimates in anticipation of the Royal visit was £2,000 for the renovation of Government House. The Act -- the Governor's Salary and Allowances Act - passed last session had nothing whatever to do with the Royal visit. And, secondly, the sum now to be repaid is for disbursements by His Excellency on behalf of the colony. To my mind, it is regrettable for many reasons that the matter has been debated as it has been this evening. It is regrettable that the actions of the representative of the King, especially when entertaining illustrious visitors, should be questioned at all. The member for Wairarapa evidently does not agree with me. He may have a very good reason for the attitude he takes up, but,

to my mind, I do not think it is highly creditable to us to adversely criticize this matter. It is not only not elevating to the dignity of Parliament, but it brings our debates down to the low-water mark of degradation. The honourable member for Waitemata said the reason why he would vote against the Bill was because it was a mistake on the part of the Government. If I thought it was a mistake of the Government - and I go so far as to say it might have been a mistake -- still I think it is a sacred duty of ours to put that on one side and pass this without comment. This surely is one of the occasions when silence is golden. Mr. COLLINS (Christchurch City) .- I cannot help feeling, Sir, that all this discussion to-night has arisen through a mistake which was made in the first place in the manner in which the House has been treated in regard to the expenses of the Royal visit. I feel sure that the discussion itself is evidence of the fact that the House and the members of the House have somehow or other come to entertain certain suspicions that there are sums of money which have been expended in connection with the Royal visit of which we know nothing, and we never shall know really what the Royal visit cost. I believe that had the Government come down with a statement of the expenses incurred in entertaining the Royal visitors, even though the sum shown to have been spent had been a much larger amount Mr. A. L. D. Fraser had the Colonial Treasurer been able to say that the colony had decided to entertain the Royal visitors, that it had entertained them, and entertained them as the colony ought to entertain Royal visitors : here is the bill ; this includes every item connected with the expenses incurred ; this will be the beginning and the end of the payment of these items when once you have "footed " this bill,-I believe Parliament would have "footed " that bill without a word. I do not think that there would have been any debate or discussion. The colony had decided to entertain the Royal visitors, and it naturally expected to have to pay for it, and I think that would naturally be an end of the matter. The whole of this discussion, I think, has been the result of an initial error. Of course, I know that it is very well to be wise after the event. I simply now suggest that difficulties of this kind might have been avoided by a little exercise of forethought. I cannot take up the attitude of those who propose to oppose the vote. I must confess that I do not like the position, yet I cannot offer a hostile vote to the payment of the sum. I think that the matter should have been dealt with differently. I may object-as I do object -to the Governor of the colony, of his own initiative, expending public money. I maintain that this House, and this House alone, ought to exercise the prerogative as to when and how public money shall be expended. An Hon. MEMBER .- Why, he does it every day. Mr. COLLINS .- What I say is that I think the solid principle is that this House ought to exercise the prerogative as to how the money of the colony shall be expended. There is no doubt whatever in my mind that that ought to be so. But, Sir, we boast of our democracy. We decide to entertain the Royal pair, and it is absolutely necessary that they should be entertained in a manner befitting their position. Now, as a democrat, I object to allowing the Governor or any other person to bear the burden of the expenses which properly belong to me and to us. I will not, Sir, shelter myself behind the Governor or any one else in this respect. We decided to entertain, we have entertained, and I think it is too late now to complain of the amount spent or the method of the expenditure. That is exactly how the matter presents itself to me; and, that being so, I feel that it would be an undignified position to take up any other attitude. I have no word of censure, nor do I desire to cast any slur upon those who take up a different position, but I say that, having decided that we should invite the Royal guests here, they should be properly entertained ; and I think now, as a democrat, that we should not be doing right to permit the expense of the entertainment in any degree to fall upon the Governor. Sir, I feel it was a mistake to attempt to enter into any explanation of the detailed items to account for this sum of money. I cannot imagine that the Governor has had anything to do with the paying for blankets,

<page>171</page>

sheets, tumblers, or anything else ; and in this respect I think it is a little unfair to the Governor that his name should be brought on the floor of the House. I think that the sum is a large sum, but we have to

recognise the fact that our Governor is placed in a different position from that of the Governor of any of the Australian Colonies. The Governor travelled with, and in a manner entertained, the Royal guests throughout the colony. He had to entertain them in each of the four centres, and, whatever the items may be which comprise the sum total of this expense, I can quite easily understand that the Governor would necessarily be put to some expense; and if now the Governor himself asks for and countenances a Bill being brought down to the House to reimburse him for the outlay, I, as a democrat, shall vote for it, feeling that I have no right to cast on the Governor the cost of entertaining guests we ourselves invited to the colony. Mr. McNAB (Mataura). - Sir, I intend to vote for this Bill. It seems to me as if the position is very easily summed up. We have invited the Royal party to this colony; one of our officers has, from his peculiar relationship to the Governor of the colony, to go to very considerable expense in the personal entertainment of them; and it seems to me that, once you state that position, you must follow it up by taking care that the officer whose position, through no action on his part, is as I have mentioned should not be put to any cost in entertaining people whom you have forced upon him. It is a mistake that His Excellency's name was ever introduced into this discussion. Some of those who have discussed the question this evening have given as a reason that the proper constitutional procedure has not been followed by His Excellency's Advisers. Others have expressed the opinion that it would have been infinitely better if the sum had been put down as one vote, for the entertainment of the Royal visitors all over the colony; and perhaps a great deal may be said in favour of that. But surely we would not urge, because the mistake has been made by His Excellency's Advisers, that therefore His Excellency should incur any risk whatever of being called upon to pay this money. These two questions are entirely separate, and the mere fact that a peculiar procedure-if it is a peculiar one-has been followed is no reason at all for His Excellency's name being brought on the floor of the House and discussed as it has been this evening. However, I do not propose to refer to him or to his connection with this Bill, but simply to say this: that whenever we have a Governor in this colony who is a representative of the King-and I hope there will always be one such who will be sent to us from the Mother-country-we shall never have any one in such a position that he will have to ask himself, before he takes on himself the position of Governor of the colony, whether he has to run the risk of entertaining Royal or other visitors that this colony calls to its shores. An Hon. MEMBER. - We gave him £2,000 for them. Mr. McNAB. - And if our own actions cost him another £10,000, and he does it well, we have to foot the Bill, and we ought not to raise the question. We had the opportunity of saying whether these people should come here or not, and then was the time to say whether we objected to the cost. A great deal has been said about the extravagance of the Royal visit. Well, we have this to consider in this colony: that when we have private persons going to considerable expense in entertaining the Royal guests, whether we like it or not, the colony must not be behind them; and on that account, and, in addition to that, when we remember that while in the other colonies the entertainment of the Royal pair centred around the capital city of the colony, and was not distributed over the various towns of the colony, as it was in New Zealand-we have to remember, when we take that into consideration, that the entertainment of the Royal pair in this colony was a very, very different thing from their entertainment in any other city in Australasia. Hence it is that great expense has fallen on the people of this colony. I believe, myself, that \$70,000 will not cover the expenditure. And I would have liked to have had an opportunity of discussing the whole question in another way. But, seeing that His Excellency has been put to these expenses, we ought, in justice to him, as representative of Royalty in this colony, to pass this measure, and discuss the question of expenditure in connection with the Royal visit in another context. Mr. ATKINSON (Wellington City). - I think, Sir, the difficulty which most members have felt in speaking to-night is an indication that it is a very unfortunate thing that a Bill has ever been brought in at all. The Right Hon. the Premier is not usually embarrassed when he addresses the House or any other assemblage, but he was visibly embarrassed

to-night. He was laboured in his speech throughout, and he felt, as we all feel, that he had a most unpleasant task to fulfil and to call upon the House to fulfil. He suggested that so eminent a personage as His Excellency must be spoken of, if we spoke of him at all, with bated breath, and no doubt the greater the deference that can be shown to His Majesty's representative in this colony the better. But it is absurd, when a Bill of this kind is brought in, to suppose that any matter in it at all can be discussed with bated breath or in an undertone. The honourable member for Ashley has reminded the House of the fact that in discussing similar subjects in the Old Country-where they are more immediately under the shadow of the throne than we are here - the utmost freedom of debate is customary in the House of Commons. An English poet has said, illustrating the aspect on which the Premier prefers to dwell,- A clod, a piece of orange-peel, An end of a cigar, Once trod on by a princely heel, How beautiful they are ! There is truth, and a sublime truth, in these lines, but the spirit and tone are not appropriate, in my opinion, to the people's repre-

<page>172</page>

scription. While the right honourable gentleman made the suggestion about the impropriety of having anything like close criticism of the measure before the House, he illustrated his own text admirably by giving us details about table-linen and cups and saucers upon which vice-regal money had been expended, and, to show that the thing was quite genuine, and not a "fake," he actually gave us the name of a substantial firm in this city from whom some of the articles had been purchased. Now, the honourable member for Mataura has admitted, as it seems to me, frankly enough, that the course that has been taken, and that we are asked to take now, is undesirable, if not an unconstitutional one. Mr. McNAB .- I did not say so ; I said it had been said. Mr. ATKINSON .- I thought the honourable gentleman said so; I certainly understood him to say it was undesirable, but possibly I misunderstood him. But now I wish to put this aspect of the question : The Governor is an essential part of the Government of this colony, and one of his most important functions is the entertaining department. He extends the hospitality of the colony to distinguished official visitors. There can be no question that in a normal case the expenses of entertaining distinguished guests would fall upon him, and there is no doubt that we have made provision for this in the salary and allowances which we appoint for the Governor. Well, therefore it seems to me that it is beside the mark to say that he was necessarily the agent of the colony in such a way that he must be personally reimbursed for any expenditure that has fallen upon him in connection with this Royal visit. An Hon. MEMBER .- You admit that position, that he should be reimbursed ? Mr. ATKINSON .- No, I have not admitted it so far ; but I wish to put it that it is an extraordinary course that we are asked to take, and that it is not logical to say that we have put His Excellency forward on our behalf as our agent to bear this responsibility, and that therefore it is for us, as has been said, to foot the bill. One of the most extraordinary speeches of this debate was the speech of the honourable member for Riccarton. I am bound to say I almost invariably listen to him with pleasure, and I expect to hear logic from him, and argument based upon principle. Yet one argument we had from him this evening was this: that this Bill had received the assent -he said "at any rate, the tacit assent"- of the Governor, and therefore it would be a reflection upon His Excellency if we did not pass it. In other words, it was the old stock argument about a slap in the face to the Government dressed up as a slap in the face to the Governor. Well, the honourable member, with his turn for logic and dialectics, may carry that on to its logical conclusion, and he will see quickly enough where it will lead us. It will take us back to the times of the Stuarts or the Tudors, when Parliament had to do as it was told ; but there would still be this difference - Mr. Atkinson a Stuart or a Tudor they could hit back - the Stuarts sometimes got the worst of it, but the Tudors came out on top-but the position here is that no "slap in the face" can involve retaliation. The other party is now powerless ; it is as a suppliant that His Excellency has to come before us. He has to come as a suppliant, because we have control of the purse-strings. The Bill before us shows that in

theory, at any rate, it is so, and in practice, so far as I can, I shall endeavour to maintain it. The honourable member for Masterton said that His Excellency had been unsparing in his expenditure upon the reception of Royalty. I fully concede that His Excellency has been unsparing of himself personally, that he has taken an immense amount of pains, and in my opinion has done far more in the way of attending to details than it was necessary or proper that he should do. The work, in my opinion, should properly have devolved upon his Responsible Advisers, and I regret that he put himself out so much as he did in respect to these details; but the particular kind of prodigality the honourable member for Masterton referred to was prodigality in money. But, according to his argument, it was not His Excellency's money, but ours, and it is therefore the very left-handed compliment of liberality with our money that is really implied in the eulogium of the honourable member for Masterton. I fully see the difficult position in which the Premier has placed himself, and in which we are to some extent placed, and I would submit that the reason for the difficulty is that we are - not for the first time during His Excellency's term of office - infringing what is certainly one of the cardinal principles of policy which we ought to respect with regard to our Governors. Now, last year we increased His Excellency's salary by \$2,000 ; and one of the arguments for the increase was the anticipated expenditure over the Royal visit, for which we are now asked to make special provision. We put an additional vote, by virtue of the Public Revenues Act, on the supplementary estimates - €1,000, I think it was. Mr. SEDDON . - That was not for His Excellency : that was for expenditure in connection with Government Houses - furnishing, alterations, et cetera. Mr. ATKINSON . - That was towards the expenses of His Excellency's establishment. Mr. SEDDON . - Oh, no ; furnishing. Mr. ATKINSON . - Yes, furnishing. It was not for an addition to the Premier's garden in Molesworth Street, at any rate. It was an extension of the vote for His Excellency's purse, and it would otherwise have been properly paid out of the moneys given to him by the Act. Now, the honourable member for Mataura regretted that His Excellency's name should be brought on the floor of the House ; but I submit it is those who propose such Acts and such votes as these, and who ask us to vote for them, who are responsible for bringing the name of His Excellency on to the floor of this House. It is a principle in our Constitution Act - or, at any rate, a principle in the Royal Instruction -

<page>173</page>

educated during his term of office; and it seems to me equally essential that it should not be increased during his term of office; because the member for Mataura must see that, the moment the personal question arises, it is almost impossible to keep out the name of the individual when a rise in the salary is asked for in regard to the private individual. If the rise were being asked merely for the office, then it would not come into operation until the end of the current term, and the matter then could be discussed quite in the abstract and absolutely impersonally. Mr. McNAB . - If it is wrong, how do you explain the Royal Instructions ? Mr. ATKINSON . - I do not know if the honourable gentleman sees any logic in that, and if he thinks that is an answer to my argument he must have misunderstood what I said. I say that, when he says His Excellency's name should not be brought up on the floor of this House, he is really hitting at those who bring in His Excellency's name by asking us to vote on questions of this sort. For instance, if His Excellency gets no personal benefit it can be discussed without regard to the person who may be the Governor for the time being. Mr. FISHER . - Will the procedure of this Parliament differ from the procedure of the House of Commons ? Mr. ATKINSON . - I see no reason why it should. Now, I have got the Colonial Office Rules and Regulations for 1900, and, with regard to these votes of which I am speaking, they are clearly at variance with the spirit of more than one of the rules and regulations of the Colonial Office. I refer to the regulations against any Governor receiving a present from & colony or its inhabitants during the term of the office, or even at the expiry of his term. I refer to No. 39 of the rules :- " He is prohibited from receiving presents, pecuniary or valuable, from the inhabitants of the colony, or any class of them, during the continuance of his office, and from giving such presents ; and this rule is to be

equally observed on leaving his office." Now, the spirit of that rule surely requires that, whether it be by Act or Bill, or resolution, no additional personal benefit should accrue to the Governor during his term of office. The principle is laid down in a despatch from the Secretary of State for the Colonies in 1567, which is cited in Todd's "Parliamentary Government," page 143 :- "The principle is that no Governor shall be allowed to expose himself to the temptation which may arise from expecting beneficial donations from the colonists, or any section of them, or to the suspicions which arise from his acceptance of such donations. Whether they are made directly to himself, or in trust for him, or to some member of his family, so that he may have the enjoyment of them, is obviously immaterial.' But (says Mr. Todd), while the reasons for this prohibition are self-evident, it has been officially explained 'that they rest on no considerations affecting the public, free from all suspicion. These reasons apply to the receipt of presents of the same description by a Governor on leaving his office with scarcely less force than during its continuance. And, although Her Majesty's Government cannot exercise any direct control over the actions of gentlemen on the point of leaving the public service, they feel it their duty to record this opinion, and to express their hope that it may be acted on as a general rule.' " I say that the increase of salary which was placed on the supplementary estimates last year, and again this amount we are asked to carry now, are in violation of the spirit of the regulations of the Colonial Office. They are no mere red-tape regulations, but they seem to me to be really inspired by sound policy. I know that some of them have been abrogated with regard to this colony within the last few months. There is the rule dealing with precedence, which runs as follows :-

"155. The precedence of Colonial Officers is in some cases determined by Colonial enactments, by Royal Charters, by Instructions communicated either under the Royal Signet and Sign Manual through the Secretary of State, or by authoritative usage. In the absence of any such special authority, Governors are to guide themselves by the subjoined table. " 156. Table of precedence of Colonial Officers :- "The Governor, Lieutenant-Governor, or Officer administering the Government. "The Senior Officer in command of the Troops, if of the rank of a General, and the Officer in command of His Majesty's Naval Forces on the Station, if of the rank of an Admiral, their own relative rank being determined by the King's Regulations on that subject. "The Bishop. "The Chief Justice. "The Senior Officer in command of the Troops, if of the rank of the Colonel or Lieutenant-Colonel, and the Officer in command of His Majesty's Forces on the Station, if of equivalent rank, their own relative rank being determined by the King's Regulations on that subject. "The Members of the Executive Council," et cetera. I understand, however, that one member of our Executive Council is too large to walk in after the Chief Justice, and that the rule has therefore been abrogated temporarily for the purpose of this colony only. It was suspended in the colony during the Royal visit. However, the point I wish to make is that these personal questions, which it is obviously the object of the Colonial Office to avoid being raised in regard to the Governor and his emoluments, are inevitably raised by the way in which these votes and these Bills are being brought before us now. Now, the honourable member for Christchurch City (Mr. Collins) said that, as a

<page>174</page>

we have been asked to vote this money, but, as a democrat, he was not going to oppose the Bill, as he would not allow any of the expense to fall upon the Governor. I wonder whether, as a democrat, he can allow any expense to fall upon the Mayor of his own city. I would like him to go round with the hat, or to propose to put a sum upon the estimates of the Christchurch City Council to meet the cost to which the Mayor had been put. I think he would get a very warm reception. In all seriousness, it seems to me that the maxim noblesse oblige should apply to His Excellency the Governor-I am speaking of the office-no less than to any other, and I fail to see why some honourable members referred to the expenditure of the Ministry in connection with the matter. Of course, these have been paid by the country, and I do not in this particular instance begrudge it to them. They, of course, have to incur a vast amount of legitimate

expenditure when travelling round the country doing the country's business, and they should not be put to personal loss; but the analogy does not apply, for official hospitality is not a part of their functions, nor are they paid for it. But my point in regard to this particular vote, to put it shortly, is this: In the first place, it is a part of the Governor's functions to exercise hospitality on the part of the colony ; in the second place, we have given him a large increase in an improper way during his term of office, and one of the inducements which led us to make that increase was the increased expenditure that he would be put to in connection with the Royal visit. The course we are asked to take now in reimbursing the expenses that have been incurred officially as Governor is, in my opinion, improper and unconstitutional. Whatever the right honourable gentleman may say, it is perfectly clear that he sees that legally this is nothing but a donation we are asked to pass ; hence the procedure by a special Act, which is to be reserved for the approval of the Crown. Legally, therefore, it has put His Excellency in the position of coming to us as a suppliant and asking us to reimburse him for his expenses. The Premier says we cannot with self-respect refuse to pass this Bill. I fail, indeed, to see how any party to the transaction can fully preserve self-respect, whatever we do with the Bill. His colleague, the Minister for Railways, said there appeared to be a prejudice on the part of some members against the King's representative. I have not heard a single sentiment this evening or any suggestion of personal prejudice against the Governor. I think the Premier will acquit us all of that; but this kind of suspicion must arise when these Bills are brought forward in this way, in that they are in the nature of a personal benefit in the interests of the man for whom they are passed ; and opposition to the Bill is regarded as personal. I will say this in conclusion : with this kind of legislation going on very grave constitutional consequences may follow. If Mr. Atkinson certain that prejudice will be raised in this colony against-I will not say the King's representative personally-but, what will be a much greater disaster, against the office of a Governor in this colony. In my opinion, that would be a very grave disaster indeed. The position of constitutional Governor, I am glad to think, is more firmly rooted in popular favour now than it was five or ten years ago. We hear less of an elective Governor than we did, but if this kind of discussion is continually taking place I am afraid the agitation in favour of that reform may gain strength again. I shall therefore vote against the Bill. Mr. SEDDON (Premier.)-I regret very much that any reply should be necessary in respect to this Bill. What has been the return I have received for meeting the wishes of members who suggested that I should withdraw this item from the estimates, so that the matter might be brought down in a Bill ? Who was the gentleman, amongst all others, who suggested the course now before the House ? The honourable gentleman who has just now sat down, supported by the member for Palmerston, and, I understood, his colleague for Wellington City (Mr. Hutcheson). This was represented in such a way that it should reach me, that if I took the course by withdrawing the item from the estimates and brought in a Bill it would prevent acrimonious discussion. What has happened shows me quite clearly that the constitutional phase of the question was only raised for the purpose of getting the Bill brought down, so as to make a more direct attack. All I can say is this : that, whilst I do not regret having changed the course because of adverse criticism outside the House, I am of opinion that, were it not for that, it was my place to have carried the vote on the estimates ; and I tell the honourable gentlemen opposite who have used this opportunity not only to assail the Government, but to assail the King's representative, that we will not stand it, either in this House or in this colony. Mr. PIRANI .- You have got to stand it. Mr. SEDDON .- There are some members in this House, and I regret to say it, whose views are inimical to organized society. Mr. MONK .- I ask that those words be taken down. Mr. DEPUTY-SPEAKER .- I cannot see anything unparliamentary in those words. Mr. SEDDON .- What have we had during this debate? We have had brought forward the remission of Customs, the increase of the Governor's salary, and we have heard it said here that that increase of salary, which stands not only for the present Governor, but for all Governors-we have been told that that was voted by members of the House with the view of meeting the extraordinary expenditure that would be incurred

through the contemplated visit of their Royal Highnesses the Duke and Duchess of Cornwall and York. I say, Sir, if any member will tell the House that, - whilst I must accept his statement, - I must say that the facts are against him ; and that the

<page>175</page>

and in the passing of the measure are entirely opposed to any contention of that kind. And, Sir, that it should be raked up now by the member for Wairarapa, and other members, as a pretext for voting against the Bill - when it refers to Governors for all time -- all I can say is that, in my opinion, they are raking it up for the purpose of providing a cloak to hide their real antagonism this evening. If any man in this House, or country, regrets having been in the House and listened to this debate, it is myself. I have read in the papers articles on the decadence of the New Zealand Parliament, and I say here, if proof is wanted of that decadence, it is to be found in the speeches we have had delivered to-night ; and the only way to prevent further decadence is for the people of the colony to take care that there is no further insult to the intelligence of this country by preventing the return of those who hold and express sentiments that are not in touch with the opinions and views held on this matter by a large majority of the people of this country. I say the people of this country desired what we have done in the way of entertaining the Duke and Duchess of Cornwall and York, and they are inferentially degraded by the action of those who seek to repudiate payment. We should not have it go to the outside world that we have not entertained them in a manner befitting the people of this country. I say that the people have no right to be insulted and flaunted by gentlemen holding for the time being - and for a very short time, in my opinion - positions as members of the Parliament of New Zealand. I say that the views of the great majority of the people of this country are not in accord with the speeches we have had this evening. The taxpayers of this country desire that we shall consult the dignity of the House, and that we shall conform to what is right and just, and shall show, and continue to show, that we are an integral part of the great British Empire, and, when the Heir-Apparent to the Throne and the future Queen come here, that the representative of the Government here should, at the express wish of Ministers, incur liabilities and suitably entertain, and having incurred liability meet them cheerfully. We should not raise the question that His Excellency has acted for his personal gain ; and that is what has been said during this debate. That is what has been said by the last speaker. The honourable member said that the Governor came to the House as a suppliant. The Governor - the King's representative - is no suppliant. If a man has, by express authority, incurred liability on behalf of another, and he says, " Here is my account - pay it " ; if that puts him in the position of a suppliant, where, I say, is the honour of the individual, or, as in this case, the colony, if payment and refund is denied? Where, I say, can the Governor be regarded as a suppliant? He sends to his Ministers a statement showing that in accordance with their wishes he disbursed £1,153, and that he incurred other accounts to the colony, and his Ministers admit that those accounts are in accordance with the arrangements made. What were the arrangements? is the next question. The arrangements were that this colony should entertain the Royal visitors. I say that the members to-night who spoke were those who strongly favoured the invitation being sent : and when I say that it was arranged that His Excellency should be reimbursed any excess of his ordinary expenditure - when I say it was arranged that His Excellency should act as the host, and as the representative of the colony -- and, properly speaking, he was the best fitted to so act - and, after he has done that, to say that he is a suppliant, when the accounts are placed before us for payment - again I say this shows a decadence that I should never have expected to see or hear on the floor of the House of Representatives of New Zealand. The honourable member for Wellington City (Mr. Atkinson) says they never intended any reflection upon His Excellency. What greater reflection could be passed upon His Excellency than to say that the Governor has been very prodigal with our money - in other words, that if it had been his money that he was spending he would not have been so prodigal ? There is no other deduction to be made from the honourable gentleman's

language. And if the honourable member, with his learning, cannot find other language in which to express himself without leaving such a deduction, I say, what must be said of other members who have not had the advantages in this respect of the honourable gentleman ! Again, I infer also that the honourable member is one of those who hold that the increase of His Excellency's salary was made for the purpose of allowing him to provide for the reception of their Royal Highnesses. I say, if the honourable member voted for it under such conditions, I regret very much that he should so forget himself, knowing, as he must, that the raising of the salary was permanent. Then, the honourable member raised the constitutional question An Hon. MEMBER. - NO. Mr. SEDDON. - Yes ; the honourable member, by attempting to make out that it was unconstitutional for us to pay either by passing the item on the estimates or by Act, did so, and he quoted the Royal Instructions. What do the Royal Instructions say ? Section 6 states : - "The Governor shall not, except in cases hereunder mentioned, assent in our name to any Bill of any of the following classes, unless he shall have previously obtained our Instructions upon such Bill." Now, the honourable member has contended this is one of the classes referred to. Now, subsection (2) of section 6 says :- " The Governor shall not assent to any Bill whereby any grant of land or money, or other donation or gratuity, may be made to himself." Now, this is not a grant within the meaning of subclause (2) of clause 6 of the Governor's

<page>176</page>

at all ; it is to enable the colony to reimburse him moneys expended and liabilities incurred on our behalf, and does not therefore require the assent of His Majesty the King. Now, although not required, I told the House the Bill would be referred to the Secretary of State, and no one knows better than the honourable member that this Bill will be so referred. The honourable member, after what I stated, I repeat, ought to know it, and this is a point I wish to make against him. It may be information for honourable members that the Governor's Salary and Allowances Bill was remitted for the consent of Her late Majesty the Queen. That action was taken under the Royal Instructions, and the approval of the Home authorities was granted ; consequently, I say, we have the power to pass a Bill increasing the salary of the Governor for the time being during his term of office. Then, after we have passed it, it goes Home for the Royal assent. The King's assent was therefore given to our action in that respect, and yet the honourable member reflects upon His Excellency because during his term of office his salary has been increased. I say the responsibility of that increase came from us. It was not solicited by His Excellency. It is well known that, while we reduced the Governor's salary years ago, the increased population of the colony and the increased demands on any one who represents His Majesty rendered it necessary that there should be an increase ; and that increase was made in good faith, and with the view that it should be accepted at once ; and, after it has been accepted and approved by His Majesty, for the honourable gentleman to say it is unconstitutional and a departure from the Royal Instructions-well, I would like to know what will be said next. Sir, I come now to a few remarks made by the honourable member for Ashley. That honourable gentleman had prepared a table -- it is not the first incorrect table he has prepared-and it seems to me he is determined to place before the country and before the House statements which are incorrect - I cannot use any stronger term. Sir, what does the honourable member say ? He says there was a refund on Customs duties of \$360 to His Excellency, and that we must add that amount to the \$7,000 salary, making \$7,360. Then, he says we must take the \$2,250 and add it to the \$7,360; to that must be added \$1,000, for renovating and furnishing Government House, et cetera ; which shows, he asserts, that the Governor this year receives for his own benefit over \$10,000. Now, Sir, is not such a statement of the position grossly unfair? In respect to the refund, it was passed two years ago; and I wish to say that the officers on board His Majesty's ships always get dutiable goods free. When this refund came before the House it was put to members that we should give to His Excellency the same privilege that we give to officers commanding His Majesty's men-of-war. The \$1,000 was passed last year ; the \$2,250 is to meet

liabilities incurred on our behalf. I say that to bring these matters Mr. Seddon to me that there is something underlying it that I cannot understand-something that no man who respects the representative of the Crown in this colony can respect. Then, the honourable member says that this sum of \$2,250, which is simply to reimburse His Excellency for necessary expenditure, must be added to the amount received by him as salary - a statement that is so far -fetched that a gentleman holding the position held by the honourable member, a gentleman who has. hitherto been careful in his statements to the House and to the country-ought to regret that he ever made it. For myself, Sir, I am exceed- ingly sorry that such a statement was made by the honourable member, and I am now bound to meet it in such a manner that I hope the honourable gentleman, considering his self- respect and the self-respect of the people he represents in this House, and also considering the respect of this House and of the country, will not again compile tables of the kind, and make statements which are so exaggerated and contrary to fact. Sir, time will not permit me to go further than this. Now, Sir, what did the member for Wairarapa wish to convey at the outset, when he said that all that the demo- cracy received was the mud from the wheels of the carriages that took the select few to these functions ? Sir, let me tell that honour- able gentleman that the democracy of this country are as loyal and as willing to pay this bill as any select few ; and I believe, if I may speak my mind freely as regards the working- classes of this country, that they wish this bill footed and desire it to be paid ; and if they were here and could speak for themselves, instead of - shall I say, through a polluted source -- Mr. HORNSBY .- I rise to a point of order. I demand that these words be withdrawn, and I ask that they be taken down. Mr. DEPUTY - SPEAKER. - The words "polluted source," in the connection used by the Hon. the Premier, are highly unparlia- mentary, and must be withdrawn. Mr. SEDDON .- I withdraw them with plea- sure ; and I ought to have said, through those representing them, and whose views are not in accordance with the wishes of the people repre- sented. I say the honourable member for Wairarapa does not represent, in what he said to-night in respect to this matter, the feelings of the people of the Wairarapa. And, Sir, I will take an early opportunity of ascertaining that in the Wairarapa. I speak freely upon this question, and I say at once that the people of the Wairarapa attended in large numbers and assisted at the reception of the Royal visitors, and I know that there are no more loyal people in this colony. If it is said that the people of the Wairarapa felt aggrieved be- cause they could not be invited amongst the few that His Excellency could invite to Govern- ment House, and that for that reason they would uphold their member's action, I repeat at once that I do not think the honourable mem- ber is representing the voice of the people of the Wairarapa. That is my opinion. Then, Sir, I

<page>177</page>

was told to-night that I had misled the mem- ber for Riccarton. I did nothing of the kind. What occurred in respect to the interjection I made to the member for Riccarton was this : The honourable member said that if this was " the cost of the entertainment, from a food point of view, and so on, of the Royal party at the different centres throughout New Zealand, I have not another word to say in connection with the whole matter." To which I rejoined, " That is just what it is." Later on members will see my speech, and they will find that I said, " The member for Riccarton asked & question very fairly in these words : 'Does this include the extra cost entailed upon His Excellency during the visit of their Royal Highnesses ?' That is exactly what the Bill provides for, and nothing else." Therefore, I repeat now it is the extra cost thrown upon His Excellency during this visit, and we are asked simply to meet that ; and upon being called upon to meet that we have had an attack which I say we should be wise, for the sake of the history of this country, to strike for ever out of the records of this House. When members come to coolly read it they will say, " The Premier was quite right when he made that suggestion." And then, Sir, what advantage has been taken of this opportunity ? It has been made the opportunity for an attack upon the Government. Well, Sir, I say now to the House and country, if by that course. an attack has been diverted from the King's repre- sentative, I am delighted that the attack should have been made upon us, and not upon the

King's representative. And, Sir, I do not do that simply from my constitutional position as defender of His Excellency, but because I prefer that it shall be taken to-night as an attack upon the Government rather than it should be an expression of members' opinions, or that the people should be led to believe outside our colony that this is the opinion of members respecting the King's representative. If it goes forth to the world that the opportunity has been availed of to attack the Government, then, I ask, where are those gentlemen who on an occasion of this kind would use it for party purposes ? I ask them to realise the position in which they are in. And, Sir, what have we not had brought into this debate? We have been told that it has been done to exalt the Prime Minister. Sir, the Prime Minister requires no exalting on conditions of this kind. An Hon. MEMBER .- Who said that ? Mr. SEDDON .- The honourable member for Palmerston. Mr. PIRANI .- He said nothing of the sort. Mr. SEDDON .- That bears out just what I say, that when honourable members in cold blood read what they have said-and the honour- able gentleman is not the only one to which this will apply-my opinion is that a great propor- tion of what they have said will be struck out of the report of their speeches. I am bound to take the honourable gentleman's assertion ; but what was it he wanted to make out? He said that we had given a refund of the Customs, that we had given an increase of salary, and that VOL. CXIX .- 11. this had been done with a view of exalting the Premier in the mind of the representative of the King. That is what the honourable mem- ber said. An Hon. MEMBER .- Nothing of the sort. Mr. SEDDON .- That is my recollection of what was said, or, anyway, the inference the honourable gentleman intended we should draw, and the honourable member followed it up by saying we had received more favours from the Governor than any Government of the colony. Mr. PIRANI .- I never said anything of the sort. Mr. SEDDON .- Well, Sir, it is of no use ; if the honourable member denies that then he will deny anything. Then, we had reference made to the Duke of Edinburgh's visit which was paid to this colony. The very course which it is said we ought not to have taken was the course then taken; but can you show me that, amongst the representatives of Parliament of that date, there was anything like the debate that we have had to-night? Can you show me where there was an account furnished? And, Sir, they had the same voice then as they have to-day; but then there were no members of the House who would do as members do now. Again, I say if we wanted proof of the decadence of the members of the House you have it by com- paring what has occurred now with what took place on the occasion of the visit of the Duke of Edinburgh. Then, we are told that the Go- vernment have no right to bring down any Act affecting the Governor. Sir, what did the Im- perial Government do quite recently in the House of Commons ? And what has the Im- perial Government done time after time in respect to the Royal family? On various occasions they have brought down measures affecting the Royal family, and those mea- sures have been received and dealt with by the representatives of the people at Home in the spirit that this should have been dealt with-in a manner creditable to our nation. Of course there are a few in the House of Commons, just as there is a small selection here-a small coterie-that probably took up the attitude that some have taken in this House to-night ; but I say they do not represent the voice of the British nation. Then, we were told that this was a mistaken course. Now, I should like to ask honourable members this question : How are you going to reimburse His Excellency unless you pass this sum on the esti- mates or authorise it by Act? Has any honour- able member even thought of endeavouring to show how that could be done ? An Hon. MEMBER .- The charges should have been made to the Government direct, and not to the Governor. Mr. SEDDON .- Then they would just as safely have been paid if they had been charged to the honourable member for Waitemata; they would have had the same chance of pass- ing this House. We brought them down on the estimates; and then what was I asked to do? I was told that the proper way was to bring it down by Bill, so that the Bill could go to the Imperial authorities and to the King for

<page>178</page>

the honourable member for Wellington City (Mr. Fisher) has the temerity to say that I should not have

done so ; and I believe he was one of those who said that it should not be passed on the estimates. The onus of proof rests on the honourable gentleman to show us how otherwise it is to be paid. If it is not to be voted on the estimates, and if it is not to be paid by Bill, the honourable member ought to tell the House how it is possible to pay it. I shall be pleased if the honourable gentleman will do so. Mr. FISHER .-- It is not my blunder. Mr. SEDDON .- There was no blunder in bringing down on the estimates, nor is there a blunder at the present time by my bringing it down by Bill. I say the liability is the liability of the colony, and for the time being nominally it is His Excellency's liability, and we have got to meet it, and that is the answer. Then, Sir, I was told during the course of the debate that I had said that the veterans' luncheons during the Royal visit were paid for by the colony. repeat it. I say the luncheons given to the veterans at the four centres of population during the Royal visit have to be paid for by the colony, and the House has already voted the money. That is the answer to that. But I do say this, and this is what my colleague desired to make out, and did succeed in making out very clearly : that His Excellency the Governor, as showing the deep interest he took in the colony and its welfare, was the first representative of the Crown in this colony to initiate the bringing of the old veterans into recognition by entertaining them at luncheon, and thus letting the colony see we respected them and were glad to see them honoured whenever the occasion offered for it. My colleague made that point, I think, very clear. Then, honourable members should not forget this, and here I must take them back to first principles : three years ago this House sent an invitation to the Imperial authorities for their Royal Highnesses to visit New Zealand. We can claim the credit of being the first colony that sent such an invitation, and, although something intervened in the interim that prevented it, I say we can claim to have been the first colony to invite their Royal Highnesses ; but, after the debate of to-night, what will be said of our colony now-New Zealand of all others, that has done so much to show its devotion and loyalty to the Throne, and its desire to help the Empire; and to think that we should now be injured and judged by this debate-I do hope there will be no division on this Bill- in which, having incurred the expenses that Ministers asked His Excellency to incur, members were found who declined to pass the comparatively small vote to meet the account that is now before them. Then, exception was taken by one or two members who said I had no right to go into details at all. I neither apologize nor do I withdraw from what I have said. I will repeat it. I have heard outside the House and inside the House that there has been extravagance. I have heard Mr. Seddon voted, and which should have been voted, mentioned, and I simply gave an illustration when I took some £400 or \$500 of this amount we have now here to pay, for which the colony has received and retains good value. We are only allowed, as regards Government House, to furnish the official quarters, and in order to provide for the Royal guests and those in their party it was necessary to furnish the unofficial rooms and house throughout. Now, the furnishing was done, not for the Governor and his good lady, and for His Excellency's staff and for his servants, but that furnishing was done for our distinguished guests and those with them. This extra furnishing of the unofficial quarters was necessary, and the items I mentioned were for the furnishing of the unofficial quarters, for which, nominally, His Excellency has been held responsible. Consequently, if I gave these, and even went the length, as I did, of mentioning some of the firms, it was only to show that there has been economy practised. There has been already £1,100 disbursed, and there have been amounts totalling, I think, considerably over the amount you are asked to provide for in the Bill. I thought for a moment that there was no necessity for debating this question. I had thought that a vote would be taken at once, and that the Bill would be through all its stages and passed, to the credit of the House and to the credit of the colony. I do say that remarks such as have been made by the honourable member for Dunedin City (Mr. Barclay), such as " We are pouring money into the lap of His Excellency the Governor," were ill-timed. When we are meeting just claims and demands, he calls that pouring money into the lap of the King's representative. Is that the view of the people of Dunedin ? I say it is not. And if the honourable member will make that statement

on the public platform in Dun-edin, my opinion is that it would be received by such a chorus of disapprobation that the honourable gentleman would hesitate before repeating it. Mr.

DEPUTY-SPEAKER .- Your time is up. Mr. HUTCHESON (Wellington City) .- I wish to make a personal explanation. The Premier has mentioned me by name. Mr. SEDDON .- I did not mention your name. Mr. HUTCHESON .- He said "the senior member for Wellington City, Mr. Hutcheson." Mr. SEDDON .- I said "Mr. Fisher." Mr. HUTCHESON .- The Premier said that I gave an indication that if this expenditure was brought down in the shape of a Bill it might save acrimonious debate, and that I would support such a Bill. I say, neither by word, deed, nor act have I given any indication of my intention in this direction ; and if the Premier presumes to read my inner consciousness, and makes a statement on that ground, I can only say there is not a single tittle of truth in the statement. Mr. SEDDON .- I may say, Sir, that in regard to a great deal of what the honourable

<page>179</page>

gentleman has said just now there is not a tittle of truth in it. An Hon. MEMBER .- Is that in order ? Mr. SEDDON .- If the honourable member likes to use such expressions to me, much as I regret the necessity, I return the compliment in his own words. Mr. PIRANI (Palmerston) .- I rise to a point of order. Is it parliamentary, after the member for Wellington City has made a statement, that the Premier should get up and contradict him in that way? Mr.

DEPUTY-SPEAKER .- The statement of the honourable member must be accepted. Mr. SEDDON .- The honourable gentleman has not repeated to the House what I said at all. I said it had been represented to me-and it was represented to me-that if I took this course of withdrawing the item from the estimates the honourable gentleman would agree to the provision if made by Act. If no inducement were held out, why did I withdraw it from the estimates ? An Hon. MEMBER .- Who made that representation to you ? Mr. SEDDON .- That is not the question. I repeat that representations were made to me, and this influenced me in withdrawing the item from the estimates; and I also say I think the honourable member spoke in that direction. Mr. HUTCHESON .- I never spoke at all. Mr. SEDDON .- When I intimated the course I intended taking by bringing in a Bill, I did not mention Mr. Atkinson. The member for Palmerston took me to task, and said that I had not been fair or generous because I had not mentioned Mr. Atkinson's name, that this representation had not been made to me by him as regards the action taken, and what was stated by the member for Wellington City (Mr. Fisher). I said, and I still say, that he had represented that if the item was withdrawn and a Bill brought in objection would be removed ; and this is still my impression. It had been represented to me that if I took the course of withdrawing from the 12.0.

estimates this item and bringing it down in a Bill, a great deal of acrimonious discussion would be avoided. I wish to make that clear. Mr. HUTCHESON (Wellington City). - I must make a further disclaimer to the charge that has been levelled against me - namely, that I had intimated to the Premier or led him to believe in any way that if he withdrew the item from the estimates and brought it down in a Bill I would support it. There is absolutely no foundation for that statement, and it can only be attributed to the proclivity the right honourable gentleman has of striking blindly all round him when he is on the ramp, as he has been to-night. Mr. SEDDON .- Am I to be continually misrepresented by the honourable member ? I told him as plainly as the English language could express that it had been represented to me. I did not say he had represented it to me : I never said so. I said it was represented to me that he and his colleague would not repeat it. Mr. PIRANI (Palmerston) .- I wish to make a personal explanation. The Premier, in the course of his speech, said I represented to him privately that if the item containing the refund to the Governor were taken off the estimates and placed in a separate Bill it would prevent acrimonious discussion. Mr. SEDDON .- The honourable gentleman is mistaken. I never said anything of the kind. Mr. PIRANI .- I am fortunate in having been able to take the statement down at the time the Premier said it, and if he will examine his Hansard proof it will back up what I am saying. What I said to

the Premier was this : I told him that the "Attorney-General " on this side of the House held the opinion-and I will back his opinion against that of any pseudo Attorney-General in the House-that if the item remained on the estimates the Governor would have to reserve the Appropriation Bill for the Royal assent. That was as far as I went. I made no pledge nor promise on behalf of any member. Mr. SEDDON .- What was my answer ? Mr. PIRANI .- The Premier said the contention was nonsense. But his colleague the Postmaster-General admitted the proper course was to strike the item out of the estimates and bring down a Bill ; and, as it turned out, the Premier had to follow that course. Mr. Atkinson did not know I went to the Premier with the information ; I did it entirely on my own motion. I made no pledge about any man -not even myself. Mr. SEDDON .- Did not the honourable gentleman, in the previous debate, say that it was unfair because I had not given the credit to the member for Wellington City (Mr. Atkinson) ? Mr. PIRANI .- Certainly. Mr. SEDDON .- If you had not mentioned his name, how could I know he had so advised, or was interesting himself in the matter. Mr. PIRANI .- The Premier knew who it was when I said "the Attorney-General, from this side of the House." Mr. FISHER (Wellington City) .- I wish to explain that I took no part whatever in recommending the Premier to the adoption of any particular course. If I had been in the position of His Excellency the Governor I would rather have given £10,000 than have my name connected with such a Bill. That, however, is a matter of taste, or of judgment. Mr. ATKINSON (Wellington City) .- There are one or two points on which I should like to make a personal explanation. The Premier has misrepresented me. The first point the member for Palmerston has made fairly plain. I did not suggest the course the Premier has taken. I did suggest to Mr. Pirani that the Appropriation Bill would have to be reserved for Royal assent if this item of His Excellency's expenses I did not suggest remained on the estimates. that he should see the Premier, and I did not know he intended to do so. It came as a surprise

<page>180</page>

done it. I felt he had given the show away, and was very sorry. Nor have I at any time given the member for Palmerston, or the Premier, any indication that I should refrain from debating the question on its merits if it came down in the shape of a Bill instead of on the estimates. Nay, I said on the first reading that the Premier was enlarging the opportunities of debate instead of restricting them by the course he was taking. Then, the Premier misrepresented me, and put very offensive statements in my mouth, in accusing me of saying that His Excellency was prodigal in his expenditure. I acquit the honourable gentleman of any intention to misrepresent me. I saw how he fell into the error. The actual word used by the honourable member for Masterton was "unsparing," and it was an inference from that when I said that the member for Masterton said that His Excellency had been prodigal in his expenditure on this Royal visit, and the Premier did not see that I was paraphrasing the honourable member for Masterton and turning his own words against him. Heaven forbid that I should speak in that way on my own motion of His Excellency ! Then the Premier said I was a foe to organized society. Mr. SEDDON .- I did not mention the honourable member. I did not mention his name; I said there were certain members who held views inimical to organized society. Mr. ATKINSON .- I was one of the gentlemen plainly indicated by the Premier. I consider it my privilege and my duty to criticize quite plainly the policy of the Bill now before us, but I may be allowed to say that I am no foe to organized society. I maintain that the integrity of the Empire is essential to the well-being of organized society, and that the maintaining the dignity and independence of colonial Governors is a necessity of the maintenance of the integrity of the Empire. In standing up for the independence of the representative of the Crown in the colony I am therefore, to the best of my ability, promoting the best interests of society as I interpret it. Then, the Premier said that I reflected on His Excellency in the matter of the increase in salary. My argument was that, in passing the increase as we did, the salary was given to a person as well as to the office-that is, by making the increase take effect during the currency of his term, we were giving him a personal benefit by the vote, and to that extent

bringing him on to the floor of the House in an undesirable way. I was endeavouring to avoid any reflection on His Excellency personally. Mr. SEDDON .- I accept the apology of the honourable gentleman, because his explanation is nothing more nor less than an apology. The honourable member will not deny what I did say. I said that the honourable gentleman said that the Governor, in respect to this Bill now before us, was a suppliant. I made that statement, and I stand by it. Those were the words used by the honourable gentleman. What he said was that the Governor had not been unsparing in other respects in the manner Mr. Atkinson respect to spending his own moneys he had not been so prodigal, inferring that with our moneys he had not been so careful. I will ask the honourable member-I believe he is fair -to look at his Hansard proof when he gets it. Mr. ATKINSON .- I should not object to what you say now. That is not what you said before. Mr. SEDDON .- The honourable member said this-of course, he had taken the remarks of the member for Masterton as a text-but upon that he founded his criticism : that His Excellency the Governor, in the manner in which he had gone through the country on trains, and he had gone by steamers, and exerted himself personally, he had acted unsparingly; but the honourable member did not infer, on the other side, that he would have done very little if it had been at his own expense. The inference sought to be drawn was that there had been extravagance. The honourable member now says he was quoting the honourable member for Masterton; who, however, said nothing of the kind. I will only say this: as far as the representations have been made to me, I repeat again, that when invited to change the item from the estimates and put it in a Bill, I made that in good faith, because I thought it would prevent acrimonious discussion. There was not a single member of the House, the members for Wellington City included, who, when I made that statement on the first introduction of the Bill-and you, Sir, will bear me out-questioned it; and I ask why should it be questioned now? The honourable member laughs; but you can get people to laugh when they have little to laugh at, and when they should rather blush. If the honourable member refers to Hansard he will see that what I have said as to the reflection on His Excellency is correct. In reply to a statement made by the member for Wellington City (Mr. Fisher) in regard to His Excellency the Governor, I take the responsibility for the course we are now taking. I felt sure that we could carry the vote on the estimates, but I thought it would prevent an acrimonious discussion if we introduced this Bill ; that there were a number of members who, if this course were taken, would probably not take the course which they might otherwise take in respect to a vote on the estimates. I say that what we have done has been in the best interests of peace, and to avoid His Excellency's action being the subject-matter of adverse criticism, and in order to prevent this House from bringing discredit on the colony and to some extent detracting from the splendid reception given to our Royal visitors. The House divided. AYES, 38. Allen, E. G. Heke Duncan Field Herries Bennet Buddo Flatman Hogg Fowlds Carroll Kaihau Collins Hall Lawry Colvin Hall-Jones Lethbridge

<page>181</page>

McGuire Rhodes Thomson, J. W. McNab Russell, G. W. Ward Mills Seddon Willis. Napier Smith, G. J. Tellers. O'Meara Fraser, A. L. D. Stevens Palmer Steward Witheford. NOES, 22. Arnold Monk Hanan Pirani Hardy Atkinson Hutcheson Barclay Symes Bollard Lang Tanner. Eli Laurensen Fisher Tellers. Massey Gilfedder McKenzie, R. Hornsby Graham Millar Meredith. PAIRS. For. Against. Carncross Mackenzie, T. Fraser, W. Haselden. Majority for, 16. Bill read a second time. The House adjourned at twenty minutes . past twelve o'clock a.m.