

LEGISLATIVE COUNCIL. Tuesday, 16th July, 1901. First Reading-Rhodes Trust Bill-Personal Ex-

planation -- Trawling -. Hospital Nar-es Regis. tration Bill- Companies Bill-Arbor Day. The Hon. the

SPEAKER took the chair at half-past two o'clock. . PRAYERS. FIRST READING. Cemetery Trustees

Validation Bill. RHODES TRUST BILL. The Hon. Mr. BON EN, in moving the second reading of this Bill,

said it had been promoted in order to get over a difficulty which had arisen under a will which prevented

the beneficial use of certain lands in the neighbourhood of Wellington. This was against public interest, as

well as against that of the beneficiaries under the will. Every one connected with the family interested in

the will were agreed upon the provisions of the Bill, and the Supreme Court had approved of it ; but, as

there were three or four minors who could not give their legal assent to the arrangement, an Act of

Parliament was necessary to give effect to the arrangement approved by the Court. Bill read the second

time. PERSONAL EXPLANATION. The Hon. Captain BAILLIE said that in last Saturday's issue of the

New Zealand Times he was credited with having spoken with reference to the decorations in Auckland

on the occasion of the Royal visit. Now, as he had not been in Auckland for some ten or twelve

<page>365</page>

years he could not have seen those decorations. Although he concurred with what his honourable friend, the Hon. Mr. Scotland, had said in many respects, believing that the decorations and pasteboard arches, with the various mottoes upon them, really were a sham, and that it would be very much better that the Royal visitors should read their welcome on the faces of the people who lined the streets, at the same time he thought the reporters of the newspapers should be assured of what honourable gentleman gave utterance to the remarks instead of putting them down to somebody else. He did not wish to go any further in the matter, and he only rose to draw the attention of the reporters to their mistake. TRAWLING.

The Hon. Mr. JENNINGS asked the Minister of Education, If the Government will cause immediate inquiries to be made as to what effect trawling has had on the various fish-feeding grounds about the coast of New Zealand ; and whether trawling is, as alleged by some authorities, detrimental to the spawn, and also to the young fish which feed about the shallow waters traversed by trawling-vessels ? The question submitted was a most important one. It was alleged by many authorities in piscatorial matters, both at Home and in this colony, and also by many engaged in the fishing industry, that great hardships were resulting owing to some of the steam-trawlers about the coast-line disturbing the spawn as well as the small fish about the fishing-grounds. So detrimental to the men had this been in the Hauraki Gulf, that, where a few years ago there were twenty-five sailing-vessels, employing crews numbering about a hundred men, there was not one vessel now engaged in the fishing industry about the gulf. At Home it had been found absolutely necessary to bring into force most stringent regulations for the purpose of assisting and protecting the coastal fishing industry. Trawlers should be made to keep

further out to sea. He asked that the Govern- ment should at once cause inquiries to be made in the colony to ascertain the truth of the allegations that were now freely made -- namely, that the effect of trawling was detrimental to the spawn, to the young fish, and therefore to the fishing industry generally. The Hon. Mr. W. C. WALKER said, Person- ally he did not think this diminution or migra- tion of the fish could be laid down to the effect of trawling in our waters, unless our waters were subject to conditions dissimilar to what was the rule in other countries. They had only to look to the enormous harvests of the sea gathered around the coasts of Great Britain and the surrounding islands, where he supposed a thousand fish were caught to-day where ten were caught fifty years ago, and to see the marvel- lous stocked markets in all the principal towns in the Old Country and the enormous variety of fish. to feel assured that the modern methods of capturing fish could not seriously disturb the habits of the fish. However, that was simply his own belief. He could not understand from what he had seen that there could be any such serious danger as that indicated in the question. But he had before him the opinion of the In- spector of fisheries, which would probably carry more weight than anything that he could say. The Inspector of Fisheries, Mr. Avson, had given some attention to this subject during the experimental trawling-cruise of the s.s. " Doto" round the North Island, a report on which had been recently received from him, and which would be printed for general information. It had been ascertained that fish were scarce in certain places which were good trawling-grounds, but this was due to their migratory habits, which were influenced by the food-supply, and this in turn by the state of the weather, tides, and currents. In fact, the extent of the fish- supply in any locality could only be ascertained correctly by having each locality fished at dif- ferent seasons. It might then be found that bottoms with a poor supply at one time might at another season prove to be prolific. The fish- feeding grounds were not well defined or per- manent throughout the year apparently. Mr. Ayson stated that wherever the coast-line was prospected the best results were obtained in from five to twenty-five fathoms. In March last complaints were made that the trawler " Minnie Casey " was the cause of a decrease in the supply of fish in the Hauraki Gulf. The impression seemed to be grounded on the belief that fish-spawn was deposited on the bed of the sea. It was, however, known that the ova of most kinds of fish was buovent, and was carried about by the ocean and tidal currents until the young fish were hatched out. How- ever, these matters were receiving the attention of the Government. Any one who read last year's report on the subject of trawling must have done so with great interest and pleasure, and he had no doubt that the report which would be laid on the table shortly would also be of exceeding interest to honourable members. He assured the honourable member that the subject was receiving every consideration, but he trusted that trawling was not to blame for the disappearance of fish from certain waters at a particular time. The Hon. Mr. JENNINGS said one of the difficulties or objections urged by people who were really qualified to speak in regard to the effect of trawlers was that these vessels at times went out at night to catch the fish, and the fish were not sorted until the following morning at daylight. All the small fish, up to a quarter and half size, were thrown into the well of the trawler before being sorted, and when they were taken out in the morning they were dead. Now, in ordinary net fishing, when these small fish were caught they were immediately thrown overboard ; but to keep them until the morning meant an absolute waste of about one ton of fish out of every five.

HOSPITAL NURSES REGISTRATION BILL. On the question. That this Bill be read the third time, The Hon. Mr. JONES said, Sir, when this Bill

<page>366</page>

was before the Committee on the motion for its recommittal I asked the honourable gentleman in charge of it whether or not matrons were registered. If matrons are not registered, or if some of them are not, I would point out that in all cases where there is no registration of matrons under this Bill the nurses themselves would not be entitled to registration, though they might be capable of undergoing the examination. Moreover, I think it would be necessary under the Bill that matrons should have been

registered during the whole period necessary for the qualification of nurses under the Bill. I would ask the honourable gentleman whether or not matrons are registered, or whether any of them are not registered, and, if any of them are not registered, whether provision could not be made that they would be deemed to be registered for the purposes of the Bill. So that I may place myself in order, I move, That the Bill be recommitted to consider this phase of the matter. The Hon. Mr. McLEAN .- I would like to ask my honourable friend in recommitting this Bill to have the position of those matrons who have not got certificates for three years' training defined. I understand that three years' training is now the customary requirement, but there might be some who, though they have served for three years, have not got a certificate. I am not sure if this Bill would not interfere with them. The Hon. Mr. W. C. WALKER. - We know that the honourable gentleman who has last spoken has just come up, and has not had an opportunity of listening to the discussion in the Council on this Bill ; but if he studies the Bill he will find that the cases contemplated in clause 4 pretty well cover the ground with every fairness :- " Every person who on the passing of this Act " -I think we altered that to the 1st January, 1902 -- " holds a certificate of three consecutive years' training as a nurse in a hospital, and proves that during her training she received systematic instruction in theoretical and practical nursing from the medical officer and matron (the matron herself being a certificated nurse), is entitled to registration on payment of a fee of ten shillings, and on application to the Registrar on or before the thirtieth day of June, one thousand nine hundred and two." That covers the three years' course of nurses who have been in hospitals, and during their training have received systematic instruction. Then, the next subclause deals with those nurses who have not had an opportunity of being practically trained in theoretical and practical nursing. The Bill recognises them to this extent : that after four years' training as a nurse in a hospital, and after passing an examination, they get their certificates. The next clause deals with those who have had three years' training with systematic instruction. As regards the objections raised by my honourable friend opposite. I cannot fall in with them to the extent he would wish-namely, that hospitals without certificated nurses are to have the privilege of sending on young persons as qualified nurses- because I do not think we ought to admit the fact that an uncertificated matron is able to train young persons in hospital work. I do not want to inflict any hardship on any person, either a matron or a nurse ; but if we are going to regulate this matter at all, and if we are going to endeavour to establish a register of nurses and a register. as an assurance that our nurses have been properly trained, it stands to reason that we must be careful who is going to train our nurses. Therefore I am afraid and give certificates. that, in hospitals where nurses are not trained, it is impossible to allow that they should give certificates to young persons as being qualified in hospital work. I cannot in any way fall in with his view that we ought to make special provision for matrons who are not certificated and trained in a profession which is recognised, I might almost say, as a learned profession. I shall oppose the honourable gentleman's motion for recommitting the Bill. The Hon. Mr. W. C. SMITH. - I do not think it will be found that any hospital in the colony has got a matron who is uncertificated : they nearly always ask if the nurse has got a certificate, much more the matron. I think if we were to search New Zealand from end to end we might possibly find one matron who is not certificated, but I do not think it likely. Amendment negatived, and Bill read the third time. COMPANIES BILL. The Hon. Mr. W. C. WALKER .- Sir. this Bill is one that will, no doubt, be referred to the Statutes Revision Committee, and it is therefore not necessary to discuss it at any great length on its second reading. But I wish to point out, in the first place, that it is an attempt to bring the New Zealand companies law into line with the English companies law. The latter has been amended comparatively recently -much more recently than the companies law in New Zealand. Clauses 4 and 5 of the Bill deal with the appointment and qualification of directors, and provide that a man cannot act as a director unless he has taken up a certain number of shares ; clause 6 provides that an allotment of shares shall not take place unless there has been a minimum subscription fixed by articles of association : clause 7 states that any allotment not in

accordance with clause ti shall be voidable by the allottee : clause 8 contains provision under which companies may commence business ; clauses 11 to 13 deal with prospectuses, laying down what particulars they must contain, and that they have to be filed ; clause 14 provides for the holding of the statutory meeting within three months of the date at which the company is entitled to commence business, and for the laying before such meeting of certain specified particulars as to For instance. the position of the company. the directors have to- " At least seven days before the day on which the meeting is held, forward to every member of the company a report certified by not less than two directors of the company, or, where

<page>367</page>

there are less than two directors, by the sole director and manager, stating- "(a.) The total number of shares allotted, distinguishing shares allotted as fully or partly paid up otherwise than in cash, and, in the case of shares partly paid up, the extent to which they are so paid up, and in either case the consideration for which they have been allotted ; " (6.) The total amount of cash received by the company in respect of such shares, distinguished as aforesaid ; " (c.) An abstract of the receipts and payments of the company on capital account to the date of the report, and an account or estimate of the preliminary expenses of the company ; " (d.) The names, addresses, and descriptions of the directors, auditors (if any), manager (if any), and secretary of the company ; and "(e.) The particulars of any contract the modification of which is to be submitted to the meeting for its approval, together with the particulars of the modification or proposed modification. " (3.) The report shall, so far as it relates to the shares allotted by the company, and to the cash received in respect of such shares, and to the receipts and payments of the company on capital account, be certified as correct by the auditors (if any) of the company. " (4.) The directors shall cause a copy of the report, certified as aforesaid, to be filed with the Registrar forthwith after the sending thereof to the members of the company. "(5.) The directors shall cause a list showing the names, addresses, and descriptions of the members of the company, and the number of shares held by them respectively, to be produced at the commencement of the meeting, and to remain open and accessible to any member of the company during the continuance of the meeting.' The rest of the clause simply provides that every possible publicity shall be given to the transactions of the company for the protection of the shareholders, and through them of the investing public. Clause 15 gives power to the directors to call extraordinary general meetings. Clause 16 amends the form of summary so as to distinguish between shares issued for cash and otherwise. Clauses 18 to 21 deal with the auditing of the companies' accounts, and permit the Audit Office to be appointed auditor. Sections 22 to 24 give the necessary machinery to enable section 9 of the Companies Act to be carried into effect, with regard to the registration of mortgages created by companies. The remaining parts of the Bill, from section 25 onwards, deal with the winding-up of companies. The endeavour has been, as I said before, to bring the law up to date, and put the colony on an equal footing with the English law in this respects. I beg to move the second reading of the Bill, which will be referred to the Statutes Revision Committee, where it will receive every attention. The Hon. Mr. A. LEE SMITH .- Sir, I propose to trouble the Council with a few remarks on this Bill, because I believe the subject with which it deals is one of great importance, and therefore it would be unfortunate if the Bill passed its second reading without discussion, and without close examination as to its principles-whether they would be effective for carrying out the objects the Bill professes to have in view. I believe there are many honourable gentlemen in the Council-there are, I know, throughout the colony-who are thoroughly convinced of the necessity for bringing the company law up to date. It is twenty years since the principal Act was passed, and, although there have been from time to time some amendments in the Act, they have in the main been of a trivial nature-they have been sectional, and applied to the methods of procedure, and have in no way altered what I may term the vital character of the Bill. In the course of that time there have been a great many industrial changes -- there

have been several new developments ; and, as a matter of course, the ingenuity of promoters and those who have been interested in the getting-up of companies has gradually-as was natural --- found out means whereby they could circumvent and evade the restrictions which the original Act imposed on those who get up companies. This has attracted attention, not only in New Zealand, but also in Great Britain, with the result that much consideration has been given to the question of reform. The Hon. the Minister alluded to the new English Act. That was passed last year in rather a hurry, and it has been admitted by many of those competent to form an opinion that it is faulty. It has been found to be almost inoperative for the purpose it was brought in for. And how is this? Because it has left loopholes for promoters to get out of the impositions of the Bill. Firstly, in this way : The whole thing depends on the prospectus. That Bill said a prospectus shall set out-as does also the Bill we have before us-all the particulars of the business to be taken over, and the conditions under which it is taken, and the investments of the directors, and it is supposed to contain all such information as will enable investors of every description to understand thoroughly what they are going to enter upon. But there is one objection to that part of the Bill, in that after the lapse of one year you need not issue a prospectus at all, and the result is that at Home they are now nursing companies into existence-companies that are all ready for public subscription when the lapse of a year has taken place. That is a great flaw. As the honourable gentleman will see, a company can be quietly promoted by a private syndicate and registered under the old Act, and can pass into existence, and as soon as the year is over a prospectus can be put out without being exposed to any limitations at all by the Act. Let me give the Council a few reasons why we should be particularly careful in the way we deal with this Bill, and why we should take lessons that not only I, but thousands of more experienced men than I, think are flaws

<page>368</page>

in the British Act. I dare say, Sir, you and all the Council are aware that within the last two or three years there has been a great excitement in mining, more particularly in the dredging interest. The excitement that has taken place in that particular form of mining has spread throughout, at any rate, the southern part of the colony in such a way that it is difficult indeed to find any one with a little money to spare, however careful and non-speculative the person had hitherto been, who has not to a greater or lesser extent invested in those companies. The field, then, was open for great exploitation, especially upon ignorant investors who might be inclined to put a small amount of money into the enterprise offered to them. What has the effect of that been, and how has it been carried out? Companies that were promoted called up 1s. on application, say, a £1 share, the directors themselves being called upon to pay only this 1s. on application, and probably 1s. also upon allotment, and by that means there was created a system of fictitious finance which has been extremely disastrous to almost every company floated in Otago. Of course, experienced business men and those who had a knowledge of the working of companies, and who also knew how extremely speculative this particular form of mining enterprise is, did not touch them, except to a very small extent as a minor gamble. But a great number of small investors went into these companies. The experienced men predicted exactly what has taken place-a collapse. A large number of what are generally called "wild-cat " companies were floated, and people, without any discrimination whatever as to the merits -- good or bad-of these companies, made application for shares, with the full expectation, as the result of, perhaps, some lucky experience in their first dabblings in the early part of the boom, that they would immediately go to a premium, and they could then sell. Now they are reaping what they have sown. Within the last few months, as honourable gentlemen all know, there have been almost daily a considerable number of meetings for winding-up purposes, and there have been disclosed some most extraordinary transactions. Especially prominent among those transactions is the fact that directors have taken up a large number of these shares - partly paid-up shares which they as promoters received, and partly subscription shares and they have sold their paid-up shares and perhaps

some of their subscription shares. and at the present time there are plenty of companies in Dunedin whose directors are pressing poor people for calls which are far more than they can pay. while in some instances they are themselves liable to the company for unpaid calls, and are not being sued for them. I believe that is a thing that is well known; and any Bill that is brought forward now should be based upon a full consideration of all the facts I have set forth, and of many more that I could bring forward if I had the time to do so- facts that ought to suggest to any legislative body the absolute necessity of reforming the Companies Act in a way that will prevent such scandals being again perpetrated as we have noticed in the South. The honourable gentleman explained the purport of the Bill, and said it was based mainly on the lines to which he drew our attention. Sir, I propose to make a short resume, and give a few of my views as to how real protection could be given to shareholders. First of all, the Bill deals with the appointment and qualifications of directors. The limit of applications is 5 per cent. upon the nominal shares. Now, how does that work out? Let us take 100 shares, on which a call of 1s. is made on application. In the Bill there is no proper restriction as to the amount to be paid on allotment. It may be 1s. or anything else. but not less than 1s. A person who is possibly a man of straw takes a seat on the directorate and applies for a few thousand shares, with the knowledge that he has only to pay 1s. a share. and that by working the thing well he can get out of most of them when the shares go to a premium. That is very misleading to any one who does not know the real position. I hold. and I have the satisfaction of knowing that other business - men agree with me, that the main protection you can get in the shape of directorial management-good management- is to make it absolutely compulsory that the directors who form a company shall give good earnest of their belief in the future prospects of the company by paying up the whole of their liability. That is the true way to proceed to insure a good body of directors. We know that there are a very large number of business-men who are very particular indeed, and whose word may be relied on in their private business, and whose transactions are always carried through on the highest principles of honour, who sometimes lend themselves to these companies; it is so here to a small extent, and to a large extent at Home-men who have never been mixed up with any form of private wrongdoing are by some means or other tempted to associate themselves with shady companies. Now. Sir, what course do some of these companies pursue -- how do they get credit ? Mr. A. Mr. B, Mr. C. and Mr. D are men of reputation, and a casual glance at the constitution of the company shows that so much is paid on application and so much on allotment, while a large amount is left to be called up. That wins the position, the company gets credit for both a bona fide one, and as a result the public are misled. In a private concern it is different. The business character and capital of the firm is known, which is a protection to the creditors but such a condition of things does not apply to the same extent in the case of joint-stock companies. Therefore I say it is absolutely ridiculous to expect that you will insure a good body of directors by the payment of 1s. on application and possibly another 1s. on allotment, leaving 18s. to be called up. What should be done. as I have said. is to insist on the directors having a substantial amount of money invested and available to the company by their paying up the whole of the money at once. That would

<page>369</page>

tors had £5,000, or whatever sum it might be, of actually paid-up cash, and there would be no getting out of it. It should also be provided that the directors should hold their shares for a certain time -- at any rate, until the credit and position of the company is assured. Then I go on to the allotment clause. The amount above 5 per cent. is left to be fixed entirely by the directors. You have only 2s. paid up, and there is no further obligation upon the directors. This clause--clause 6--is a very bad clause, and forms one of the chief faults of the English Act, because after the lapse of one year. as I pointed out before, a prospectus may be issued and steps taken to invite applications free from restrictions. Then, clause 10 deals with the question of commissions. that they may be paid. Now. that is faulty. It must be a mistake in drafting,

because the first part of the clause tells us that the commission may be paid. while the second part says it must not be paid out of the funds of the company, and therefore this is a direct incentive to directors finding out of their own pockets the payments they may make to brokers for the sale of shares in order that they may float the company. Now, that is evidently a wrong conception of the requirements of the case. The next clause deals with the filing of the prospectus, which is a minor matter, and the registering of it before issue, and that is quite correct. Then, particulars are to be furnished ; that is also correct. Clause 12, in the part dealing with contracts, says the obligation to disclose contracts only extends to those made within two years preceding the publication of the prospectus. A further mistake again is made there. Why should that be? It is misleading, and might result in misapprehension by investors. The clauses dealing with general meetings are satisfactory. They might be more amplified and made more complete, but as far as they go they are satisfactory. I am very glad to see that attention has been directed to the question of auditing. As most people know, for many years it has been generally understood that in many cases it is a very perfunctory process at the best. Never have I been able to understand how people could expect to get a good audit for the small fee that is usually paid. How is it possible for the fee of \$50 or so to go over all the intricate accounts of a large bank, or even of a large mercantile establishment ? It is impossible to do justice to the position. In order to give the shareholders and the public generally a thorough certificate that that company or bank is essentially sound and can be relied on, the mercantile institution, or whatever it may be, ought to have an audit which would practically extend from one year to the other, so that the whole of its operations could be traced through and examined, in order that it might be found whether they were in accordance with the interests of the company or not. Then, the Bill deals with the winding-up of companies. The weak feature of this part of the Bill is that winding up under the Court is only dealt with. No one hitherto that I know of has objected to the method by which a company can be wound up in the Court, and with technical advisers associated with the liquidator-as this Bill provides-a completely effective process is assured. But I regret that better machinery has not been put in the Bill for insuring a more satisfactory method of winding up companies under the voluntary system. I know of a case which may probably be disclosed very soon -- a gross case of a company eleven or twelve years old. It is almost a private company, or what is generally known as a private one, but still there are some few outside shareholders, and that company has been going on for a good number of years doing business absolutely without a shilling of capital, and the fact still never disclosed. It commenced business, I should say, about twelve years ago. It soon made bad debts of a very heavy amount. Now, these bad debts, absolutely worthless though they were known by the directors to be-not worth the thousandth part of a farthing in the pound -were carried forward up to 1898 as good assets. Then the directors faced the situation and saw the necessity of realising the position, and they sold the company themselves, without any special resolution,-without holding a meeting of the shareholders at all,-and they adjusted their balance-sheet with a deficiency of some \$18,000 or \$19,000, while in the previous balance-sheet they had issued they had a credit balance of #150. Now, there is a scandalous state of things. The directors sold this business, and then fifteen months afterwards they called the shareholders together,-that is, the few small shareholders outside .- and told them what they had done was in their own interest and the interest of the shareholders, and they asked for an indemnity, which was given by those present. Well, now, the selling of the business under those circumstances meant that they absolutely put aside the provision as to audit and ignored the Companies Act. No special or extraordinary resolutions were passed ; they relied on the shareholders sending private letters that they would agree to it. To some extent the shareholders have done so: but some have not-hence the sale is invalid, and the directors have committed themselves to an illegal position. This is one of the most signal proofs possible of the necessity of bringing a Companies Act into existence to make such things absolutely impossible in the future. Now I have dealt with. the main provisions of the Act. To

my mind, the whole of the old Companies Act should be subjected to a very close examination by a committee of expert business-men, assisted by some legal advice. We want the Act to be brought into such a condition as will enable it to be a real and effective protection of the public. It is not so now ; and I do not hesitate to say if this Bill goes through in the form in which it now is it will not give sufficient protection to investors. I have pointed out two or three ways in which some defects can be remedied, and probably on further examination I could show some more. However, the Government is to be commended for an attempt to do something in this direction, and I trust when the

<page>370</page>

Bill gets before the Committee, where I suppose it has to go, it will be put into a shape that will be more satisfactory than it is now. The new English Act, as I have said, is considered to be faulty. Probably the British Government has been too busy dealing with more important things, and therefore it has been standing over. We are not tied to time, and I believe it will be perfectly easy for us to frame such a Bill as is needed by the country. The Hon. Mr. McLEAN .- I suppose that we can say that this Bill is an improvement on our present law; but, Sir, I am very much disappointed that the Government did not take into consideration the whole of the Companies Act, and bring down a consolidating measure dealing with the whole matter in a comprehensive way. It is an absolute necessity. Sir, that the Act should be dealt with and brought up to date, and I am quite sure that this Bill does not go nearly far enough even in the way it is intended to go. As has been stated, we had a boom in dredging in the South. Companies have been floated that never intended to have a dredge. All that was thought about was getting the promotion-money. What is the result ? People, unfortunately, took shares thinking they could sell out at a profit ; but they failed in this, and then they thought they would pay up the calls; they would then have a dredge, and, if the claim proved a failure, they could sell the dredge and would not lose very much. That also has failed, and they find they cannot sell their dredge ; and the unfortunate people find, in some of these companies which should never have been promoted, that they are summoned before the Court every day for calls, and thus many poor people have been ruined. I do not think, under these circumstances, and looking at the present state of things, that this Bill is effective enough. the honourable gentleman who has just spoken has said, they can get over this ; and I believe they can get over it easily; and I think the restrictions on the directors who hold shares, and those gentlemen who give their names, getting their shares for nothing, I should say they ought to be handled in a much more severe way than this Bill does : that is, people's names who are given to a company to entice the unthinking into taking shares-that should be punishable as fraud. An Hon. MEMBER .- It is fraud. The Hon. Mr. McLEAN .- Yes; but it has not been fraud within the law, and therefore they cannot be touched. The Bill, of course, is going to the Statutes Revision Committee, and I hope they will deal with the matter in a much more comprehensive way than the Bill does now, and I hope they will insert some amendment into the Companies Act, and especially I would commend their attention to the winding up of companies under the old Act. It is an extraordinary thing that nowadays a winding-up can take place and the shareholders have no share whatever in the winding-up, and they cannot even for years get a statement of what is going on. Surely you must have something in the Act that will give shareholders some little power. It is all very well to say it is in the hands of the Supreme Court. Some one has to move the Supreme Court, and that is not easily done at times. I think there should be some clauses in the Act giving the shareholders power to move, and to demand a statement of accounts, and a statement of what is being done and how certain things were done. I think it would be proper to put such provisions in this Bill. I do not see why liquidators should not give an account of the transactions they do, and their reasons for so doing. If they were amenable to the shareholders that would be the result. I hope there will be proper looking after the liquidation of these companies. As to putting the power in the hands of the Official Assignee. I believe that would be worse than the present evil. What we want is the power over the

liquidator ; and if the liquidator be a Govern- ment officer the shareholders will lose power over him, and will have no control over him. That is why I object to the Official Assignee acting. I think the shareholders should be the masters of the liquidators. I do not wish to take up further time just now, but, even accepting this small modicum, I would still plead with the Government to take up the Companies Act and let us have a consolidating measure up to date. It is far behind the times now. I shall feel obliged if my honourable friend will bring that before the Government. and that before next session the Government will bring forward a consolidating and compre- hensive measure. The Hon. Mr. SCOTLAND .- I have listened with great interest to the whole of what has been said on this Bill. With regard to liquida- tion, I may say that I am an unfortunate share- holder in a certain bank which is under liquida- tion now, and which has been in that unlucky As position for many years. Only a few weeks ago we were promised a second and final divi- dend within, I believe, six weeks of that time- a dividend amounting to the magnificent sum of something like 1s. a share, we having received already only about 10s. as the first dividend upon £2 paid up. And some of the shareholders, by-the-bye, have paid a good deal more for their shares, because they bought them at a considerable premium many years ago. I can only say in my case. I wish I may see this second and final dividend. and 1 s110- pose I may then congratulate myself that then was anything at all to receive. At one time I thought I would find myself in the position of Miss Flite, the little old lady in one of Dickens's stories, who was an unfortunate victim in a long-drawn-out Chancery suit. She said she expected a judgment at the day of judgment. At one time I really thought I might look for a dividend about the same time. I wish this Bill was a great deal more stringent in some of its clauses. As to those directors who recklessly lend their names to a bogus scheme-a " wild- cat " affair-in consideration of a number of shares allotted to them gratis, they ought. as the Hon. Mr. Lee Smith said, to be compelled to pay for them in hard cash and nothing less.

<page>371</page>

The Hon. Colonel PITT .- I think, in the absence of a consolidating measure, the Bill before the Council is a very desirable one so far as it goes. As the Minister said in introducing it. it brings the company law upon the matters referred to in line with the English law, and that is certainly very desirable. It is quite true that it would be an advantage to have the company law of this colony consolidated, and many other branches of law might be consoli- dated with equal advantage ; but I would like the Minister to explain something in his reply. If I am not mistaken, this Bill does not provide the amendment in the company law which was promised in the Speech which His Excellency was pleased to address to Parliament at the opening. I thought, perhaps, after the Hon. Mr. Lee Smith had referred to the companies who got in o difficulties down in the south, he would probably have said something as to what was stated in His Excellency's Speech as to the amendment which was pro- mised - namely, that shareholders of these companies should not be liable to be sued unless the directors had paid the amount of their calls. Well, now, as far as I have seen from a hasty glance at this Bill, there does not appear to me to be any provision whatever for that matter in it. The Hon. Mr. Lee Smith has suggested that a director, when applying for his shares, should pay the whole value of the shares down at the time. Now, I venture to think that probably something more reason- alle than that could be devised to show the bona fides of the directors. A director may hold a very large number of shares in a company, and it may be wholly unnecessary for the funds of the company that he should have to deposit that amount of money as a guarantee of his good faith ; and the result would be, probably, that it would be found only equitable that the director should be entitled to interest on that amount from the company, and perhaps it would not suit the finances of the company that he should be entitled to such interest. The Hon. Mr. A. LEE SMITH. - Propor- tionate dividends, according to what is paid up. The Hon. Colonel PITT .- I understand that what is suggested is that when a director ap- plies for his shares he should pay the whole value of his shares down at once, and it seems to me that something more reasonable than that ought to be devised. But this

Bill is going to the Statutes Revision Committee, and, in so far as it does not meet the views of honourable members of this Chamber, I trust that they will put upon the notice paper the amendments which they think ought to be provided in the Bill, and then the Statutes Revision Committee will be able to consider them, because it is all very well to say here that this Bill does not go far enough -- that it fails to provide for this and that and a great many other matters not mentioned. The Statutes Revision Committee will be really unaware of what is in the minds of honourable members unless some such course as I have suggested is adopted. I quite agree with members who have advocated a consolidation of the company law of the colony into one statute, and I also agree with the Minister that it is an advance to have this Bill, as far as it goes, in line with the law in England. I shall support the second reading of the Bill. The Hon. Mr. BOLT .- Like the honourable gentleman who preceded me, I expected to find in this Bill a provision which was foreshadowed in the Speech from the Throne -namely, that the directors would be required to pay their calls, as shareholders were called upon to do. I think that is a proper thing. I understand that in Dunedin there has been a gross departure from that principle, and I think it is a very wrong thing that directors should have the privilege of sitting on a Board and making calls on shareholders when they themselves go scot-free. That principle certainly should be embodied in this Bill. I take leave, however, to say that the proposal which my honourable friend Mr. Lee Smith has made-namely, that directors should be required to pay up at once the full amount of their qualification-would be absolutely unworkable, for this reason : that it is very difficult indeed to get suitable directors now to take the position. It is a very onerous position to take up ; and what do they get for it ? Only twelve guineas a year. The Hon. Mr. A. LEE SMITH .- Pay them well. The Hon. Mr. BOLT .- Just so ; then, you would have to take it out of capital to pay them well, but at present they only get twelve guineas a year, and it has been our experience in the South that the directors have frequently to go to great trouble and anxiety in financing a company and getting it to work. Frequently they have to give their personal security to the bank, and become responsible themselves for large sums for the purpose of financing the company, and for all this responsibility and work they have got the handsome sum of twelve guineas a year. I confess that, if you bring down a measure providing that directors shall pay up the full amount of their qualification before going on a Board, and still saddle them with this work and responsibility, there will be great difficulty in getting men to go on a Board at all. The men you would get would not be the best men, but men the least suitable, under the proposal of my honourable friend-in fact, they would be men of little or no financial stability or business capacity. Men of means engaged in general business would, under the circumstances, prefer to attend to their own business, as it pays them infinitely better : and the consequence would be that you would not get good men-men suitable to go on a Board. It is, however, a matter of regret that there should be so many amending Acts of this character in regard to the companies law since the Act of 1882 was passed, and, looking at the several amendments, it is time that we had a new consolidating measure. I think that if we passed a Bill such as was suggested the whole of the ground would certainly be covered ; but putting in an amendment here and there, as this Bill does, does not obviate the necessity there is for having a consolidating measure as soon as it is convenient to bring it down.

<page>372</page>

The Hon. Mr. SHRIMSKI. - I think we had | take upon himself the responsibility of proposing better accept what we have got, and what the Government have submitted to us, rather than allow things to go on as they are going. A great many people have been ruined during the last few years, and the Government has been made the subject of all sorts of insinuations for not trying to stop the corruption and deception that has been going on. The Government are quite justified in bringing in this Bill. Let us accept it, and in Committee try to make it a perfect Bill : but to try to do it bit by bit is impossible, and we shall end by getting no Bill at all. I shall support the Bill to the best of my ability. The Hon. Mr. TWOMEY. - I hope the

Minister will convey to his colleagues the opinions expressed in this Council to-day, and that they will submit a measure which will meet the requirements of the time. I do not pretend to profess any deep knowledge of company law, but I have had a little experience in a certain direction which perhaps honourable members may guess, and I say that there are people omitted from the discussion to-day who ought to be made by some means amenable to the law. Those are the vendors and promoters, their engineers, and their associates, who are a parcel of swindlers from beginning to end. I will give one instance, in which I myself have been interested. The persons are well known -excellently well known-to every member of this Council, but I will not give names. One of them, a friend of mine, is engaged in share-broking : another is an engineer, who is his brother-in-law. The engineer wrote to my friend, who is a share-broker, telling him that 16 gr. to the yard had been taken out of a certain claim, and that that claim would be the richest in New Zealand. I saw the letter, and, on the strength of it, in the belief that the two gentlemen were honest-I know one is honest that is the friend with whom I deal -- I invested my money in this claim, and after a time fresh people were sent to report on the claim, and it was found that it was not worth working. Now, the engineer who reported on this ought to be in gaol -that is the place where he ought to be : and I do not know yet but that at some time I may give his name and let the people see what a swindler he is. These people ought to be dealt with. The whole system from beginning to end ought to be dealt with drastically, and the winding-up of companies ought specially to be dealt with. There was another company that was floated with a great flourish of trumpets, and after examination proved to be worthless. The directors, who wanted to secure their fees, and the secretary, who wanted to secure his salary, got a few of their friends together. and, instead of winding up the company, they bought a fresh claim. They have been able to do that because the shareholders are distributed all over the country. Shareholders cannot get from Wellington to Dunedin, for it would not pay them ; and so they pass resolutions and can do anything they like, because the shareholders are so widely distributed and nobody cares to cutting these swindlers. How can I, if I have, say, fifty or a hundred shares in a concern of £10,000, do anything? I say to myself. " It is gone. I know these people are amenable to law, that they could be prosecuted ; but am I going to spend more money in prosecuting them ? No : I would rather let the thing go." The shareholders are so widely distributed over the country that these people carry on swindles in perfect safety, and nobody asks the reason why. These people ought to be dealt with. and dealt with drastically, and I trust that will be done. The " wild-cats " have been floated, and investors have suffered so severely that these people will not, in all probability be able to float many more. But then there comes the question of these companies being wound up. and they ought to be wound up honestly and expeditiously. I see no reason on earth why 3 dredging company should not be wound up in a month, and if there is money to be returned to the shareholders it should be returned to them. But. instead of this, the companies are kept hanging on weeks and weeks, and months and months, and they keep on drawing money till the last penny is secured, and then only are the companies wound up. I think this ought to be stopped, and that immediate steps should be taken to stop it. This Bill. of course, has not provided for that, but I hope, after the expression of opinion to-day, the Minister will see that the time has arrived when this matter should be dealt with in accordance with the necessity that exists. The Hon. Mr. JONES .- I am sorry the Government did not anticipate what has taken place with regard to mining swindles in this colony within the last year or two, and pass a measure which would have restrained those who are inclined to fraudulent practices at the public expense. I do not think that. even if the measure now before the Council had been passed, it would have had that desirable effect. One honourable gentleman said we had better take this Bill as it is or we might not get anything. We might say that with regard to all measures brought down : and I think it is the duty of the Council, and the duty of any Committees to which our measures are referred, to make the laws which we pass as complete and as perfect as possible, in order that they may achieve the objects for which they are designed. I was rather surprised to

hear the remarks that fell from the Hon. Mr. Bolt. From what I have heard in regard to mining troubles which have come upon the colony- in part only at present, but which will be more aggravated in the near future-I am afraid there has been unlimited swindling with regard to mining enterprises. The Hon. Mr. Bolt said that directors are poorly paid, and that if the Hon. Mr. Lee Smith's proposal were carried there would be no directors. It may be very desirable to insist that directors should pay in full on application the amount of their shares, but I do not think half the evils would be occasioned from making a stipulation of that kind that I have accrued in consequence of the looseness

<page>373</page>

with which companies have been formed, carried on their operations, and been put in liquidation. The disasters which have been caused by speculation, and the recklessness which has characterized the public's mining investments during the last year or two, are very great indeed, and there are numbers of people whom I am sure will feel very keenly the results of their indiscretion. There are always men in the world who, with regard to companies of whatever kind, or anything else, will be found to take part in these matters without any pay so long as they can get pickings; and that has been the case in reference to the formation of the companies here-companies that very properly are designated "wild-cat" companies, where there was never any intention of getting gold from the soil, but from o'clock a.m. the pockets of the public. The Hon. Mr. W. C. WALKER.- I desire to say that I have listened with much interest to the remarks made by honourable members on this Empowering Bill, Hospital Nurses Registration Bill, and especially with regard to the point raised by the Hon. Colonel Pitt-that this Bill does not cover the ground indicated in the Governor's Speech. That point I will specially bring under the notice of my colleague who is responsible for the Bill, and see if it cannot be remedied. I trust that the Bill will be referred to the Statutes Revision Committee; and if it does not cover all the ground that should be covered. I hope it will be made to cover it. Bill read the second time. ARBOR DAY. The Hon. Mr. JENNINGS.- Sir, by permission of the Council, I wish to move, without notice, that, to-morrow being a very important day, and a day which should, in my opinion, be observed throughout the whole House a return (in continuation of H. - 29, 1899. colony, so as to impress upon the rising generation of the country the great desirability of tree-planting, forest-conservation, and so forth, the Council at its rising should adjourn to Thursday, the 18th instant. The Hon. Mr. W. C. WALKER.- I have no objection to that, Sir. Motion agreed to. The Council adjourned at four o'clock p.m. HOUSE OF REPRESENTATIVES. Tuesday, 16th July, 1901. First Readings-Third Readings-Rating on Unimproved Value-- Ministerial Travelling Allowances and Expenses-Land for Settlements Act -Oats for South Africa -1 and - sales-Visit of Imperial Troops-Order of Business-Ashburton County Council Empowering Bill - Mr. Vaile's Railway Stage System - Leave of Absence -Fiji - Farmers' Union -- Government Whip Heddon Bush Estate-Volunteer Ammunition-Lincoln Agricultural College - - Ministers' Travelling-expenses - Alleged Misconduct of Volunteers at Woolville - Returned Troopers - Local Bodies' Loans - State Note Issue Bluechiffs Estate- Volunteer Uniforms - Licensing Act - Mangonui - Workers' Compensation for Accidents Act -Appeal from Land and Income Assessment - Local Boards for Government Advances - Rodney Electorate-Opium Importations-Commandant of the Forces-Wairarapa Land for Settlement - Eight Hours Bill - Waimatuku Railway Wants - Mount Cook Hermitage - Glenavy, Morven, Willowbridge, and Borton's Railway-sheds-State Sanatorium for Consumptives -- New Railway-station at Kaiapoi-Railway Officers' Classification- Registration of Debitures-Railway-station at Belfast - Appointments to Railway Service-Dunedin Railway-station- Auckland Railway-station-Dental Inspection of School - children - Manukau Harbour - North Island Main Trunk Railway-Classification at Asylums-Truancy from Schools-North Auckland Railway Extension-Hurunui River Bridge - Waiau River Bridge - - Marine Charts Purchase by Government of Historical Relics, &c.- South Island Maoris - Police Offences Bill - Public Health Bill - Accidents Compensation Bill - Chinese Immigrants Bill -Referendum

Bill- Exportation of Arms Bill-District Courts Bill. Mr. SPEAKER took the chair at half-past ten PRAYERS. FIRST READINGS. Inspectors of Schools Bill, Lyttelton Borough Bill. THIRD READINGS. Cyanide Process Extension Bill, Accidents Compensation Bill. RATING ON UNIMPROVED VALUES. On the motion of Mr. FOWLDS (Auckland City), it was ordered, That there be laid before this House a return showing the number of polls taken to date under the Rating on Unimproved Value Act, and the number of votes cast for and against in each case. MINISTERIAL TRAVELLING-ALLOWANCES AND EXPENSES. On the motion of Mr. MASSEY (Franklin), it was ordered, That there be laid before this and a similar return ordered last session) showing, for the financial year ended 31st March, 1901,-(1) The amounts drawn by each member of the Executive for travelling-allowances ; and (2) the amounts charged by voucher for actual travelling-expenses of each member of the Executive, showing separately the amounts in each case for allowances and expenses incurred in connection with matters outside the colony, and in it with other than ordinary matters. LAND FOR SETTLEMENTS ACT. On the motion of Mr. FOWLDS (Auckland City), it was ordered, That there be laid before this House a return showing,-(1) The number of estates acquired to date under the Land for Settlements Act ; (2) the amount paid for each estate ; (3) the area of each estate; (4) the capital and unimproved value of each estate as shown by the Government Valuation Department ; and (5) the total amount of land-tax paid. OATS FOR SOUTH AFRICA. On the motion of Mr. MEREDITH (Ashley), it was ordered, That there be laid before this House a return showing,-(1) The number of Imperial orders received and executed in New Zealand for oats for South Africa ; (2) by whom were the orders executed ; (3) the total quantity

<page>374</page>

of such orders, in bushels; and (4) the price | per bushel at which they were invoiced : the return to be for the year ending 30th June, 1901. LAND-SALES. On the motion of Mr. FOWLDS (Auckland City), it was ordered. That there be laid before this House a return showing the amounts received annually in respect of land-sales for the ten-year period 1881-90, both years inclusive ; also for the ten-year period 1891-1900, both years inclusive ; and the total amount so received up to the 31st March, 1901. VISIT OF IMPERIAL TROOPS. On the motion of Mr. MASSEY (Franklin), it was ordered, That there be laid before this House a return showing the expenditure incurred by this colony in connection with the visit of the Imperial Representative Corps. ORDER OF BUSINESS. Mr. SPEAKER. - Speaking on Friday last, I stated my interpretation of the order of business with regard to morning sittings was to the effect that on the first day-that was, Friday-after the ordinary reception of petitions and notices of motion we should proceed to the orders of the day. That was on Friday ; but I did not construe the recent Order made by the House, as to the conduct of business on Tuesdays and Fridays, as imposing the same duty on me to-day. For transacting private business, and the other ordinary business of receiving petitions and notices of motion, the usual time will nearly be given for dealing with questions. If the House desires that I should vacate the chair for luncheon from one o'clock till half-past two, it is my intention on resuming the chair to proceed to the Government orders of the day. If the House wishes me to retain the chair till half-past one, members would then have at the morning sitting just the same time for questions as at the ordinary sittings from half - past two to half - past five o'clock. ASHBURTON COUNTY COUNCIL EMPOWERING BILL. Mr. MCLACHLAN (Ashburton), in moving the second reading of this Bill, said it was a private Bill, and merely a machinery one to amend the Ashburton County Council Act. It was for the purpose of giving power to make by-laws under the County Council's Act which it was presumed had been given under the Water-supply Act. This local body was a very large one, and had control of many miles of water- It appeared that something was wrong, races. something imperfect in the present law, whereby they were not able to collect rates from the rate-payers under certain conditions. The passing of this Bill would enable them to compel rate-payers to cleanse the races, or to submit to a rate for cleansing such races, whether on their own land, the frontage to their land, or to the public road. That was the whole Bill. Mr.

SEDDON (Premier) said this might involve an alteration of the Counties Act. Mr. MCLACHLAN said the Bill was simply Mr. SEDDON asked if it was a private Bill to amend a public Act. Mr. MCLACHLAN said it was not : it was an amendment of a private Act. - Bill read a second time. MR. VAILE'S RAILWAY STAGE SYSTEM. Mr. NAPIER (Auckland City), in presenting a petition from Mr. S. Vaile, of Auckland, praying that a trial might be given to his railway stage system, said that, as it contained statements of great importance, he would beg to move, That the petition be read by the Clerk. This courtesy was extended some two years ago to Mr. Vaile, and he (Mr. Napier) asked that the same courtesy might now be extended to that gentleman. The petition was then read by the Clerk. Sir J. G. WARD asked, Might he be allowed to state, with reference to the petition which had just been presented- Mr. SPEAKER said it was irregular to discuss a petition on its presentation. Sir J. G. WARD merely wished to state that some time ago he officially intimated to Mr. Vaile that the Government was quite willing to allow his proposal to be tried on the Auckland Section of railways, under certain conditions. and that offer had not been accepted. Captain RUSSELL (Hawke's Bay) asked. Would the honourable gentleman inform the House what those conditions were ? Sir J. G. WARD would be very glad to lay the correspondence on the table of the House. Captain RUSSELL said it seemed to him that the essential element in a trial of Mr. Vaile's scheme should be its continuance for several years. It would not be fair to base a decision on the result merely of one or two years' trial. Mr. Vaile, as he understood, claimed that one of the contributing factors to the success of his scheme was the settlement of population in the remoter districts. Mr. SPEAKER said it was very irregular to discuss a petition on its presentation. It would be quite competent to discuss it on the Committee's report. Captain RUSSELL only wished that there should be two sides to the question heard. Sir J. G. WARD would be pleased to lay the correspondence dealing with the matter on the table. LEAVE OF ABSENCE. Mr. SEDDON (Premier), in moving That leave of absence be granted to the member for Tuapeka, on account of bereavement in his family, said he was voicing the feeling of members when he said they deeply sympathize with him on account of the great and irreparable loss he and his family had sustained. Motion agreed to. FIJI. Mr. NAPIER (Auckland City) desired to ask, without notice, whether the attention of the Government had been drawn to a recent law which had been passed by the Legislative Council of Fiji. It was called " An Ordinance to make further Provision for the Peace and Good Order of the Colony." The law was to the

<page>375</page>

" Any person who shall cause, or attempt to convey no such document. A gentleman of to cause. any Fijian to be disaffected towards the Government, or who shall induce, or attempt to induce. any Fijian to take any action having for its object the subversion or alteration of the present form of government, shall be guilty of an offence under this Ordinance, and shall be liable on summary conviction to imprisonment with or without hard labour for any term not exceeding six months." That law had just come into force. and there was no doubt that it had the effect of depriving our fellow-colonists in Fiji of liberty of speech. Mr. SEDDON (Premier) replied that the attention of the Government had been called to the matter. and he was astounded when he received a copy of this Ordinance which had just been passed, together with a copy of the report of proceedings. The Ordinance was extraordinary. infringed liberty of speech, and was subversive of the liberty of the English and Indian subjects in Fiji. for any person speaking to a Fijian now in respect to change of system of government was liable to be sent to gaol. what made his astonishment greater was a letter received from the Secretary of State, which he had promised to lay on the table later on. In that communication the Secretary of State said that no constitutional change should take place without the Fijians being consulted : as they had ceded their lands to the Crown, but not by reason of conquest, their wishes must be consulted. And when the Secretary of State held that view, it was a strange thing that the Government should pass an Ordinance at twenty-four hours' notice-subversive of their Standing Orders, which enacted that there should be three days' notice-that any

one who spoke to Fijians on the question was to have six months' imprisonment. He would be a brave man now who spoke to a Fijian on federation with Australia or New Zealand, or in respect to self-government. But as it affected this colony and the Parliament of New Zealand, and as this colony had been previously insulted by what had been said by His Excellency Governor O'Brien, the matter could not be allowed to rest where it was, and the passing of the Ordinance was done to intimidate settlers, and Australia and New Zealand. He had received the Fiji Times of the 26th June, which contained the following article :-- " We heard yesterday with feelings of un- mixed regret that the Hon. Mr. F. E. Edlin -who so recently came out from England as Attorney-General of Fiji, and immediately be- came Acting Chief-Justice of the colony during the absence of Sir Henry Berkeley-has now, to mark his indignation at certain expressions used to him by His Excellency the Governor at a recent private interview, tendered his resigna- tion. It is significant that Sir Henry Berkeley also (we do not know if our readers have heard this) had, before his last departure, sent in a formal complaint to the Secretary of State as to discourtesy and incivility shown him by His Excellency. Mr. Edlin's appointment, being an English one, the Secretary of State alone, we presume, can accept his resignation. We sin- Mr. Edlin's judicial capacity and firmness can be ill spared from the Bench just now, and we sincerely trust that, upon reflection, he will re- fuse to play into the hands of His Excellency, as he would be doing if he helped to remove the only official who has dared to do his plain duty as guardian of right and justice, and criticize the ignorance of Crown-colony officialdom." He thought this disclosed a lamentable condi- tion of affairs, and it was only what he had said would happen when the speech was delivered by the Governor of Fiji at the opening of the Wainibokasi Hospital, and was misunderstood as it had been by the natives. The Governor was now reaping the whirlwind he himself had sown. He made the speech, circulated it through the Government paper, the Na Mata ; it was ordered to be read to the Natives, and had the direct opposite effect the Governor intended. It affected this colony in two ways : They were the largest consumers of the pro- duce of Fiji, and the majority of the Euro- peans in Fiji were, he believed, New-Zea- landers. They were also interested now on account of the islands not far off from Fiji, and trouble starting in Fiji might permeate through the islands. It therefore required careful handling ; and to have this state of things existing-that the Chief Justice was deposed and the ex-Collector of Customs made Chief Justice, and men being tried for murder without the informations being signed by the Attorney-General-pointed to the fact that it was his duty to ask members to assist him in asking the Imperial Government to take cog- nissance of the matter, and, in respect to the insult to this colony, to grant inquiry, so that they might remove the stigma. They could not judge between the parties at this distance, but at the same time there was no doubt as to the Order in Council being passed. There was no doubt about that. What had led to that con- dition of things he could not say, but the con- dition of things was such as to warrant imme- diate action being taken. The outlook was serious in the extreme, and from his knowledge of the Fijians and the white people on the Islands the extreme step taken was a mistake, and after careful consideration of the matter he would be in a position to submit proposals to the House. Captain RUSSELL .- Sir, Mr. SPEAKER .- I cannot allow any debate on the matter of a question that I allowed to be put to the Right Hon. the Premier on the ground of it being one of urgency. It does not seem to me to have been entitled to precedence, but should have been given notice of on the Order Paper. I must observe the re- gular course of procedure by calling on " Papers to be presented." If I were to allow the honourable member to speak, every mem- ber would have a right to speak, and thereby seriously retard the business we have come here to transact. Captain RUSSELL (Hawke's Bay). - I merely want to protest against the practice of members being allowed to make debatable

<page>376</page>

FARMERS' UNION. Mr. MONK (Waitemata) .-- Honourable mem- bers will remember that at a sitting last week the Premier charged the honourable member for Franklin and myself with having instigated those

who have been engaged in the formation of the Farmers' Union. The honourable member for Franklin denied it, and, as soon as I could get the opportunity, I craved the same privilege of the House to emphatically express my denial of having any complicity with that matter. I find, Mr. Speaker, that last Saturday evening the Right Hon. the Premier made a statement at Pahiatua the very opposite to the denial that he heard me make across this House. This is the report of his statement in 11.0. the morning paper : "The member for Waitemata had admitted that the union was initiated at his suggestion." The evening paper, in recording the Premier's remarks, says that "Mr. Monk was its father, and other members of Yesterday I re- the Opposition its sponsors." I received a telegram from a Mr. Glass saying, " Did you tell the Premier you suggested me start Farmers' Union ?" Now, Sir, it is not that I object to any false statements being made regarding myself so much as the imputation that I am interfering with the honour which belongs to others. I have always throughout my life aimed -- and, I hope, always shall -- that any statements I may make shall, to the best of my ability, be absolutely correct, and the Premier received my denial as being correct ; yet afterwards, for his personal purposes, he makes this statement, and causes an impression to go abroad throughout the country that I have falsely been assuming to myself a privilege which I am not desirous of assuming, and that I have been interfering with that to which I had no right, and would be falsehood on my part to assume. Perhaps Mr. ()'Meara, the honourable member for Pahiatua, who is ejaculating, has had something to do with what I am complaining of; perhaps he can throw light on the reason for such conduct. Mr. HOUSTON (Bay of Islands) .- I find that in regard to some of the remarks made by the Premier my name has been brought into the report in question. It is stated that the Farmers' Union was a political organization, and fought against me during the last election. I made an interjection at the time the Premier was speaking to the effect that the union when first started did oppose me throughout the election, and that I fully believed at the time that it did so : but after receiving explanations from a number of those who joined the union to the effect that they denied all complicity with or any reference to political matters in any shape or form, I accepted that denial, because it came from gentlemen in whom I had considerable confidence; but I have no hesitation in saying that at the first start of the union it had political objects in view. Mr. SEDDON (Premier) .- When I made the statement in the House the other day the member for Franklin rose and denied the paternity, but the member for Waitemata did not. The member for Waitemata further stated that he made the suggestion to the farmers to form a Mr. MONK .- In the House. Mr. SEDDON. - " In the House." Well. as this union was started in the next electorate to the honourable member's- Mr. MONK .- No. Mr. SEDDON. - It started at Hokianga, and I understand that that is in the next electorate to Waitemata. If you take that side of the Island, and take the electorate which goes down to and including Dargaville, although there is a slight wedge caused by the Maryd. L electorate, you will find that I am right, and the honourable gentleman is only splitting straws. But the honourable gentleman will not deny what led me to make that assertion. Here is the platform of the Farmers' Union : The first is, " That there shall be expenditure on the passing estimates. and before the Appropriation Act passed, and virtually the Auditor and Controller-General is to be dispensed with." Another was "That there should be no acquiring of land for settlement until all the Crown and Native lands have been disposed of." Mr. MONK. Is this a personal explanation ? Mr. SPEAKER .- I do not quite see the connection yet. Mr. SEDDON .- I do not wish to do the honourable gentleman any injustice. Another plank was " That the Crown tenants shall have the right of acquiring the freehold at any time during their lease." The next plank was .. That there should be no compulsory taking of lands for settlement until all the Crown and Native lands had been disposed of." The next was " That union candidates were to be selected by the union, and in the centres only." And the next was that the Great North Road and no other candidates were to be voted for-was in be maintained by the Government and metalled by the Government. Mr. ATKINSON (Wellington City). - I rise to a point of order. I would like to know wis! this has to do with the personal explanation of the honourable member for Waitemata. Mr.

SPEAKER .- I really think it has no bearing on the point raised by the honourable member for Waitemata. Mr. SEDDON .- Very well, Sir, I must bow to your ruling ; but I would like to say that every point in the Auckland Farmers' Union programme has been agreed to by the honourable member, and he stated in the House he had urged the farmers to combine. GOVERNMENT WHIP. Mr. SEDDON (Premier). -- I have an announcement to make to the House. The Government have appointed Mr. Carneross to be one of the Government Whips. The health of the honourable member for Caversham will not permit of his continuing in that position. I feel sure that we are all delighted that his health has considerably improved, and we are pleased to have him with us again. We regret that circumstances prevent him continuing in office, but we feel sure that the selection made will be recognised on all sides of the House as one that will be conducive to the carrying on of

<page>377</page>

HEDDON BUSH ESTATE. Mr. GILFEDDER (Wallace) asked the Government, If they will take steps to acquire Heddon Bush Estate, in Southland, for purposes of closer settlement? In connection with the request that the Government should acquire this estate, a numerously signed petition from settlers was presented some time ago. He might state that Heddon Bush Estate was in a rich agricultural district, some twelve or fourteen miles from the railway, and that it was eminently adapted for close settlement. There was a dearth of land in that locality, and the settlers there and in the surrounding districts had urged on the Land Purchase Board the advisability of the acquisition of this property. He understood the estate had been inspected and valued by the valuers of the Land Purchase Department, and that a favourable report had been sent in ; but, seeing that the owner of the land was not willing at the present juncture to dispose of his property, there was a difficulty in acquiring it, and consequently it would be necessary, under the circumstances, for the Government to put into operation the compulsory clauses of the Act. He hoped the Government would take into consideration the suitability of this estate for closer settlement, the scarcity of land in that district, and the request of the people there and in the surrounding districts, so as to enable the young men who were growing up to take up farms in the locality, rather than go to other parts of the colony or to emigrate elsewhere. He hoped that in the interests of the community an endeavour would be made to come to some arrangement regarding this valuable estate, and to acquire it for the purposes of closer settlement for the benefit of the people of the district.

Mr. SEDDON (Premier) said the Ringway Estate, of 2,300 acres, at Otautau, and the Glenham Estate, of 11,500 acres, near Wyndham, had recently been acquired by the Government and were now under survey, and he thought they might say that was a very fair allotment for that particular part of the colony. That was not saying that he should refuse any fair offers that came along where acceptance was, under the circumstances, in the best interests of the colony. The Heddon Bush Estate was level agricultural land, intersected by the main road between Otautau and Winton, the homestead being about twelve or thirteen miles from each township and railway-station. The owner, Mr. Tennant, although not offering the estate, which contained about eleven thousand acres, informed Mr. McKerrow when he inspected it in December last that he might retain the homestead and two thousand acres and part with the other nine thousand acres, one half of which had been ploughed, the other half still in the snow tussock, and much in need of draining. With judicious draining and liming the place would do well for dairy farms. It was clear, therefore, that the report was not of a very favourable character. Mr. GILFEDDER said that only applied to part. Mr. SEDDON replied that he supposed the owner would keep the best and sell the Government the worst.

VOLUNTEERS' AMMUNITION. Mr. FLATMAN (Geraldine) asked the Minister of Defence, Whether he will increase the annual allowance of ball-cartridge distributed free to each adult Volunteer ? Mr. SEDDON (Minister of Defence) said the Commandant's report for 1900 recommended two hundred rounds per man should be issued, which represented an increase of fifty rounds per man on the present allowance -- one hundred and fifty rounds to be expended

and used as at present and fifty rounds to be expended in field-firing. LINCOLN AGRICULTURAL COLLEGE. Mr. MEREDITH (Ashley) asked . the Premier. If it is the intention of the Government to introduce this session a measure dealing with the question of enlarging the scope of the operations of the Agricultural College, Lincoln, so as to provide that a larger number of the boys of the colony might participate in the benefits of the scientific and practical training given in that institution, and so give effect to the promise of the Premier made in a speech delivered at the opening of the Agricultural Show, Christchurch, on Thursday, 30th May last ? He had much pleasure in bringing this question under the notice of the Premier, as one of colonial importance. During the Agricultural Show in Canterbury he had introduced the Premier to the late manager of the Agricultural College at Lincoln, and had also brought under the Premier's notice a very large number of the exhibits of the agricultural products of that institution. The honourable gentleman had an opportunity of seeing the variety and the excellence in quality of the various exhibits. The College had been in existence for a number of years. It was richly endowed by the Provincial Council of Canterbury, and had a site of about a thousand acres, most of which was first-class agricultural land. The buildings were of a permanent character, but he regretted to say that up to date the number of boarders in the institution receiving instruction totalled only about forty. In his opinion, and in the opinion of a large number of settlers in Canterbury, as well as in the opinion of others to whom he had spoken on the matter, the institution should be made capable of giving an education in scientific and practical agricultural and pastoral pursuits to two or three hundreds. The primary schools of New Zealand awarded some three hundred and fifty scholarships to boys and girls, and those scholarships given to boys should be made to work into the Lincoln College. The Premier might not be in possession of a copy of the Lytteiton 'Tones in which a report appeared of the speech he made in opening the show. The honourable gentleman had then said,- "He would like to touch on the exhibits sent into the show from Lincoln College. He was

<page>378</page>

delighted at the results, and was pleased to find that the institution was doing excellent work for Canterbury and the Canterbury farmers ; but there was another aspect of the question : the number of students was totally inadequate; the whole thing needed recasting : instead of their being twenty or thirty students, there should be two or three hundred students." Among the students at the present time-and it had been the same for years between 20 and 30 per cent. were young men who came direct from England - the sons of wealthy families who were not suited for the army and other positions. They entered the College, and they received cheap board and lodging as students of the Agricultural School. This was an abuse of the institution never contemplated. Mr. SEDDON (Premier) said the regulations under the Manual and Technical Instruction Act provided for instruction of pupils of public schools in elementary agriculture, dairying, and cottage gardening, and for technical instruction to older pupils in rural districts in agriculture, horticulture, dairying work, and in chemistry, or any other science treated practically with immediate reference to agriculture, horticulture. or dairy-work, et cetera. The establishment of these rural technical schools, together with any dairy or farm schools that might be set up, would, it appeared to him, provide for the need of such instruction locally. Further. he might say the Government felt that in this respect . there was a great deal to be done. Of course, they must proceed on progressive lines - they must take advantage of what the Legislature had provided. The means were there, and the only question was as to its application. Then, coming to the local matter he had referred to in his speech, he wished to say he adhered to all he had already stated. He thought the time had arrived for inquiry, and for an entire change of the management of Lincoln College. If, as the honourable member said, its benefits were availed of by only a few, and those few were not of our own colony, it was clear that. as the maintenance of the institution was derived from the lands of the colony, and endowments, it was high time the institution was placed at the command of the sons of the farmers of our

own colony. Mr. MEREDITH asked if the Premier would introduce a measure dealing with the question this session. Mr. SEDDON thought the matter should be referred either to a Select Committee or to the Lands Committee of the House. An Hon. MEMBER .- The Agricultural Committee ? Mr. SEDDON said, Either Committee, or both Committees if they liked. At all events, it wanted dealing with, and the more the matter was put off the worse it was, in his opinion. MINISTERS' TRAVELLING - EXPENSES. Captain RUSSELL (Hawke's Bay) asked the Government, on behalf of Mr. Massey, When they intended to lay before the House the return ordered on the 19th September last, showing the travelling-expenses of Ministers for the previous financial year ? It would be found. on reference to the Journals of the House for the 19th September last, that it was ordered, on the motion of Mr. Massey -- "That there be laid before this House a return, in continuation of H .- 29. 1899, showing for the financial year ended 31st March, 1900,- (1) The amounts drawn by each member of the Executive for travelling-allowances : and (2) the amounts charged by voucher for actual travelling-expenses of each member of the Executive." That return was ordered nearly twelve months ago, and it had not yet been laid before the House. Mr. SEDDON (Premier) said, To-day the return had been asked for again, and they had consented to give it. He had agreed to the details being furnished, and he was informed to-day that the return was Captain RUSSELL asked if the Premier had any idea why it had been delayed. Mr. SEDDON said there was nothing to prevent or hinder it, so far as he knew. ALLEGED MISCONDUCT OF VOLUNTEERS AT WOODVILLE. Mr. SYMES (Egmont) asked the Minister of Defence, If he will set up a properly constituted Court or Commission to thoroughly investigate the alleged charge of misconduct of the Volunteers at Woodville on or about the 5th February last ; and if he will withhold any other papers or report until after the investigation ? He had been induced to put this question on the Order Paper not only in the interest of the Volunteers, but because his name had been mentioned as having been at Woodville on the night of the alleged misconduct. He thought it was the duty of the Government to thoroughly investigate any such cases as this. The statement made the other day by the Defence Minister was that an investigation had been held. The alleged investigation, he submitted. was only an ex parte examination by policemen. He said such an examination as that was not satisfactory, not even British : both sides should be heard. There should be a thorough examination before any papers were laid on the table. more especially in a case of this kind. He trusted the honourable gentleman would see his way to set up a Court or Commission to make a thorough inquiry at the earliest date possible. Mr. SEDDON (Minister of Defence) said. If the honourable member would permit him. he thought in this way he was only staving off the evil day. The fact was that the charges laid were not a military breach of the law. If things were taken from a public bar; if the girl was assaulted, as it was stated she was, by one of the men spitting in her face, that was not a question for a military inquiry. It was a question for the police. As for the papers he referred to. the Mayor laid a complaint, and the member for the district supported that complaint. The matter was handed over to the police, and he (Mr. Seddon) had said he would lay the police papers upon the table of the House. The matter was not one for a military inquiry.

<page>379</page>

After the police had done their duty it would be for the Defence Department to deal with the members of the Volunteer Force who committed this misconduct and dismiss them from the Force. In the meantime, this was purely a police question. The police had made certain inquiries, and the evidence was quite complete as to the assault and as to the taking-away of goods, only there was no identification of the particular parties. That was all there was in it. If the girl had identified any particular man there would have been a good case, and the only reason that there had not been an information laid was that the identification was not complete. But as to the facts of what transpired, they were pretty clear. He regretted very much what had occurred. If the men could be identified, of course, the investigation would be before the Magistrate. The Police Commissioner's report said that there was not sufficient identification to war-

rant further action, but there was very little denial as to there having been misbehaviour. Captain RUSSELL said, As a very frequent traveller on that railway-line, he desired to bear testimony to the excellent manner in which the refreshment-rooms were conducted. RETURNED TROOPERS. Mr. MILLAR (Dunedin City) asked the Minister of Defence, What steps he intends to take to provide employment for returned troopers who, through injury, are unable to perform the same class of labour as they were formerly engaged in ? A large number of our young men had returned home wounded. He knew three or four who were incapacitated from following the calling which they followed before they went to South Africa. Many of the re- turned troopers were able to go back to their old calling, but some who had returned injured were unable to do so. Mr. SEDDON (Minister of Defence) said, By Ministerial instructions a number of applicants had been referred to Officers Commanding Dis- tricts, who had been ordered to obtain from employers of labour lists of vacancies for which such applicants might be eligible. Twenty-two appoint ments of non-commissioned officers and men had already been made to Government departments. In the case of young men who had left Government departments, instructions had been given that they were to be taken on in their old departments. With respect to artillery-men, and members of the Torpedo Corps, instructions had been given that prefer- ence was to be given to them, and in the case of returned troopers, all things being equal, they were to have preference. The Government intended as far as they could to give them em- ployment. He could not do any more than that. It had been suggested that they might be given grants of land. or given preference in the balloting for land. but as a very large number of them were single young men they probably would not care to go on the land. He could only give a general assurance that as far as the Government could they would assist in getting them back into their employment. LOCAL BODIES' LOANS. Mr. MILLAR (Dunedin City) asked the Go- vernment, If they will this session introduce an amending Bill so as to enable local bodies to borrow moneys, under the Loans to Local Bodies Act, for the purpose of paying off exist- ing loans as they fall due ? He would like to know whether the Premier was going to intro- duce a Bill in the direction indicated in this question, because the local bodies would derive no benefit at all from the Act as it at present stood. The Act only permitted them to borrow money for new works ; and as the cities and boroughs had completed most of their works, they could not get any benefit from the Act in any way. If the Government permitted them, when a loan matured, to borrow money in order to pay it off that would be a great benefit to the local bodies and to the ratepayers-in fact. to a very large majority of the people of the colony. He was quite aware that the Treasury would say that this was a very big order, and likewise that it would require safeguards, but he thought the honourable gentleman would be able to insert safeguards in the Bill suggested. Mr. SEDDON (Colonial Treasurer, said that Parliament passed the Local Authorities Loans Conversion Act, and that seemed so far to have been a dead-letter. It was all a question of Es. d. If Parliament passed an Act and took over the loans of local bodies-because that is practically what it amounts to-and made them a State loan, that, of course, was a matter for Parliament. But at the present time they were putting the colony into debt to the extent of about a million a year for develop- ing the colony, and about half a million for land for settlements; and if they went on at the rate of two millions and a half, well, that would be a big order, and it was a question as to what effect it might have outside the colony. It was a great pity that the local bodies had to pay such a high rate of interest on their loans, but the honourable member must not forget that those who held the debentures of the local bodies' loans, and were getting their 5, 6, and 7 per cent., would not part with them, and you could not make them part with them. Some very large loans might mature, and they would have to be in a position to deal with them. The matter wanted very careful consideration, but he would like to see the local bodies get their money at the lowest possible rate. They could not get it, because if it was known that a loan was falling due and they had to re-borrow, they had to pay any rate of interest that was de- manded. STATE NOTE-ISSUE. Mr. BARCLAY (Dunedin City) asked the Government. Whether they propose, during this

session, to take any steps towards realising the hope expressed by the Premier, as reported in Hansard for 1900, Vol. cxiv., pp. 445. et cetera. in the following words : "I am looking forward, and that before very long, to using State paper for paying State claims with." He asked this question for the purpose of raising the question of State notes. As he understood the matter,

<page>380</page>

there were a number of members who took a considerable interest in this matter of the issue of State notes, either redeemable or irredeemable, and he asked the question for the purpose of bringing it under the notice of the Government and calling attention to it once again. Mr. SEDDON (Premier) said he really could not understand the present circumlocution, because it came back to the same thing - it was paper. They issued debentures, and gave security to somebody else ; behind that paper was the security of the State - the security of the real estate of the people of the colony ; then that somebody else had got to make so much out of it, but he had not got gold behind it. Take the banks. They only had one-third of gold behind their notes. The Government went to the banks, and asked them to find money for them, and gave them a big percentage for doing it. In Queensland the Government issued the notes, and were behind them, and then, after they had issued them, they paid 33 to 4 per cent. to somebody else to simply hand them back their own notes. The more one thought of this question the more one found one's-self in favour of the State giving direct security. He looked forward with hope to the movement made in the direction indicated.

BLUECLIFFS ESTATE. Hon. Major STEWARD (Waitaki) asked the Premier, Whether the Bluecliffs Estate has been placed under offer to the Land Purchase Commissioners, and whether the offer has been accepted ? Mr. SEDDON (Premier) said that part of the Bluecliffs Estate, comprising 10,000 acres, had been offered, and would be shortly inspected and reported on as to its suitability.

VOLUNTEER UNIFORMS. Mr. MILLAR (Dunedin City) asked the Minister of Defence, If he will this session amend the Defence Act by striking out the clause enabling Volunteer corps to import their uniforms free of duty? He would like the Minister to do as he suggested in this question, because last session the tariff was practically evaded by means of a clause put into this Act. No one would think of looking into the Defence Act to find the duty placed on any article, and yet that was what was done in the Defence Act. This was a very important matter as far as the girls of the colony were concerned, because many of them were employed in the making of uniforms. Under that Act uniforms could be imported free of duty, and the girls were going to lose a large proportion of the work. Had the question come down in the Tariff Bill it would have been fought out properly, and it was doubtful whether it would have been done, but, although no attempt had been made to deal with it in the Tariff Bill, it had been slipped through in the Defence Act. Mr. SEDDON (Minister of Defence) said, What the honourable gentleman stated was quite true, but he did not think it was advisable to alter the Customs tariff in this matter. What really was intended was to admit a class of uniform and gold lace for officers, and that it should not have a general application. An absolute power was left to the Minister of Defence in the matter. There were some uniforms which could not be got in the colony ; consequently, this was a tariff on the officers principally, and what he had indicated was all that was intended by the amendment. As was usually the case, he found himself, as Defence Minister, practically in the position of having to give decisions in regard to different applications that came in that Parliament only should give, and he did not think that was right. The matter ought to be definite, and he would prefer to repeal that clause altogether. There had been very little application for exemption as far as uniforms were concerned, but there had been opposition, because he had refused these applications made by local traders who wished to import such uniforms, as there was a danger of local traders importing large orders and saying they were for So-and-so. Of course, if they could import in that way they would have an advantage in selling over other traders - by selling them outside the Volunteer corps and at a less price. seeing that they had to pay no duty on them -- and he had found that his certificate had been wrongly used. He thought the best thing to

do would be to repeal that provision altogether, and he would bring down a measure to do so.

LICENSING ACT. Mr. CARNCROSS (Taieri) asked the Premier. If, when dealing with the licensing question, he will so amend the law as to include a section containing provisions similar to those contained in section 25 of "The Intoxicating Liquors Act. 1872," in force in England, an amendment which has been recommended by Commissioner Tunbridge and his predecessor in office? He felt quite convinced that many of the evils in the liquor trade were attributable to the selling of liquor that went on during prohibited hours - on Sundays, and after hours -- and if a clause similar to that existing in the English Act were introduced it would have a good effect in regard to lessening the evil complained of. In that direction the New Zealand Act works very unfairly, because if a publican serves liquor after hours he renders himself liable to punishment. but the customer who frequented the house. and whom he could not possibly get rid of. escaped scot-free if a prosecution were laid. The principal part of the clause reads as follows : - "If, during any period during which any premises are required under the provisions of this Act to be closed, any person is found on such premises, he shall, unless he satisfies the Court that he was an inmate, servant. or a lodger on such premises, or a bona fide traveller. or that otherwise his presence on the premises was not in contravention of the provisions of this Act with respect to the closing of licensed premises, be liable to a penalty of not exceeding forty shillings." He thought it was only fair that those people who really tempted the publican to break the law should also take their part of the risk as

<page>381</page>

well as the publican. He had mentioned this as correct, and would have the name altered suggested amendment to several publicans, who accordingly in cases where the spelling differed. quite approved of such a clause being introduced into the Act. Mr. SEDDON (Premier) said it was admitted that life was very short, and it had fallen to his lot. and to his colleagues, to introduce two or three Licensing Acts. He did not say that their licensing laws were perfect, because every one admitted that they were not, and it could not be so when the law permitted such evasions as the dropping-out of a license in one place and the shifting of it twenty miles away to some other district, when the law said that you should not remove a license more than half a mile. Any one who realised the position must see that the will of the Legislature was being set aside by evasions of that kind. In regard to this question, he knew a case where four men went into a publichouse and misled the barman by stating definitely that they were bona fide travellers. They were brought before the Magistrate and fined \$5 each. But as the law stood the publican was liable to have his license indorsed in this case, as he had been fined \$5 also. He said that was a monstrous state of things, and yet it was the existing law. Something, therefore, required to be done. There was no doubt our licensing laws did require material amendment, and whether or not we should be able to come to a conclusion apart from the larger question and put our laws as perfect as we could was a matter which time would determine. He could only say that Prohibitionists, those in the trade, and the people generally in the colony, must admit that our licensing laws were imperfect and required attention and amendment.

MANGONUI. Mr. HOUSTON (Bay of Islands) asked the Premier, If he will give the necessary instructions to the different Government departments for the correct spelling of the Maori word "Mangonui." and so make it uniform? The Premier would find that some departments had been spelling it "Mongonui." and there was no such word in the Maori language as that. He would find others spelling it "Monganui." and another department "Maunganui." The correct way of spelling it was the way in which it appeared in the question, and it would prevent a great deal of confusion if the Premier gave instructions to the different departments to spell the name correctly. He hoped this would be done. Mr. SEDDON (Premier) said the honourable member had now stated the correct way of spelling the word. The Postal Department informed him that in their department the word was spelt "Mangonui." Mr. HOUSTON said, In the Defence Department-the Premier's own department-it was written "Mongonui." Mr. SEDDON said, of course military people were not particular about spelling-a man might be a good fighter and not

be able to spell at all. At all events, he did say there ought to be uniformity, and he would take this spelling WORKERS' COMPENSATION FOR ACCIDENTS ACT. Mr. BARCLAY (Dunedin City) asked the Government, If they will amend the Workers' Compensation for Accidents Act by extending its operation to sailors on boats engaged in intercolonial trade? The question arose in this way : In " The Workers' Compensation for Accidents Act, 1900," a " worker " was defined to mean, amongst other things, a person employed "on any ship or other vessel (of whatever kind and howsoever propelled) in any navigable or other waters within New Zealand or the jurisdiction thereof." The result of that definition, apparently, was that no sailors on intercolonial boats, such as those trading between Melbourne and this colony, or Sydney and this colony. would come within the jurisdiction of the Act. He would like to ask the Government whether they could see their way to amend the Act so as to include -- and he would like to amend the question to read in this way- sailors on New Zealand articles. Mr. SEDDON (Premier) said the amendment the honourable member desired would apply to the Union Steamship Company, and it would be urged, no doubt, by that company that it would put them in an unfavourable position as compared with other companies trading to the colony. Then, there was also the difficulty which arose if the accident occurred when the ship was away from the colony - where the person meeting with the accident might be in another colony, or might be sick or laid up there-and the time allowed by the Act in which to take action might be materially interfered with. It would be necessary to have an understanding with the other colonies if the Act were to be extended in the direction asked for. The question was a much larger one than appeared on the face of it. It seemed quite fair that our colonial vessels should have the same law applied to them as those on land, but it would be necessary to have similar laws in the colonies under which they could reciprocate. He would look into the matter.

APPEAL FROM LAND AND INCOME ASSESSMENT. Mr. BARCLAY (Dunedin City) asked the Government, Whether they will bring in a Bill to amend section 98 of "The Land and Income Assessment Act, 1900," with a view of to allowing an appeal from the assessment of the Commissioner in respect to stamp duty on the estates of deceased persons. Section 98 of the Land and Income Assessment Act empowered the Commissioner to make a fresh assessment, if he liked, of the value of an estate of a deceased person. He might assess the value at any sum he chose and charge duty on it. and, so far as the statute was concerned. there appeared to be no appeal to any tribunal or authority from the decision of the Commissioner. It seemed but right that there should be some method of appeal from the ipse dixit

<page>382</page>

of the Commissioner : and as the duty might ! going to happen in his time. The placing of amount to a very considerable sum -- in some cases to as much as 10 per cent. on the value of the estate --- it was but right that some appeal should be allowed in so important a matter. Mr. SEDDON (Premier) said the following was the department's answer : - " While valuations are being made under ' The Government Valuation of Land Act, 1900,' the assessment provisions of 'The Land and Income Assessment Act, 1900.' are, in accordance with subsection (2) of section 104 of that Act, inoperative. Section 13 of 'The Government Valuation of Land Act, 1900.' gives the right of objection to any alteration in a valuation. If the assessment provisions of . The Land and Income Assessment Act, 1900,' were in force, then subsection (2) of section 22 of that Act provides that 'every alteration or addition which has the effect of imposing any fresh liability or increasing any existing liability shall be notified to the taxpayer affected, and, unless made with his consent, shall be subject to objection. It is therefore manifest that the right of objection exists under whichever statute valuations may be made." LOCAL BOARDS FOR GOVERNMENT ADVANCES. Mr. BARCLAY (Dunedin City) asked the Government .. Whether they will take into consideration the question of appointing local Boards for the various centres of population, with power to make advances up to a moderate amount say, \$2,000 -under the various Acts under which the Public Trust and other departments grant loans, and abolish valuation-fees in respect to loans

authorised by such Boards? The question was suggested by the experience which sometimes occurred in connection with the Public Trust Office or other public office for lending money. They were approached for a loan ; the security might be all that was desired, but there was a good deal of delay over the matter even when the amount asked for was not large. A valuation was demanded by an independent person, valuation-fees had to be paid, reference had then to be made to Wellington, an answer had to be waited for, and, generally speaking, there was very considerable delay. The result was that the department often lost good security, the funds accumulated, and the department had sometimes a difficulty in disposing of all its funds at suitable interest. He was speaking from a knowledge of facts in regard to this matter, because actual cases of these securities had come within his own knowledge, which had been taken up readily outside. What he would suggest was that there should be a small local Board to deal with the question of advances up to a certain amount. Mr. SEDDON .- What amount ? Mr. BARCLAY. -- About \$2,000, or even \$1,000. Men of local knowledge might be asked what they thought of the security, and if they said it was good enough it could be accepted. Mr. SEDDON (Premier) hoped this was not Public Trust moneys under the control of three or four gentlemen in each town- - gentlemen who had no responsibility-would be a very great mistake, and in a very short time it might bring about a state of affairs such as had been found in connection with other institutions in the colony. The Public Trustee said :- " I should view such a proposal as the establishment of local lending Boards with uncom. promising hostility. The cost would be hardly warranted. The delay in granting loans would be great, because the Public Trustee could not give up control as a trustee of his own funds, and would necessarily require to revise the local Board's decision. With our present postal facilities no reasonable complaint can be made nowadays about delays under the present system. Such local Boards could not possibly be composed of more disinterested, reliable, responsible, or expert members than now constitute my present Board. And as for the abolition of valuation-fees, I would observe that this cost is now, by the employment of the Government valuers, reduced to the lowest possible amount, and there is no complaint by borrowers of hardship on that account. I need hardly point out that local influences would certainly be brought to bear on the Board suggested, and in this way serious losses might result. There would be endless friction between the head office and the local Boards." As honourable members knew, the Trust Board consisted of the Solicitor-General and the heads of two or three other departments, who were beyond all local influences; and he had no hesitation in saying there would be a great danger in having local Boards intrusted to the extent of 92,000. Local influences would be at work, and the valuations might be detrimental to the lending body of the Public Trustee. If, for instance, this proposal were submitted in connection with the Advances to Settlers Act, he felt positive Parliament would refuse it, and wisely so. They must not run too great risks in lending trust moneys or public moneys of any kind. RODNEY ELECTORATE. Mr. R. THOMPSON (Marsden) asked the Premier, Whether, when appointing the boundary Commissioners, he will call their attention to the necessity of reviving the Rodney electorate, so as to give the people north of Auckland a fair representation in this House ? It might be thought that he was somewhat premature in putting this question, but he would like to point out to the Premier that when the last division was made, three electorates north of Auckland were very much overweighted with population. In those three districts there was a population of over thirty-one thousand. He did not think the Commissioners had treated that part of the colony fairly, as the population was very scattered, and there was a large area of country. He thought in fixing the quota of population in those electorates they should have adopted the lowest quota. The Rodney electorate was abolished some years ago.

<page>383</page>

He did not wish to raise that question, 12.0. or to interfere with the Commissioners in any way, but thought it should be pointed out to them that in fixing the quota for these electorates the lowest quota should be allotted. He believed no other country electorate in the colony had anything like the same

population as these. The population in the three northern electorates was 31,000, and they should only have had 8,000 each. There were not many other country electorates in the colony over 8,000. An Hon. MEMBER .- Mine is 13,000. Mr. R. THOMPSON said probably the honourable gentleman's was also too high, but that did not alter the fact. In the northern electorates the population was very much scattered, and he thought the lowest quota should have been allotted. He hoped when the appointments were made this matter would be brought under the attention of the Commissioners. As to boundaries, he did not desire to raise any question. Mr. SEDDON (Premier) said there was a much larger question involved here than seemed to have struck the honourable gentleman. It might be that an injustice had been done to the North of Auckland, to the three electorates there as compared with other electorates similarly situated, but he held that the Government would be violating a constitutional principle if they addressed the Commissioners upon anything electoral at all. As the law stood, Parliament practically appointed these men to be Commissioners; and to do what the Government was now asked to do, once they were appointed, would be almost tantamount to giving directions to a Judge of the Supreme Court. The Commissioners held statutory powers, and, in his opinion, there should be no interference whatever with them in carrying out their duties.

OPIUM IMPORTATIONS. Mr. GUINNESS (Grey) asked the Premier, Whether the Government will bring in, during the present session, a similar Bill to that brought in last session prohibiting the importation of opium into this colony? He need hardly remind the honourable gentleman that a large number of the members of the House were in favour of the passing of this measure. Even during the last year it would be found that the habit of using opium had increased: and not only was it increasing amongst the Chinamen, but, unfortunately, the habit was being taken up by European youths. He trusted the Government would consider the matter with a view of bringing in legislation. Mr. SEDDON (Premier) desired to inform the honourable member that the Government would take this matter into consideration.

COMMANDANT OF THE FORCES. Captain RUSSELL (Hawke's Bay) asked the Minister of Defence, What steps are being taken to provide a successor to Colonel Pole-Penton as Commander of the Forces when that officer's period of service expires? This question might have been allowed to go off the Order Paper, but as the Defence Minister had not told them the other day whether Colonel Henry had accepted the offer, perhaps he would now give them that information. Mr. SEDDON (Minister of Defence) said he had not received any communication as to the actual acceptance of the appointment, but he took it for granted the recommendation would not have been made without consulting the officer. He hoped that within a few days he should be prepared to announce the acceptance of the appointment.

WAIRARAPA LAND FOR SETTLEMENT. Mr. HORNSBY (Wairarapa) asked the Premier, When the people of the Wairarapa may expect the fulfilment of the promise made by him to acquire land for the purposes of settlement in the Wairarapa electorate? He hoped the Premier would be able to give him an assurance that some land would soon be purchased in the Wairarapa, for he could assure him that there was a great demand there. Only last Friday he attended a public meeting at Greytown, when the same question was brought up. Many people in the electorate were crying out that land should be purchased by the Government for settlement purposes, owing to the fact that the whole of the natural increase of the district was drifting to other parts of the colony, because there was no land for the young people to settle upon. Mr. SEDDON (Premier) said the people of the Wairarapa might rely on the promise that the Government would acquire land for settlement purposes near Wairarapa Lake. He might say he was getting somewhat tired of the method of procedure in the matter of acquiring land. The power was given to the Minister to direct the acquirement of land in certain districts, and, although the people expressed a wish that land should be acquired, nothing further was done to secure the land. That was why he was getting somewhat tired of the position. As far as the Wairarapa district was concerned, the facts were these: Cotter's Estate, of 5,000 acres, near Greytown, was a shingle plain, quite unsuited for small settlers. But there were about 350 acres of good land on the

north end of the estate next the township. An offer was made for this and other 350 acres, inferior alongside, but the offer was declined. Tyler's, 1,603 acres, near Greytown, was thin land on shingle, and some of it was swampy and required draining. The price asked-an average of #11 8s. per acre-was \$3 per acre above two independent valuations obtained by the Land Purchase Board. Mr. Tyler withdrew the land on being informed to that effect. The land of Mr. William Barton, 1,400 acres, at north end of Wairarapa Lake, was very much subject to flood, and was of inferior quality. The price asked was \$14 per acre-a great deal too much. The Pigeon Bush Estate, 5,000 acres (Mr. Tring- ham), was mostly inferior hill land. It might be subdivided into three sheep-farms. The price asked was \$5 per acre, and was much too high. The Board could not recommend the purchase.

<page>384</page>

Mr. HORNSBY said the honourable gentle- man had not mentioned the Dry River Estate. Mr. SEDDON said the Land Purchase Officer had not mentioned it in his report. He would like to say that his own conception of the mat- ter was this : they should not wait until people offered estates to the Government. The officers should go into the district where close settle- ment might be carried out, and where suitable land was available, such as land belonging to absentees, and decide as to whether the land was suitable, and what would be a fair price to offer for it. If the owner did not see his way to accept the offer the matter should be taken be- fore the Compensation Court. As matters stood at present, the machinery was going on and settlement was not going on at all, and he was getting pretty well tired of it. Sometimes estates were offered and then it was found they had changed hands at a greater value. Either there was too much for one officer to attend to or the machinery was defective. An Hon. MEMBER said the price offered was sometimes too low. Mr. SEDDON admitted that was so. He knew that in one case the Government made an offer and a week afterwards the property changed hands at \$2 an acre more than the Government offered. Of course, the Govern- ment did not want to take the land at an unfair price. He had never been a party to any suggestion that they should do so. At the same time, the Legislature had given the Go- vernment the means of securing land, and at present there was an accumulation of means to purchase land, and it was growing year by year. The fact was that effect had not been given to the wish of the Legislature; he had to say that as head of the Government. He believed that the Wairarapa district had fared worse than the Hawke's Bay District. Canterbury had fared pretty well; Otago had fared fairly well, and Southland had not fared so badly. His opinion was that the younger generation had been driven away from Hawke's Bay and from the Wairarapa. There was only a thou- sand increase of population, he thought. in the Napier district after five years, showing that there was something wrong. Mr. HORNSBY said that the Wairarapa had lost one in five years. Mr. SEDDON said that meant one less than there were five years ago. At all events, he might say that a more vigorous application of the law wanted to be made in the several districts, and he hoped to see it. He thought they ought to have more land acquired, and he would do his best, at all events, to do what was right. EIGHT HOURS BILL. Mr. FLATMAN (Geraldine) asked the Premier. Whether it is the intention of the Government to introduce a workable Eight Hours Bill this session ? As honourable members were aware, they had a Bill of the kind before the House at the present time. It had been introduced by a private member, and he gave the honourable gentleman full credit for being earnest in his in- tention in introducing that Bill. At the same time his opinion was that that Bill, if intro- duced at all, should be introduced by the Government. They had to administer the measure after it was passed into law, and it seemed to him to be outside the scope of private members' business to introduce a Bill of this kind, which should be a Government measure. He could not offer any opinion as to whether 1 the Bill had been asked for by the community or not. Be that as it might, he considered such a Bill should only emanate from the hands of the Government. Mr. SEDDON (Premier) said there was a Bill of this character now before the House. If that Bill did not appear to be making rapid progress he would note carefully the course of events. WAIMATUKU RAILWAY WANTS. Mr. GILFEDDER (Wallace)

asked the Minister for Railways, If he will favourably consider the necessity of erecting a grain-shed, a loading-bank, and also a new platform at Waimatuku, on the Invercargill-Riverton Rail- way? He felt sure that the Minister for Rail- ways knew that the railway facilities at the Waimatuku Railway-station were inadequate for the requirements of the district. It was an agricultural centre, and a large quantity of agri- cultural and dairy produce was exported from there to the seaboard. The platform had been entirely neglected, and the loading-bank was falling into ruins, while a grain-shed had never been erected. Although on numerous occa- sions he had made representations to the Go- vernment, asking that these facilities should be granted in the district. these requirements had so far not been attended to. It was urgently necessary that the platform should be revo- vated, and also that the loading-bank should be improved. A grain-shed ought at the present juncture to be constructed in the interest of the locality. The settlers ought to have those facilities for the despatch of their produce as were afforded in other parts of the colony. He hoped the Minister, knowing the district as he did, and knowing also the potentialities of that district, would give effect to the request of the settlers, and have provision made to effect these necessary improvements. Sir J. G. WARD) (Minister for Railways) said it was not considered that the goods traffic at Waimatuku was sufficient to warrant the erec- tion of a goods-shed, and the department was therefore unable to recommend such a provision being made. The question of providing a load- ing-bank would be considered with other neces- sary works throughout the colony when it was known what funds were available. Instruc- tions had been given to renew and improve the passenger-platform at an early date. MOUNT COOK HERMITAGE. Major STEWARD (Waitaki) asked the Go- vernment, Whether they will-(1) Take steps to extend the telephone service to the Her- mitage, Mount Cook ; and (2) place a sum on the estimates for the purpose of shortening the journey between Fairlie and the Hermitage?

<page>385</page>

He was glad to see that the Government was at last recognising the importance of the tourist traffic to New Zealand, and the possibilities which lay before them of turning to really good financial account the endowments we had in the shape of natural wonders. The object of this question was to remove some of the diffi- culties in the way of tourists who wished to visit Mount Cook, and he hoped the Government would see their way to give a favourable answer. Sir J. G. WARD (Colonial Secretary) said, in reply to the first part of the honourable mem- ber's question. he was sorry he could not give a different answer to that which he gave last year, because he was informed that the receipts would only be \$15 a year and the cost would be about \$1,400. If. as he said last year, the local people and the local County Council would give a gua- rantee for five years the Government would entertain the proposal favourably. As to the second portion of the question, some proposals had been made with the view of shortening the journey. the object being to enable tourists to reach the Hermitage in one day from Timaru, or at least from Fairlie. The distance by road from Fairlie was ninety-six miles and the jour- ney took two days. It was possible to improve the present road and shorten it by two miles, at a cost of about \$3,900, and if stables were built every ten or twelve miles and a fast service instituted the journey could be done in fair weather in one day; but it was presumed that the coach-proprietor would require a very con- siderable subsidy, and the journey would be so tedious that it was doubtful if it would suit tourists any better than the present arrange- ment. It was possible to shorten the journey to about seventy-seven miles by making a new road for part of the way, but Lake Pukaki would either have to be crossed by a steam ferry or the upper part of the Tasman by a bridge. In the former case the road work would cost about \$1,400 plus the cost of steam ferry and mainten- ance of same. The other route would involve a bridge across the Tasman at Braemar and im- provement of road. costing about \$6,000. The honourable member would see that large figures were involved which required to be very carefully considered. While he was very anxious to develop the tourist traffic in every possible way, the difficulty was to give the necessary facilities in anything like quick

time when such large sums were involved. GLENNAVY, MORVEN, WILLOWBRIDGE, AND BORTON'S RAILWAY-SHEDS. Major STEWARD (Waitaki) asked the Minister for Railways, Whether, in view of the enormous increase of the grain traffic on the railways in South Canterbury and North Otago, consequent upon the establishment of large settlements under the Land for Settlements Act, and of the fact that the existing shed accommodation is wholly inadequate, he will make provision for the erection of new sheds, or the enlarging of the existing sheds where required, both on the main south line and on the branch lines, and in particular at the following stations and sidings, viz. : Glenavy, Morven, Willowbridge, and Borton's? The honourable gentleman had not been able during the recess to visit these railway-stations, or at any rate to visit all of them, but he must have passed through some of them when travelling on the main trunk line. He must have passed through Glenavy, Morven, and Willowbridge several times, and must have seen evidence of the necessity for further accommodation. Last session, in answer to a question as to Glenavy, he stated that the erection of a grain-shed and the fencing-in of the station-yard would, " with other urgent works," be provided for " so soon as funds were available." With regard to the other stations referred to in the question-Morven, Willowbridge, and Borton's- the first two were stations in connection with the Waikakahi Settlement, which was a large grain-producing district, and the third was the principal loading-place for the Macrewhenua Estate settlement, and it was necessary that adequate accommodation should be provided at all these stations in the interest of farmers. Sir J. G. WARD (Minister for Railways) said the provision of additional shed-accommodation at Glenavy, Morven, Willowbridge, and Borton's would be considered in conjunction with other works when funds were available. STATE SANATORIUM FOR CONSUMPTIVES. Mr. GRAHAM (Nelson City) asked the Government, If they will be prepared to favourably entertain a feasible and not too costly proposal to establish a State sanatorium for the treatment of consumption on the open-air principle, which is generally recognised by advanced medical men as being the best method of treating this unfortunately widespread disease; the establishment of such a sanatorium to be on the basis of patients who are able to pay being charged as in ordinary hospitals, and to those who are unable to pay the benefits of the institution to be given without money or payment of any kind ? He trusted he would not appeal in vain to the Minister of Public Health on behalf of a large number of sorely afflicted people in New Zealand. He hoped the Minister would be able to state in his answer that the Government did intend to take prompt steps to have hospitals for consumptives erected. Hospitals had been established, and every care was taken in the treatment of ordinary cases of illness and accident, and there were also asylums for the care and proper treatment of those who were bereft of their reason, but there were no hospitals provided for the proper treatment of those who were stricken with that fell disease consumption. In many cases it was curable if taken in time. There were also certain situations in New Zealand which were ideal places for the treatment of this disease, and no more philanthropic work could be undertaken by the State. He would be pleased to hear that the Government was prepared to give the matter favourable consideration. He would be glad to inform the Minister of places which had been recommended by medical men as

<page>386</page>
such hospitals. Sir J. G. WARD (Minister of Public Health) said he might state that the Government recognised the great importance of the matter referred to, and, as he had intimated to other members, they had had it under careful consideration for some time past. There was a general consensus of opinion that sanatoria for consumptive cases should be started in some parts of the colony, but an experiment should be made in one place first. Climatic conditions must be the chief consideration in making a selection of a site, and there was no desire on the part of the Government to select a site other than for health considerations. He hoped, first, to erect one consumptive hospital, probably at Naseby. If that hospital worked quite satisfactorily, then, if unhappily the conditions of the colony required additional sanatoria, some place in the North Island might be selected in order to have a second one. The

Government required to see that the colony, by establishing hospitals of this kind, was not made attractive to sufferers outside the colony to come here and use our sanatoria. The Government was impressed with the importance of the establishment of consumptive hospitals, and the Health Department was at present ascertaining the number of consumptives in the colony they would likely have to deal with.

NEW RAILWAY-STATION AT KAIAPOI. Mr. BUDDO (Kaiapoi) asked the Minister for Railways, When he proposes to give effect to the department's intention to build a new station at Kaiapoi, in order to provide passengers with shelter while waiting for trains, and minimise the danger of accident at the level crossing? He had no intention of introducing debatable matter and telling the Minister that this was the worst station between Hurunui and Oamaru, but he might instance the fact that the Kaiapoi Station on Easter Monday showed a deplorable want of accommodation. Carriages were not available, and shelter from the severe storm was not adequate, and the public were put to very great hardship. The department knew all about the matter. There was urgent necessity for the erection of a new station. The level crossing was now covered by all passing trains, and the danger to the public was considerable. The buildings might be sufficient for the office-work, but they were certainly inadequate for the traffic : and the accommodation for shelter for passengers waiting trains was not anything like sufficient, while the returns from Kaiapoi Station warranted better treatment. He hoped the Minister would give him a favourable reply. Sir J. G. WARD (Minister for Railways) admitted the necessity of what was asked by the honourable member. It was only a question of funds, and none were available for this work at the present time. The matter was under consideration, and if the department got the necessary funds from Parliament he would give instructions to proceed with the work immediately. Mr. Graham Major STEWARD (Waitaki) asked the Minister for Railways, Whether a fresh classification list for the current year under the Railway Officers' Classification Act has been prepared or is in course of preparation ; also, whether copies of such list are supplied to all railway officers, or will be supplied to any officers on application therefor : and to whom, in the latter case, application should be made ? Sir J. G. WARD (Minister for Railways) said this list was now in course of preparation. A copy of the list was placed at every railway-station, workshop, engine-shed. and office, and was accessible to all members of the service. Any member desirous of obtaining a copy of the list should apply to the Head Office, Wellington.

REGISTRATION OF DEBENTURES. Mr. BARCLAY (Dunedin City) asked the Government, If they will introduce a Bill this session to amend clause 9 of "The Companies Act, 1900," with a view to settling the question as to whether a fee of 5s. is to be paid for registration on each debenture given by a company ? The necessity for asking this question was now to a large extent obviated by the fact that a clause had been inserted in the amending Act introduced by the Hon. the Minister this year dealing with this matter. which no doubt would settle the difficulty which arose in connection with the registration of debentures. Sir J. G. WARD (Colonial Secretary) .- That is so. The Bill has been circulated.

RAILWAY-STATION AT BELFAST. Mr. TANNER (Avon) asked the Minister for Railways, When the long-promised rebuilding of the railway station at Belfast will be undertaken ? Sir J. G. WARD (Minister for Railways) said the goods-shed and siding accommodation at Belfast had recently been very materially improved. and an amount had been included in the estimates for the provision of a store-room for parcels and luggage, and a fireplace in the ladies' waiting-room. He was not aware of any promise having been given to rebuild the station, and did not propose to do so at the present time, there being many more urgent and important works to provide for throughout the colony.

APPOINTMENTS TO RAILWAY SERVICE .. Mr. LAURENSEN (Lyttelton) asked the Minister for Railways, Whether, other things being equal, he will for the future give special consideration to applications from lads for appointments in the Railway Department when these lads are members of large families? He would suggest to the Minister for Railways that, instead of having, as at present, in the application-for-employment form a clause asking " How many members of your family are now in the Railway Department," or particular department of the

public service. the question should be, "How many members are engaged

<page>387</page>

many brothers and sisters have you ? " He knew of one instance where a father was employed in the Government service with a family of two sons, and these were both employed in the service. He knew of another instance where five members of one family were employed in Government billets, and that sort of thing ought not to be while there were cases of large families who never got a chance of a single billet in the Government service. He hoped, therefore, that the Minister for Railways would take a step in the right direction by doing what was suggested in the question. Sir J. G. WARD (Minister for Railways) said the question raised by the honourable gentleman was a very important one, and he quite admitted that in the case of large families some consideration should be shown to the applicants. The most important thing, however, was to obtain suitable lads with the proper qualifications to fill the appointments, and that must be the first consideration of the department. If the qualifications were right, and assistance could be given to large families he thought it should be done. Under the existing system the Minister for Railways had little or nothing to do with the selection of those appointed to the department, as they were made from every part of the colony, and, he thought, rightly so. Honourable members knew they were made on the recommendations of members themselves. The Minister could not possibly know anything of his own knowledge about the applicants. He did not see one of them out of every hundred. All he had to be sure about was that they possessed the proper qualifications as to education, age, and character. It was the duty of the responsible officers to call his attention to any deficiency in these respects. If, however, there were cases of large families brought under his notice by honourable members for favourable consideration, he would be happy to consider them. It was, as he said, not unreasonable for the Minister to give effect to the recommendations of members in such a direction, provided, of course, that the present regulation, that not more than two members of the one family were to be appointed to the Railway service, were adhered to. He was of the opinion that if two members of a family got into the Government service, no more should be allowed to join from that family, and that would give an opportunity for those belonging to other families to enter the Government service. He should be very glad to see the system of the two limit that now applied to the railways made applicable to all departments of the Government service, and he would bring the matter before Cabinet for its consideration. As he had already stated, the Minister for Railways only made appointments to the department on the recommendation of members of Parliament, who were asked by the Minister to nominate candidates for the various positions. This was the only system which could work satisfactorily to the public. If they attempted to set up a Board, as had been suggested, it would mean the setting up of several Boards. They had a the colony, and people in those places who desired these appointments should have a fair show of obtaining them ; and therefore the system in vogue was the only one, as far as he could judge, which appeared to give general satisfaction to the public. It was impartially and fairly carried out as far as he knew. No complaints of any kind had been brought under his notice. If there were any cases that members knew of where partiality had been shown, he should be exceedingly glad if they would bring them up, because, personally, he knew of no cases of the kind.

DUNEDIN RAILWAY-STATION. Mr. ARNOLD (Dunedin City) asked the Minister for Railways, What is being done with regard to the Dunedin Railway-station ; when is it likely the erection of the new station will be commenced, and whether the work is to be done by contract or not ?

Some 12.30. twelve months ago the Government decided to do justice to Dunedin by erecting a railway-station suitable to the amount of traffic in that town. Recently, in consequence of the greater amount of traffic, there was one morning three trains leaving the station, two of which had about twenty carriages and the other one was very large indeed, and this was in addition to other trains that were arriving. While, of course, that was a little heavier traffic than usual, still the traffic at the Dunedin Railway-station was very large indeed. As a rule they were blessed with very fine weather

down there, but sometimes they had showers of rain, and when perhaps two or three thousand people were on the railway-station - people travelling, and friends seeing them off it became very awkward indeed. He would like to know what steps the Government were now taking with a view to pushing this work on as soon as possible. Sir J. G. WARD (Minister for Railways) said the department had taken the land necessary for this work, and had arranged with the Harbour Board for its reclamation. As soon as this was completed a new road would be formed giving access to a level crossing in line of St. Andrew Street. Immediately thereafter the department would be enabled to close Stuart Street and proceed with the erection of the main building, which it was proposed to let by contract. AUCKLAND RAILWAY-STATION. Mr. WITHEFORD (Auckland City) asked the Minister for Railways, If the Government will put the necessary sum on the estimates for the erection of a footbridge at the Auckland Railway-station ? Sir J. G. WARD (Minister for Railways) said the cost of the bridge was estimated at 9500, and the officers of the department had reported adversely upon this. The department said the saving of time to the travelling public would be very small, that the bridge was not required for railway purposes, and that there were more urgent and important works to be provided for throughout the railway system of the colony.

<page>388</page>

DENTAL INSPECTION OF SCHOOL- CHILDREN. Mr. LAURENSEN (Lyttelton) asked the Government, Whether they will take steps to have a dental inspection made at regular intervals of the children attending the public schools of the colony ? He trusted that the Hon. the Minister who acted for the Education Department in the House would realise the importance of this question. He thought there were few members of the House who did not realise how fast we were becoming a toothless race. In 1881 there were thirty dentists practising in New Zealand ; in 1901, twenty years afterwards. there were 172 dentists. In other words, the dentists were increasing exactly twelve times as fast as the population, and, as these men found employment for their energies, it was to be assumed that there was a necessity for their services. In this connection he would like to point out to the honourable gentleman, as an illustration of the necessity for getting dental inspection for children's teeth, that the other day a very capable and well-built boy went on board a man-of-war to see if he could receive employment in the English navy. The lad was strongly built, and respectable, and suitable in every way for the position, but when he came to be inspected he was declined because his teeth were defective. He saw that the Lancet had drawn attention to the same trouble as having occurred in connection with the army in South Africa, and a number of dentists were sent out there, who had found many of the men affected by defective teeth, and as a result ill with dyspepsia. Altogether he thought this question was more important than many members seemed to think it was, and, as the practice was being adopted by a number of Home and European Governments and by some of the States of America, he hoped this Government would see the necessity of following in their steps in this direction. Mr. HALL-JONES (Minister for Public Works) said this was a very important question. and he had no hesitation in saying that in a great many cases, if expert advice had been obtained early in the child's life, the benefits would have been felt in after-life. This form of inspection was adopted. he believed, by the London School Board and some other School Boards of the Old Country, and also in the States, as mentioned by the honourable member, and he believed that even in New Zealand some of our schoolmasters paid attention to this matter by advising the parents of any defects they saw in the condition of the children's teeth. In this connection the question of eye-sight and hearing were equally important with that of the care of the teeth, and they should be attended to. if only to the extent of a suggestion being made to the parents as to what was advisable to be done in regard to their children. The department would make further inquiries into the matter. MANUKAU HARBOUR. Mr. FOWLDS (Auckland City), for Mr. Witheford (Auckland City), asked the Government, If they will put the necessary sum on the estimates to dredge the Manukau Harbour, in

order to give access to the wharf at all states of the tide ? Mr. HALL-JONES (Minister of Marine) said the matter had been receiving the attention of the Government, and last year somewhat extensive dredging operations had been carried on. It had been found since that there were certain parts of the channel which required attention. Inquiry was now being made as to what was required to be done, and he hoped to have the information shortly, so that, if necessary, provision could be made on the estimates.

NORTH ISLAND MAIN TRUNK RAILWAY. Mr. FOWLDS (Auckland City), for Mr. Witheford (Auckland City), asked the Government, If they will make arrangements for completing the Main Trunk Railway (Wellington to Auckland) within the period mentioned last session ? Mr. HALL - JONES (Minister for Public Works) said the Government recognised that this was one of the most important works the colony had in hand at the present time. A statement had been made to the House as to the time within which the line would be completed, and the honourable gentleman might rest assured that any promise given by the Government would be given effect to. The work was proceeding satisfactorily ; good progress was being made from either end, and at present there were close on twelve hundred men employed on the work. The honourable member would understand that it was rather late in the year when the vote of the House was passed. Until that vote was passed he did not know how far he could extend the work then in hand, but when the vote was passed the honourable gentleman would know from personal observation that the works were extended very largely. What had been done fitted in with what was stated in the House last year, and with the statement he had made.

CLASSIFICATION AT ASYLUMS. Mr. ELL (Christchurch City) asked the Minister for Public Works, If he will cause to be erected more detached buildings in connection with the asylums at Porirua, Wellington, and Christchurch, to enable the management to carry out the classification which is acknowledged to be so much needed ? There was, he knew from personal knowledge, some method of classification at the Seacliff Asylum, and he asked that the same facilities should be placed at the disposal of the managers of the other asylums mentioned in the question. The Seacliff system had proved most effectual. One case had been brought under his notice in which a young lady teacher was sent from Dunedin, and never knew she had been at an asylum at all, having been treated in a small detached cottage under special treatment. There were no such facilities in the other asylums. Mr. HALL - JONES (Minister for Public

<page>389</page>

Works) said he had replied to a similar question last week. He indorsed what had been said in regard to Seacliff, and the management of that institution was extremely satisfactory. As the honourable member would understand, in making provision for additions to asylums the Government were guided by the recommendation of Dr. McGregor, and his advice had been followed in regard to Seacliff. He was not aware that that gentleman had made any similar recommendation with regard to other asylums, but if such a recommendation was received he had no doubt it would receive the attention of the Government. He quite agreed with what the honourable member had said as to the greatest care being necessary in the early treatment of cases. He felt sure there were many cases of people who were temporarily insane where, if there was special care exercised in the early stages, and if they were lodged in a building detached from the main asylum, a cure might be effected in a comparatively short time. He might say that of late years great improvement had been effected in regard to our asylums. Nothing was heard now as to overcrowding. Large sums of money were expended every year in carrying out the recommendations of the Inspector of Asylums, and this year the Government would make provision for a continuation of what had been done in the past.

TRUANCY FROM SCHOOLS. Mr. BARCLAY (Dunedin City) asked the Government, If they will introduce a Bill this session to amend the law relating to the prevention of truancy from schools? This question was suggested by the fact that complaints had been made very frequently from official quarters, and also unofficially, of a decrease in the number of scholars attending the public schools, owing to some extent to the difficulty of enforcing the Truancy Regulations. Since the

question appeared on the Order Paper he had read the report of the Otago Education Board for the year 1900, and in it this paragraph appeared :- " It is, perhaps, useless to repeat the representations which have been made in previous years for amendment of the School Attendance Act. In the hope, however, that the Legislature may by reason of importunity be prevailed on to remove the apparent defects in the Act, and by so doing tend to make the efforts of Boards and Committees for the suppression of truancy more fruitful of result than they are, these defects are again adverted to." He could not, of course, at this stage go into the matter of what amendments were desirable in the Act, and he simply now desired to know whether the Government would introduce a Bill to deal with this matter, as he thought they must be aware it was greatly needed in the country. Mr. HALL-JONES (Minister for Public Works) said this matter was now under the consideration of the department. The honourable member would notice there was already on the Order Paper a School Attendance Bill introduced by a private member, which Bill, he presumed, would be much on the same lines as He could the honourable gentleman desired. not help thinking that if all the Boards worked on the same lines as some of the Boards they would greatly minimise what had been complained of. However, as he had stated, the matter was now under the consideration of the department.

NORTH AUCKLAND RAILWAY EXTENSION. Mr. FOWLDS (Auckland City), for Mr. Witheford (Auckland City), asked the Minister for Public Works, When the Government propose to proceed with the detailed survey of the North Auckland Railway extension ? The main trunk line north of Auckland had been proceeded with at a very slow pace, and there was no indication of earnestness on the part of the Government in connection with it. The line had not been surveyed, except for a few miles beyond the point of construction, and the result would be that the Government will have to pay a very much enhanced price for the land it would be necessary to acquire to carry the line through. The unanimous feeling in the North was that the line ought to be surveyed and the land acquired right to the terminus without further delay. Mr. HALL-JONES (Minister for Public Works) said that for many years this line had been under construction, and he was surprised, looking at the past records, at the very slow progress that had been made. During the last few years they had been making more satisfactory progress. When he was last in the locality he had explained to the settlers in the vicinity what the proposals of the Government were, and they had expressed great satisfaction with what was proposed to be done. The work being done was in the best interests of the districts and of the colony. With regard to the survey, he admitted the honourable gentleman was right. When in Auckland recently he had given instructions for the work to be done. Whether they would go right through with it or carry it on to what was called a paying-point was another matter, but, at any rate, the survey would be started very shortly.

HURUNUI RIVER BRIDGE. Mr. MEREDITH (Ashley) asked the Minister for Public Works, Whether he intends at an early date to invite tenders for the construction of the railway-bridge over the River Hurunui on the line of railway now under construction between Waipoua and Cheviot? He wished to point out that this bridge was of great importance to the Cheviot people, and that some information should be given to assure them that tenders would be invited for its construction at an early date. The bridge was one which, he presumed, would be built of iron, and orders respecting it would have to be executed in the Old Country. It would probably take eighteen months to build, and it was manifest that the railway to Cheviot could not be completed until this bridge was first constructed. He therefore asked if the honourable gentleman had

<page>390</page>

[HOUSE.] Waiau River Bridge. 390 plans and specifications ready, and when tenders were likely to be invited. He had to thank the Minister for Public Works for the interest he had shown in expediting the Waipoua-Cheviot Railway, and for what he had done for it so far as circumstances would allow. Mr. HALL-JONES (Minister for Public Works) said he recognised the importance of this bridge being constructed at an early date. Plans were prepared and were being lithographed, and the specifications

were being prepared and would be printed. He hoped that tenders would be invited by the Government for this work during the present month. The tenders would take some time, and as the bridge was to be of steel, it would necessarily take some time to complete, so that the sooner it was begun the better.

WAIATU RIVER BRIDGE. Mr. MEREDITH (Ashley) asked the Minister for Public Works, Whether the Public Works Department has in preparation plans and specifications for a traffic-bridge or a combined traffic- and railway-bridge over the Waiau River at Cheviot, and on the main arterial road via the East Coast between Christchurch and Blenheim ; and, if so, when are tenders likely to be invited for the construction of the bridge ? In reference to this bridge he would point out to the Minister that during the sessions of 1898 and 1899 he had brought the question of bridging this river under the notice of the Government, and during the session of 1899 had received an assurance from the Minister that the site for a bridge would be reported upon. That had been done; a report was made by Engineer Johnston to the department, and the sum of \$2.000 had been placed upon the estimates for this work. Some time had elapsed since then, and he was at a loss to know why the bridge had not been gone on with. This river was most dangerous. It was on the great north arterial road, and several narrow escapes from drowning had occurred. Quite recently one of the most prominent settlers in Cheviot had a very narrow escape, and it was only his great swimming-power that enabled him to reach one of the sand-beds in the river and so escape drowning. Later still a coach and horses had been swept down the river. The Hon. the Minister had had a very narrow escape, and His Excellency the Governor had rather an unpleasant experience. Taking all things into consideration, and seeing that valuable lives might be lost for want of this bridge, he asked the honourable gentleman to give him an assurance that the bridge would be gone on with, either as a traffic- or a combined traffic- and railway-bridge. Mr. HALL -JONES (Minister for Public Works) said the sum of \$2.000 referred to by the honourable member had been placed upon the Land estimates as a contribution towards this bridge, which was to be a road- and rail- way-bridge. There was no sum on the estimates for the railway-bridge-in fact, the site Marine Charts. [JULY 16 stances, he could not put the matter in hand. He was informed there was a difference of opinion in the district as to whether the money voted for the railway should be expended upon the railway to Mackenzie, or whether a part of the money should be spent on the bridge : he believed there were many who wished to see the railway completed, deeming it a more important work than the bridge. He himself had some experience of the river, and it was an experience that was not singular, as other travellers in the same locality had had narrow escapes in crossing the river. He thought the bridge was necessary, but it could not be proceeded with until sanctioned by the House. He thought the best course would be to proceed as speedily as possible with the railway to Mackenzie, keeping in view that when the rails were laid as far as the bridge-site the bridge should be so far advanced that it could be used for all traffic purposes. Of course, if the railway was sufficiently advanced it could be utilised when the time came for the conveyance of the bridge material to the site of the bridge. thus economising in the cost of construction.

MARINE CHARTS. Mr. LAURENSEN (Lyttelton) asked the Minister of Marine, Whether he will make arrangements for the Marine or Customs Departments to keep a full supply of all charts likely to be required by vessels trading to other parts of the world from New Zealand : or, if not, will he arrange for some private firm to supply these charts ? Mr. HALL-JONES (Minister of Marine) said it was the practice of the department to obtain annually a supply of charts for each of the principal ports of the colony, and so far they were not aware that the supply was deficient. If the honourable member knew of any deficiency, he (Mr. Hall-Jones) would take steps at once to remedy the matter.

PURCHASE BY GOVERNMENT OF HISTORICAL RELICS, ETC. Mr. BARCLAY (Dunedin City) asked the Government, If they will take steps to legislate, as is done in other countries, to prevent valuable historical, artistic, or scientific relics, documents, articles, or things being disposed of outside New Zealand without first being offered to the Government for purchase ? He felt sure that the Native Minister, with his well-known artistic and literary instincts, would be

in full sympathy with the request implied in the question. The fact of the matter was that at present very considerable shipments of articles of historical and scientific value were being taken away from the colony to other countries. Germany apparently secured the bulk of these valuable things: and, of course, there was nothing to prevent that or any other country from coming in and taking away these articles of archaeological and historical interest. The consequence was that later on, if they wished to make researches into the early history of New

<page>391</page>

South Island 1901.] [HOUSE.] probably be found in the archives of Paris or Berlin, or perhaps in some part of America. These relics and other articles should certainly be retained in the colony, if possible, by the Government, and he felt sure he had only to call the attention of the Minister to the matter to obtain from him a sympathetic answer to the question. Mr. CARROLL (Native Minister) need hardly say he was in entire sympathy with the honourable gentleman on the question. It was true that many of our very valuable assets in the way of relics, ornaments, et cetera, representing high Maori art, were leaving the colony. That evidently showed that private enterprise had been much keener than any public spirit we had ever evinced as a colony in securing the possession of such articles. There might come a time when we would have to seek in other colonies, in other countries, and in their museums, to reclaim, if possible, our own property at a heavy cost. Therefore it must to any one appear advisable that steps should be taken to keep what they had in association with this colony and its people for all time. He had heard that in some countries they had legislation preventing the exportation of such things, and that certain powers were given the Government to purchase or otherwise acquire them as State property. He was quite willing to receive any information from the honourable gentleman as to what was in vogue in other countries, with the view of drafting some form of legislation which would enable the Government to collect, acquire, and gather on behalf of the State everything of the kind that might be of historic value. He was also glad this question had been put on the Order Paper, if it was only to awaken some interest in the public mind in the direction of retaining these things in our own possession. SOUTH ISLAND MAORIS. Mr. PARATA (Southern Maori District) asked the Native Minister, Whether it is the intention of the Government during this session to introduce legislation prohibiting the Maoris of the South Island from devising their lands by will? His reason for putting this question on the Order Paper was that numerous petitions had been received from the Maori residents of the South Island protesting against a practice that was there in vogue of Natives leaving their interests in land to persons other than their own relatives. During last April the Native Land Court sat at Waikouaiti and Kaiapoi, and dealt with certain applications for probate of wills devising Maori lands, which came before them there, and a very rotten state of things was disclosed, and some serious trouble arose in consequence. It was represented to the Chief Judge of the Native Land Court, in consequence of what there transpired, that it had become a common practice for Natives to make wills devising their land away from their own relatives, and there was therefore a necessity for restraining them from so doing. It even turned out that one deceased person had made as many Maoris. 391 though none of his own relatives were beneficiaries under any one of them. He maintained that if the practice was not put a stop to, of this indiscriminate making of wills by Natives in the South Island, it would only be a matter of time when all their land would have passed away from them. The land would pass away to European beneficiaries, or to strange Natives who might be residents of this Island, and there would be no object in Commissioners 1.0. setting apart land for landless Natives in the South Island if the Natives were allowed to deprive themselves or their relatives of it by will. He would ask the Government to frame such legislation as would limit or place within certain restrictions the power under which wills might be made by Natives owning land in the South Island. Mr. CARROLL (Native Minister) said this was a question which involved one of policy, and was a very serious matter as explained by the honourable gentleman. He could assure the honourable gentleman, however, that the Government would

consider the position with a view to in some way meeting the dangers which he naturally apprehended. He was only too sorry to admit that in many cases the practice had grown up of manufacturing wills and endeavouring to prove them before our tribunals. Personally, he thought that the opportunities of will-making on the part of the Maoris should be limited as much as possible ; but even that might be open to question, and it touched on the larger question as to the right of any person to make a will. As a general rule, the limitation on will - making might beneficially apply to the bulk of the Natives : but there were those, again, who were far advanced and intelligent, who could fairly claim the right of disposing of their property by will. However, in the way that the law was now it was not possible for the Natives by will to absolutely deprive their natural heirs of all their landed property-that was to say, they could not will away their entire property from their natural successors if the said successors had not sufficient land for their maintenance. He would put the matter to the honourable gentleman : Would he be in favour of taking away the right absolutely from any Native to make a will and leave his property as he would like to the different members of his family or outside his family ? Mr. PARATA .- No. Mr. CARROLL said, In any case, the question was a very important one, and the honourable gentleman's question had, at any rate, served the purpose of drawing the attention of the authorities to the fact that wills were being improperly made with the object of depriving rightful people of their interests, and it behooved our Courts to be most careful in examining the bona fides of those concerned, and see that wills were clearly proved. He could not give a definite answer to the honourable gentleman as to whether the Government would make any

<page>392</page>
 POLICE OFFENCES BILL. IN COMMITTEE. Clause 2 .- "Subsection twenty-nine of section three of the principal Act is hereby amended by inserting the word 'or' next after the words ' public place.' " Mr. HERRIES (Bay of Plenty) moved the addition of the following words to the clause : "and is further amended by inserting the following provision : ' Provided that the term " public place " in this subsection shall have the meaning given in section eighteen of the principal Act.'" Words added, and clause as amended agreed to. Mr. CARNCROSS (Taieri) moved the addition of the following new clause :-- " Section twenty-four of the principal Act is hereby amended by inserting at the end of line three thereof the words 'or to a penalty not exceeding twenty pounds.'" The Committee divided on the question, "That the new clause be read a second time." AYES, 31. Rhodes Herries Arnold Barclay Lang Stevens Bollard Steward Laurenson Buddo Symes Lawry Carroll Thomson, J. W. McLachlan Ward Meredith Duncan Willis. Millar Flatman Graham Morrison Tellers. Napier Hall Hall-Jones Carncross O'Meara Palmer Hogg. Hardy NOES, 9. Tellers. Parata Ell Russell, W. R. Hornsby Fowlds Thompson, R. Tanner. Hutcheson McGowan Majority for, 22. Motion agreed to, and new clause read a second time. New clause, by leave, withdrawn. Mr. CARNCROSS (Taieri) moved the addition of the following new clause :- "(1.) Subsection two of section twenty-four of the principal Act is hereby amended by striking out the words 'or uses any profane, indecent, or obscene language.' " (2.) Any person who uses any profane, indecent, or obscene language in any public place as defined in section eighteen of the principal Act, or within the view or hearing of any person passing therein or residing in such public place, shall be liable to imprisonment with hard labour for any term not exceeding one year, or to a penalty not exceeding twenty pounds." New clause agreed to. Bill reported. PUBLIC HEALTH BILL. IN COMMITTEE. Sir J. G. WARD (Minister of Public Health) moved the addition of the following new clause :- "1A. The Governor may, by Order in Council, from time to time prohibit the importation into New Zealand of any material liable to convey infectious diseases, and also stipulate any conditions under which such material may be admitted." New clause added. Bill reported. ACCIDENTS COMPENSATION BILL. IN COMMITTEE. Clause 2 .-- " Where any person injured or alleged to have been injured by an accident, through the wrongful act, neglect, or default of any other person, claims compensation on account of the injury, any Judge of the Court in which proceedings to recover such compensation are taken may order that the person injured be

examined by one or more duly qualified medical practitioners named in the order, and not being witnesses on either side, and may make such order with respect to the costs of such examination as he thinks fit." Mr. ATKINSON (Wellington City) moved, after the word "compensation," to insert the words " or damages." Amendment agreed to, and clause as amended agreed to. Bill reported. CHINESE IMMIGRANTS BILL. IN COMMITTEE. Clause 2 .- " In order to remove any doubts as to the application of the principal Act and its amendments in the case of Chinese members of the crew of any ship arriving at any port or place in New Zealand, and to give reasonable facilities to such Chinese to go ashore from time to time in the performance of their duties in connection with the ship. the second paragraph of section five of the principal Act and section eight of 'The Chinese Immigrants Act Amendment Act, 1888,' are hereby repealed, and in lieu thereof the following provisions of this Act are substituted." Mr. ATKINSON (Wellington City) moved. That all the words from the commencement of the clause to "in connection with the ship" be struck out. Amendment negatived, and words retained. Clause 3 .- " On the arrival at any port or place in New Zealand of any ship having Chinese on board as part of the crew, and before any person lands in New Zealand, the master of the ship shall, in the presence of an officer of Customs, muster the crew and give to such officer a list signed by the master containing the names and number of such members of the crew as are Chinese ; and immediately prior to the departure of the same ship, and before receiving her clearance, the master shall again in the presence of an officer of Customs muster the crew, and satisfy such officer that all the Chinese comprised in the said list are then on board and will leave New Zealand with the ship, or, if not then on board, have not landed in New Zealand."

<page>393</page>

On the motion of Mr. SEDDON (Premier), the words " and the Shipping-master " were inserted after the words " officer of Customs." Mr. G. W. RUSSELL (Riccarton) moved to strike out the words "or, if not then on board, have not landed in New Zealand." Amendment negatived, and clause as amended agreed to. Clause 4 .- Not deemed a passenger on compliance with the Act. Mr. MILLS (Commissioner of Customs) moved the addition of the following proviso :- " Provided that the maximum penalty imposed by section nine of the principal Act is hereby increased from twenty pounds to fifty pounds, and that section, and section six of ' The Chinese Immigrants Act Amendment Act, 1888,' shall be read and construed accordingly." Proviso agreed to, and clause as amended agreed to. Clause 5 .- " Subject to the provisions of this Act, it shall be lawful for any Chinese member of the crew as aforesaid from time to time to go ashore in the performance of his duties in connection with the ship." Mr. MILLS (Commissioner of Customs) moved to add at the end of the clause the words " but for no other purpose." Amendment agreed to, and clause as amended agreed to. Mr. MILLS (Commissioner of Customs) moved the addition of the following new clause :- " Nothing in this Act shall affect any proceeding under the principal Act now pending." New clause added. Bill reported and read a third time. REFERENDUM BILL. IN COMMITTEE. Clause 8 .- "Subject to the provisions of this Act. such poll shall be taken in each electoral district in the colony by the same Returning Officer, at the same polling-places, and in the same manner as in the case of a general election, and the provisions of 'The Corrupt Practices Prevention Act, 1881,' and ' The Electoral Act, 1893.' in so far as they are applicable, shall, mutatis mutandis, apply accordingly." Question, That the words "in each electoral district in the colony by the same Returning Officer, at the same polling-places, and in the same manner as in the case of a general election " be struck out, with the view of inserting " by post, in accordance with the regulations made by Order in Council." Amendment negatived, and clause agreed to. Clause 14 .- " With respect to any Bill or other legislative proposal which has been submitted to the referendum the following provisions shall apply :- "(1.) It shall not be again submitted for a period of three years after the gazetting of the result of the poll taken on the first submission unless at least ten thousand electors so request by petition to Parliament. " (2.). It shall not be again submitted unless the provisions of section four of this Act are complied with afresh." Captain

RUSSELL (Hawke's Bay) moved the excision of the words "ten thousand electors," with the view to substituting in lieu thereof the following words : "ten per centum of all the electors on the electoral rolls at the date of the taking of the poll." Amendment agreed to, and clause as amended agreed to. Clause 15 .- " Nothing in this Act shall apply to,- " (1.) Any Bill or other legislative proposal which deals with the construction or maintenance of public works of a purely local character, or with parliamentary procedure, or which the House of Representatives, by resolution, declares to be a matter of urgency ; nor to " (2.) Any private Bill." Mr. SEDDON (Premier) moved, in subsection (2), the insertion of the words "or local." Words added, and clause as amended agreed to. Mr. HERRIES (Bay of Plenty) moved the addition of the following new clause :- "In the case of any Bill submitted to the referendum, a copy of such Bill shall be posted for public inspection in every post-office in the colony in a conspicuous place for fourteen days before the taking of the poll." Clause agreed to. Bill reported. EXPORTATION OF ARMS BILL. Mr. SEDDON (Premier) .- Sir, there is a necessity for the passing of this Bill. Without it, the colony might be made the vehicle of having arms exported therefrom, to its detriment and to the detriment of the Empire. More particularly is it necessary we should have this measure in respect to the islands of the Pacific. Not only that, but in communication with the Imperial authorities on the subject they concur in thinking that a measure of this kind would be of service and is necessary. I therefore move the second reading of the Bill. Bill read a second time. DISTRICT COURTS BILL. Mr. McGOWAN (Minister of Justice) .- Sir, this is a short Bill, but a very important one to the community. It gives the District Court the same power in regard to certain offences as the Supreme Court possesses. It also extends the jurisdiction of the District Courts Criminal Jurisdiction Extension Act of 1870. Section 4 of that Act is amended by repealing the words "or any felony which when committed by a person not previously convicted of felony is punishable by penal servitude for more than seven years," and it provides that " the jurisdiction conferred upon the Supreme Court by section fourteen of 'The Indictable Offences Summary Jurisdiction Amendment Act, 1900,' may be exercised by the District Court or a Judge thereof in respect of all offences within the jurisdiction of the District Court." I beg to move the second reading of the Bill.

<page>394</page>

394 . District Courts Bill. Mr. WILFORD (Wellington Suburbs) .-- Sir, I congratulate the Minister of Justice on bringing forward this Bill. It is a necessary measure, and one that has been found to be necessary by the new jurisdiction that has been exercised by the Courts under "The Indictable Offences Summary Jurisdiction Act, 1900." I feel sure, however, the Minister will not consider that what I wish to say is said in a spirit of hostile criticism when I suggest to him that there are several defects in that system which have been found in the working, and which, of course, could not have been apparent to the Hon. the Minister when he fathered the Bill last year. In the first place, there is no power and no provision in the statute of 1900 for the depositions from the lower Court to come before the Supreme Court. The second defect is that there is no provision in the Act of 1900 for the Crown to be represented at the hearing when the prisoner is sentenced. That is found to be objectionable, and the Crown Prosecutor in the city here applied to the Under-Secretary for Justice, who suggested that, notwithstanding, for a District Court Judge no grand jury the fact that this had not been provided for, ; the Crown Solicitor should nevertheless attend, in order that any question which might be referred to him might be answered, and in order that the depositions could be brought before the Court, in order that the Judge could be seized of the Crown's side of the story apart from the other side. I hope the Minister of Justice will remedy these two defects. Perhaps the better plan would be to bring in an amendment of "The Indictable Offences Summary Jurisdiction Amendment Act, 1900," for the Act re- ! it shows the Minister in charge has taken heed and requires amendment in that direction. I hope ; the Minister will take these suggestions from ; me and embody them in the Bill, as he has in general ground of the status of the District embodied every suggestion I made in regard to the Police Offences Bill. I do not agree with the 1st clause of the Bill. Mr. HERRIES (Bay of

Plenty) .-- This Bill was introduced last session, and met with a good deal of opposition from various members, and, exceedingly pleased it has had such a favourable reception especially members of the legal profession. The chief argument the layman has against it is the : House. I may say it effects precisely the same existing condition of the District Court Judges, : and, for myself, I would not consent to their ! year ago, and one which I also gave notice . ? having enlarged powers unless their status is placed on a more satisfactory footing. If this Bill is proceeded with I shall endeavour, in Committee, to put a clause in putting the District Court Judges on the same footing as the Supreme Court Judges. I hold that it is wrong to enlarge their powers, and give them the legal powers of a Supreme Court Judge, and yet allow them to be removable by the Minister of the day, whatever Ministry is in power. It is entirely wrong, in my opinion, to give them these extended powers and yet leave them in that position. We had an instance of this only the other day, where a member of this House came before a District Court Judge in some civil case, and that District Court Judge refused to try the case, because he said his salary, - or the inference to be drawn was that his salary-might [HOUSE.] District Courts Bill. [JULY 16 An Hon. MEMBER .- He was a weak-kneed Judge. Mr. HERRIES .- I do not think he was a weak-kneed Judge. How many of us would like to be put in that same position? How many of us are there who would not be unconsciously biased either one way or the other if we knew that our salary depended on the judgment we gave? and I say that is a wrong position to put any Judge in. Here we are going to extend their powers and give them the privilege of inflicting a sentence of seven years' penal servitude, and yet we are not going to give them the position of Supreme Court Judges. Another important objection to this extension of power was given last year. I believe, by the honourable member for the Grey. H. pointed out that though we extended their criminal powers, yet no provision was made for trial by the grand jury, as if a man is indicted before a Supreme Court Judge a bill has to be found by the grand jury. But if a man is indicted under this extension of powers he is summoned, and the consequence is that one principle of the British Constitution is abolished by this Bill. With regard to the 3rd clause of the Bill, it was not in the Bill of last session, and, so far as I can see, there is not the objection to that-except the general objection as to the status of the District Court Judges-as there is to the previous clause. The previous clause is a little altered from last year. It does not include all the offences included in the Bill last year, and I am glad to see this, as to some of the objections raised by members of the legal profession last session ; but, on the Court Judges, I shall certainly object to their powers extended any further than they are at present. Mr. HOGG (Masterton) .- I have very much pleasure in supporting the Bill, and I am exceedingly pleased to receive from a number of members in this purpose I aimed at in a Bill I introduced this year, but which I will have very much pleasure in withdrawing -when the proper time comes - in favour of the one now before the House. It will be beneficial in preventing large expense ; and not only that, but it will be conducive to justice itself by enabling persons to be tried in places where evidence is easily available. With regard to the objection which has been taken by the last speaker. I do not think it is at all tenable. I have never in my experience in New Zealand or elsewhere heard of a District Judge being treated badly by any Parliament or Minister. These phantoms that seem to be in the minds of one or two of our Judges are so purely imaginary that I am astonished that such objections should be taken. Their position is in no way menaced : neither is the position of Stipendiary Magistrates.

<page>395</page>

District Courts Bill. 1901.1 [HOUSE.] should be supposed for a moment that any ! injustice would be done to men occupying these matters of District Court Judges in being dis-loyal and independent positions. I should like to say that I am one of Mr. R. THOMPSON (Marsden) .--- There are those who believe that it would be a good thing another question that I would like to bring for New Zealand if the whole of its Judiciary before the Ministers in dealing with this Bill. were made entirely independent of the Government. There has been a desire all over the colony for many years, no matter what Government some years

that the operations of the District might be in power. The other day, when I put Courts should be extended. District Courts a question on the Order Paper, I asked the Government, if they could not give a favourable and if the operations of that Court were made reply as to making the whole of the Judiciary wider a great saving would be effected in many independent, or at least to take into favourable, cases by enabling many cases which now have consideration the making of the District Court to be tried by the Supreme Court to be tried in Judges independent. I think the position taken the smaller towns, which would be a large up by Judge Kettle in Masterton recently is - saving in expense, by obviating the taking of one that is unassailable : that a Judge should 1 witnesses to large centres and keeping them not be called upon to adjudicate in a case there for a week or ten days. I am aware where one of the men who have to vote his that the legal profession does not take this view salary from year to year is before him in the of it, and that probably it will reduce their fees, position of either plaintiff or defendant. It as the fees of the District Court are not as high is an unfair position in which to place any as those of the Supreme Court, but I think the Judge. Government should study the interest and con- Court Judge or Magistrate should think of venience of the public, and not the interest of the legal profession for a moment. This ques- himself. tion has no doubt been brought under the notice of Ministers at various times, but I hope view it. I look upon it that a man, no matter it will be considered, so that when the Bill is in who he may be, is only human; he has to think of his position and his bread-and-butter Committee a clause might be inserted to meet the object I have in view. the same as other men. Jir. WILLIS (Wanganui) .- On many occa- sions I have pointed out the insufficiency of officer ; you have to pass goods through the the payments to District Court Judges. Year Customs? You have to vote his salary. Is after year we have found that the labours of i that any reason for him not collecting his duties ? these Judges have been increased. It is neces- sary that where we have important duties is more than one instance in this colony-occu- to perform we should get the best men to perform them, but under the low salaries that ' pants of the bench were threatened in their are paid to District Court Judges there can be position by men in whose cases they had been adjudicating in the Courts of the colony. In no great incentive to seek the positions that the legal profession have the right to look any case, I say it is an improper position to forward to. Now, Sir, to show how the work place men in while we ask them to deal out of the District Court has increased. I would even-handed justice. We are talking about ex- like to point out that the jurisdiction of Dis- tending the powers of District Court Judges. Already they have very great powers. If a cri- triet Courts by the Act of 1858 was \$100; in minal is brought before them for a heinous 1ses the jurisdiction was doubled-namely, 2200: in 1893 the jurisdiction was again in -. crime these Judges have power to sentence creased to more than double- namely. \$500. Well. the work has been piled up in this way flogging- exactly the same powers as a Judge on District Court Judges, and one would have thought there would be some commensurate increase in their salaries. But. as a matter of that is the position he is in now, to become for fact, not only has there been no addition, but we and the salaries of some Judges are less now than in 1858 and 1888. I think these figures speak for themselves, and I think, in common justice, some effort should be made to increase honourable member for Wanganui has said, pay their salaries and make them commensurate with the work they have to perform. I draw attention to this subject. as I have done for some vears, because I think it is only my duty to do so. believing that these men who we expect to be well qualified to deal with the duties imposed on them should have something done in the direction of an increase of salary. Once more, Judge Kettle prevailed upon both parties to re- I say, I bring this matter before the attention of the House, trusting that in some way the District Courts Biil. 395 Mr. HORNSBY (Wairarapa) .- While this Mr. SEDDON. - Nonsense. No District Mr. HORNSBY .- Well, that is the way I Mr. SEDDON .- What about a Customhouse Mr. HORNSBY .- Not so long ago-and there him to a long term of imprisonment and to of the Supreme Court. Then, Sir, take civil business : they have jurisdiction up to \$500. It is a monstrous

thing to ask a Magistrate, for the nonce a District Court Judge, and to do the work of the District Court for the paltry salary paid to a Stipendiary Magistrate. I think the time has come when this House should, as the the District Judges of the colony a salary com- mensurate with the work they do for the colony. And let me say that, when the Judge at Master- ton referred to the anomalous position. the very unenviable position, he was placed in, he referred to another honourable gentleman in this House whose case came before him, in which case Mr. move the action into the Supreme Court. Well,

<page>396</page>

who does not try to carry out his duties impar- tially ; and I believe, taking them as a whole, we have men on the Magisterial bench in this colony who do their best to deal out even-handed justice. So far as the other Court is concerned, it can be said without any fear of contradiction that the District Judges of the colony perform their duties faithfully and well. Now, that being the case, I want to know why, at any rate, the Judges of the District Court should be kept in their present anomalous posi- tion ? Why is it ? Is there any good and suf- ficient reason why Judges of the District Court should not be appointed during good behaviour? If good and sufficient reasons can be given let them be stated. I confess I have never heard any, and if there is any reason I, for one, should like to hear it. I know there are a hundred reasons against a Judge being placed in the anomalous position that Judges of the District Court occupy at the present time. There are many good and sufficient reasons why they should not be at the beck and call of any Go- vernment, no matter what that Government may be, because, as a matter of fact, Judge Kettle or Judge anybody else who has the status of a District Court Judge can be removed to- morrow if it so please any one who has charge of that department of the Government. He is simply a Civil servant, and may be dismissed as an ordinary Civil servant. I say that is a wrong position to place a man in who has to adjudi- cate upon the affairs of the men and women of this country and to hold the balance of justice even. I say I would appoint them all during good behaviour. If you exalt a man to the Magisterial or District Court bench, you ought to be persuaded in your own mind that he is a man fit to occupy that position before he goes there, and you ought to place in him every con- fidence that he will carry out his duties as they ought to be carried out. An Hon. MEMBER .- But suppose he is not fit ? Mr. HORNSBY .- " Suppose he is not fit ? " Then, there is a way of dealing with him. " How would you deal with a man who falls from grace ? " asks the honourable member for Ric- carton. Well, when a Judge falls from grace he falls like Lucifer, and he gets out of the colony as quickly as he can-though sometimes he comes back again. But I am contending for what I believe to be a right principle, and I wish to emphasize before I sit down the desire I have personally, and as a member of this House, to see the whole Judiciary of New Zea- land entirely independent of any Government that may be in power-that is to say, that every one of them, both Magistrates and District Court Judges, shall be appointed during good behaviour. Mr. MONK (Waitemata) .- Sir, I agree with the suggestion that has been made that the status of our District Court Judges should be placed beyond the reach of any Ministry or person, and should be the same as that of the Supreme Court Judges. The position should be retained subject to good behaviour. But I would remind the Premier that the Government have become exceedingly lax in these matters. To my astonishment, Sir. last session we passed a sum on the estimates of \$500 as a bonus to a Judge of the Supreme Court. That was an attack on the fundamental principle that is inherent in the Judiciary of Great Britain at the present time -- that no Parliament can invidiously raise or lower the salary of a Judge. The excuse offered at the time when the \$500 was given was that it was for having sat upon a Court that was not stipulated for at the time when he received his appointment ; but while attending to the duties on the Arbitration Court he could not be rendering service elsewhere, and his work would be lighter, and therefore, Mr. Speaker. it was no excuse for such a violation of what is a great principle in the eyes of the British people at the present time -- that a Judge's salary shall not be increased by a special bonus from the Ministry. That principle was seriously interfered with in giving Judge Edwards the sum of \$500 on the estimates of last

year. I should heartily support. Sir, a proposition that the salary and the position of District Court Judges shall be unassailable, and that they shall believe that Parliament has no power ordinarily to reduce or increase their salaries- that they shall retain their position solely upon their good behaviour, and that they came: possibly be influenced in any decision or any action they may take in their official position. I quite agree with the statement of Judge Kettle, that a Judge who felt that his salary could be affected or challenged by a member of Parliament is not as free an agent as he ought to be. For instance, suppose that I or any member of Parliament had to be brought before him. In his adjudication on any matter he should feel that he is perfectly independent of any power possessed by reason of my official position in this Chamber. An Hon. MEMBER .- So he is. Mr. MONK .- No. An Hon. MEMBER .- Why not? Mr. MONK .- I can attack him. I can affect his salary, or he can be interfered with financially at the instance of any member of the House. On a former occasion was not a violent attack made upon Judge Kettle which might have seriously affected his position? Did I .- not feel that his position was jeopardized. and that he was in danger of being even dismissed or disgraced? An Hon. MEMBER .- NO Mr. MONK .- Most certainly. I think the honourable member knows nothing about the case, or else he has not given the matter in .- partial consideration. Mr. NAPIER (Auckland City) .- Sir, I think the necessary corollary of this Bill will be an increase to the salaries of the District Court Judges, because there can be no doubt in the mind of any person who considers the present remuneration of those Judges that it is most inadequate. The salaries paid to the District Court Judges are the smallest in the Empire paid for such services. The County Court Judges at Home in most of the County Court

<page>397</page>

districts get as much as four times the salary than raise their voices in objection. It seems of several of our District Court Judges. to me that is only beating the wind. It would be futile to remonstrate unless we endeavour to An Hon. MEMBER .- Not all of them. Mr. NAPIER .- About \$2,000 a year some do something more. I am so thoroughly convinced that the position of the District Court of the County Court Judges at Home receive, while about \$500 a year is the salary paid to Judges is radically wrong that I object to any the District Court Judges here. Bill dealing with their powers being passed, and. An Hon. MEMBER .- What about Judge Ward? with the object of testing the views of honourable members who have expressed their disapproval. Mr. NAPIER .- There are exceptional circumstances in that case. There are exceptional approval of the position in which the Judges are reasons in addition to his length of service, and placed, I shall move, Sir, that the Bill be read he gets (900 a year under an old Act; but in a second time this day six months. That will future no District Court Judge can hope to earn give honourable members, if they thoroughly the salary of District Judge Ward. In Australia agree that the salaries of the District Court trials the salaries of County Court Judges are Judges ought to be increased, and their position more than double the salaries we pay, and in positions more clearly defined, an opportunity of India they are nearly three times as much. voting with me on the question to prevent any Even in America the Judges of corresponding further legislation about District Courts until the whole subject is properly discussed. Honourable status get three times as much as our District Court Judges. Sir, the member for Waitemata able members have said it is absurd to suggest was incorrect in stating that Parliament could that the District Court Judges or the Magistrates are afraid of the votes of members of this neither raise nor diminish the salary of a Judge of the Supreme Court. "The Supreme Court House, or, more properly speaking, of the power Act. 1852," section 11, states clearly that "The of Ministers. Sir. I say unhesitatingly there is salary of a Judge shall not be diminished scarcely a District Court Judge in New Zealand, during the continuance of his commission " ; and there are very few Stipendiary Magistrates, whose eyes are not constantly watching the but. while that may be so, we have full power luminaries who sit on the Government benches to increase the salary as much as we like. Now, Sir, I am not quite satisfied, but I shall and, without saying for an instant that their decisions are affected by the insecurity of their not oppose the Bill to-night. - that it

is position, there is, I believe, scarcely one person wise to confer such plenary power upon men of the professional capacity likely to who sits upon the Magistrate's bench or the District Court Bench. District Court bench who is not more or less afraid lest he should fall under the displeasure of under existing conditions. No doubt we have some gentlemen of great judicial ability Ministers. as District Court Judges at the present time, but you cannot hope to replenish the Bench with men of the highest professional calibre for at any rate, believe. www a year. It is quite absurd to suppose that a professional man will take the position references to the statutes occasionally. for such a remuneration until his powers are the Magistrates and the District Court Judges waning and he finds his practice slipping away from him, or until he is falling into the sere and speak in contempt of our statutes ? They are yellow leaf. A young man in the full possession the persons beyond all others who ought to be of all his energies would not take the position competent to understand them. And we need go no further than the absurd alterations which at gxx) a year. It would be far better for him we have to make year in and year out in every to have a practice at the bar worth \$300 or Act which Parliament places on the statute- \$400 a year, which he might leave to his son, book, and the annual amendments and con- and with the prospect of development. I have i given notice of a question on this subject, and i tinal repeals of lately passed Acts, as evidence of their absurdity. Why should we not increase I hope. Sir. that when the estimates are under the salaries of the Judges? The salaries of consideration the matter of increasing the District Court Judges in the colony are very salaries of our District Court Judges will receive poor indeed. As was pointed out by the attention. Especially, considering the greatly : honourable member for Auckland City (Mr. increased responsibilities now imposed upon them. I hope the Government will see their Napier), it is useless to suppose for one instant that we will obtain highly qualified professional way to increase the salaries of these officers men for the position of District Court Judges by a substantial amount. Captain RUSSELL (Hawke's Bay) .- Sir, I unless we are prepared to give them a sufficient salary to induce them to abandon the lucrative feel like most honourable members who say professional practice which capable lawyers en- they think the salaries of the District Court joy, and to make it worth their while to take Judges ought to be on a higher scale, and that seats on the District Court bench. I am not these officials ought to hold their positions on saying that the Judges on the District Court the same terms as Judges of the Supreme Court bench are not highly educated and qualified hold theirs. Honourable members have talked and have given reasons for objecting to the posi- men, nor that long-continued practice has not enabled these gentlemen to acquire the special tion in which District Court Judges are placed legal training which is necessary to make them at the present time, but they have not led the competent Judges ; but, if we are to raise the House to understand that they will do any more i Mr. SEDDON .- Nonsense. Captain RUSSELL .- Sir, I speak of what I, Mr. HOGG .--- They make very contemptuous Captain RUSSELL .- And why should not

<page>398</page>

the very best men, a salary of \$1,000 is the very lowest we ought to offer, and for that salary I believe we can get men who will satisfy th . public of New Zealand that they are thoroughly qualified for the position. The ad- ditional cost of their salaries would be abso- lutely imperceptible to the colony. If \$400 a year is added to the salaries of four or five of the Judges the total increased expense would only be 92,000 a year -so absolutely insignifi- cant that it is hardly worth talking about. One honourable member .I think it was the honourable member for Masterton -- asked what would we be able to do with the Judges if they There proved incompetent or unprincipled. need be no consideration of failure at all. The very fact of Ministers having to appoint as Judges men who would not be removable would cause them to take the same care in making appointments to the District Court Bench that is now taken in appointing to the Supreme Court Bench. Not that all cases of appoint- ment to the Supreme Court Bench have been all that might be desired. And when it can be said, as it has been of one promotion from the lower Courts to the

Supreme Court Bench, that the person appointed had, during his service under the present Government, had his eyes firmly fixed on the Supreme Court Bench, and that the appointment to the Supreme Court Bench was consequent on a decision that was desired by Ministers - whether it was true or not may be difficult to prove, but it was notorious. Mr. SEDDON. - There has not been a case of a District Court Judge being appointed to the Supreme Court Bench. Mr. PIRANI. - But you tried to. You offered to appoint Judge Ward. Captain RUSSELL. - At any rate, it follows that the practice of promoting persons liable to the imputation of being under the control of or dependent on Ministers is indefensible. It was notorious-or it was generally believed at any rate-that the position of Judge was given on account of a decision that pleased Ministers. Mr. SEDDON. - He never was appointed on any such grounds. Captain RUSSELL. -- The honourable gentleman quite knows to whom I refer. I do not refer to Mr. District Judge Ward. Mr. SEDDON. - If Judge Martin is intended, he was a Commissioner. Captain RUSSELL. - But in a judicial capacity. Then, I maintain we have come to this : that the necessity that the public should feel that they are not dependent on the whims of Judges, District Court Judge, or Magistrates, who have to keep their minds fixed on the pleasure of men on the Government benches, is a matter of the most vital importance to ; pure administration of justice in New Zealand. Then, as to increasing the number of District Courts, that is a matter of considerable importance. There are a great number of persons who are extremely unwilling to incur the delays and expenses of a Supreme Court action, and therefore I believe the proposal to increase the number of District Courts I think we should have men of high legal attainments to occupy the position of District Court Judges, and unless we have such men it would be wrong in the extreme to extend the powers of their Courts. If we did so we should be weakening our own powers. I do not think we should make any alteration whatsoever in the District Courts Act until the District Court Judges are placed in a proper position. To further extend their powers without conferring proper privileges and proper responsibilities upon the District Court Judges is a principle which I, at any rate, shall not approve of, and in order to record my opinion against any tinkering with the District Courts -- and I hope other honourable members will vote with me-I move, That this Bill be read a second time this day six months. Mr. SEDDON (Premier). - I do not know by what method of reasoning the honourable member thinks he will attain his object by moving his amendment in reference to a Bill which he admits, and which other members have admitted, contains necessary amendments of the law -- that because no increase is proposed to be made to their salaries this legislation should not be passed. Captain RUSSELL. - That is not correct. Mr. SEDDON. - That would be the effect. The honourable member said, if I remember rightly, that because members continually say that there ought to be an increase in the salaries of the Judges that they ought to be put in the position of Supreme Court Judge - this Bill should go no further. Is that the position ? Very well ; the honourable member is a long way from the fact if he thinks he will attain his object by moving that the Bill be read a second time this day six months. If this Bill is not proceeded with further it will not affect the Government in the slightest. As far as I know, there is no very great urgency in respect to those amendments at all. Some slight amendments have been pointed out to be necessary, and to give effect to them we have brought forward this Bill. But if this course of procedure is to have the effect of increasing particular salaries, that is another matter. I can only say that we, the Government, have been accused from time to time of swelling the permanent establishment, and the estimates, and yet those who are attacking us because of these increased appropriations are now in this particular instance-it is to use disguising the fact that if we had not appointed Judge Kettle as a District Court Judge we should have had this motion, and we should not have had this question from time to time coming up on the floor of this House. Captain RUSSELL. -- I have not mentioned his name. Mr. SEDDON. - You have not mentioned " " but it can only refer to him. We have read nothing in regard to District Judge Ward. 1 Although in one breath you are extolling and lifting up one Judge, you are casting a reflection upon another, a grave reflection, and one that I stand on the floor of this House and say there I have seen

not the slightest foundation for.

<page>399</page>

be a fair and impartial Judge ; I believe he per- to learn -- and I do not know of one - that there forms his duties with credit to himself and with is a parallel case since I have been here as a member of the House of an attack being made sound judgment. I have nothing whatever my- such as has been made by the honourable mem- self to say. That he is erratic, that he would have been for Hawke's Bay-namely, that because a a petition now and again. goes without saying. certain gentleman held a position as a District First of all, setting aside all precedent, he comes Court Judge, and because he gave a certain upon the floor of this House as a petitioner. decision-that is what the honourable member There is notice given. What happens then ? for Hawke's Bay said-he was elevated to the He comes before the House, shall I say, having tilts at a Minister of the Crown. Supreme Court Bench. I unhesitatingly say anything done, or was there any interference that he never held the position of a Supreme on the part of the Government ? Not the Court Judge at all ; and what the honourable member was referring to probably was his slightest. I challenge the honourable mem- acting as a Royal Commissioner, and, because he or any other member on the floor of this of his finding as a Royal Commissioner, on House to give to the country a single in. that ground the appointment to the Supreme stance where pressure was brought to bear on Court Bench took place. If this is what the a Magistrate or upon a District Court Judge. honourable gentleman is alluding to-I do not either in respect to their decisions or anything know whether he was or was not on the Minis- they may have said on the Bench. Let us not terial benches at all at the time - his own col- have these generalities. leiques first appointed the gentleman to the Supreme Court Bench. Now, as I say, does it croft ? not show how unthinkingly and how without any due sense of responsibility charges of that member again to give an instance in the case of kind are levelled at the Government ? Mr. Northcroft, or any one else. Captain RUSSELL .- It is the Horowhenua Commission I was speaking of. from pillar to post. Mr. SEDDON .- If you withdraw what you have said as referring to District Judge Ward, from pillar to post. I say that, so far as the well and good. removal of Magistrates is concerned, I think Captain RUSSELL. - I did not allude to him. there ought to be more removals-they ought Mr. SEDDON. - But you were alluding to to be removed periodically. When they are a him. long time in a place they get into society, and I Captain RUSSELL. -- No, I was not. say unconsciously it has a detrimental effect. Mr. SEDDON. - You may not have intended That is my opinion about the matter, and I it, but, at any rate, there was only one District believe that periodical changes would be to the Court Judge who was ever put on the Supreme benefit of the administration of justice. But I Court bench. If the honourable gentleman want to know a single case-and there have been complaints at all times, not from mom- now admits that what he was alluding to was another matter altogether, and to another per- bers on this side of the House but from that side of the House-where there has been in- son, then I will meet him on that. I say, with regard to the remarks of the honourable gentle- terference by the Government : and I want to know a case where there has been inter- min in reference to the appointment of the late Julgo Martin, he was Crown Prosecutor in ference with the independence of the Bench. When the honourable members now on that Christchurch, and he was also a Magistrate. and one of the best Magistrates that ever we side of the House were on these benches why did they not bring down an amendment of the had on the bench in the colony. The Press, law in regard to District Court Judges and from one end of the colony to the other, extolled Magistrates ? If the Magistrates under the him because of his judgments and fairness, and it existing law were content to remain there was because of his strictness, and for no other whilst other Governments were on the Trea- reason, that he was placed upon the Supreme sury benches, why should we depart from that Court banch : and to cast the slur the honour- able gentleman did upon Sir John Mckenzie position and say that we are not to be trusted with the administration of Magistrates ? It is and upon the Administration is therefore out quite evident that if we are not trusted by the of place. With all Sir

John Mckenzie's Magistrates we are trusted by the people, and faults there is this about him, at all events : Ho would be no party to appointing any per- that is what the honourable gentleman never son to a position unless on account of his was. fitness. And in respect to the Commission honourable gentleman, as the House must, to which the honourable member refers, the under the new rule, adjourn to-day at half-past evidence to-day stands there and proves con- con-ively that the findings wore in accordance ten o'clock p.m. therewith ; and does it help Judge Kettle to bring that up now on a Bill of this kind? It is impossible for it to do so. This constant bring- p.m. ing-up of Judge Kettle keeps him almost at all times at every session in hot water, and it is not right. I can only say that I believe him to Was there An Hon. MEMBER. -- What about Mr. North- Mr. SEDDON. - I challenge the honourable An Hon. MEMBER .- He has been hounded Mr. SEDDON. - Neither has he been hounded Mr. SPEAKER .- I must now interrupt the On motion of Mr. MILLS, debate adjourned. The House adjourned at half-past ten o'clock

<page>400</page>

HOUSE OF REPRESENTATIVES. Wednesday, 17th July, 1901. First Readings - Book-keeping of Local Bodies- Training of Volunteers-Industrial Conciliation and Arbitration Act-Returned Troopers' Cer- tificates of Discharge-Rev. Joseph Berry-Ac- quisition of Estates in Hawke's Bay-Stock- loading Yards at Otamita-Otautau Telephonic Communication with Unkes - Hundred Line Siding-Fairfax Stationmaster-Railway Work- shops at Invercargill-Kurow Public Buildings- Willowbridge and Uxbridge Railway-stations- Wellington-New Plymouth Railway-Hokitika Harbour Board Loan-Slaughtering Inspectors- Payment of Railway Ballast-gangs - Public Health Regulations-Railway Freight on Fire- wood - Thomas Looney - Invercargill Police- station-Police Regulations-Police Protection at St. Andrew's-Waimate Courthouse -- Boatman's Coal-mine Fire-Reorganization of Geological Department-Main East Road -- Taranaki Dairy- school-Drummond's Ferry, Papatotara Road- Waiau Ferry-service - Glenham Estate-Sur- veyors' Chainmen-Kelly Suicide-Inspection of Pigs - Eketahuna-Shannon Road - Tongahoe Road-Dangerous Roads-Apiti and Norsewood Road - Noxious Weeds Bill-Improvements on Unimproved Lands-Noxious Weeds Act-Horo- whenun Village Settlement-Workmen's Homes -Stoats, Weasels, and Ferrets-Native Bush Re- serves-Adjournment-Elective Executive Bill. Mr. SPEAKER took the chair at half past two o'clock. PRAYERS. FIRST READINGS. Wellington City Recreation-ground Bill, Weslevan Church Reserves Vesting Bill. BOOK-KEEPING OF LOCAL BODIES. Mr. HANAN (Invercargill) asked the Pre- mier, What steps have been taken to have a Board of experts appointed to draw up a uni- form sytem of book-keeping for the benefit of local bodies, in accordance with the promise given by him in the House last session ? He did not think he need make many remarks in asking this question. He put the same question to the Premier last year, and he promised that something would be done in the direction indi- cated. He pointed out to the right honourable gentleman then, and he pointed out now, that this question was one of great importance to local bodies. For some time past they had had embezzlement going on by many officers of local bodies, and the offence was still going on, and it was very difficult of detection. In Victoria they appointed experts, who drew up a uniform system of book-keeping, and he had every reason to believe it was work- ing satisfactorily. He understood that steps had been taken during the recess by the Premier to appoint experts, and what he wanted to know was whether they had reason to expect that a uniform and comprehensive system would be drawn up that would be of assistance to local bodies. He thought that municipal bodies would welcome such a system being introduced, as it would have the effect of simplifying matters and doing away with the rough, irregular, imperfect, and haphazard sys- tems of book-keeping now obtaining in connec- tion with many of the local bodies of the colony. Each Town Clerk and County Clerk had a sys- tem of his own, which was drawn up according to his own ideas. Some of these officials, he believed, would be glad to have provided for them an advanced, simple, and comprehensive system of keeping their accounts. Mr. SEDDON (Premier) said that he had admitted

last session, in respect to the subject- matter of the question, that it was desirable, if possible, to have something like uniformity and a proper keeping of the books of local bodies; but, on the other hand, under the existing law local bodies would simply set the Government and every one else at defiance. They could not be made to keep books in a particular way, and if an attempt was made by the Government to force them to do it, they would reply that if the Public Accounts were kept as simply as the books of the local bodies' accounts it would be a great improvement on existing conditions, and it was hard to teach those who wanted to teach you. That was the position. However, the matter had not been lost sight of, and when they were dealing with the Local Government Bill this session it was probably a matter that might be brought up for consideration, and a clause introduced providing that a proper and uniform system of keeping the books of counties should be observed.

TRAINING OF VOLUNTEERS. Mr. BUDDO (Kaiapoi) asked the Minister of Defence, What steps are being taken to secure the services of commissioned and non-commis- sioned officers who have served in the South African War for training our Volunteer forces and as District Commanding Officers? During last session he asked a question relative to re- taining the services of officers and non-commis- sioned officers as well as others of our men who had served in South Africa. At that time the Minister of Defence stated that he would as far as possible employ officers and non-commis- sioned officers who had been to South Africa in the training of our Volunteer officers. He now wished to point out that, owing to the alteration in the recognised methods of warfare between previous wars and the war in South Africa. it was necessary to alter the method of training our Volunteers. There was a great deal of dif- ference between the management of colonial Volunteer forces and the management of Imre- rial troops ; and the fact of the matter was that. while not for one moment feeling that Imperial officers were unsuitable for the training of our Volunteer forces, it might be said that they were to some extent out of sympathy with car- nial troops, and to that extent it was necessary that we should as far as possible retain the ser- vices of our own men, especially those who have had experience in actual warfare. Mr. SEDDON (Minister of Defence) said that two officers had been taken as assistant staff officers to the Commandant of the Forces. and four sergeant-majors had been taken as Instructors ; other applications from otheers and non-commissioned officers were under con- sideration.

<page>401</page>

He had told the House and the ; That was the direction in which his own con- country that, as far as the Government could, they would utilise our own officers, and he intended to maintain that attitude, and he might say the Government had now under con- sideration regulations for instruction to officers. He would lay them before the House very shortly. They would commence with class in- struction in Wellington, and bring up the officers of the Volunteer corps, and let them go through a proper course of training. The cost to the colony would not be very great. He thought thev ought to have efficient officers, who were essential to the well-being of the Volunteer Force.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT. Mr. PIRANI (Palmerston) asked the Premier, Whether he does not consider it advisable to recommend the Governor to constitute more than one industrial district in the Wellington Provincial District under the Industrial Con- ciliation and Arbitration Act of last year ? He might point out to the Premier that under the present circumstances the whole Wellington Provincial District and the Hawke's Bay Pro- vincial District were one industrial district, with the result that when disputes occurred, all of which practically emanated from Wel- lington, the large district mentioned was drawn into it. He thought, as the circumstances of the different portions of the district were so varied, and the district was so large, that there ought to be some more convenient method by which employers and employés in country dis- triets could have their cases investigated in their localities, and dealt with in regard to the special circumstances governing their own cases. He did not know what procedure was adopted for dividing the districts, but he noticed that the power was simply in the hands of the Governor : and it seemed to him much fairer if the districts would be divided on petition by a majority of employers or

employés, or both combined. He would like to ask the Premier to take the matter into consideration and see if some more convenient provision could not be made than that which existed at present. Mr. SEDDON (Premier) said there was a great deal to be said in favour of the honour- able member's contention, because the condi- tions and circumstances did vary within a very short distance, in that, in fixing the wages or legs of those employed in various industries, the house-rent and cost of living in Wellington was great compared with other districts outside Wellington. That appeared on the surface. When the circumstances varied it did appear that the districts should be more numerous. On the other hand, there was a very strong argument used in favour of having the colony made one district, and abolishing the other dis- tricts altogether. He did not favour that him- self. His own view of the matter would be in favour of reducing the size of the districts and taking into consideration the altered conditions in the various districts, so that there would be vic- tions took him, but he would not like off- hand to say anything definite. He would take the question into consideration, and communi- cate the result to the honourable member later on.

RETURNED TROOPERS' CERTIFICATES OF DISCHARGE. Mr. HALL (Waipawa) asked the 3.0. Minister of Defence, If the certifi- cates of discharge now being issued to re- turned troopers are the only ones they will receive; and, if so, whether he will recall those that have been issued, and issue others in which the men shall at least be given the credit of having been discharged with good character? Some of the troopers had waited on him and asked him to bring this matter before the Government. They repre- sented to him that if they at any time went back to South Africa with a bare certificate of discharge, they had nothing to show what their character had been during their time of service. If they were able to produce such documents they might be able to secure good positions. He would like the Government to consider the matter of giving a medal- bar to each soldier whose conduct had been good throughout the period he had been absent from the colony. Mr. SEDDON (Minister of Defence) said the discharges that had been issued were only tem- porary, as the Government were not in a posi- tion in many cases to give certificates of character, for the reason that while a large number of the troopers had returned to the colony the officers had remained in South Africa. Now, however, it was possible to give the certificates, and they would be issued. With respect to the issue of medal-bars to each soldier who was entitled to one, he had to say it was a matter that was now being dealt with by the department.

REV. JOSEPH BERRY. Mr. MONK (Waitemata) asked the Govern- ment, Whether it is a fact that the Rev. Joseph Berry has been appointed emigration agent or lecturer in England for New Zealand ; if so. why was he selected, and what are the condi- tions as regards his remuneration ? Mr. SEDDON (Premier) said the Rev. Joseph Berry had not been appointed emigration agent or lecturer in England for New Zealand.

ACQUISITION OF ESTATES IN HAWKE'S BAY. Mr. HALL (Waipawa) asked the Premier, If he has received any reports from the Land Purchase Board of Hawke's Bay as to the suita- bility of any estates for closer settlement in that district ; and, if so, and the reports are favourable, will the Premier proceed to acquire such estates ? He wished the Premier to give a straightforward reply to this question. The reason he said he wanted a straightforward reply was that about five years ago several

<page>402</page>

Waipawa district, requesting the Government to purchase under the Land for Settlements Act some of the large estates in the district for close settlement. Notwithstanding the promises that Sir John M'Kenzie had made at that time, however, four years had gone by and little had been done. He believed that within the last two or three months several estates in the district had been inspected, and he believed the Commissioner had sent in to the Govern- ment a report on them. He (Mr. Hall) would now like to know if it was the intention of the Government to give effect to the reports and purchase some of those estates. The Premier had been in the district, and knew the demand there was for land, and it would be pleasing to the people to know that the Government in- tended to give effect to their wishes that some land should be secured for close settlement in the district at once. Mr. SEDDON (Premier) said he received a great

shock a few moments ago. The honour- able member had asked him to give a straight- forward reply, as though he ever gave any other than a straightforward reply ; and such a re- mark, coming from behind, and from the honourable gentleman, made him feel it more acutely. Now, when he gave this straight-forward answer members would say it had been done by arrangement, and that the honourable member's indignation had simply been put on, because the reply he had to give was as follows : The recommendations of the Land Purchase Board in respect of the Milbourne and Abbotsford Estates-a solid block of 37,000 acres, stretching from the Township of Wai- pawa to the township of Hampden, a distance of twelve miles-would be in the hands of the Government to-day. If the fact of 37,000 acres of land being recommended by the Board was not straightforward, he did not know what would please the honourable member.

STOCK-LOADING YARDS AT OTAMITA. Mr. McNAB (Mataura) asked the Minister for Railways, Whether, in view of the increase of traffic 'in stock in the locality, he will take steps to erect suitable yards for loading stock at Otamita ? Sir J. G. WARD (Minister for Railways) said the District Traffic Manager reported on the 4th instant that the traffic at Otamita did not call for the provision of stockyards. The erec- tion of such yards could not, therefore, be re- commended at the present time. He might inform the honourable member that was the report from the responsible officer of the de- partment.

OTAUTAU TELEPHONIC COMMUNICA- TION WITH LAKES. Mr. GILFEDDER (Wallace) asked the Post- master-General, What steps the Government intend to take to establish telephonic communi- cation between Otautau and Lakes Manapouri and Te Anau? In asking this question he might refer to the necessity that existed for telephonic communication between Otautau and Lakes Manapouri and Te Anau. Again and again the Postmaster-General had been urged to construct a much-needed service be- tween these two points. So far that had not been done. It was unnecessary to point out to the honourable member the advantages which would be derived from such communication. Attracted by the exquisite scenery which these lakes afford, a very large number of tourists went there, not only from other parts of the colony but also from the Australian Colonies and even the Home-country. Consequently, some communication with the outside world was urgently necessary. Moreover, nothing had been done to give reasonable facilities to the settlers along that route. The dis- trict was now being settled, and progress was being made in every direction, and, conse- quently, people who were settled along the valley of the Waiau, as well as those who went there for the scenic beauties of the lakes, laboured under considerable difficulty in not having means of communication with outside localities to enable them to make their arrange- ments for transit and for the transaction of their business. It was also proposed to ask the Government to take a light line of railway up the valley. It was partly adapted for agricul- tural purposes, and the other parts that were not adapted for the growing of grain and other cereals were well fitted for grazing purposes. He hoped the Government would see its way clear to make the lakes more accessible to tourists from outside, and that it would endeavour to make provision to give effect to the request of the settlers. Sir J. G. WARD (Postmaster-General) was quite in accord with the honourable member in the statement he had made, both as to the desirability of having this telephone-line for tourist purposes and also for the convenience of the settlers. His difficulty, however, was the cost of the line, which was estimated to be £2,000. As against that there was an estimated deficiency of \$171 per annum in the revenue from it. That being so, it could only be taken up as a policy matter. He was unable, from sufficient reasons, to give a favourable reply to the request made to have the line carried out by the department itself. If in connection with the requirements of the tourist traffic in different parts of the colony, as a matter of policy, it was considered desirable to have the line carried out, personally he would be glad to support it, but he could only say the making of the line required to be approached, as all matters involving great expenditure did, with a great deal of care by the Government.

HUNDRED LINE SIDING. Mr. GILFEDDER (Wallace) asked the Minis- ter for Railways, When the siding at the Hun- dred line, for which the settlers have subscribed the sum of \$200, will be constructed ? In con- nection with this subject an agitation had

been on foot long before his advent into the House. For the last fourteen years representations had been made to the Ministers for Railways to afford to this locality the facility that it was so

<page>403</page>

much in need of. Within the last two or three years great advances had been made in settlement in the district owing to the cutting-up of large estates, and consequently the want of a siding at the Hundred line was each season felt to a greatly increased extent. The output of grain and wool was considerable, seeing that there were no facilities for loading the grain, unless the settlers had it carted up-hill against the direction in which they wished to send it. There was also a serious drawback in the fact that the roads were not of the best. Consequently, representations were made a short time ago to the department, and the settlers were asked to subscribe a sum of \$300 in order to get effect given to their request by the construction of the siding. The settlers at the time did all they possibly could to raise the stipulated sum, and they succeeded in getting together some \$200, which, considering it was a newly-settled district, that the settlement was growing, and that the farmers there had not yet, for the most part, got a firm footing, was very creditable. He hoped the Minister would take into consideration the requirements of the locality, the growth and the extent of settlement that was going on, and would grant facilities and advantages to the settlers in the direction indicated. Sir J. G. WARD (Minister for Railways) said he was familiar with the circumstances connected with this railway-siding. The honourable member had correctly stated what had transpired regarding it : but there were one or two facts which he thought it only right he should take this opportunity of putting on record. in order that the settlers who were looking hopefully forward to having a siding made upon a contribution of \$200 should not remain under any illusion. The cost of the proposed siding, use#cc-zero with necessary road-approach, would be \$600, exclusive of platform, goods-shed, or loading-bank. The line was already well supplied with stopping places-namely, Waicola, 3 miles 57 chains from Otautau ; Woodlaw, 4 miles 18 chains from Waicola ; and Wairio, 2 miles 69 chains from Woodlaw. The site of the proposed siding was only 1 mile 15 chains from Woodlaw. The construction of the siding would not increase the railway traffic, and, in view of this, the settlers were advised through Mr. Gilfedder in March. 1899, and again in August of same year, that it could only be laid on their subscribing half-cost -- namely, \$300. This they have not yet done. He desired to point out to the honourable gentleman that if it was the case of providing a necessary siding in the absence of any other siding, the department would lay it down ; but there were three sidings there, and one only 2 miles 69 chains from Otautau. At any rate, the honourable member would see it was not the duty of the department in such a case as that to find so large a sum as €600 for a siding. He thought the offer he had made last year, that the siding should be put up on the settlers contributing \$300, the department finding the other \$300, was a fair one. If the settlers would find \$300 he would be very glad to give instruc- FAIRFAX STATIONMASTER. Mr. GILFEDDER (Wallace) asked the Minister for Railways, If his department, taking into consideration the increased traffic at the Fairfax Station, will appoint a Stationmaster there ? He thought it unnecessary for him to make any remarks with regard to this question. The Minister would be by this time in possession of a return of the amount of traffic from this station, and no doubt the report made to him would show whether the station was entitled to a Stationmaster or not. The traffic in this locality was considerable, and, as a new bridge was being erected over the Aparima, the business done at this station would be greatly increased. Sir J. G. WARD (Minister for Railways) said he had had a report prepared on this matter, and he found that from the traffic at this station it was desirable that a Stationmaster should be appointed there, and the representations of the honourable gentleman would be given favourable effect to on the 31st March. RAILWAY WORKSHOPS AT INVERCARGILL. Mr. HANAN (Invercargill) asked the Minister for Railways when a start will be made to erect workshops in Invercargill ? Sir J. G. WARD (Minister for Railways) said that negotiations were now being pressed forward with the land-owners, and when completed it was

intended to proceed with the erection of the workshops. It would take some time, as the honourable member knew, under the Public Works Act to acquire land by that process, but he might say that immediately it was decided to take the block of land selected for the extension of the work-shops in Invercargill the matter of acquiring the land was put in hand by the department, and the necessary machinery had been some-time in operation for acquiring it. There were, however, a good many people who expected to get the fullest value for their land, and the duty of the department was to see that the colony was not imposed on by giving for such land a price which was beyond the full and fair value, and not a fictitious price simply because the Railway Department required it. He could assure the honourable gentleman that he had long ago made his mind up that this work should be carried out, and he intended to do so ; and he could assure the honourable member that the matter was not being lost sight of, but that he was having it pushed forward with all possible celerity. KUROW PUBLIC BUILDINGS. Major STEWARD (Waitaki) asked the Minister for Railways, Whether he will make provision this session for the erection of new buildings for the Railway, Telegraph, and Postal Departments at Kurow, the existing buildings being altogether inadequate to the requirements of the public. He had to express his regret that during the recess circumstances had prevented the Minister from visiting this locality, because

<page>404</page>

404 satisfied he would have seen that it was an absolute necessity that something should be done to provide better accommodation for these departments at Kurow, as there was absolutely not room to conduct the business there at present. Sir J. G. WARD (Minister for Railways) said he should be very glad to visit this locality with the honourable gentleman at the earliest opportunity, as he looked forward with a great deal of pleasure to going through that part of the country, as he had promised the honourable gentleman, by-and-by. He was advised at present that the existing accommodation was considered to be ample to meet the present requirements of the district, the number of trains per day in and out being one only ; but he dared say that after the honourable gentleman and himself had gone through the district, there would, as the result of increased traffic, be a greater necessity for increasing the number of trains. Major STEWARD said it was not a matter of the number of trains at all; but as the whole of the postal business for the Upper Waitaki had to be done at Kurow, and there were scores and scores of people who could not get into the place to transact their postal business or when they went for their letters, and as there was only one train a day, the necessity for enlarged accommodation was all the greater. Sir J. G. WARD said he should be very glad to look into the matter with the honourable gentleman when there. WILLOWBRIDGE AND UXBRIDGE RAILWAY-STATIONS. Major STEWARD (Waitaki) asked the Minister for Railways, Whether, in view of the large amount of business at the Willowbridge Siding, on the main south line, and at the Uxbridge Station, on the Oamaru-Kurow Branch, he will make arrangements to station a resident railway-officer at each of those places? This was a question of a similar nature to the last. There was no person in charge of the Willowbridge Siding, or at the Uxbridge Station, with which Georgetown was in communication. There was a very large grain traffic at these stations, and it was absolutely necessary that there should be some officer in charge. He had been very urgently requested to bring the matter under the notice of the Minister, and he might say that he thought it would be quite possible to arrange for one of the platelayers to live at each of these points and to take charge of matters there. Sir J. G. WARD (Minister for Railways) said the report upon this matter was as follows : - " The traffic at Willowbridge and Uxbridge is insufficient to warrant the department incurring the expenses necessary to make provision for resident railway-officers. A man is placed in charge of Willowbridge temporarily during the grain-season, and this is considered to fully meet present requirements." When he and the honourable member went to Georgetown he should be very glad to attend to this matter also. WELLINGTON-NEW PLYMOUTH RAILWAY. Mr. McGUIRE (Hawera) asked the Minister for Railways, Whether he will have provision made on this year's estimates so that steep

grades be reduced and deviations made, where necessary, on the railway line between Palmerston and Hawera, thus shortening materially the time now taken by trains, and enabling travellers north of Wanganui to make the journey in one day from New Plymouth, Stratford, Eltham, and Hawera to Wellington on the Government line, and vice versa? This was a most important question, and a lot of work had been done in connection with it by Mr. Rexford, engineer. A survey had been made by this gentleman some years ago, and it was well known that the grades were very steep, and that it was absolutely necessary, if we were to accelerate the speed to enable the public to travel more expeditiously than at present, that these grades should be reduced and deviations made where necessary. Now that they had a Minister for Railways who was up to date, he hoped that gentleman would see his way to have this work done, because it was a very important work, as the Hon. the Minister must know, having travelled occasionally on that line himself. He honestly believed it was in consequence of the grades being so steep that railway communication between Stratford and Auckland had been delayed four years ago. If these grades had been reduced at that time he believed railway communication would have been established with Auckland years ago. However, it was never too late to do something in this matter, and he hoped the honourable gentleman would see his way to carry out the report of the engineer at as early a date as possible. Sir J. G. WARD (Postmaster-General) said the matter referred to by the honourable gentleman was a very important one. Perhaps he should clear the ground before referring to the larger issue by stating that the matter of running a daily train between New Plymouth and Wellington was brought up last session, and he then indicated that he would be very happy to have this done if there would be a daily steam service between Onehunga and New Plymouth. Although this had not been done, yet he could tell the honourable member that he thought now that, in the interests of the settlers along the line, and the importance of the connections both at the Wellington end and at the New Plymouth end, and the growing traffic that was taking place there, the time had arrived when they ought to have a train running from New Plymouth to Wellington every day, and he proposed to commence a daily train service to New Plymouth in the summer months. It was not desirable to commence the service in the winter. When the daily train was running throughout permanently, he would suggest to those anxious to see this service made a success that they should make representations to the people of Auckland and the people of Wellington to give them a nightly steam service between the two places. If that was done it would

<page>405</page>

materially help the revenue of the railway, and it would do a great deal of good both to the people of the towns interested and to the colony as a whole. Regarding the larger question of providing some of these improvements, especially of reducing steep grades and making deviations where necessary on the line between Palmerston and Hawera, when he told the honourable member that it was estimated that from \$1,500,000 to \$2,000,000 would be required to reduce the steep grades and improve the numerous sharp curves between the places mentioned the honourable member would see at once the almost impossibility of such a large scheme being carried out, particularly as there were many places in the colony which had no railways at all: and they required, in dealing with the existing lines of railway, perhaps to put up with the inconvenience caused by some engineers' mistakes in laying off the lines, in order that railway communications might be pushed on as speedily as possible. He might state that the improving of the steepest grades was going on as fast as the department could carry them out, and that portion of the colony represented by the honourable member was not being overlooked in this respect. However, he would not like to hold out any hope to the honourable member of providing between \$1,500,000 and \$2,000,000 to carry out such a work as he had suggested. HOKITIKA HARBOUR BOARD LOAN. Mr. PIRANI (Palmerston) asked the Postmaster-General. If he intends to take any steps to recover nearly five years' interest on loan of \$10,000 due to Post-Office Savings Bank by the Hokitika

Harbour Board ? Sir J. G. WARD (Postmaster-General) said, at present it was not proposed to recover the outstanding interest. The Post Office would not . be likely to benefit by such a course; whereas if the Board was given further time there was reasonable ground for believing that the overdue amount would eventually be met. The Board within the past twelve months had paid over \$587 10s., and the interest now owing was \$1,900. as compared with \$2,118 9s. 10d. on the 31st December last. If the honourable member wished to have the details he should be very glad to give them, but, as a matter of fact. they had been laid on the table of the House already. He would point out in connec- tion with the matter that the Government did not intend to release the Board from its obliga- tions to the colony. What they wanted to do was, recognising that the Board was doing its best under adverse circumstances, to help them in a quiet way, so that they might eventu- ally get the full amount due without exercising any extraordinary pressure ; in other words, the Government had to deal with this Board as they had with another one-give them a reason- able time to pay their indebtedness to the colony, a policy which he thought was right.

SLAUGHTERING INSPECTORS. Mr. COLLINS (Christchurch City) asked the Minister of Public Health, Whether he is aware that Inspectors appointed under the Slaughtering and Inspection Act of last session are in some cases accepting other remunerative ap- pointments, and does he consider it advisable that such Inspectors should be permitted to hold a combination of positions under distinctly different control ? Sir J. G. WARD (Minister of Public Health) said he was not aware of the circumstances re- ferred to in the question, that Inspectors under the Act were in some cases accepting other remunerative appointments. In reply to the honourable member as to whether he considered it advisable that Inspectors should be permitted to hold a combination of positions under dis- tinctly different control, he did not think it was. He did not know the special circum- stances, but he was inclined to think that if the duties devolving under the Act on Inspectors were sufficient they should be called upon to give their whole time to that work, unless there were special reasons and circumstances why they should not.

PAYMENT OF RAILWAY BALLAST- GANGS. Mr. PIRANI (Palmerston) asked the Minis- ter for Railways, Whether he considers the method in which members of ballast - gangs employed on the Government railways are paid is fair - namely, 103d. per hour for casual work, with no allowance for the time taken in travelling from one place to another, even when a whole day is so occupied ? The men who worked on these gangs had the hardest work in the Railway service. They were paid at the rate of 10jd. an hour, and there was no such thing as payment by the day, for if they had half an hour or an hour and a half off work that time was deducted from the Besides this, the amount they were allowed. majority of the time they had to live away from home, and incurred extra expense. He had ascertained that the average amount that a man was able to give his wife and family for their maintenance out of his earnings was from €1 4s. to €1 8s. a week. It was a hardship that even when the train in which these men were travelling was com- pelled to wait at a station on the way to the work, even for two hours, that time was de- ducted from their pay. According to a recent award in connection with the painters' dispute, it had been decided that employers must pay the men from the time they left the railway- station in town to go to work in the country. It, therefore, seemed to him that if the Go- vernment were brought under the Conciliation and Arbitration Act and this matter investi- gated, a similar award would have to be made in order to be consistent. The men ought to be paid at least 1s. an hour, and he trusted the Minister, if he would give this matter proper attention, would also come to that conclusion - that for work of this kind 1s. an hour was little enough, considering the cost of living, and that it was impossible to expect men to maintain their families decently on the amount they were paid at present.

<page>406</page>

Sir J. G. WARD (Minister for Railways) said he presumed the honourable member's question had arisen through the strike at Palmerston. The report upon that matter was now under consideration by Cabinet, and until it had been fully considered he was unable to say what might be done. He was apprised by the

General Manager that during the recent strike of one gang at Palmerston North seven teen men were obtained within two hours, and a large number of other men made application, but could not be found places. Some of these men, who were being paid 9s. per day by contrac- tors, stated that they preferred working in the railway ballast gang at 7s. per day, as they lost so much time in other employment. This pointed to the fact that the rate of wages paid by the department was a fair one. That was the report of the General Manager. He might state that the whole question of the way in which ballast-gangs were being paid by the department was now under consideration. In a matter of this sort, while they de- 3.30. sired to be fair and reasonable, they had also to be just to the colony itself. There were a great many men employed casually in ballast-gangs all over the colony, and, as the honourable member knew, no Government with responsibility on its shoulders could hurriedly arrive at a decision which might mean an enor- mous dislocation of the working of the depart- ment from end to end of the colony. So far the effort of the Government had been to raise the wages of the men to the highest reasonable rate, and they were prepared to continue on the same lines in the future. The whole question of the employment and payment of ballast- gangs was worthy of consideration, and the matter would be taken into consideration by the Government. Mr. PIRANI might say, in regard to that strike, he thought the men were entirely in the wrong. Investigation had proved that; and the only reference he had made to it was that owing to that occurrence the conditions of their service and the rate of pay was made public. He had no sympathy with that strike, and, so far as the administration was concerned, he thought there was no fault to be found.

PUBLIC HEALTH REGULATIONS. Mr. HANAN (Invercargill) asked the Minister of Public Health, When the Government intend to make regulations, in pursuance and in exer- cise of the powers and authorities conferred by section 101 of " The Public Health Act, 1900," dealing with,-(1) The inspection and analysis of drugs, chemicals, and patent medicines ; (2) prohibiting the sale and providing for the destruction of such drugs, chemicals, and patent medicines as are adulterated ; and (3) requiring the ingredients of patent medicines to be dis- closed at or prior to the sale thereof? He wished to know if the Minister had had regula- tions prepared with a view of giving effect to the sections of the Public Health Act he had re- ferred to in his question. The Hon. the Minister was quite aware that there was a large amount of worthless medicines placed on the market, and he hoped the honourable gentleman would bring into operation the regulations suggested, and to a certain extent protect the public from unscrupulous vendors of what was in many cases valueless proprietary and patent medicines. Not only were many of these medicines value- less, but positively injurious, unless ordered under medical advice. They were advertised to cure all the ills that flesh was heir to, and oftentimes supported by bogus testimonials. Now he thought, as the colony was making great strides with the care and supervision of the public health, something should immediately be done to prevent the innocent and ignorant from being imposed upon. If people knew what many of these quack medicines were composed of they would not buy them. There were many persons who, when in dire straits, were ready to purchase and take any patent medicine or nostrum with a view of curing their complaints or disease, and it was absolutely necessary in the interests of those people that a check should be placed on the sale of such quack medicines as were simply worthless and would not do the slightest good. In the interests of the working- classes largely, who spent a great amount of money in purchasing such goods, it would be a humane and beneficial act to issue regulations making it compulsory on all proprietary and patent medicine vendors to have labelled upon the bottles a statement or certificate of the in_ re- dients contained therein-in other words, that all patent or proprietary medicines have on the box, bottle, or packet a printed statement setting forth the component parts contained therein. Sir J. G. WARD (Minister of Public Health) said the regulations had not yet been drawn up ; and the reason was that the Public Health De- - - part ment, since it had been in existence, had been very busy upon important health matters in different parts of the colony, which had taken up the whole of the time of the Heal h Officers appointed so far. During the last day or two the Government had

appointed one or two other Health Officers, who were now taking up the work of the department. He was quite in accord with the honourable member in the expressions he had given utterance to as to the necessity of something being done in connection with these patent medicines. He thought that the ingredients of each bottle should be labelled on the outside, so that the neurotic medicine-eater who from time to time indulged in these nostrums might really know what they were taking ; and he might say he would see that the Public Health Department made an analysis of these patent medicines at the earliest possible date, in order that the public might have some idea of what they were composed of. Some were no doubt very good, but more often they were mere rubbish. He could only say that the point brought under the notice of the Government by the honourable member was a very important one for the masses of the people of the colony, and he thought the department should be very careful to see that those who took those patent medicines-nos trums, they really wert. many of them-should have some idea of what they were consuming.

<page>407</page>

RAILWAY FREIGHTS ON FIREWOOD. Mr. HANAN (Invercargill) asked the Minister for Railways, If, in view of the fact that fire- wood is becoming scarcer, and has to be con- veyed from a greater distance to the centres of population, the department will reduce the freight on firewood or convey it for a longer distance at the minimum rate ? He knew that the Minister was aware that a great deal of our forests were being knocked down, and consequently that firewood had to be ob- tained from a greater distance than formerly. As our forests went back, so the firewood got dearer. He had an idea that something of the kind he suggested in the question had been tried in the North Island, but he did not know whether it was with success He would suggest to the Hon. the or not. Minister that, in the interests of the working- classes who chiefly used firewood, and were not in a position to buy the more expensive article- coal -which also was becoming scarcer and dearer every day, the charges for the railway carriage of firewood should be made as cheap as possible. He thought that the railways might to some extent be made to work in the interests of the working-classes, so far as the cheap freight of firewood was concerned, especially in view of the fact that our forests were going away from the towns, and that coal was every day becom- ing dearer and dearer. The cost of living was increasing, and his object was to enable the great mass of the people .- the working-classes- to buy and obtain their supplies of fuel as cheaply as possible. Another reason he would strongly urge in favour of his proposal being given effect to was that a very large avenue of employment would consequently be opened up to our workmen in cutting firewood for the people of our towns. Sir J. G. WARD (Minister for Railways) might say that the firewood rates now were already so low as to be unremunerative, and the existing rates were the lowest in the tariff. Special rates were tried on the Napier and Dunedin Sections as an experiment, in 1896 and 1897, in response to urgent representation that low rates would foster the firewood in- dustry and lead to increased traffic. The re- sults were, however, disappointing; the busi- ness did not increase, and loss of revenue resulted. The old rates had, therefore, to be reverted to. So that the actual trial put into operation in 1897 at the instance of urgent representations showed not only that it did not do what the honourable member in his sanguine temperament imagined, but it had the opposite effect-that was, that the carriage of firewood did not increase, and the depart- ment made a very heavy loss by it. The under- lying principle and guide to the Government in carrying on the railways was that everything carried on the railways should pay for the cost of its carriage. Firewood was now the lowest rate in the tariff, and it was not right to expect that the department should make a loss on the carriage of any particular article. If he could be assured that by reverting to the tariff of 1896-97 increased business would take place it would be a different matter.

THOMAS LOONEY. Mr. PIRANI (Palmerston) asked the Minis- ter of Justice, Whether he will have a report made as to the advisability of liberating Thomas Looney, now confined in the Mount View Lunatic Asylum? He did not know whether the Minister of Justice had made any investigation into this case, but

he was in the asylum last year, and he had an interview with this young man, and he was assured he was no more insane than he (Mr. Pirani) was. He asked the attendant, and he had come to the same conclusion. His sister was really the offender, and the man got into trouble through her. It seemed to him (Mr. Pirani) that he had been there long enough for the offence he had committed. He would like to ask the Government to have an inquiry made into the man's condition ; and if what he had said was borne out by the investigation would they set him at liberty ? He thought the worst place in which to keep a sane man was a lunatic asylum. Mr. McGOWAN (Minister of Justice) said there were two sides to every question. This man Looney was serving a sentence of five years' imprisonment with hard labour, and had been transferred from the prison to the lunatic asylum. The usual course was for the asylum authorities to inform the prison authorities as to when a prisoner was fit for removal from the asylum. In this case no such notification had been forwarded, but he would promise the honourable gentleman that he would have inquiries made, and if the asylum authorities certified that the prisoner was fit to be taken from the asylum he would be removed. The question as to whether he should be relieved from serving the remainder of his sentence was another matter. He would, as he had already said, obtain a report on the subject.

INVERCARGILL POLICE-STATION. Mr. HANAN (Invercargill) asked the Minister of Justice, If he will make provision for the erection of new cells at the Invercargill Police-station ? He hoped he would receive a favourable answer in reply to this question. The cells referred to were a disgrace to the colony. He felt certain that if any members of the House were in those cells for a day they would make the House ring with their condemnation of the condition of the cells. It was desirable that police cells should be suitably constructed and kept in a respectable condition. These cells were simply dens-cold, dark, and wretchedly small. Some time ago a scandal arose in connection with the cells at Christchurch. Unless something was done they would have trouble in Invercargill. He contended that to thrust men into the cells at the Invercargill Police-station was a scandal and a disgrace to the Justice Department of this colony. It was, indeed, the essence of cruelty to put offenders in them. He felt certain if the Minister saw the cells he would not allow them to stand forty eight hours. There was only one course open-that was, to pull down the present out-of-date and disgraceful building and erect new and proper cells.

<page>408</page>

Mr. McGOWAN (Minister of Justice) said, as a result of the honourable gentleman's consistent and persistent applications in regard to this matter, he desired to inform him that he intended to ask the House to pass a sufficient sum to enable a new lock-up and stable to be erected at Invercargill.

POLICE REGULATIONS. Mr. BARCLAY (Dunedin City) asked the Government, If Rule No. 10 of the Police Regulations of 1887 is carried out ; and, if not, will the Government take steps to repeal the rule? The regulation referred to was to the effect that the men should retire at a certain age-sixty years, he thought, in one case, and sixty-five years in another. Apparently the rule had been repealed by Order in Council, but nevertheless it appeared in the police books issued to members of the Force. He desired to know what the position of the matter was, and to ascertain whether the Government intended to deal with the question of superannuation, now that there was a superannuation fund from which those retiring could draw. Mr. McGOWAN (Minister of Justice) said the regulation referred to was revoked in 1888. For himself, he believed it was a wise provision in regard to the whole of the public service, because, although there were many gentlemen filling positions in the service who though of great age were very useful and estimable officers, there were others who could not be so considered, and a regulation of the kind would be advisable, so that when a man was retired it could not be said a hardship had been done to the individual. When men had served a long time and were getting well up in years there was no doubt they prevented younger men from getting promotion, and the younger men in the different departments probably considered this a hardship. The matter was one that was now engaging the attention of the Government.

POLICE PROTECTION AT ST. ANDREW'S. Major STEWARD (Waitaki)

asked the Minister of Justice, Whether provision will be made for police protection for the Township of St. Andrew's by stationing a constable there and providing a lock-up? Owing to the increased population of the district there was a necessity for a constable and for the erection of a lock-up at this township. Mr. McGOWAN (Minister of Justice) said Chat, in reply to the honourable gentleman, he would give him the facts of the case. During the last twelve months there had been three offences reported to the police from St. Andrew's. In two cases prosecutions resulted, and in the third there was no prosecution. The population of the Lower Pareora Riding, Waimate County, within which St. Andrew's was situate, on the 31st March last was 642, while the general average throughout the colony of police to population was one policeman to every 1,381 of the population. St. Andrew's was purely a farming district, and the resident population orderly and law-abiding, but during harvest- and threshing-time the floating population, many of whom were undesirable characters, was considerable, and during that period additional police protection was no doubt required, and would in future be provided. He was sorry to think the honourable member should hold the opinion that his constituents were of such a class that they required greater police protection than any other part of the colony. Major STEWARD did not think it was right that the suggestion should come from the Government benches that a member of the House had traduced his constituents. He desired to say that he had brought the matter up at the request of a number of his constituents. WAIMATE COURTHOUSE. Major STEWARD (Waitaki) asked the Minister of Justice, Whether the attention of his department has been called by the Inspector of Works and Buildings to the necessity for painting and other works, including the erection of a new fence, at the Courthouse, Waimate; and, if so, whether the necessary provision for these works will be made this session? The Courthouse was a very valuable and handsome public building. It was not built by the Government, but came to them at the time of the abolition of the provinces twenty-five years ago. Nothing, or very little, had been done to it since, and as it was in need of repair he trusted that the Minister would see his way to put the work in hand. aware that the question had been brought under the notice of the department by the Inspector of Works. Mr. McGOWAN (Minister of Justice) said he was pleased to be able to inform the honourable gentleman that inquiries had been made in reference to this matter, and that he would bring the subject before the Government with a view to placing a sum on the estimates to carry out the necessary repairs, et cetera. BOATMAN'S COAL-MINE FIRE. Mr. COLVIN (Buller) asked the Minister of Mines, If he will take steps to extinguish a fire which has been burning for some time in a coal-mine near Boatman's, in Inangabua County. Mr. McGOWAN (Minister of Mines) said the fire, which had been burning for a number of years, was not in a coal-mine, but in a small seam of indifferent coal. The Government was approached on the matter some years ago, but when the department wrote to the County Council on the subject that body declined to bear any proportion of the cost of extinguishing the fire, as the land was only poor quality Crown land. That the seam was small was proved by the fact that portions of it had been burning for some years and the dead ashes remained as the fire proceeded. The acute attention given to the coal question for some time past had caused him to look into this matter. He had obtained a report from the Inspector with regard to this fire and the best means of suppressing it, and he intended to have a more exhaustive report prepared

<page>409</page>

as soon as possible. The position of this particular coal-seam was such that great expense would be involved by the bringing of water -- which was the only means of stopping the fire -- to the place where the seam was burning. But he was informed there was a certain swamp in the locality, and if the water from this swamp could be used and taken to the place where the fire was, the land in that swamp, which was now valueless, might become useful, and if there was any chance of it paying at all this fire might be stopped in that way. If it was not worth their while for the value of the coal, they would endeavour to stop the fire by taking there the water from the swamp in

order that the land might be used for grazing purposes. Mr. R. MCKENZIE said the spot where this fire was was twenty-five miles from Westport, and the coal was of first-class standard quality. He did not know where the Minister got his information from. Mr. McGOWAN could give the honourable gentleman a report, of as late a date as the 6th July, bearing out these statements.

REORGANIZATION OF GEOLOGICAL DEPARTMENT. Mr. BARCLAY (Dunedin City) asked the Government. If they will take steps at an early date to reorganize the Geological Department, as, owing to the members of the staff having been taken away for other work, considerable expenditure is, it is alleged, being at present incurred without adequate return being made ? This was a matter of some importance. The position he understood to be this : There was a Geological Department, and at the head of it was, he thought, Sir James Hector. From the staff of that department, however, members had been at various times taken away for other work. For instance, Messrs. Park and McKay had been taken away and put on other work. That left the department with a head This officer was paid a considerable only. salary-he thought some \$700 or \$800 a year - but he had no effective working staff, and he was unable, therefore, to get any effective or good work done. In addition to that there was a very large collection of geological specimens - he understood, from various parts of New Zealand all lying waiting for identification, classification, and putting in order. That had not been done, and after a while the labels would come off these specimens, and there would be a good deal of confusion and loss. He thought, under these circumstances, it was a proper thing to ask the Government whether they intended at an early date to take steps to reorganize this department, and in asking the question he urged them, if they could possibly see their way, to give an affirmative and favourable reply. Mr. McGOWAN (Minister of Mines) could hardly understand the purport of the honourable gentleman's question. He imagined somebody must have been interviewing him, because the honourable gentleman had made statements that were entirely new to him (Mr. McGowan). In reference to the large number of specimens, gentleman was entirely wrong, as these specimens were carefully arranged and sections sent Home for petrological examination and classification. With regard to the Geological staff, he might say that the New Zealand Institute Act, passed in 1867, provided that a fit and proper person should be appointed to superintend and carry out the geological survey of the colony, and Sir James Hector was the person so appointed. But since the year 1893 Mr. McKay had been performing the duties of Geologist to the Mines Department, under the direction of the Minister of Mines, and ever since that date he had continuously carried out his duties as Geologist, both in the field and in the office, never having been taken away for other work. As a geologist he thought Mr. McKay was par excellence. There was no geologist in the colony, or in the world, who was likely to do them more credit. With regard to any members of the staff having been taken away, the honourable member mentioned Mr. Park. He did not know that Mr. Park had had anything to do with the Geological Department ; he was a surveyor, and at one time was doing a considerable amount of work for the Mines Department ; but, so far as he (Mr. McGowan) knew, he never occupied a position as geologist. At the same time, while making this explanation to the House, if the House was prepared to back up his idea of how the Geological Department should be maintained, he might say he thought that in this, as in some other respects, they had been losing sight of the importance of keeping the department thoroughly alive and up to its work. What he meant was that there should be officers qualifying so that upon the death or removal of any good officer they should have some one able to take his place. This applied to Mr. McKay, who was growing an old man, and, though they hoped to have him for many years, in the course of time he must go, and when that happened they had no one to put in his place. This he admitted ; but as to the statement that the department was being weakened by people being taken away from it, of that he had no knowledge whatever.

MAIN EAST ROAD. Mr. HANAN (Invercargill) asked the Minister of Lands, If further provision will be made on this year's estimates for the improvement of the Main East Road leading into Invercargill ? Last year the Minister of Lands was good enough to place a small sum on the

estimates for work in connection with the Main East Road leading into Invercargill. The money which had been expended had only enabled a very small portion of this particular road to be repaired. As the Minister was aware, this was one of the main roads leading into Invercargill, and for the most part was used by settlers from the country districts. The road was in a very bad state indeed, and this had been especially the case during the winter. It was greatly in need of repairs for a very considerable distance, and, as he had said, the amount placed on the estimates last year had been wholly inadequate to carry

out the work. He therefore asked the Minister this year to place a substantial sum on the estimates, so that this very necessary work could be carried on, in the interests of the farmers and others, who were continually using this road to get to and from the city with their goods or produce. Mr. DUNCAN (Minister of Lands) said the Road Surveyor at Invercargill recommended that £1,500 should be put on the estimates for this work. That was to cover a liability of \$500 on the 31st March last and to continue the work, but whether or not provision to that extent would be made on the estimates would depend upon the amount of money available for road-works and the requirements of other roads. It was usual, moreover, where the road was in a settled district, as in this case, for the local authority to offer to pay half the cost. Generally, in an old-settled district the County Council came forward with a proposition that they were prepared to pay a portion of the cost of these roads. It might be right to tax the whole colony to meet the wants of new settlers in back blocks where they had nothing to pay with, and therefore it was that Government money was required for those blocks in straight-out votes. When you come to the 4.0. other settled districts, he thought it was a good plan that the local authorities should contribute some part of the money, because they generally kept a closer supervision over it when there was some of their own money being expended as well as the Government money. That was the position at present, and it would depend entirely on the amount of money that the Treasurer would give him whether he could satisfy all the needs or not.

TARANAKI DAIRY-SCHOOL. Mr. McGUIRE (Hawera) asked the Minister for Agriculture, When the long promised dairy-school, with the most modern and scientific processes for the manufacture of butter and cheese, will be established in Taranaki, the home of the dairying industry of the colony? Sir, this school was promised by Sir John Mckenzie, and it would be seen by section 7 of "The Reserves and Crown Lands Disposal and Enabling Act, 1896," that a reserve had been taken for establishing such a school at Waimate. The sections read as follows :- "Whereas Section 32, Block III., Waimate Survey District, West Coast (North Island) District, containing ninety acres and twenty perches, more or less, was, in pursuance of number 22 of the First Schedule to . The Special Powers and Contracts Act, 1885,' by notice in the Gazette of the 9th October, 1885, page 1196, vested in the Public Trustee for the purposes of a School of Agriculture: And whereas such school has not been established, and it is desirable to vary the purpose for which the land was set apart and to apply the rents and profits of the land in manner hereinafter provided : Be it therefore enacted as follows :- "(1.) The Governor may, by Gazette notice, resume possession of the said land, and from and after the gazetting of such notice the said land shall be freed from any trust in or control by the Public Trustee, and shall be deemed to be a reserve for the purpose of establishing an experimental dairy-school for the North Island in such manner as the Minister for Agriculture directs : "Provided, however, that any lease theretofore granted by the Public Trustee shall not be disturbed thereby, save and except that such lease --- shall thenceforth be deemed to have been granted by the Commissioner of Crown Lands for the Land District of Taranaki, who shall have all the powers of the Public Trustee thereunder, and the lessee shall thenceforth pay his rent to the Receiver of Land Revenue at New Plymouth, whose receipt shall be a sufficient discharge.

"(2.) All rents and profits in respect of the said land in the hands of the Public Trustee at the date of the gazetting of the said notice, and all rents and profits that thereafter accrue, shall be paid into the Public Account to a special account, to be called the ' North Island Experimental Dairy-school Account,' and the

Colonial Treasurer may, from time to time, without any further appropriation by Parliament, pay therefrom any expenses incurred by or under the authority of the Minister for Agriculture in the establishment, support, and maintenance of the said experimental dairy-school. " The provisions of the last preceding section hereof shall, mutatis mutandis, apply with respect to Section 534, Block XI., Hawera Survey District, containing sixty-nine acres one rood twenty-two perches, more or less, which is at present vested in the Mokoia Domain Board, under ' The Public Domains Act, 1881,' and for the purposes of such application the expression ' Mokoia Domain Board' shall be read in lieu of the expression ' Public Trustee." " He brought this matter under the notice of the Government on several occasions, and the people whom he represented were under the impression that an up-to-date dairy-school would be established, so that the promise made by the late Minister for Agriculture would be given effect to. He had not previously quoted the statute he had referred to; and he had only done so on this occasion to prove that his statements were correct. He felt it was absolutely necessary in the interests of the district he represented that the promise, ratified by Act of Parliament, should be carried out, seeing that they had eighty-five dairy factories in that district out of the 152 in the colony. The dairy farmers were entitled to some consideration. The Act referred to was passed in 1896, and sufficient money almost had then accrued from the reserves to enable the Government to thoroughly equip and start the dairy-school on the most modern and scientific lines. It was a matter of the greatest

<page>411</page>

interest to the district that the dairy-school culty in allowing them to go some distance should be established and attention be called to from their homes. The people to be instructed the Act of 1896. He had an important duty to were all grown up, and the establishment should perform, and he was determined to perform it, be such that they should have the very best Mr. SPEAKER said he thought if the possible instruction. His impression was that honourable gentleman desired to speak fully they had a suitable place already at Levin for establishing a school of this kind. The on this subject, he had better bring the matter up by way of motion instead of question, if he Government had sufficient land there to establish a factory, and it was in a thriving wished to extend his remarks. Mr. McGUIRE said he would bow to Mr. district, admirably adapted for this work. It Speaker's ruling in this matter, as he had was convenient in every way. It was within, always done. He was, however, satisfied there half a mile of the railway-station on the main line to Wellington, and it was not too far either, was sufficient money for the purpose of carrying out what the then Minister for Agriculture, Sir he thought, from any part of this end of the John Mckenzie, had promised to the district- North Island. They had the land, and it was namely, a dairy-school-without any assistance not going to cost much. How could the Go- from the Consolidated Fund. He had drawn vernment be expected to take land which had attention to this matter by letter on the 3rd cost .■21 per acre for the purpose of starting a June, when he found that a farm was purchased school for dairving ? That was the price paid by the Government in his district. He re- for the land which the honourable member for Hawera had referred to as suitable for ceived a reply on the 12th June, and he now submitted the matter to the Hon. the Minister this purpose. for Agriculture, knowing how deeply the honour- able gentleman was interested in matters apper- given land for nothing at Palmerston if he taining to farmers, and especially to small would start the school there. farmers. Now that the Government had pur- chased more land in order to cut it up for the ber would supply him with 400 acres of land purpose of establishing more dairy farms, he at Palmerston, then Palmerston would be the trusted the Minister's answer would be favour- place selected. It was a good centre and there able and in the true interest of the great Dis- was nothing against it. He was of opinion that trict of Taranaki and the colony. they wanted an up-to-date school when they did Mr. DUNCAN (Minister for Agriculture) said start, and there should be one for all the extent if he was to carry out the proposal of the of country he had mentioned. If they had a honourable member for Hawera, then the number of schools they would be

inferior ones, Government would have to establish one in the for they could not keep an efficient staff to district of every other honourable member in work them properly. He looked upon it as a the House. national work, and, that being so, it should be An Hon. MEMBER .- I want one. established in the place most suitable and most Mr. DUNCAN said, Here was one member accessible to the whole colony. wanted one, and every other member had an equal right to one as well as the Taranaki District. Mr. McGUIRE .- How many factories have they got ? Mr. DUNCAN said the less factories in a district the more reason there was to establish a school in order to teach the settlers dairying. Minister of Lands, If provision will be made He was of opinion that one dairy-school was in the estimates for the completion of the quite sufficient for Taranaki and Hawke's Bay. formation and gravelling of the road on the west side of the Waiau from Drummond's At the present time there was no place in Tara- Ferry to the Papatotara Settlement? The naki that was very suitable. The estate that had been purchased lately by the Government West Waiau district was a newly settled for the purposes of land settlement and dairying locality, and the road was just now in an im- was not suitable at all, because it was three or passable condition. four miles away from the railway. session for its improvement, but, unfortunately, Mr. McGUIRE said the Minister need not when the funds came to hand it was so late stick to that particular spot. in the season that the money was not spent Mr. DUNCAN said he was only telling the to the best advantage. He hoped the Minister honourable member what he thought should be in framing the estimates this year would make done. He thought the place they had already provision for the completion of the work, and would meet all requirements, and it would be that the money would be available during the summer months, so that the work might be applicable to Taranaki as well as to other places. If they established the school even at proceeded with at the most advantageous time Hawera it would be of very little use for the rest of the year. It was unnecessary to state that of the Taranaki District, because most of these the Papatotara Settlement was a State farm, settlers would have to come good distances by entirely in bush country, and was so far removed from railway communication that train in order to receive dairy instruction at a the settlers were under serious difficulties. A school there. It was not as though children were concerned, and there might be some diffi- moderate sum only was requisite to complete Mr. PIRANI said the Minister would be Mr. DUNCAN said, If the honourable mem- Mr. McGUIRE .- Where is it to be ? Mr. DUNCAN .- At Levin. DRUMMOND'S FERRY, PAPATOTARA ROAD. Mr. GILFEDDER (Wallace) asked the Money was voted last

<page>412</page>

the work, so he hoped the reply would be a favourable one. Mr. DUNCAN (Minister of Lands) said provision had been made by the Road Surveyor, Invercargill, on his estimates for \$766 for this road. This sum would include the liabilities on the 31st March last of \$516, and leave 9250 for further works. This would not, however, finally complete the road, which the Chief Sur- veyor says was not of vital importance. It . would depend on the amount of money avail- able for road-works as to whether or not the \$250 above mentioned could be provided for on the estimates. He was of opinion that a road such a. this was one that should be attended to much more than the road mentioned by Mr. Hanan, because the settlers there could get along already. He knew a little about this bush country in the Waiau, and he knew when settlers went into such a district there was really more necessity for money being spent there than in the settled districts. people showed an inclination to go into the bush and settle the Government should as soon as possible provide them with roads. WAIAU FERRY SERVICE. Mr. GILFEDDER (Wallace) asked the Minis- ter of Lands, If the Government will favourably consider the request of the West Waiau settlers and miners to subsidise the ferry-boat service at the mouth of the Waiau, and so enable travel- lers to cross the river at a reasonable cost ? The fares charged on the ferry-boat at present were 2%. Gd. each way, and the settlers and miners on the other side who had to cross and recross found this charge rather heavy for so short a distance. The ferryman was at present subsidised by the Wallace County

Council to the extent of 7s. 6d. a week. He wished to get a further subsidy, if possible, from the Government. The settlers had every confidence in the ability and efficiency of the ferryman, but they wished to get across at a reasonable rate, so they hoped the Government would consider the advisability of increasing the subsidy so that, instead of being charged 2s. 6d., they could be rowed across at, say, 1s. a head. Mr. DUNCAN (Minister of Lands) said this question referred to a ferry service under the charge of the Wallace County Council, who pay the ferryman 7s. 6d. a week and also allow him to keep the fees. The only request that Government should subsidise this ferry was a petition from miners and others in March, 1898, when Mr. Gilfedder explained that the river was about a mile wide, with an island in the middle, and was dangerous to cross by boat even by experienced men. He said that he thought it would be much better if the miners petitioned to have the road improved on the west side of the Waiau and that the punt service higher up the river at what is known as the " Lower Site" should be improved. The charge made by the present ferryman at Waiau Mouth is 2s. 6d. each way, which is probably not an excessive fee, considering the labour and risk involved. To induce the ferryman to make any substantial reduction would require a payment to him of at least \$1 a week in addition to what the Wallace County Council pay him. and it is to be feared that if this were done the Government would have to make similar grants in the case of other ferries.

GLENHAM ESTATE. Mr. McNAB (Mataura) asked the Government, Whether they will take steps to have that portion of Glenham Estate adjacent to the factory, and on which there are suitable farm-steadings, thrown open for settlement at once, so as to take advantage of the approaching milking season ? Mr. DUNCAN (Minister of Lands) was informed by the Chief Surveyor that it would be quite impossible to put any of this estate in the market at once, as suggested by Mr. McNab. even if the time and season permitted survey being effected. The estate could be better dealt with as a whole. Those of the present occupiers who were supplying milk to the When factory could obtain a lease in perpetuity if they could satisfy the Land Board that they were really tenants of the estate.

SURVEYORS' CHAINMEN. Mr. SYMES (Egmont) asked the Government, If they will provide continuous employment for surveyors' chainmen whose services are dispensed with when surveyors discontinue outside survey-work for the purpose of preparing plans, &c. ? Mr. DUNCAN (Minister of Lands) said surveyors' chainmen were paid while in the field continuously, whether the weather was wet or dry. During the last two years they had lost on an average thirty-five working-days through surveyors coming in for the winter. It was probable that this winter in Taranaki, at any rate, the surveyors would keep the field instead of coming in as usual. There was no employment other than ordinary road-work which could be given to men who were not required while surveyors were making their plans. No doubt, if they applied to the Road Inspector of the district, they could be given such work until such time as they were again required by the survey-party.

KELLY SUICIDE. Mr. O'MEARA (Pahiatua) asked the Government, If they will make inquiries into the facts of the suicide of the unfortunate man Kelly at Palmerston North, as it is alleged money owing to him by the Lands Department which he could not obtain ; and if they will cause that money, if owing, to be paid over to his wife and family at once, they being in abject circumstances ? When the Hon. the Minister of Customs was in Pahiatua he was waited upon by the late Mr. Kelly. It was then stated --- if he remembered correctly - that Kelly was not paid for the metal which was patted in the ruts, and he only received surface-metalling. If the man was entitled to payment for this metalling, he hoped the Government would at once pay his unfortunate widow. If the metal had already been paid for he hoped the

<page>413</page>

Minister would distinctly say so, as there was a lot to amend the law as to the inspection of pigs, a good deal of dissatisfaction existing, and alleged before being killed for food, so as to provide that inspections were made by this unfortunate man himself - all such pigs shall be brought to some special place. He would wait with anxiety the reply of place for inspection before being slaughtered ? the Minister. The question was not exactly in the form in which Mr. DUNCAN (Minister of Lands) said that which, perhaps, it might best be. The difficulty

arose under the Slaughtering and Inspection Act of last year. Under that Act a certain man received any money whatever, because the number of pigs were allowed to be killed on Peterson signed the agreement, and Kelly had farms and sent into towns. signed so that Peterson should be the man seem to be any way of getting the pork in- who carried out the work and was paid the expected, and difficulties arose in consequence. money. There was no evidence to show that A good deal of pork apparently came into town the Government, or Lands or Roads Department and was sold in the various shops, and that ment, was in any way responsible for Mr. Kelly's pork was never inspected. He would suggest unfortunate suicide. He had been employed at that an amendment should be made to the various times by Government. At the time of Public Health Act, to compel storekeepers, his death he had a contract, but there was no grocers, bacon-curers, and others in the city . receiving dead carcasses of pigs from the county dispute about it, and the last payment, amounting to \$24 13s. 6d., in respect to it was handed try for human consumption, to make it come to him on 14th June, for work done up to 31st pulsory for all such persons to notify the meat May. Steps are now being taken to measure Inspector, or the Inspector of foods for the city, so that the meat would be properly inspected up the balance of the work on this contract and before being cut up for consumption. to pay what is owing to his personal representatives. He was interested in a co-operative was recognised that action should be taken for metalling contract on the Makuri-Pongaroa Road in December and January last, with a the inspection of the carcasses of pigs intended for human consumption, because pigs were just man named C. Peterson, who was head man, as liable to disease as most other animals. and there was a dispute about that contract. It was for metalling 25 chains of road at 3s. 9d. The question was under consideration, and it per cubic yard, and the contract distinctly provided that some amendment vided that the metal was to be measured when of the Act should be made. His opinion was that the time had come when the towns should spread on the road. The amount of the contract was \$77 6s. 10d., and men were provided adopt the system prevailing in older countries -- by Government to trim up the road and spread that was, to establish a market, and there the metal : but as some parts of the road were should be proper Inspectors there to inspect soft and in holes these were filled with metal. the carcasses. At Home forty years ago-before and the contractors were paid for 42} yards at he left the Old Country -the pork-market was a very important institution, and before the 3s. Od., or \$7 19s. 5d., for that purpose, although the overseer thought there would have been carcasses were offered for sale the Inspector in- only 10 or 12 yards required. The contractors expected the animal. If there was anything wrong with the animal the policeman took the were also paid \$15 11s. 4d. for repairs on other owner in charge, and the carcase was destroyed. parts of the road, or a total sum of \$100 17s. The owner was fined pretty heavily. Certain 7d., less cost of explosives, £4 1s. 10d. The butchers generally contracted to kill the pigs, money was paid to Petersen, the head man, and and they guaranteed to see that they were fit nothing whatever is known as to the share for food. Very few carcasses were required to he gave to Kelly. Kelly complained that the be destroyed, because the animals had been metal was measured on the road and not in the previously inspected. If there were proper drays, but as this was contrary to the contract, and as it would appear that the contractors had markets here in the large centres the carcasses of pigs would be properly inspected, and there been fully paid, Kelly's claim for extra payment would be nothing to find fault with. could not be entertained. It was probable that the contract turned out very badly for them, for it seems that they lost ten-twelfths of their time by bad weather, and as Kelly's plant was mortgaged to a Mr. Graham, who seized it, and, and Survey Department has obtained a report as it appears that Kelly's workmen were un- on the practicability of a road or track between paid. his mind may have been deranged by his Eketahuna and Shannon? This road was a troubles. very important one, and the settlers on both Mr. O'MEARA said it was a pity that that sides of the dividing range had been agitating explanation did not come out previous to this for it for

several years. He understood that man's death. If it had, he might have been in quite recently one of the surveyors of the Lands a position to contradict it. Of course, it was and Survey Department had been endeavouring utterly impossible to do anything in the matter to find a practicable route, and it was rumoured now. he had been successful in discovering a fairly INSPECTION OF PIGS. good track. He (Mr. Hogg) would like to get Mr. BARCLAY (Dunedin City) asked the some information on the subject. It was very There did not Mr. DUNCAN (Minister of Lands) said it EKETAHUNA-SHANNON ROAD. Mr. HOGG (Masterton) asked the 4.30. Minister of Lands, Whether the Lands

<page>414</page>

ranges to connect the west and east coasts of | land that they had recently taken up. If this the North Island, and thus enable settlers to communicate with each other. Mr. DUNCAN (Minister of Lands) admitted that the road was a very important one, and it was very necessary that a reasonably short road should be made between the East and West Coasts. It was known from experience that at some times there were droughts on the East Coast-perhaps when the stock was too plenti- ful for the feed-while at the same time there was abundance on the West Coast. It would therefore be a great advantage to settlers to have a short road to connect the east with the west, so that in seasons of drought the stock could be taken from one part of the Island to the other. With a view to finding out whether such a road could be made, he promised last session that a fying survey would be made, and the report of the Survey Department on the question was as follows :- "It is estimated that the total length to connect the two road systems on both sides of the range is fourteen miles and a half, of which twelve miles have still to be graded and surveyed. A rough estimate of the cost of constructing a dray-road is \$7,250, and that of a 6 ft. horse-track 12,900; but this does not include the bridges which may or may not be required, according to the kind of road that may be constructed, the creeks having frequently good hard beds for crossings. survey is merely a reconnaissance, and before any actual works could be undertaken, even after an appropriation has been obtained for the purpose, an engineering survey would have to be made of the route. The gradients of from 1 in 12 to 1 in 25 can be obtained. country is all covered with forest, and of little value for settlement." It would be necessary in the first instance to make a driving-track, so that when necess- ary stock could be driven from one side of the Island to the other, and a better survey could be made later on so that the track could be improved. TONGAHOE ROAD. Mr. McGUIRE (Hawera) asked the Minister of Lands, Whether, when framing this year's estimates for roads and bridges in order to give access to the back-block settlers, he will make substantial financial provision for one of the main arterial roads to the interior-namely, the To- ngahoe Road ? It was necessary that settlers in these outlying parts should have roads and bridges to permit of them bringing their pro- duce to market, also to allow their children to attend school ; and, as roads and bridges were necessary to allow of the back blocks to be opened up and developed, he trusted the Minis- ter would place a substantial sum on the esti- mates this year for this important work. The Minister had had the opportunity in the re- cess of being in the locality, and, from his practical knowledge of farming and of the wants and requirements of settlers in the back blocks, he would no doubt, do all in his power to help the struggling settlers to profitably occupy the main arterial road was made it would be a boon to the settlers interested, and would be in the true interests of the colony. He trusted the Minister would do all he could to give them communication with the railway, from which at present they were almost entirely cut off. Mr. DUNCAN (Minister of Lands) might state, in reply to the honourable gentleman, that the Road Surveyor at New Plymouth bad made provision on his estimates for the sum of \$1,250, which included liabilities, up to the 31st March last, of #162, so that it would depend entirely upon whether the amount placed at his (Mr. Duncan's) disposal was sufficient to enable him to provide for this work. At any rate, he recognised, along with the Surveyor-General, that this was a proper road to spend money on, and they intended to do so; but, of course, that depended on the amount that might be available for roads generally. DANGEROUS ROADS. Mr. HOGG (Masterton) asked

Ministers, If they will obtain a report from their Inspectors on all formed roads within their districts, specifying whether portions of the roads are necessarily or unnecessarily dangerous to wheel traffic; why they are dangerous; whether they are metalled ; if they are The aware of accidents having occurred of late years at these places, and, if so, stating their nature ; what precautionary measures are desirable, and the approximate cost of their adoption ; and in whom the roads in question are vested ? Every year the Government had a The wreck - chart prepared which indicated the locality where wrecks occurred on our coast- line. He would like to obtain, through the medium of the Lands and Survey Department, and especially the road branch of that department, a chart of a similar nature indicating where accidents occurred on dangerous roads. New Zealand, it would hardly be denied, was notorious for the frequency of its accidents of this character. They had in every newspaper almost in the country a column headed " Accidents and Fatalities," and the great majority of these mishaps occurred through preventable causes Many of them were owing to the circumstance that roads were left year after year in a dangerous condition. Loss of life and property was occasioned where in many instances the expenditure of a few pounds on a simple bit of fencing would have prevented these calamities. He could speak feelingly, because in his own district there were families, widows and children bereft of their breadwinner through the neglect of the local bodies to see that dangerous place on the roads were protected by fences or by other precautions being taken. He wanted to obtain a report from the Government Inspectors with regard to these places, in order to bring not the Government so much as the local bodies face to face with their duties and responsibilities. Mr. DUNCAN (Minister of Lands) might

<page>415</page>

state, in reply to this question, that what Mr. Hogg apparently wanted was that the Government should exercise some control over the roads generally, in order that accidents should as far as possible be prevented. This information could not all be obtained by the staff at present employed by the roads department without neglecting other duties, for it would involve the inspection of most of the roads in the colony, and much correspondence with local bodies would be involved. It would, moreover, be an expensive return to prepare, and would take a considerable time. But he was still of opinion, with Mr. Hogg - the matter having been brought under his notice time and again-that there certainly ought to be a surveyor whose business it was to inspect roads and bridges. Such an officer would be well occupied, and would easily save his cost to the colony. In nearly every district they would see bridges neglected. The wind blew in dust, and the seeds of grass and weeds ; there was no one whose business it was to clean them and put on a bit of tar to keep out the water, and so they found the structures rotted prematurely for want of provision being made that it should be the duty of some one to see that they were kept in proper condition. He was quite sure it would pay the colony to have such a man. Mr. HOGG wished to be allowed to explain to the Minister that he wanted nothing elaborate or expensive, but a simple report such as Inspectors could give, he believed, within a few days, if not within a few hours.

APITI AND NORSEWOOD ROAD. Mr. LETHBRIDGE (Rangitikei) asked the Minister of Lands, If he has any report on a road to connect Apiti and Norsewood ; if not, will he have one prepared as soon as possible ? This road was also connecting the East and the West Coast, and what the Minister had said in answer to Mr. Hogg's question, as to the dryness of one side of the ranges and consequent shortness of pasture at some seasons of the year, and the plentiful supply of rain and pasture on the other, applied here more than it did in connection with the Eketahuna and Shannon Road. Last year, in answer to a deputation, the Minister promised, if possible, to send an Inspector to make a survey of this road, and to give an estimate of the cost of making it. He might say that settlers on this side of the range had made their own roads, had rated themselves heavily to do so, and all they were now asking the Government to do was to make the connection complete. Mr. DUNCAN (Minister of Lands), in reply, might state that a preliminary report had been made on the subject, from which it appeared that the gap in the proposed

road which had yet to be formed amounted to twenty miles. The formation of this portion as a horse-road 6 ft. wide was estimated to cost \$5,200, and as a 12 ft. dray road \$12,500. A survey had been made, and it was reported that the road was very rough between Pohangina and the main range, so that it was doubtful whether a very good grade of road could be got if the country was as rough as it was stated to be. However, this and the other road would receive attention, and, at any rate, they would get a horse-track, over which they might drive live-stock.

NOXIOUS WEEDS BILL. Mr. BARCLAY (Dunedin City) asked the Government, If they will bring in a Bill to amend the Noxious Weeds Act, by inflicting a penalty for the sale of chaff or other produce adulterated with noxious weeds ? This question had been suggested by a case which had occurred. The case was that of a man who had bought a considerable quantity of farm produce from a dealer, and then, finding it was filled with noxious weeds of various kinds, he was unable to give it to his cattle, because if he had given it to his cattle, and had then turned them out into his paddocks, the result might be that next year he would find his paddocks covered with noxious weeds. The consequence was that he had to burn this produce. The question was now asked with the view of ascertaining if the Government could see their way to do anything in the way of bringing in an amending Bill to prevent this state of affairs. There was no penalty in the Act at present for the sale of produce adulterated with the seeds of noxious weeds. Mr. DUNCAN (Minister of Lands) said, in reply, that he quite agreed with the honourable gentleman that an amendment of the Noxious Weeds Act was absolutely necessary. But there were other and considerable amendments that were necessary as well as the one now referred to, and, as the amendment of the Act was a matter that would take some time, it was doubtful whether it could be managed this session. But if an Act had been in force thirty years ago to stop people from disposing of stuff they called seed-dirty grain and chaff - there would have been very few weeds in the colony to-day. They should do their utmost to see that the seed which was disposed of in the colony was clear of weeds. This would be a step in the right direction.

IMPROVEMENTS ON UNIMPROVED LANDS. Mr. BOLLARD (Eden) asked the Minister of Lands, If he will amend the land regulations re improvements on unimproved lands so as to extend the time for making such improvements ? This question was a very important one to the settlers who wished to take up the unimproved lands of the colony, and especially in the Provincial District of Auckland, because there was far more unimproved land there open for settlement at present than, he believed, in any other part of the colony. The conditions under which unimproved land could be taken up, whether by lease or right of purchase, were, in his opinion, far too stringent, as it was impossible for a poor man to take up land under present conditions. In order to prove what he was stating he would cite a case : A poor man took up, say, five hundred acres of broken grazing country. He had to spend so-much the first year, so-much the second year, and so on ; and, assuming that

<page>416</page>

the capital value of the land were put down at \$500, he had to spend the whole amount of the capital value in six years, and unless a man had considerable means it was impossible for him to live and make improvements at the same time. He considered that, in order to give the poor man a chance of obtaining a holding sufficient to enable himself and his family to live, the improvements ought to extend over the whole ten years, and at the end of ten years he should have the right to purchase for \$500; while no rent or interest should be charged for the first two years, because during the first two years a man could not possibly make anything off the land. This was a matter which affected largely the settlement of the unimproved lands, and he thought the regulations should be altered in order to give a poor man a chance of taking up such land. He hoped the Minister would take the matter into favourable consideration.

Mr. DUNCAN (Minister of Lands) said he agreed to a large extent with the honourable gentleman that more time should be allowed, especially in the case of bush land, before rent and interest was chargeable, and he intended to bring in a Bill before the session was very much further advanced to deal

with this matter. He also intended to have the regulations under the Land Act improved in the direction of extending the time within which improvements had to be made. But, generally speaking, the people who talked so much about this matter were those who did not take off their coats and go to work -- they talked only-and he had scarcely had a letter from a settler complaining of hardship with regard to the enforcing of these settlement conditions. The trouble was with those who would not work, not with those who took their coats off and went to work. The Land Boards generally, when representations were made to them that the time should be extended, had liberally interpreted the provisions of the Land Act, so as to give settlers ample time to arrange for making the improvements. Section 8 of "The Land Act Amendment Act, 1895," gave the Land Board and the Minister power to reduce the amount of the improvements which "The Land Act, 1892," required to be made if the land was not susceptible of the improvements specified in that Act : but no reasons had been given why improvements of some kind should not be made within the time specified in the Act of 1892 -namely, within one year from the date of his lease, improvements equal in value to 10 per cent. of the price of his land : within two years, another 10 per cent. ; within six years, a third 10 per cent. ; and, in addition, within six years, on first-class land, improvements to the value of \$1 an acre, and on second-class land to the price of every acre of such land. That was giving them six years at the present time. There were not many complaints, but still he held, and he had always held for many years past, that it was criminal to expect people to go on land and expect them to pay rent when the land was yielding nothing with which to pay the rent. There should be time given to them to bring the land into a state when there was some income coming from it before they charged the tenants for either rent or taxes.

NOXIOUS WEEDS ACT. Mr. BOLLARD (Eden) asked the Minister of Lands, When he intends to enforce the provisions of the Noxious Weeds Act of last session ? Several local bodies had asked him to bring this matter before the Minister. At the present time the Act might be said to be hung up. The local bodies could not administer the law, and the Government, so far as he knew, had not done anything in the way of appointing Inspectors. Several local bodies were anxious that the Government should either enforce the law or give them power to enforce it. Mr. DUNCAN (Minister of Lands) said the Act came into force very late in the spring last year, and it was not thought advisable to commence too harshly to run people to death with fright for the first year. He could tell the honourable member that provision had been made for inspection by the time that summer arrived again. The department would then have Inspectors at work, whose duty it would be to inspect where necessary, and they would bring the Act into force where they found that the people had been too dilatory or would not take steps to comply with the law. These people would find some trouble ahead if they did not comply with the Act, because Inspectors would be placed in the district with full power to deal under the Act. The Government did not intend the Act to be a dead-letter at all. but they wanted to give the people a little breathing-time to enable them to get ready. It would be just as well for them to take a hint now and show that they were in earnest and intended to comply with this Act.

HOROWHENUA VILLAGE SETTLEMENT. Mr. FIELD (Otaki) asked the Government, Whether they are aware that for a long time past promises, both written and verbal, have been made by the Lands and Survey Department to the Horowhenua village settlers that the Horowhenua No. 6 Block would be set up for settlement, and that many of the village settlers have retained their holdings, though too small for them, in anticipation of the fulfilment of such promises; and whether, in spite of these promises, it is the intention of the Government to devote the said Horowhenua Block No. 6 to the purposes of an industrial shed and lunatic asylum ; and, if such is their intention, whether they will substantially fulfil the promises above mentioned by acquiring and setting up for settlement other land in the immediate vicinity ? The land which this question referred to was part of Horowhenua No. 6 Block, situated on the eastern side of the Manawatu Railway, on the main West Coast Road. The better portion of this block contained 1,400 acres. On the other side of the road - i. e. western side - was situated the Levin Village Settlement, composed of sections varying from

five to twenty-five acres. The settlers on these village-settlement sections had found for years

<page>417</page>

past that the sections were too small upon which to maintain themselves and families, and they had applied to the Government some years ago that this land on the eastern side of the line should be cut up, and that they should have an opportunity to select further areas from it. Several promises had been made to them by the Lands Department that the No. 6 Block would be cut up, and that they would have an opportunity of balloting for the sections. Recently, however, the Government had announced their intention of taking four hundred acres of the best portion of this land for the purposes of an industrial school; and now they had further announced that it was possible they might take the thousand acres remaining for the purposes of a lunatic asylum. There was naturally a good deal of dissatisfaction and discontent among the settlers, and they had asked him to raise the question and discover what was the exact position. Then, a further reason against establishing a lunatic asylum in the vicinity was that there were already large Government institutions occupying large areas of land -- a State farm and industrial school, and other Government properties -- and these properties paid no rates. The local bodies on the coast were very short of funds, and if these large blocks continued to be taken by the Government they would be in still worse straits. Another reason was, it seemed to him, the site for a lunatic asylum was far too close to Porirua, and it would be better to go on the other side of the range -- say, the Waipawa district -- and obtain a site there. He hoped, at any rate, the Government would take the feeling of the settlers in the Levin district before erecting a lunatic asylum there. Mr. DUNCAN (Minister of Lands) said the honourable gentleman assumed that a promise had been made -- written or verbal by the Land and Survey Department to the settlers that they would be permitted to hold selections on this block. That assumption was unjustifiable. The Land Board had quite recently decided that a Horowhenua village settler could not add to his holding by the absorption of an adjacent section, and, that being the case, it was not likely that the Board would permit the Horowhenua village settlers to select additional land at a considerable distance from their holdings. Four hundred acres of this purchase had been selected for an industrial school, and a thousand acres was at present under offer to the Inspector-General of Lunatic Asylums for a central asylum. It was doubtful if the land was suitable for that purpose, but, being the only Crown lands within the limits prescribed by the Inspector-General for such an establishment, it had been placed at his disposal for a short time. The legislation of the past few years effectually prevented the Crown acquiring other Native lands near Horowhenua; but no doubt it would enable the Natives themselves to cut up their lands for settlement in that vicinity. As had been said, the Land Board seemed to be averse to allowing these people to amalgamate their holdings. A gentleman who owned a small section of twenty acres had waited upon him and asked how it was that the Board would not allow him to dispose of his section to another man who owned one of similar size. He had repeatedly approached the Wellington Land Board in the matter, and they had refused on every occasion. It was not likely, unless some arrangement were come to, that they would allow them to go a long distance and take up sections in Block 6. If ever the promise was made it was not a fair one, because the law itself would not permit of its being carried out. He had some doubt himself as to whether it was ever made. The legislation of recent years prevented the Government from acquiring any Native land there. If any European land was for sale there that was another question, and they would have to set the Land Purchase Commissioner at work. For his part, he did not think these men could make a living on twenty acres and bring up their families decently. Mr. FIELD said he would produce the letter written by the department promising that these settlers should be allowed an opportunity of acquiring a portion of this very land. It was from the Commissioner of Crown Lands. WORKMEN'S HOMES. Mr. BOLLARD (Eden) asked the Minister of Lands, What action he intends to take with regard to the purchase of suitable land in the Auckland District for workmen's homes? The Premier had recently stated to the House that over nine hundred acres of land

had been purchased for workmen's homes during the past year, and that a hundred and seventy workmen's homes had been established. Now, there had not been one acre secured in the neighbourhood of the City of Auckland, and he failed to see why Auckland, which the census proved had the largest population of any city in the colony, should be ignored, while attention was being paid to the other parts of the colony. Then, again, according to the Premier, nearly two millions had been expended in the resumption of land for close settlement, and very little indeed had been expended in the matter of providing workmen's homes. Surely the workmen of the colony, who lived in insanitary places in large centres of population, were as deserving of having homes provided for them in suitable localities as were the small farmers. Some three years ago he had brought this matter under the notice of Sir John McKenzie, and that honourable gentleman stated that the lands in the vicinity of Auckland were too dear. He (Mr. Bollard) then stated that he could get suitable land at an average cost of £10 per acre, and the honourable gentleman challenged him to get land at that price in suitable localities. Now, although Sir John had stated that the land was too expensive, it was offered at about half the price that had been paid for land for the same purpose in the neighbourhood of Christchurch. Since then the Government Land Purchase Officer, Mr. Mckerrow, had seen the land he had selected. the Crown Lands Commissioner at Auckland had also

<page>418</page>

inspected it, and the Hon. the Minister himself had seen the land; and he believed the Supervising Valuer at Auckland had been instructed to examine and report upon it. So far as he knew, all the gentlemen who had inspected the land, including the Minister, considered the price was reasonable and that the land was suitable. Under the circumstances, he considered that Auckland had been unfairly treated in this matter; and, seeing the large population and the congested state of some parts of the City of Auckland, something should be done. He was a little surprised that the three progressive members who represented the City of Auckland, who supported the Government, had done nothing to help him in this matter, and that it had been left to himself, a so-called Conservative member, to bring it forward. He hoped the Minister would at once attend to this matter. Mr. DUNCAN (Minister of Lands) might state that the attention of the Land Purchase Board was called to this matter some time ago, and reports and valuations of several suitable areas had been obtained, on which the Board would make recommendations very shortly. This question had not been entirely overlooked, although the honourable member had cast reflections on the Auckland members. He had received several communications from those Auckland members on the subject, and he thought it unfair for the honourable member, in their absence, to say they had done nothing to help, because they had approached the Government on the matter, not only in writing, but also by waiting upon himself personally. Mr. MASSEY (Franklin) asked if the Minister would lay the correspondence on the table. Mr. DUNCAN said, Yes. The train service, he thought, could be very easily overcome. Personally, he thought that the land was not too dear, and that something would have to be done for Auckland. That was his opinion. **STOATS, WEASELS, AND FERRETS.** Mr. ELL (Christchurch City) asked the Minister of Lands, If he will this session introduce legislation amending the law so as to enable stoats, weasels, and ferrets to be taken and killed in districts where there is no rabbit nuisance? He might state that these animals were in the neighbourhood of Christchurch, and he had had several complaints from his constituents of fowl-roosts having been visited and fowls killed. In one street seventeen had been killed in one night, and in another street six or seven fowls were killed. There was no rabbit nuisance in Christchurch. He knew of a certain part of Canterbury where a certain local body, in defiance of the law, offered a reward of 1s. a head for the slaughter of stoats and weasels. He asked the Minister to take power to himself by legislation to declare that in certain districts these animals might be taken and killed. Mr. DUNCAN (Minister of Lands) said he was of opinion that it was not necessary to enforce the present regulation, and he did not think it would be enforced in

Christchurch and Wellington, where these depredations were made ; but his experience was that very little damage indeed was done by stoats and weasels. Now and again ferrets had killed a bird. He had had stoats and weasels about his farm and stable, where fowls very often were, and he had never seen one killed yet by stoats and weasels. An Hon. MEMBER. - Did they take the chickens ? Mr. DUNCAN said they might take the chickens, but generally the old hen took good care of them ; but the ferrets kill young and old as well, and he had known that happen more than once. He thought it would be necessary to relinquish this measure, at any rate as far as the cities, and close settlement around the cities, was concerned. NATIVE BUSH RESERVES. Mr. ELL (Christchurch City) asked the Minister of Lands, If he will, in throwing open land for selection, make reserves of native bush at reasonable intervals of distance ? This matter was brought very much home, particularly to the people in the neighbourhood of Christchurch, by the fact that the beautiful bush that used to be within a few miles of the city had nearly all disappeared. One might ride for many miles without seeing a native tree; whereas, had the authorities in the early days preserved 60 or 100 acres here and there, it would have been not only a source of very great pleasure to the people in the neighbourhood. but a source of profit to the country, and made He had noticed in the it more attractive. Gazette that considerable areas of land -- as much as 45,000 acres of dense bush had been thrown open for settlement, but he saw no record of reserves having been made. What he asked was that the Minister might reserve 100 or 150 acres of bush land every four or five miles ; and what they had to legislate for was not merely for themselves, but for the people who came after them. When once the bush was destroyed there was no possibility of re- He thought storing it in its native beauty. that in future sales of blocks of land the Government should reserve bush sections of 100 or 150 acres at reasonable intervals of distance. Mr. DUNCAN (Minister of Lands) said he was in entire sympathy with the question. and some six months ago or more he gave instructions to the Commissioners of Lands to have a return made of the bush areas in their respective districts, so that he might deal with the question of bush reservation. In the past the matter had been shamefully neglected. It was thought by some people that in thirty or forty years there would be scarcely any bush left in New Zealand if it was destroyed at the present rate, and if means were not taken to preserve it. As soon as all the returns were to hand the Government would go into the matter and see that proper reserves were made. When travelling through the country lately he gave instructions that several patches of bush should be reserved. Most of the bush patches were in rough gullies, and the land was of little value. He thought it was criminal to allow such patches of bush to be cleared out.

<page>419</page>

ADJOURNMENT. Mr. MASSEY (Franklin) moved the adjournment of the House. He wanted to say a word or two regarding the answer given by the Minister of Lands to a question asked by the member for Christchurch City (Mr. ELL) regarding stoats and weasels. He did not think that answer was altogether satisfactory. Of course, he was willing to admit that it was an improvement on the answer which the Minister had previously given to the same question ; but the Minister stated that. in his opinion, the protection at present extended to stoats and weasels should be removed in districts like Christchurch and Wellington. He (Mr. Massey) thought they should go a great deal further than that. He did not object to protection being extended to those animals in districts where the rabbit nuisance existed, but he did object to it in those districts where there was no rabbit nuisance. and where there was no possibility of it. He held in his hand a letter he had received from a settler in his district, in which the writer complained that he had suffered serious loss on account of the depredations of stoats and weasels in his poultry-yard. That settler had gone to very considerable expense to get the best and purest breeds of poultry, and on account of the damage done by these animals he had been forced to sell the whole of his poultry to a butcher in the neighbourhood. Then, only on the previous night he was shown a letter by the honourable member for Waitemata. from one of his constituents, in which the writer stated that the

stoats and weasels had attacked his young lambs. The Minister had said he had never heard of stoats and . Weasels attacking poultry ; but the letter he (Mr. Massey) had in his possession was at the disposal of the honourable gentleman ; it would show him that settlers were suffering greatly through these animals. Mr. DUNCAN asked if ferrets were not to blame. Mr. MASSEY said, No; the stoats and weasels were responsible for the mischief. He thought the Minister should go a great deal further than the answer he gave to the member for Christ- church City indicated he was prepared to go ; that was to say, in those districts of the colony where there was no rabbit nuisance the protection enjoyed by stoats and weasels should be withdrawn. Mr. SEDDON (Premier) seconded the motion for the adjournment of the House. He wished to bring under the notice of his colleague a suggestion that would have the desired effect. The honourable member said he had never known stoats and weasels to attack poultry, and in that connection he (Mr. Seddon) would like to say this: He introduced from Australia a bird commonly known as the laughing jackass. The members of the Opposition smile at that statement, but nevertheless it was the fact. As most people knew, the food of a laughing jackass was snakes. The bird would fly with a young snake high into the air and then drop it to the ground ; and one would naturally expect that a bird that would tackle a snake would be a match for a stoat or a weasel. It had been demonstrated, however, that such was not the case, for this valuable bird he alluded to was so badly bitten by a weasel that it died. He believed that in a district where there were no rabbits, and where these vermin appeared, the regulations should be relaxed. He was inclined to think that, instead of taking four large centres, the department should note the localities in which there were no rabbits, and in those districts where the regulations could be relaxed he thought that should be done. Stoats and weasels ran away from, and went into localities where there were no rabbits. These vermin, - stoats and weasels, - went over the ranges from Otago to the West Coast ; and on the Coast, where there was valuable and beautiful fauna, what did they find ? The whole of it was cleared away by them. At present there were few rabbits on the West Coast. At first he believed some of the rabbits in Otago went out to look for the stoats and weasels, and, reaching the top of the range, they went down the Haast River into Westland, and came across that way down to the West Coast. As to the destroying of rabbits, the rabbits lost their companions and came to the Coast looking for them. There was no doubt that the weasels and stoats went to the Coast first. His own opinion was that a time would come in this colony when the importation of these animals would simply be looked upon as a great mistake, and the memory of those who first imported them would not be perpetuated as having been benefactors to the country. He could only say that where there was actual danger was in the centres of population, because there were repeatedly cases where ferrets had attacked children. An Hon. MEMBER said there was a case at Rangiora. Mr. SEDDON said, Very well ; he simply said it was all right to get rid of the rabbits, but they could pay too dearly for that. His own opinion was that the cure for the rabbits was population. When the natural enemies of the rabbit-stoats, ferrets, and weasels - were imported poisoning was not known. On no less an authority than that of his late worthy colleague Sir John Mckenzie the remedy for the rabbits was fencing and poisoning, and he believed if they had known about poisoning and fencing previously to the introduction of these vermin they would not have been introduced. They increased rapidly, and never stopped long in one place, but went foraging about, and anything with feathers on they destroyed. He must ask his colleague the Minister of Lands to consider the necessity of getting a report from his officers and fixing different districts where there were no rabbits within some miles, and where there was a barrier to their spread in the shape of population. Where they had a population between the rabbit-infested country and where this fencing existed he thought the country was perfectly safe to give power of destruction. At all events, he might say as far as he was concerned, with due deference to his

<page>420</page>

colleague, that where he caught these vermin he would make short work of them. Mr. DUNCAN (Minister

of Lands) would say, with all due deference to the mover of the motion and to the Premier, that great care ought to be exercised about taking off the restrictions. It was all very well where there was close settlement, and it was all very well where there were no rabbits. Up to the present time the rabbits had done an enormous amount of damage and loss to New Zealand. Take all their outlying runs in Otago, and it would be found that about one-fifth of them were unc- cupied. What was the cause? It was simply because of the rabbits, and the want of proper appliances to cope with them. To such an extent had this been the case there, that many owners of runs lost their property, and all through these rabbits. They could look back to it now, but he could tell them it was so. The honourable member who sat opposite (Mr. Fraser) was one who was eaten clean out of the run he possessed by rabbits, and his run was costing the colony a large sum of money each year -- that was to say, the run he formerly occupied. Of course, he had left it now, but not before the rabbits came and hunted him off it. And he could tell them something about it. If it had not been for the stringent steps taken by Sir John Mckenzie, Canterbury would have been overrun by rabbits, every bit of it, and then there would have been very little noise raised about stoats and weasels in that part of the colony at the present time. Mr. SEDDON .- The fencing saved Canter- burv. Mr. DUNCAN said there was no doubt the fencing had been a great deal of use: but the rabbits had got beyond the fences, were in ad- vance of them, and the stringent measures taken and the construction of rabbit fences confined the rabbits to the Otago side. At one time there was no such thing as coping with the rabbit pest. There were runs that had been let for \$3,500 that they could not to-day get €1.300 for, they had been so much depreciated by the rabbit pest ; and people made more money out of them at the higher rents at that time than they could make now. That was largely owing to the rabbits. People near the towns did not realise that, and could not understand it like people who had lived away back in the country districts that were rabbit-infested. If they re- moved these restrictions he was sure things would go ahead again as they had done at that time, because rabbits were different from any pests except the small birds -- they multiplied so amazingly fast. They might see a couple of rab- bits in the spring : six or eight weeks afterwards there would be ten or twelve, the next time sixty or seventy, and the next two or three thousand. That being so, they needed to be careful in pro- tecting the natural enemies of the post, for if they would not alone keep down the pest they would probably enable that to be done. Mr. BUDDO (Kaiapoi) said he was pleased that the Premier was at one with them in something being done to put down the pests- stoats and weasels. It was some years ago since he had spoken in the House of weasels as simply a source of amusement to the rab- bits. They would simply dart away uncon- scious of danger. As natural enemies of the rabbits they were not effective, and weasels were now finding their way all over Canter- bury, and were getting into the suburbs of towns, if not into the cities. Personally, he did not think there was any means of stopping them. He thought they were inclined to in- crease rather than to become fewer : but, at all events, it would be a step in the right direction that all restriction in the way of killing these vermin should be removed at as early a date as possible. Personally, he would favour taking all restrictions off ; but he would venture to say there was not the slightest probability of these animals decreasing. The farmers round the villages, and even near some towns, were losing young fowls rapidly. The fact was these ver- min had not the courage to attack an old fowl, but they fell upon the young ones in a way that must inflict a serious loss upon poultry-farmers in the country. He did not think they were of any use so far as the extirpation of rabbits was concerned, and he hoped the Minister would re- move the restrictions, as every settler ought to have the right to reduce their number if he thought fit. The hour of half-past five having arrived, Mr. SPEAKER left the chair. HOUSE RESUMED. Mr. SPEAKER resumed the chair at half-past seven o'clock. ELECTIVE EXECUTIVE BILL. Major STEWARD (Waitaki) .- Sir, the mea- sure which I have the honour to submit to the House is, I believe. not only the most important Bill upon the Order Paper, but the most important measure that can possibly be brought before the Chamber ; because, Sir. it proposes to put the coping-stone upon our representative

institutions by carrying to its logical conclusion the Liberal doctrine that "Government of the people and for the people" shall be "government by the people." It proposes, Sir, that as the people elect their representatives to this House, so the representatives elected by the people shall choose the Administrators of the Government. That is its first aim. Its second aim, though scarcely the second in importance, is to make this Parliament free to set every individual member at liberty to exercise his judgment and his conscience in respect to every measure that is brought before us, free from those artificial restraints and hindrances that are now imposed upon us, and by the obsolete system which divides us into two opposing camps, always at variance with each other, and frequently subordinating, because compelled to subordinate, principle to party. Of the system of party government, as it now exists in England, a recent writer says, - "A member of a party, in order to be staunch and true to his party, must shut his eyes to any virtue which the other party may possess."

<page>421</page>

It would never do for him to approve of the same measures in the other colonies, and even in England, similar evils measures of his opponents, however good such measures might be for the country. To do so would only strengthen his opponents, and correspondingly weaken his own side. The country is, therefore, not benefited, because a party man is totally unable to give a broad and impartial statement of facts. The system, as a whole, is a violation of sound government." An Hon. MEMBER. - Who is the authority? Major STEWARD. - I will give it to the honourable gentleman presently. Another writer says, - "It needs but a little study of comparative politics to convince any one free from prejudice that the two-party system, whether in the English form or the more aggravated form of the United States, becomes, the nearer a perfect democracy is approached, more and more incompatible with careful legislation, with honest and capable administration, and with the real freedom of the people." And of the evils of party government as it exists in the United States, Bryce, in his "American Commonwealth," says, -- "The tremendous force of party organization enslaves local officials, it increases the tendency to regard members of Congress as mere delegates, it keeps men of independent character out of local and national politics, it puts bad men into place, it perverts the wishes of the people, it has in some places set up a tyranny in the name of democracy." Tyranny is indeed of the very essence of the system, inasmuch as the leaders of party often do not hesitate to use the whole force of their organization to compel the acceptance or rejection of propositions which may not involve any cardinal principle, and have not necessarily any connection with the matter of confidence or want of confidence in the personnel of the Administration. And that, Sir, notwithstanding the dictum of Lord Macaulay, who says that "No question should be made a Ministerial one unless it is absolutely necessary for the Government as an executive body to carry out the administration of the country." "Parliament," says Sir Robert Stout, "ought to be a place where members could freely express their opinions, and not be clogged with the feeling that if they speak or vote in a certain direction it will injure the Ministry in power." And it is with a view to achieving that very desirable result that the present measure is introduced. It is the outcome of investigations into the workings of the present system that have been carried out by Committees of this House. The whole subject was exhaustively gone into in the years 1891 and 1894, and, shortly, these were the findings of these Committees: The Committee of 1891 reported to the effect that - "Many and very serious evils are inseparably connected with, and spring from, the system of party government here; that it is unsuited have been felt, varying only in degree." The Committee of 1894 expressed the opinion that -- "Party government as it exists in New Zealand is not adapted to obtain the best results in government, and that a change is requisite." Sir, since that date I have had the honour on several occasions to submit a Bill to this House aiming at bringing about an effective reform. Though that Bill has not yet reached the statute-book, I believe it is solely because the House, not having been elected on the special issue, has not truly reflected public opinion in regard to it - indeed, I am convinced that if the proposed reform be remitted to

the people under the referendum clause which it is proposed to insert in the Bill in Committee it will be adopted by a large majority. Since this measure was first introduced it has been extensively discussed in the columns of the public Press. Writing on the subject the Otago Daily Times says :- "Two of the most salient evils of the party system are the autocracy of the Premier and the forcing of members' consciences, a state of matters which is largely owing to the fact that the Premier selects his own Ministers, and possesses the sole power of bringing about the retirement of the Administration. The independence of subordinate Ministers, as well as of members of the House, is thus fettered by a tyranny which is essentially undemocratic. The conscience of the country is gradually awakening to a sense of the evils and inconveniences which attach to the present party system of government, and though the bond of traditional customs is not loosened in a day, right reason will eventually triumph." Another journal says :- "As to the grave evils of the party system, and the desirability of doing something to remedy them, there can be no two opinions amongst thoughtful and unbiassed men." Another writer says, -- "Under the elective Executive system would there be no gain to the country ? Is it a small thing even that an incapable or dishonest Minister could then be sent about his business without upsetting the whole Government ? Is it a small thing that Ministers could then be chosen for their ability and fitness for their posts, instead of being appointed for purely party reasons? I do not say that the fittest man in the House for each portfolio would always be so chosen, but that desirable end would at least be possible. At present this is not the case. The Premier has the sole appointment ; he is limited in his choice to his own side of the House, and he has to reward those men who have, as it is called, ' claims on their party.'" And another writer says : - " An elective Executive would tend to political purity, more sincerity, and speedier despatch of business." And yet another, - " Were it not for the pernicious influence of party government, stonewalling would not be

<page>422</page>

on one side of the House would not be taken up i will accept. He is not now bound to accept in contradicting anything advanced by the other side." Now, Sir, not only is this proposed reform, as I have already shown, largely supported by the Press, but I have received, myself, numerous resolutions from public organizations, and numbers of letters from individual electors, in all parts of the colony, heartily approving of the proposal of the Bill and urging me to proceed. For example, the following is from a gentleman who was once a respected member of this House -an Auckland gentleman-who writes as follows : - "I hope you will persevere in spite of all discouragement, believing as I do that there is a growing feeling in favour of the reform. It would probably effect the greatest improvement, as far as machinery of government is concerned, of anything that has been before the House for years." Mr. SEDDON .-- Was he a defeated candidate ? Major STEWARD .- I am not aware that he was : his name is Mr. Withy. Mr. SEDDON. - A defeated candidate. Major STEWARD .- I have known gentlemen who were defeated candidates who now have seats in the House. Now, let us see shortly what the Bill proposes. Its proposals are extremely simple. It accepts the number of Ministers as now approved by the House, and proposes that eight Ministers shall be elected by members of the House -- seven of the number from among the members of the Lower House, and one from amongst the members of the Legislative Council : the ninth Minister to be a member of the Executive without portfolio, and to be elected by the Legislative Council. The election is to take place immediately after the election of Speaker. Each candidate has to be nominated by ten nominators. This will prevent the possibility of every member going to the poll; and if a member cannot get the support of ten of his fellow-members it is quite evident that he would have no chance if he did go to the poll. Then, when the ballot is declared, the members elected as Ministers, seeing who are to be their colleagues respectively, have it within their own choice as to whether they will agree to serve. If they find they cannot serve with some of those elected they can refuse to do so, and a fresh election takes place, and then you have a number of men who agree to act together in the interests

of the House. The Executive so elected remains in office for the term of Parliament, subject to means whereby one or two or more may be removed by vote of the House. Then, it is further provided that the Executive shall allocate the portfolios amongst themselves. This is a necessary provision, because otherwise, if the members elected them to specific portfolios, power would still have to be given to change the allocation, if necessary, during the recess without reference to the House. Then, of course, the right of the Crown is preserved. The Governor has to notify his acceptance of the names submitted to him. No doubt he the names submitted to him by the member forming the Administration -- be it Mr. Seddon. or Captain Russell, or any one else ; but, as a matter of fact, he always does. Still. the power remains to the Crown to refuse to accept any name. This power is reserved in the present Bill, in accordance with the Constitution Act. The Governor having assented to the selection made by the House, the Government take office, and there is no further trouble about the matter. The only departure from the present system is that members of the Executive themselves choose the Prime Minister : and that would present no difficulty under present circumstances. A minor provision of the Bill which I should like to see become law. as I hope it will, is the proposal which I regard as very essential -- namely, that Ministers shall be able to take charge of their measures in either House, whether they are members of that House or not, but shall not have a right to vote except in the House in which they hold seats. Then, Sir. I propose, in Committee, to move that there shall be added a clause that, with the exception of clause 16, the Bill shall not come into operation until a referendum has been obtained, and that that referendum shall be taken under the provisions of the Referendum Bill which is now passing through this House : and then it will be for the people to say whether or not this change shall be made. Now, much for the methods of the proposed reform. Just a word or two more as to its objects before I sit down. The first object is, as I have said. to enable the House itself to choose Ministers, instead of leaving the selection to one man. Surely it will not be said that the wisdom of the whole House is necessarily inferior to the wisdom of any one of its number. It seems to me that that is an altogether illogical position for any one to take up ; and surely it must be possible for the House to select a Government which will take charge of the various departments of the public service quite as effectually -I think more effectually-than if that Government is selected by one person to whom that duty is delegated by the House. Then. Sir, it proposes also to separate the fate of Ministers from the fate of measures. - look upon that as a most important thing. I do not think it is right that we should ever be put in the position of having a complicated issue before us. There are a great many of us who believe that though we have for years past had the best Government in this House on these benches-and I have loyally supported that Government : no one can gainsay that. But, Sir, I say this: that there have been many occasions on which I have felt that one's loyalties was strained, and that one had to vote for a measure even though disapproving of it, not wishing to injure the Government which one was supporting. Now, Sir, there will still be "party " if this Bill passes. There will always be Liberals and what are termed Conservatives. and the dominant political opinion will undoubtedly be dominantly reflected in the Cabinet. So it will not make any violent

<page>423</page>

change in regard to that. But, so far as the personnel of the Ministry is concerned, I feel satisfied the House will work better under a Government absolutely of its own choosing than under one man plus the Ministers that he may happen to associate with himself. Another object of the Bill is this : that we may be able to change one Minister without being compelled to turn out the whole of the Government. Is it reasonable that in order to get rid of one Minister you should have to get rid of the whole Ministry ? If a man wants to get rid of his cook, does he dismiss all his house- maids and other servants at the same time ? The thing is absurd ; and the sooner we come to a more reasonable state of things, I think, the better. This Bill, if passed, will enable that to be done. I have already referred to the minor clause which will enable Ministers to take charge of measures in either House, upon which, I think, there is no

difference of opinion. I will now address myself to some of the possible objections. First of all, the objection is raised : Have you power to effect the reform ? Most clearly we have, for in the Queen's Letters Patent constituting the office of Governor special provision is made to enable such a Bill as this to pass. Article 6 says : " There shall be an Executive Council for the colony, and the said Council shall consist of such persons as are now or may at any time be members thereof in accordance with any law enacted by the Legislature of the colony, and of such other persons as the Governor shall from time to time, in our name and on our behalf, but subject to any law as aforesaid, appoint under the Public Seal of the colony to be members of our said Executive Council." So that the Imperial Parliament, in giving us our Constitution, has specifically given us the power to settle the way in which we shall appoint our Ministers. The next objection that is urged is this : "Oh, you would get a set of Ministers who would not act together." I have already answered that, because I have shown that when the names come out of the ballot the Ministers elected can agree to accept office or not. and if any one or more declines to work with the rest they have only to refuse, and others will be elected in their place ; so that you do get a consensus of opinion amongst Ministers. Then, there is the objection that you would not get so homogeneous a Ministry as we now have. I ask honourable members to say whether it would not be easily possible to get as homogeneous a team as we now have. I certainly think it would not be a very difficult thing. Then, there is the objection that what is good enough for the Mother-country is good enough for us. If you are going to push that argument to its logical conclusion we should not have female franchise, old-age pensions, or conciliation and arbitration laws. So that simply to state that fact is to explode the whole of the argument, and show that there is absolutely nothing in it. Then, the next objection is that great things have been achieved under the system of party government ; therefore it is argued that as great things cannot be achieved under a different system. Now, Sir, that is begging the whole case. It is admitted that great things have been achieved while the system of party government has been in force, and there are those who will argue that such measures as the abolition of slavery and the repeal of the corn-laws could not have been carried except under the system of party organization ; but it can be shown that it was the existence of party that prevented these very measures from passing for years, and that if such legislation as this Bill had been in force these reforms could have been obtained very much earlier. It is the obstruction of the opposing party that has for years and years prevented reforms being carried into effect. Reforms are largely the result of social combination and discussion and agitation outside Parliament, and it is only then, when public opinion has been thus ripened, that legislative measures become possible. It is not true, Sir, that party government is entitled to the credit of reforms effected. It may be as well argued that it is responsible for the delay in their attainment. The claim for the party system, that it is entitled to the credit for these reforms, is the old " post hoc ergo propter hoc " fallacy, and is about as logical as to attribute the formation of the Goodwin Sands to the influence of Tenterden steeple. The position was very well put by the Dunedin Evening Star in a few lines, which I will read :- "No doubt vital and most beneficial reforms have been effected under that system, but they owed nothing either to its principle or practice. As a matter of fact, the liberty of the people has only really developed in the Old Country since party government was established; but the development has been retarded rather than forwarded by the evils and mischief incident thereupon." Even, Sir, were it true that the reforms that have been effected were due to the party system, it by no means follows that that system cannot be improved upon, and still greater reforms obtained. Indeed, the presumption is that different times will require different systems, just as modern arms and modern tactics are needed in modern warfare. This is not only a presumption, it has actually passed into the region of fact. Let any one look into the condition of things in the House of Commons, and let him tell me whether in England there are not signs that the two-party system is breaking down, if it has not broken down already. What has occurred in this Chamber since you, Sir, took your seat at the opening of the present session. Has it not been admitted that an organized

Opposition is impossible ? If that is the case, has not the party system absolutely broken down in this colony ? Hon. MEMBERS .- NO. Major STEWARD .- It seems to me that it has. Then, what is the sum of the argument ? The present system admittedly is fraught with evils which require a remedy. Why not seek a remedy? Why not seek the establishment of an up-to-date method of parliamentary govern- ment ? The method proposed in the Bill is by

<page>424</page>

an extension of powers and an enlargement of the liberties of the representatives of the people. Why should not those powers be enlarged and those liberties be extended ? I claim that the onus of showing that they ought not to be so extended lies on the objectors. Here is an admitted evil. Some remedy must be found. Will the objectors show a better ? Failing their being able to do so, let us try the remedy proposed. If it works well, well and good. If it does not, then our laws are not as the laws of the Medes and Persians, and we can return to the old state of things if we so wish. Let us pass this Bill. Let us have a Parliament free to vote upon every issue according to the judgment and consciences of members, and not according to the exigencies of party and party interests. I believe that if we do so we shall never desire a restoration of the present effete and unsatisfactory system, which in many cases saps the independence and destroys the efficiency of this Legislature. Let our motto be "Onward and upward." Let us strive steadily and persistently to attain to better things. Seeking the welfare of the State, United all in heart and mind, Leaving all party prejudice And all unworthy aims behind, Let us essay to purer air And up to nobler heights to climb. Ring out the bad old past! Ring in A brighter, botter, happier time! Sir, believing as I do that the passing of this Bill will be a step in that direction, I ask the House to support me in the second reading. Either those of us who believe that the people desire the change proposed by the Bill are right, or those who do not believe that the people desire it are right. Sir, I appeal to Cæsar on this question. The clause I propose to insert in Committee will refer this Bill to the arbitra- ment of the poll; and there sits the Govern- ment that asks us to agree to a Referendum Bill! The Premier stated the other day that this very question of an elective Executive was one of the measures which should be referred to the people. The Bill cannot become law unless it is so referred. Therefore, Sir, I put honour- able members who intend to oppose this Bill in this position : If the Bill is sent to a referendum either the people will approve of it or they will reject it. If honourable members believe that the people will adopt it, then, I say, they have no right, as representatives of the people, to refuse them an opportunity to do so; and if honourable members believe that the people will refuse it, then they can do no harm in voting with me. I do not wish to take up the time of the House any longer to-night, because I have spoken on this subject on many previous occasions. I simply ask honourable members to let us have a division to-night. There are ways and means of preventing it, I know. Mr. SEDDON .- Do you ask us to pass it without debate ? Major STEWARD .- No; but I ask you not to carry on the debate till twelve o'clock and then adjourn the debate without a division. I beg to move the second reading of the Bill. Mr. WILLIS (Wanganui) .- Sir, I 8.0. certainly am not going to allow this Bill to pass its second reading without some expression of opinion on my part. I had not intended to speak on the measure, but seeing there was a possibility of its passing its second reading without discussion I thought I would, at any rate, be one to prevent its passing in that way. Sir, I must say I listened with a great deal of pleasure to the speech of the honourable member for Waitaki. He certainly made the best of what I considered was a bad case. This is not the first time, Sir, that I have spoken against this measure. I have always held that to introduce an elective Executive into this colony would be a move that would not conduce to the interests or the liberties of the people. We find at the present time that party govern- ment has been very successful indeed. So suc- cessful has it been that the Opposition party have to-day utterly collapsed. Our Government exists stronger to-day than ever we have had it before. We have now a party that has been re- turned at the polls to carry out as far as possible the reforms and the proposals that have been brought forward by the present Government. Most

of us have kept to our pledges, and I say the result has been that now we find a de-moralised Opposition. The honourable member for Waitaki referred to England, and said that there they had not effected the great changes we have introduced here, referring more particularly to the women's franchise, conciliation and arbitration, and old-age pensions. That is quite true; but I would point out to him that we have managed to carry those measures without an elective Executive, so that, if the honourable gentleman points to England as a case where these measures have not been carried into effect, I, Sir, point to New Zealand as a case where such measures have been carried into effect, and not under the conditions the honourable member would have preferred. I think that all our liberties, all our great reforms, have been brought forward by means of party government. The people have had the opportunity periodically of expressing their opinions through their representatives. They have had the right to question them as to what they were going to do in this House, and those representatives have had to pledge themselves to certain measures. The consequence is that those representatives have been sent to this House. Now, what would have been the position if there had not been this opportunity given to the people. Let us suppose that after the House met we had to select a mixed team to form the Government. Sir, to use a simile I have used before. I say it would have been like aerated waters which at first were bright and sparkling, but after having been open for some time had lost their effervescence, and would after a time leave it dead and stagnant. That, Sir, would have been the position of the elective Executive. Sir, to say that members would not be likely to take up positions in the elected Ministry because they would not be able to agree with other members of the Ministry is all nonsense. members had the opportunity they would be

<page>425</page>

only too glad to be elected to the position; and I would not blame them. If they considered they were fit and proper persons, I think they would be perfectly right to take the positions. But, under such a Government, would we find the great changes that we in this colony have brought about under party government? Would we have found ourselves in possession of all those measures of reform which this House has passed from time to time? No, Sir, we should have found nothing of the kind. We would have found that these mixed-up members would have no principles of their own. They would change their opinions for the sake of holding the positions which they occupied as members of the Government. The people might cry out just as long as they liked for reforms, but these Ministers would stick to their positions, and allow everything which interfered with that to go by the board. Sir, in my opinion, that would be the result of the elective Executive. The greatest reforms and changes that have taken place in the Old Country have been brought about by the voice of the people unmistakably declaring itself in a particular direction, and voting for the class of men who were prepared to devote their energies to striving for the reforms that the people wanted. No longer could we look forward to that result. We should find that the men who would come to the front would change their opinions very materially, and then would arise a stagnation like unto the stagnant aerated waters that I have referred to. I did not intend, as I said at first, to occupy the time of the House at any length. I have spoken simply on the spur of the moment. But I think, when a very important question of this character comes on, the least we can do is in some way or other to debate it. I think, use#cc-zero perhaps, the most practical way in which I can do this is to move, That this Bill be read a second time this day six months. I have much pleasure in moving that, Sir. Mr. MONK (Waitemata). - Mr. Speaker, I am not going at this stage to speak on this Bill, but I certainly hope the House will negative the motion that the Bill be read this day six months, and take a straight-out division on it. There is no doubt that the principle proposed is good. I believe that the country feels that we require some change, and I do not at all agree with the arguments used against it by the honourable gentleman who spoke last. He spoke of certain great movements having taken place through the influence of the present Administration; but, Sir, there are in the country expressions of dissatisfaction

which show there is a very large number in the colony who do not approve of all the measures which have been introduced by the present Administration. While I am not ready to say, Sir, that the passing of this measure will bring about a re- form in every respect, it may lead up to some change taking place that may be beneficial to the country, and I therefore hope the House will negative the motion of the honourable member for Wanganui, and that we shall have a division on this subject, after serious consideration being given to it in the way of fair discussion. Mr. BARCLAY (Dunedin City) .- It is impossible, Sir, for me to allow the debate on this Bill to conclude without saying a few words with regard to it. For the honourable gentle- man who has introduced this Bill I, and I am confident the other members of the House also, have feelings of the greatest respect and esteem ; and if to-night I say some hard things with regard to this Bill I hope he will remember I am endeavouring to disassociate his Bill en- tirely from himself, and to forget that he is its author, for, indeed, the Bill which is now before the House is, to my mind, about as bad a Bill as could possibly be introduced into it. This is a Bill which is neither flesh, fowl, nor good red-herring. The Swiss system we know; we also know the English system, and we know what party government means. We know the alternative, which has been much spoken about, and which is in force in Switzerland to- day. But this Bill is neither one thing nor another. Under the Swiss system the Ministry is appointed for three years, and hold office for that time. They are irremovable. Under this Bill it is proposed to appoint the Ministers for the whole term of Parliament, I understand, but still they are to be removable during any session on a vote, but there can be only one such vote in each session. The Premier is to be appointed only for twelve months, and the port- folios are to be allocated by Ministers amongst themselves. Now, what is the use of a Bill of that kind. In the first place, when a Ministry is appointed, the very first thing they will do, if they are wise men, and have a majority behind them, is to have a vote moved of " want of confi- dence " in themselves. They will get that over, there will be a majority in their favour, and then they are safe for the next twelve months, no matter what happens. Then, again, the House is asked to vote for a number of Ministers. It is not asked to vote for a Minister of Lands, or a Minister of Mines, or a Minister for Public Works, or for any- thing else, but simply to vote for eight men to be made Ministers. Those eight men are to be elected, and they are to allocate the port- folios amongst themselves. Well, could that possibly work ? You would have three gentle- men perhaps elected who would make very good Ministers of Lands, but what are you to do with them ? One only can be Minister of Lands-one must be Minister of Mines, and one Minister of Education. How would a system of that kind work ? Under this system you may have, as I say, two or three men elected who would be fit for one and the same portfolio, and not at all fit for any other. There might be some sense in an election of a Minister of Mines, a Minister of Education, or a Minister for Public Works ; but to elect eight men without any reference to their qualifications for the various portfolios, and to say they are to allocate the portfolios amongst themselves, seems to me by no means a sensible proceeding. An Hon. MEMBER .- Who is to be Premier? Mr. BARCLAY .- Well, I suppose each would

<page>426</page>

propose himself. Sir, the honourable gentle- man who moved the second reading of the Bill has quoted various writers or authorities on the subject of party government-writers and au- thorities who expressed disapproval of that system. He did not, however, I think, give us the names of any of those writers or authorities whom he professed to quote. The only authori- ties which he did quote, I understand, are the Otago Daily Times and the Dunedin Evening Star, and if he has no higher authority on his side than those two eminent journals, I do not think his case is well supported by authorities. On the other hand, Sir, the number of practical politicians and of writers of authority on the subject who approve of the system of party government, and who say that it is the sys- tem which is best suited for the needs of an Anglo-Saxon community is very considerable. I need hardly mention the name of Edmund Burke. If you wish to have an authority of late years I can give you the name of Professor Ransome, of Oxford. I could

give you the name of Earl Russell, the name of Professor Sheldon Amos, of Professor Dicey, and the names of a very considerable number of well-known leading men, whose testimony is nearly all in the same direction. The honourable gentleman who moved the second reading of the Bill said that "A party man cannot approve of anything his opponents do." Well, I do not think, Sir, that that is correct. It is not so in the British Parliament, where this system exists. The Opposition, as I understand it, in the British Parliament does not consider itself bound to oppose everything that is brought forward by the Government ; nor does the Government consider itself bound to discountenance or oppose everything which is brought forward by a member of the Opposition. The fact of the matter is that nature demands that there should be two parties. Nature has made men either Liberals or Conservatives, broadly speaking. That is to say, she has made one set of men who argue in favour of going backward, as contradistinct from those who are always arguing that we should take a forward step. There is one set of men always who are content to leave things as they are, and the other class is the class which believes in taking a forward step, believes to use some words which were used by the honourable gentleman who moved the Bill—that "we should go onwards and upwards." However, this is a proposal to go " backwards and downwards." This is not the kind of proposal which those who are in favour of real reforms can support. There are, I observe, a number of members in the House who call themselves Liberals who are supporting this Bill. They do it with a certain amount of laughter in their voices, and they are ready to have jokes at the expense of any one who is against their Bill, or who argues against it. Those honourable members, I have no doubt, are very conscientious. I have no doubt that they consider they are doing perfectly right : but I can assure them that they are utterly and entirely mistaken. I say it is a grave error for any Liberals to support this Bill. Of that there cannot be the shadow of a doubt. The reason is as plain as possible, for, as a matter of fact, this Bill is a Conservative device to put a clog on the wheels of progress. If there be an elective Executive it is hoped by the Conservative party that they will manage to get one or two members elected to that Executive. And there is very little doubt they would succeed in doing so. Now, it is notoriously very much easier to stop progress than it is to, using a slang term, "get a move on " ; it is very much harder to get an advance made than it is to put a stop to progress. Now, the result will be this : that if you get one or two of a Conservative character in a Cabinet, otherwise a progressive or Liberal Cabinet, then you will find it will add a very considerable check to the forward movement, and will put a stop to progressive measures. On the other hand, if you have a Conservative Cabinet and get one or two Liberal and advanced members in it, you will not be able to get them to move one peg in advance. Now, those are the two alternatives. As a matter of fact, this is a device, and if it is carried out the result will be to put the greatest check upon progress and upon advanced measures that they have ever received in this country or in any other country. Of that there can be no doubt whatever. No great measure ever has been carried, no great work has ever been done, except by a united party working together with a solid object in view, all the members of which were to a certain extent under discipline. You cannot have great work done by a heterogeneous, chaotic mass. You cannot get anything good done when you have a House with every man doing what is best of worst in his own judgment. It is impossible. You cannot effect anything worth doing unless you have a party ; and the proposal in this Bill, if carried out, would tend greatly to reduce legislation to a dead-letter. It would put a stop to progress, and, so far as I can see, there would be no beneficial effects whatever of any kind. Now, I am not one of those who could ever be accused of arguing in favour of institutions simply because they are old, but there can be no doubt that party government is an institution venerable from age, and that it has been practically the salvation of Britain. It was due to party government that the last shred of authority was taken from the hands of the Crown, after seven centuries of struggle, and vested in Parliament. An Hon. MEMBER .- There was no party government then at all Mr. BARCLAY. - It was through party government that the last shred of authority was taken from the Crown and vested in Parliament, and, through

Parliament, in the people. In England now the position is this : that practically the people of England govern the country, for the people of England elect Parliament, and the party in power practically appoints the Cabinet. An Hon. MEMBER .- Nonsense. Mr. BARCLAY .- They do. Cabinet cannot hold its office for one day unless it has the confidence of the party that put it in power; and.

<page>427</page>

though members may not themselves actually elect the members of the Cabinet, the Cabinet cannot exist without the approval of the party. Now, there is another point of extreme importance. It is of the essence of successful parliamentary government that you should retain at all times and every instant of time your control over the Ministry in power. Now, what does this Bill propose to do ? This Bill proposes to hand over the absolute power to two parties each putting forward the best the Ministry for three years-for twelve months undoubtedly. Hon. MEMBERS .- NO. Mr. BARCLAY ... I ask honourable members is always fair in Anglo-Saxon assemblies - - to read the Bill. What else does it mean ? It proposes to do that undoubtedly. As matters stand at present, there is no instant when the House is sitting that the Ministry in power can call itself absolutely and entirely safe. A motion may be moved at any minute which would have the result of ousting a Ministry from the Government benches and putting others in their place. And I say this control over the Ministry is a feature of parliamentary government that ought on no account to be given up by a Parliament which is desirous of controlling the destinies of the country, and of shaping the measures which we shall fall to the condition of places like are to go on its statute-book. The system of party government, as I say, has practically taken from the Crown its last shred of authority and vested it in Parliament. Had it not been for party government that could not have been done. Party government was not a scheme drawn up on paper and introduced into Parliament by way of a Constitution like a Bill ; it was a thing that grew ; it was found to be an absolute and actual necessity ; it was found the country could not be governed in any other way: it was a thing that developed by the necessities and needs of Parliament and the country. It is all very well to talk as if you could get rid of party government ; as a matter of fact, it is very doubtful if you could get rid of it if you tried. The honourable member introducing the Bill referred to the fact that the gentlemen of the Opposition had lately announced that they had not a leader. I did not understand that the gentlemen who sit on the Opposition benches announced that they themselves had ceased to be in opposition ; I understood that they merely announced that they had not at present an official leader. The gentlemen on the Opposition benches are as much in opposition now as they were before : there is not the shadow of a doubt about that, and if they made an announcement of the sort they did it with the object of getting some members to range themselves on their side who would not otherwise have done so. And I venture to say it will not be long before there is opposition ; and there are parties-men in this House, and certainly in the country -- who will carry out the system of party government on somewhat similar lines to what has been usually carried out, and on lines which are inevitable amongst Anglo-Saxon communities. The tendency of the Anglo-Saxon is to fight, and you will find it is impossible after a little while to carry on government without a fight and struggle of some kind. And it is well it should be so, because it is difficult to imagine any system better than the system of party government. In the first place, you have two parties struggling to produce the very best laws they can for the people ; each putting forward their programme to the people ; each struggling how best to satisfy the people whom they represent, and to whom they look to send them to Parliament, kind of laws they can think of ; each party criticizing with fairness - and criticism, Sir, criticizing as severely as possible the laws put forward by the others. I say it is difficult to imagine a system better adapted for producing laws of the very highest character and approaching the highest perfection. Certainly not a system of elective Executive, where each Minister is nothing more than a sort of head of a department, and where laws are brought down almost anyhow, it does not matter very much whether they are passed or how they are passed. The result will be slipshod, careless legislation.

The result will be a lazy, inert House. The result will be that Switzerland, a nation of which it has been said that it exists mainly on toys and tourists, and which cannot be considered as one of the leading nations of the world. An Hon. MEMBER .-- It never was. Mr. BARCLAY .- Very well. it will not help us very much to follow a nation such as that, and that is the only nation that can be quoted as having adopted such a measure as this. I do not intend to detain the House any further, Sir. I sincerely trust the Bill will not pass, and I shall vote against its second reading. Mr. WITHEFORD (Auckland City) .- What. ever our own private opinion may be, Sir, we have all to bear in mind one thing-that there is always a tide in the affairs of a country, just as there is a tide in the affairs of men, which, if taken at the flood, leads on to fortune. And at this critical period in the history of New Zealand I do not think it is in the interests of the Parliament or of the people of New Zealand to bring about anything in the shape of a crisis, because that is what I believe it will mean if we pass a Bill of this nature. It would unsettle the minds of every one, and there would be no continuity either in regard to policy or politics in this colony at all. Personally, if I may be allowed to express an opinion. I should have been very pleased indeed, during the time I have been in Parliament, to have seen, in addition to the present heads of the Government, Captain Russell or Mr. Massey on the benches, or Mr. Horries, or Mr. Allen, being a combination of the talent which exists in this House, without any regard to the one side or the other ; but, under the circumstances, that evidently has been an impossibility. And though I personally would have been very pleased to see Major Steward in the Ministry, or any other private member, at the same time we have to bear in mind that the guiding spirit of the New

<page>428</page>

Zealand Parliament has been its head, Mr. [give my support to the present Government and Seddon. Although I differ from him in regard to many of the details of his administration, still, on the whole, I do not think you can improve upon the position by putting any other man in his place, and, even if you did, in a week's time he would be kicked out. It would only lead to a crisis which would interfere with the present position of the colony. Now, Sir, as to the general policy that has been carried . best answer the honourable member who has out during the past few years. During the past twelve months, for instance, we know there has been a magnificent display of Imperial unity and a desire to help the Empire ! a noble son to fight the battles of the Empire which we all admire and esteem ; but still, I say, in a colony like this, where we want all our men and money, and where we want to see a ; nations, men like the honourable member for development of the industries of the colony, it is . Auckland City did not hesitate to send their possible to carry this Imperial military craze too far. If the Government are prepared to stop the militarism and stop this course of fascination held out to our young men to leave our shores : in which he has been such a noble participant and develop the resources of South Africa and i in the past, I think he may take to himself ; he fight its battles. I am quite prepared to stand up for the Government. But I do not think it is in the interests of the people of the colony that there should be any further attempt to send more contingents or men out of New Zealand. I unhesitatingly say so, although I am possibly one of the most consistent supporters of the present Government, and I shall be so to the end. But when the First Contingent came back a number of their men could not get employment in this colony, and, as they could see no work ahead, they went back and joined the Sixth Contingent. I do not want to see a recurrence of that when other of our brave boys come back, because I am satisfied that if the Government of this country run the colony on business lines there will be no difficulty in finding employment for every one of those brave boys who come back to our shores. and, instead of them going back to South Africa, settling and marrying there, and increasing the population of South Africa, we should keep them in this country, which is quite as good. If we could only get the Government to keep away from this cloud of Imperialism in which, I am afraid, their intelligence has been too much absorbed of late, and in which they are lost to a certain extent to the necessities of the colony and colonial life, and

if they will set their intelligence to finding work for these men who are back from the war, I am quite satisfied that this country would be the most fascinating and productive on the earth for the British race to come to. If I blame the present Government for anything it will be if they allow this session to pass without having arranged an attractive programme of settlement for our returned troopers, so as to keep them in the country, and that they will have something to go to settle- ment on the land, work on the survey staffs, or .in the mining industry, I do not care what, so long as we can make them feel that in New Zealand there is a home for every man who likes to settle down, and especially for the New-Zca- landers who come back from fighting the battles { five members may petition the Speaker and of the Empire. So long as that is the case I will | that member is to go out of the Ministry. work against any change until they have had a fair trial, to see if they can create and maintain the necessary avenues of labour for the sons of the colony. I say let New Zealand be made an attractive home for the members of the British race. If the Government do that I will support them ; if they do not, I will not. Sir J. G. WARD .- Sir, I think perhaps I can last spoken by saying that example is better than precept. He will find the practical illus- tration of that in the fact that he sent out in South Africa. When there was a probability being involved with other of our country sons to the front. No man could do more, and it will ever be remembered to his credit. So that when he now takes exception to the policy words I first used, that " example is better than precept." He has set a splendid example, and with many such men in our country we nood have no fear as to its future. On such an in- portant occasion as this I would not like to se what is apparently a conspiracy of silence on the part of some honourable members on important proposals such as are contained in the Bill that has been placed before the House by the honour- able member for Waitaki. I would not like such an occasion to pass without, at any rate, putting upon record my own belief of the unde- sirability of effecting such a drastic change as the adoption of the elective Executive, which some honourable members believe would be better than the party system, and some of whom-I am sorry to affirm my conviction - no doubt are actuated by a hope that something mas crop up by a turn of the political wheel - a shuffle of the Ministerial cards -ard si effect a change, perhaps, in the personnel of the Administration as it is at present formed should be very sorry indeed, even had so great a principle been before the country, which it has not. to find that the party system, under which for generations so much has been det to maintain and build up that Empire of w.tb we are all rightly so proud, was to be abolished. or that from fastidious notions, or from pique or a craving for a change. any honourable memter was voting against what I honestly beheve to be his conscientious convictions and for th, adoption of the elective Executive. What is proposed under this Bill? It is proposed to introduce into this House a system of decep- tions, intrigue, and underhand methods which would bring discredit on the House of Represen- tatives, and which would in turn bring discredit on the colony. Why, what is proposed in the 1st or 2nd clause of this Bill? It is propri to select, by ballot, eight members to form :br Executive, and, in the event of it being con- sidered that any particular member of the Cabinet should be displaced, then twenty-

<page>429</page>

Let honourable members try to realise the members possessing the ability of the Opposition working of such a measure as this. The ballot under this Bill is proposed to be by an absolute majority, though it does not say how the absolute majority is to be ascertained. Do honourable members mean to tell me that mem- bers so balloted for who had not an absolute ma- jority would not in turn have their names set again before members to be reballoted upon as in the incidence of taxation in this colony, or to who should be selected a member of the Executive ? The number of votes cast for the man who had not an absolute majority would, of course, be known, and that would mean that the disappointed man or men of those first nominated could intrigue with half a dozen members or more, as the case may be, and so attempt to change the vote cast at the first bal- lot. in order to enable him to get an absolute majority. and that, perhaps, for a man who, in the first place, was in a hopeless minority. Now. take the proposed

system of twenty-five members from time to time having the right to petition the Speaker. One member might be disappointed with a particular member of the Ministry because the Minister did not yield to all he desired. What would that mean ? Not a day passes now under the existing system but a member of the Administration has to do something which is not pleasing to a member. His requests have to be refused frequently. A member may have strong feelings on the matter. Well, Sir, if under the elective Executive system the members of the House found a Minister who had a strong backbone, who was firm, and who was determined to give full effect to what he believed to be right as an act of administration, and refused to do what members pressed him to do, then, in turn, they could set to work to get twenty-five men to go to the Speaker and say, " We wish to have that member of the Ministry removed." A nice position to place a Minister in. If members agree to pass this Bill I am convinced they will be creating a vicious system -- a system, of the very worst kind that has ever been established in this or any other self-governing country. Again, picture for a moment what would have been the position in New Zealand during the last ten years if this elective Executive system had been adopted. Why, we have had before the country since 1891 proposals which some people would term of a revolutionary character -- proposals which the Government and the Liberal party believed to be for the benefit of the masses of the people and for the general welfare of the colony. These proposals have come from one side of the House primarily, and they were vigorously and continuously opposed by the Opposition. There was at one time a balance of parties in this House -- there was, from memory, I think, only a difference of about four between those opposed to the policy of the Administration and those favourable to it. Can members of the House conceive what would have been the position if an elective Executive system had been in operation during the time to which I have referred ? The chances are that at least one or two popular would have been elected to the Ministry. Would the colony have possessed any of the advanced measures it has to-day ? I say it would not. An active minority in a Cabinet, quite independent of their colleagues, could "sprag" almost any advanced proposal. Would it have been possible to bring about a change to have effected legislation to give our farmers cheap money ; would we have had many of the social measures we now possess, under which enormous advantages and general improvements have been given to the workers of the colony, many of which, I admit, were at the time experiments, and which drew forth adverse criticism and the most resolute and bitter opposition from those people, who were originally unable to conceive the possibility of their turning out a success ? Under the elective Executive system could honourable members have established the present land for settlements policy ? An Hon. MEMBER .- Yes. Sir J. G. WARD. - The honourable member says " Yes." Sir, let him turn up the pages of Hansard and see if I am not correct in saying that that policy was fought for determinedly by men who were returned on one side of the House. Sir, under an elective Executive system, if a minority of the members of the Cabinet had opposed the policy of land for settlements and the acquisition of estates, no Government, however powerful some of its members, could have brought a workable scheme before the House and asked the House to affirm it. Honourable members know that under such a system they would be able to select from among the gentlemen on the opposite side of this House -- some of whom have great ability, but whose policy has been diametrically opposed to the wishes of the vast majority of the people of this country for years past. Sir, if any of those honourable gentlemen had been in the Cabinet they could, without offence to their colleagues, have been the means of raising internal strife, of effecting prolonged delays, and of having emasculated proposals before they saw the light of day : and then what would have been the position of our advanced legislation, much of which, hardly fought for and hardly won, has conferred lasting and inestimable benefits upon thousands and thousands of our fellow-colonists ? Under this Bill it is actually suggested that the Premier of the country should be selected by his colleagues for a term of twelve months. Now, does any honourable member mean to tell me that in any enlightened country in the world, except Switzerland, which I shall refer to presently, you will find such a method ? What continuity of

policy could there be with the head of a Government liable to be changed every twelve months? Under such a system, would you expect to find men prepared to go to the hustings with a forward policy when the head of the Government, subject to the domination of a minority of the House, would be at the caprice of a certain number, who, if they so desired, could go to the Speaker and ask him to have

<page>430</page>

the head of the Government removed? The | views will not be put on record, and that they head of the Government might receive from the country the indorsement of the Government policy, and yet a minority of the House could make his position untenable, and so embarrass the whole Government. No honourable member who has studied the politics of this or any other British country could believe that any man of spirit would remain in a Cabinet under circumstances such as those. He would not do so if he had any self-respect, or if he had any hope of being able to do any good with public measures upon which strong differences of opinion existed, or, indeed, of doing anything beneficial for the country itself. Sir, I admit that, theoretically, the policy of being able to select a Cabinet by the majority of the House sounds very fine, but in practice it is all nonsense. The strongest intellects and the most forcible men will, as in all things, prevail. Why, if you go outside the House and take the brute creation you will find that it is so there also. If it were possible to get from various parts of the colony a number of wild horses—horses that have never been together before—and turn them loose in a paddock, and then come back in a week or so, what would you find? You would find that one horse among the number had fought his way to the front, and would be the recognised leader even in a mob of wild horses. An Hon. MEMBER .- We are not wild horses. Sir J. G. WARD .- No, honourable members are not wild horses. They are in most respects the most amiable gentlemen one could possibly meet in any assemblage in any part of the world. But still they cannot all be leaders; and the process of natural selection is better than an unnatural one, and all will admit that there must be a leader. But I say this: The elective Executive proposal is like an attempt to make water run up-hill. After all is said and done, it amounts to this: that, given the opportunity, the brainiest, strongest, most forcible, and ablest men will come to the front in spite of everything—in spite of any system the minority may try to institute to prevent this, or to further its own purposes. Now, Sir, I will read to honourable members some remarks made on this question by a gentleman whose opinions on a subject of this sort are worthy of the greatest respect. Sir, I had not intended to speak on this Bill at all. I have only read it since coming into the House to-night. In my innocence I contemplated—I admit now it was under a delusion—that this important measure, which has been talked about by its advocates a great deal, would have evoked from them an active and instructive debate, so that the views of the supporters of it might be put on record concerning it; but I soon discovered, for some peculiar and unaccountable reason, there was an apparent prearranged conspiracy of silence regarding it. An Hon. MEMBER .- It is only wasting time. Sir J. G. WARD .- No, it is not wasting time. Some honourable members who want a change under any circumstances, by adopting a conspiracy of silence, think that by so acting they are achieving their end. But the country has a right to hear the other side, and I desire to say that on such an occasion as this we should not only give expression to our own views but also put on record the views of men who have read and studied the subject, and I now propose to put on record the views of a gentleman who was at one time a member of this House, and who certainly commanded the respect of a very great city in this country, and of a majority of the members of the House of Representatives. Mr. PIRANI .- Was he a defeated candidate? Sir J. G. WARD .- No, Sir, he never was a defeated candidate. He was a candidate whom the honourable member would have supported most loyally, I am sure, if he had had the opportunity. "I supported strongly, very strongly indeed, the system of party government when I first stood for Christchurch in 1887 and was elected by a large majority. I supported it again in 1890 just as strongly, when I never dreamed that for years to come either my party or myself would see office. The honourable member for Wellington City (Sir R. Stout) knows that: because in the course of a

confidential conversation we had during the general election I told him I did not think our party would carry the elections. Last year I came out again as a strong upholder of party government. I have on those three occasions been returned with as good a majority as any man might reasonably hope to get. I quote that simply as an example of the fact that in perhaps the most democratic city in New Zealand - Christchurch - a man may be returned to this House who is a strong upholder of the present party system. The honourable member for Selwyn upholds the elective system on the ground that it will bring Ministers more closely in touch with the people, and will give the people more power over Ministers. Now, that is exactly what it will not do if we adopt the Swiss system - which is not the grotesque, hybrid system that this Bill provides - for you will distinctly take away from the representatives of the people, and therefore from the people themselves, the power they have to remove any Government from office. That is a very which misconducts itself. great and important constitutional right. Al- though I do not want personally to be removed from the position which I occupy. I should be very sorry to see the representatives of the people give up that great and necessary public right. You should have the right to remove any Ministry that misconducts itself, and loses the confidence of the majority of this House: and if you give that power up you cannot, I am sure, know what results may follow. We are told that the Swiss system gives the people greater power; yet the honourable gentleman who introduced the Bill has stated that it would certainly make the Ministers more independent: but how can you make Ministers more independent, and yet give the people greater power over them? I should like to deal with a few

<page>431</page>

of the arguments of the honourable gentleman - the elective Executive system. The elective man who introduced the Bill. I shall not go Government system in Switzerland is a thing into ancient history, or follow him in the of yesterday; it is only a matter of the last parallel which he drew between the Witenage-forty years. But let us see how that system works in Switzerland. It is true, I believe, more and the proposal here introduced. That that the meetings of the Federal Assembly are Assembly. I take leave to point out, was not conducted in a very businesslike way, and in Assembly in which all the people met together and legislated. It was an Assembly of the King some respects, possibly, we may find things and his Earldormen, and one in which the people that we can imitate; but in some respects I do not think that is the case. In the Swiss had no room whatever. The King and his Earls legislated for the people, but the people had Assembly every man has to go dressed in a new voice in it. But let us come to Switzerland - black coat; that might be a very excellent land. The argument of the honourable gentleman, but I do not think we need imitate that. ber for Selwyn amounted to this: that the They have no Hansard in Switzerland, and I do Swiss are a nation in every respect very superior not know that we should like to copy that. to us - higher educated and better governed. They meet at eight o'clock in the morning, and, The honourable gentleman stated that they supposing we should copy that, I am afraid I were such a good example that we should have to retire from public life. Then, the Swiss Federal Assembly is not distinguished, endeavour to follow them, and that we ought to adopt their peculiar system of electing the under the present system, for leading the way Executive. He considered that the superior in progressive legislation, but quite the re- position of the Swiss was due to the elective verse. During the last forty years they have Executive system. But, first of all, I deny not done anything much in the direction of industrial legislation. that the Swiss, fine people as they are, are a better people, or that their country is a better gentleman referred to the fact that we were country, than New Zealand. Are the Swiss a now face to face with great social questions, more moral people than we are? I say they are and that we ought to meet them; but I say, if are not. The proportion of illegitimate births we take into consideration the question of the there is above what it is here. Are they a labour legislation, and the position we have more sober people than we are? I say they taken in this colony in regard to that, and com- are not. They are commonly called a nation pare it with that of Switzerland, we shall find of innkeepers. For the benefit of the honour- that the position of

the labour-laws of that able member for Christchurch City (Mr. J. G. country is very backward indeed. So far as Smith), I may mention that they have made the result of the Swiss system of elective the manufacture of spirits a Government mono- Government is concerned, I think the best they poly, and they got a very large revenue from claim is that their departmental work has been that. Are they a better educated people than very well done. That is the one good result of their system. The honourable member for we are? No, they are not. Then, have they set us any example in legislative reform in Selwyn also stated that the Swiss stood pre- recent years? That is exactly where the elec- eminent for economy in their finances ; but for tive Executive system has failed. No Parlia- the last four years for which I could get their ment that has sat in Switzerland during the Budget figures they brought down deficits, and last forty years can show anything like such I hope we shall not copy them in that respect. a brilliant record as the Parliament of New Zealand during the last four years. If we want borrow. They do not borrow. an example of success in legislative reform, by It has no no means copy the Swiss system. national debt, and if the honourable gentleman doubt its strong points, but legislative reform will look at the statistics he will see that they is not among them. What, then, is the source do borrow, most certainly. How is it that the of the comparative well-being of the Swiss popu- Swiss get ahead of their Federal Central As- lation ? To ascertain this we have to go back sembly? It is on account of their excellent to ancient history. The Swiss were always a system of local self-government ; and the posi- nation occupying the position, so to speak, of a tion of the Swiss Confederation shows what citadel surrounded by the many fortresses of New Zealand ought to have been, and what Europe: and in the case of people inhabiting New Zealand might have become but for the mountainous country you will find them de- abolition of the provinces. If we are to imitate veloped into a very fine physical and industrious Switzerland, let us do so in that respect. and let race. In many a tough battle with the feudal us reform our system of local self-government armies of their neighbours they won their free- and go back to a modified system of Provin- dem. Having that, they learned to manage l cialism. If we do that. I think we shall be able their affairs, and developed their excellent to take many a good hint from Switzerland in sistem of local government, and it is because the conduct of a local-government system. But the Swiss are a very intelligent people that I say the Swiss are not ahead of us ; that their they long ago developed that fine system of good position springs not from the fact of the education which has put them at the head of elective system, but from their excellent primary system of education, from their historical tradi- the other nations of Europe. I believe their tions of freedom, and from their fine system of system of education and their system of local local self-government. With regard to their government have been the sources of the pro- Executive system, one political party has almost sperity and well-being of Switzerland, and not The honourable " Sir R. STOUT .- So will you if you cease to " Mr. REEVES .- Don't they ! They have a

<page>432</page>

always been in power, and that is why they have managed to have some sort of continuity, and why they have managed to elect an Execu- tive which has contrived to work pretty well together. This Executive does not represent all shades of public opinion, as my honourable friend the member for Waimate promises his will do. One party, in one shape or another, has held the power during nearly the whole of the time this elective system has been in force, and that is why they have managed to get along. The honourable member for Waimate drew a picture of a most impressive character as to the brilliant changes that would result if Governments were once able to feel that they need not fear votes of no confidence: then there was to be no more corruption, lobbying, canvassing, or whipping. He stated that we should have men who would legislate for the good of the State simply. It would be a case of 'Then none were for the party, and all were for the State,' as Macaulay so eloquently writes in lines so much quoted by the opponents of party government : yet these lines were written by one of the staunchest supporters of party government who ever sat in Parlia- ment. I refer to Lord Macaulay. He wrote those verses comparatively

early in his life, and he remained for long after a staunch party man. But let us pass from Switzerland : let us look to a country the inhabitants of which speak our own language, are of the same blood, and of the same race-where they have a fixed Executive. Let us go to America. Under the Swiss system the House is elected, and then the House chooses the Executive. Under the American system the President is chosen by the direct vote of the people, and the American President is simply Governor and Premier rolled into one. He chooses his Executive, and he holds office for four years. What is the result ? Every evil of our party system, exaggerated and extended! I do not think the honourable gentleman wants to have here anything like the state of things we see in America. Although, perhaps, not to the same extent. that would be the result in this country of having a fixed Government on something like the American system, because the Swiss system clearly resembles the American system, inasmuch as it is simply a way of getting a fixed Executive for three years. The Swiss system is the simpler one. Instead of having the President elected by the vote of the people and choosing his Executive, as in America. you have the House of Parliament chosen by the people and the Executive elected by the Parliament. The difference is not great. In both cases you got a fixed Executive. What are the results in America ? The results are simply to consolidate ' who do not know how work here is done. To each party in the State: and you always will have parties in the State in any Anglo-Saxon country ; you will always have a party of resistance and a party of progress -- as long as you have the capitalistic system, and have wealth as it is, and the ownership of property, you ; moniously if it consists of men whose pri- must have two parties in the State. What ; ciples are antagonistic. For instance, faner would be the result of adopting this elective | system here? Simply we should have party I (Mr. Duthie) and myself being in the same organization, and, instead of its being found in Parliament, it would be outside Parliament and in the country. You will have the ma- chine, the ring, the caucus, and the . boss,' instead of the Government party and the Government Whip; and I think our present system, with an Executive Government and a Government Whip and party caucuses in the House, is preferable to the domination of the ' boss,' the 'machine,' and the caucus outside. What is the meaning of the desire of certain honourable gentlemen to be allowed to come here and, as they express it, vote as they please? Does it mean, as they individually please ? In most cases it means nothing of the kind. It means, simply as a certain block vote pleases - as certain rings and political associations and certain influences outside de- cide. I would sooner have our party domina- tion than see members dictated to by tele- grams from certain associations, or get their order from block votes from outside. 1 very much prefer the party vote, as it is at pre- sent worked, to that. I prefer the party Whip and organization inside to having memiers returned here who would be the slaves of block votes and the puppets of certain organ- izations. This is no fancy picture that I am drawing. I say you cannot abolish party, and then it is a choice between organization in Parliament and closer organization outside. Because, if we are to have a fixed Executive, think what an immense stake and a valuable prize there will be for the party organization to strive to secure at each general election. It means that at one blow it will get the rule of the colony for three years. It would return a majority to this House, elect an Executive. and thus rule New Zealand for three years without the possibility of removal. It would mean that there would be block votes, ring -. ' bosses,' and caucuses outside ; there would be electioneering and canvassing; and they would also put down their money. Look at America, and you will see that they have all that : and you would have it in New Zealand. I would sooner have our present system of party organization as it is carried out in Fine- land and in New Zealand, and not introduce into this country the 'machine' and the i corruption of America, from which we are now, fortunately, free. Now let us come to the working of the system in the House, and during the few minutes still remaining I will try to show how it is to work. First of all. there is 3 suggestion that the Government can be elected from both sides of the House. That is simply a fraudulent suggestion. It simply means 3 fraud upon the innocence of the people outside argue that it is possible for the Executive to te elected from both sides of the House is simply a fraud upon the people of

New Zealand. must know perfectly well that it is absolutely ! impossible that any Executive can work hat-
the honourable member for Wellington Cty

<page>433</page>

Executive, administering the Labour Depart- ment, and dealing with labour legislation ; and fancy the honourable member for Hawke's Bay and the Minister of Lands acting together in the administration of the land-laws, and legislating for land reform. I need not mul- ti- ply instances ; but fancy the Premier and the honourable member for Wellington City (Sir R. Stout) being in the same Government, and that Government having to bring forward a Bill dealing with the liquor question. The thing is preposterous. You must have an Executive the members of which are fairly well in touch with one another on the ques- tions of the day. Now for this ridiculous proposal - that of the honourable member for Waimate. The honourable gentleman does not adopt the fixed Executive system of Swit- zerland, which, with all its faults, has some logic about it. He actually proposes that, instead of removing the Executive by open voting, you may remove it by secret votes which will take away individual Ministers one by one, and, when you have taken away four Ministers, all must resign. Let us have the removal of the Executive under our present system ; and, for Heaven's sake, do not let us have the work done silently, secretly, and surreptitiously. Fancy the position of a Minister sitting here who is liable to be removed silently, secretly, and surreptitiously by a ballot if he displeases members of this House ! A Minister has every day to refuse requests of supporters on his own side. Why is he able to do that ? Because his colleagues stand by him and prevent his being jumped upon and bullied for not granting un- reasonable demands. There is no use talking about independence in such a position as is in- dicated in this Bill. I would not occupy that position for a day. I say that a Minister would be a slave of the House, and independence would be an empty name. Our present system is far preferable to the unmanly and un-English pro- posal under which a Minister may be removed by secret intrigue and the ballot. The proposal is one of the worst which, I think, have ever been introduced in a Bill in this House." Now, Sir, I take that extract from a speech which was delivered in 1894. An Hon. MEMBER .- A good extract too. Sir J. G. WARD. - It is a good extract of very good matter, and some honourable members apparently do not like it. An Hon. MEMBER. - Whose speech is it ? Sir J. G. WARD .-- It is the speech of the former Minister of Education, the Hon. Mr. Reeves. It is a very good speech, delivered by a very able man, whose opinion upon the matters referred to there would be thought a very great deal of by a large number of people outside this ! House, who are now being asked to accept the opinions of some honourable members about ; and may it ever continue to be-unconquerable the elective Executive system. I think the ! honourable member for Riccarton and others will find that at more than one election for : Christchurch Mr. Reeves stood in defence of the party system. That he was eloquent in its ! advocacy of it can be judged from the remarks : Great Britain. As against the advantages I have just quoted ; and many thousands of : and results of the party system, what is [people in Christchurch gave him their confi- dence, and he was therefore supported by a large majority when advocating the party system. Mr. ELL .- So had I. Sir J. G. WARD .- Yes. But when you stood originally, and he was advocating the party system, you had not a shadow of a chance of getting in. I am glad to see you here ; but now, because some of the recent leaders of public opinion have not been "sound on the goose " as far as the party system is concerned, there may have been some lapses ; but when the masses of the people come to see for them- selves what they have already gained and what is implied by the loss of power which they possess under the party system, when they can have advanced measures considered and dis- cussed fully and freely, and when they have a majority in the House in favour of such measures-they know they can rely upon a united Cabinet, because under the elective Executive system a united Cabinet could not exist long they will realise that under the existing system the masses of the people possess a very great deal more power than they possibly could ever hope to possess under the elective Executive system. Now, one word about the history of our own country. What has been the

experience of the British Empire during the last hundred years? It is our proud boast that no ordinary combination of Continental countries can do anything to bring serious disaster to Great Britain. Under what system of government has Great Britain developed into the great Empire she is now -with those wonderful resources and that enormous power which is the admiration of the whole world, and even of her opponents? Why, is it not the fact that under the party system, when the party in power was negligent, when they were indifferent to the needs of the country in the matter of defence, in the matter of strengthening the navy, or in respect to the foreign policy, the party who were not in power, who were vigilant and alive to the requirements of the country, criticized and condemned the actions of the party in power. They directed the attention of the masses of the people to these questions, and finally turned the Ministry out, with the result that when they in their turn came into office they went one step better, until indifference or inattention or slackness was apparent, and then the vigilance and criticism of their opponents aroused public opinion. and out they went also; and by that party system we were ultimately able to build up an Empire which no other country, or combination of countries, is able to seriously injure or effectually assail. The position of Britain is --- at the present time, and that result is due to the operation of the party system. What has Switzerland done during the same period? Let the supporters of the Swiss system show us. I say in no respect can they compare with

<page>434</page>

advanced in favour of the establishment of the elective Executive system here? The advocates of that system will tell you that in the Swiss system we have an example of good administration; and those members who advocate the change are largely prompted to do so because of their desire to effect a change in the personnel of the Ministry. They would sweep aside all the glorious traditions we feel so proud of, and risk an experiment which no British country has yet seriously considered. We know that under the party system in England the strongest navy that the world has ever seen has been built up, and this has been brought about largely by those who were in opposition continuously criticizing the want of progress or alertness shown by the party in power, and, in turn, as that party has become the Opposition, they have followed the same course, and discharged their batteries of criticism at the party in power, the result being that the consensus of public opinion on both sides outside the House of Commons has compelled the reigning body to pass reforms which, I repeat, has made Great Britain, under the very system of party government which we are asked to condemn, the strongest and at the same time the freest country in the world. And, after all this grand result, achieved under the system by which our nation has been built up, we are asked in this young country, which is now only on the threshold of its career, - which is just commencing in these early years of settlement and these early years of colonisation to progress and make headway, - we are, I say, asked to ignore these great traditions. Much good has been done in the past so far as the British House of Commons, with all its imperfections, is concerned; and, so far as relates to the welfare of the British people, are we to do away with that party system which has helped those who were in power and those opposed to the Government. as well as both sides outside the Imperial Parliament? We are asked to change this system, and for what reason? Because some honourable members would tell you that they do not like, perhaps, one man in the Ministry, or perhaps the whole of the members of the Ministry, or because they cannot, under the existing system, get into that Ministry. That is why we are asked to make the change. An Hon. MEMBER .-. It is one of your own side who has brought in the Bill. Sir J. G. WARD .- I do not care what side it comes from, although I know that even some members on our own side are prepared to support the elective Executive system for the purpose of creating chaos in the party, and that there are some honourable members opposite who would not be averse to giving votes against the party system for the same reason. All I say to members of this House and to the country is to pause before you elect to make a change from a system which in the Old Land and in this colony has done such an immense

amount of good, and which has enabled New Zealand to become the most advanced country in the world, impress upon this House-and I cannot get the now that other parts of the world continually send here for copies of our measures. America is continually sending here for copies of our measures, which this House, backed up by public opinion outside this House, has, under the party system, passed into law. We find Australia doing the same thing. We find many of the older countries sending to New Zealand, asking us to give them the benefits of those progressive measures which are now on the statute - book of this country, and which have only been got by strong party battles, both outside and inside this House. When you find the amelioration in the conditions of life, and that the masses of the people have been placed in such a splendid position as they have been in New Zealand under the party system, will members of this House be prepared, for the sake of a temporary individual gain of some kind, to destroy that system which has done so much to build up our country and make it great? Sir, I do not believe, if the matter were put fairly before the people of this colony, that they, realising they have their children as well as themselves to think of, are going to allow any members of this House. even though some specious or subtle motives may be placed before them, to take away these great privileges that they enjoy under the party system, simply because at the moment some people are not favourable to the composition of the predominant parts of this country, but which party as a whole has the confidence of the majority of our people, as the general elections clearly demonstrated. Chaos is to be brought about because these honour- I able members suggest substituting for the party system an elective Executive system. Sir, I have the greatest confidence in the people of this country. If they have a voice in the settle- ment of this matter-if the question is put fairly before them-they will determinedly and firmly show that they will not allow any honourable members, however sincere the: may be, to take away one of the heritages of their nation, and to substitute for it a system I that has never been adopted in any British dominion. Much good has resulted from the party system, and I say, in all seriousness, do not let us lightly change what a long experience of years has shown to be of beneht to the country. Mr. WITHEFORD (Auckland City) .- Sir, I wish to say a word in personal explanation. I have never once expressed the slightest sym- pathy with the Boers, nor have I at any time : ever expressed any dissatisfaction with the Go- vernment for sending away the contingents from the first to the fifth ; and, when my friend Sir Joseph Ward referred to my having shown my appreciation of the Government policy by sending my son to South Africa, to a certain extent he is perfectly right ; but I may say my son is a native-born New-Zes- 1 lander, and he went on his own impulse to fight for the flag we all love so well. That is what took place. Then, a point I have endeavoured to

<page>435</page>

[HOUSE.] Elective Executive Bill. 1901.1 that we are sending away the best of our man- hood-those who are physically and morally our best men to South Africa. I approve of the Government's policy so far as the sending of the previous contingents is concerned, but I say let us send no more of our New-Zealanders to South Africa to be injured by bullets and sick- ne-s. Let us keep them here to develop the resources of the country. Mr. FISHER (Wellington City). - The honourable member for Waitaki is one of the most respected members of this House, and because of that he is entitled to the most honourable consideration from every member who speaks upon his Bill. I oppose his Bill most strongly, but I shall not utter one harsh word either in regard to him or his Bill. But I ask. without any impertinence, how many of the members of this House have studied the whole principle of government in Switzerland? It may be well for the Postmaster-General to read us a speech delivered by the Hon. W. P. Reeves in this House many years ago; but does that give us sufficient and satisfactory information in regard to the principles of government in Switzerland? I say it does not. What sort of country, let me ask, is Switzerland? I have here the Times Atlas- the very latest atlas published -- and I have looked most carefully in the map of the world for Switzerland ; but the country is so infini- tesimally small that it is impossible to find i :. And are

we to follow the system of government of what one can only call at most "a toy nation"? For amongst the nations of the earth it is in reality no nation at all. I could understand that we should emulate the principles of government of some of the great nations of the earth; but of all the nations of the earth, why Switzerland? The Swiss people - enlightened and elevated as they may be, according to the opinion of the late member for Christchurch City, Mr. W. P. Reeves - are to my mind very much behind many of the Continental nations in enlightenment. And, if I am asked to make a comparison, that is the comparison I should make. If the government of Switzerland be so admirable, why should we not adopt the whole system, and not a part only? For instance, why should we not make our women, as in Switzerland, the scavengers of the streets? Why not make the women of New Zealand our street-scavengers? Then again, Switzerland is a country which has no national language of its own. Its language is composed of the languages of three nations. Essentially Swiss is not a nation. It is a nation composed of many nations. The language of its Legislature is composed of many languages: and, if we are to follow the principle of the Legislature of Switzerland, why not if it be so admirable - adopt the same principle here? There are three sections of languages in the Parliament of Switzerland - French, German, and Italian: that is why they require and demand an elective Executive - because the German section demands a representative Executive Bill 435 the Italian section demands one of its nation; and so they have what is called the elective Executive. In this Legislature we are one people, speaking one tongue, and when guided by our better judgment we have but one desire. We have two parties with but one desire, that desire being the advancement of the material interests of the nation. In the Swiss Parliament there are three languages and no interpreter. What a jumble what chaos! Yet we are asked to adopt a system combining so many imperfections. So with the referendum. I am sorry to see the Government themselves have introduced a Referendum Bill. To show how absurd the whole thing is, in the last referendum taken at Berne the people were asked to vote on the question whether the Government should supply labour to all the people of the nation. One would imagine that on so momentous and vital a question all the labouring-classes would attend to vote. But what was the fact? Of all the people entitled to vote, only one-third voted on a question so closely affecting their personal interests. This is the value they themselves attach to this precious thing -- the referendum. So with the principle of the elective Executive. I have given, to the best of my power and belief, the reason in the Swiss Legislature for the adoption of the elective Executive principle; I wish now to quote another example of the high intelligence of the Swiss people. According to the speech which the Minister for Railways quoted - the speech of Mr. W. P. Reeves - we are asked to believe that the Swiss rank amongst the most enlightened people of the earth. They certainly rank first in the number of suicides amongst the nations. Here is an extract from the London Standard:-- "Suicides in Switzerland. - A Paris correspondent writes that, inasmuch as the annual average number of suicides in Switzerland for the last twenty years has been 650, which in proportion to population is higher than in any other European country except Saxony and Denmark, - the Berne Medical Society has appealed to the Press not to give so much space to reports of suicides, and thus check the tendency to imitation to which many of them are due." Here is a country noted for one thing more than another - the excessive, the abnormal number of suicides in that State. If we are to take part of the principle of government of Switzerland, I ask the honourable member for Waitaki, why not the whole? Let us begin by committing suicide. But then, let us suppose the principle of elective Executive to be adopted by this Legislature, and suppose an Executive to be balloted for and selected by this House to be submitted to His Excellency the Governor, and suppose this to be the Ministry: Premier and Commissioner of Customs, the Hon. Major Steward, of course; Minister for Defence, Mr. Monk; Colonial Treasurer, Mr. McGuire; Attorney-General, Mr. Barclay; Minister for Agriculture, Mr. Lang; Native

Justice, Mr. Rhodes. Now, what would His Excellency the Governor say when the Hon. Major Steward waited upon him with his Ministry so composed? His Excellency would most likely ask the Major to look around at the pictures on the walls, or he might ask the honourable gentleman if he knew anything about "Yorkshire fog" - that beautiful meadow-grass - - but it is scarcely possible of belief that he would make any reference to such a Ministry, and the genial Major would probably gracefully retire with a tale untold. A similar occurrence happened at a time when Sir George Grey was Governor of New Zealand. No doubt there are faults, there are blemishes, in the party system; but, suppose that be admitted, can any member of this House point to any human thing which is without blemish? Now, we who support the Government have many faults to find with the Ministry. But they are our Ministry-they are our creation; and, as a party man -and I am a strong party man- still, while supporting them, I am entitled on occasion to express an opinion-an independent opinion-if I so think fit. For instance - there is no use disguising the matter many of us find fault with some of the recent appointments to the Ministry. There is no use blinking the fact: we do find fault with these appointments. I am entitled to speak freely on the point, because I have told the Premier in writing that I never expected any appointment in the Ministry. I have written to the Premier after each election, telling him that I expected nothing. And he that expecteth nothing-well, I got it. But, seriously speaking, a proposal to bring into existence the system of elective Executive is nothing short of absurd. In all honest conviction I seriously recommend the honourable gentleman to submit his proposal for careful consideration to a committee of babes and sucklings. It is not material sufficiently serious for a House such as this to deal with. We know there is discontent in the minds of those people who are not ardent, experienced, and hardened politicians. It is a theoretic matter upon which debating societies may well descant; but those who have read history from the time of Oxford, Harley, and Walpole will see that, with all its imperfections, with all its impurities and corruptions, it is the party system that has stood by England for so many hundreds of years, and still remains, for it has stood the test of the very severest criticism that men of the highest intellect in the world could bring to bear upon it. There it stands to-day. Nothing can shake it; nothing can undo it. It is well to speak of the theory of the elective Executive, but in the country of its native growth -Switzerland it is, without doubt, a dire failure. But it is the only acceptable thing there, because of the incongruous elements which compose the Government of the country. Here we have no such incongruous elements. We are a concrete whole, having one desire, and one only, and that being, to the best of our power, according to our lights, to advance the welfare and the prospects of this country. I vote with the best of feeling toward the honourable member for Waitaki, but I vote and speak as strongly as I can against his Bill. Mr. SEDDON (Premier). - Sir, I could possibly, were I to raise the question that this Bill was a money Bill-more especially one of its essential clauses-ask that the Bill be not allowed to proceed any further, or for the elimination of clause 17; and that clause must go when the Bill gets into Committee. But I wish to bring members to look at this measure in all seriousness. I was surprised earlier in the evening that a grave constitutional change such as is proposed in this Bill should be treated with levity. No more important question has been submitted to this Legislature, and it ought to be dealt with seriously; and, if it is dealt with seriously, I feel satisfied that, in contrast and in comparison with our existing conditions, no good reason has been shown for the change. Much as I respect the honourable member for Waitaki. I listened with pain to his speech this evening. It is not, Sir, on those members who object to this measure that the onus of proof lies to show it is not required. The onus of proof rests on those who bring forward the proposal for so grave a constitutional change as this is. And when the honourable gentleman introduced his Bill, what did he give us in support of it? And are some of the newspapers he quoted those who have been in support of progress? Did they help to bring this colony to its present satisfactory condition? I say, No. One writer gave as his reasons for advocating these changes. that, owing to the autocracy of the Premier, dictator like, there should be a constitutional change in this colony. Sir, I would say change the

Premier, do away with the autocrat and dictator, but do not run the risk you propose in a measure such as this. This thing can be shown nowhere else except in Switzerland. Contrast Switzerland and the condition of its people with New Zealand, and ask the unfortunate Swiss if they would like to change with the people of New Zealand. They would say, " Yes! God grant it may be soon." That would be their cry. Travel through Switzerland, get amongst its people, take their earnings, take their method of living-take it any way you like -- and contrast their position with that of the people of this colony, and you must admit that our position is incomparably superior to the position of the Swiss peasant or the Swiss working-man. But, Sir, I have said the onus of proof rests with the who propose a change of this radical nature. Coming to the Bill itself, I shall show that it is absolutely unworkable. Who has demanded this change ? Have the people at the ballot-box demanded it ? Was this question submitted to the people at the last general election. or at any general election in this colony ? I say, No. I say the last appeal to the people was, Whether or not the policy of the Liberal party should be approved of - whether or not the Liberal party should continue in power. These two questions were submitted to the

<page>437</page>

electors. With what result ? I say the result was to return the Liberal party to power with a greater majority than they ever previously had in this House. I say the Liberal measures, the progressive legislation, and the advanced administration was approved of by the people of the colony ; and we find the seats of those opposed to these measures vacant, and there has been almost an obliteration of the Opposition. And the effect of public opinion upon the Opposition since that has been that we find they have elected no leader, and their late leader tells us that we are all on one plane-we are all supporting the Government policy. An Hon. MEMBER .- Hear, hear. Mr. SEDDON .- An honourable member says " Hear, hear." Let me tell him that I know what is happening behind the scenes. I know the arrangement entered into. I know the plan they have adopted to elect no leader, but simply to lie quiet and wait until there is disaffection in our ranks, and then quietly pick up those who are disaffected, and who agree to support the proposal for an elective Executive. That is the reason you are supporting this Bill. Hon. MEMBERS .- Oh, oh ! Mr. SEDDON .- Yes, it is all part of a pre-concerted arrangement and a plan of campaign. And when they are silent, and will not debate a question fraught with such great consequences to the country, I say, when they fail in their duty to criticize this Bill I know what their object is. On looking at the division list when this measure was last before the House I find the names of Mr. Bollard, Mr. Buchanan, Mr. W. Fraser, Mr. Herries, Mr. G. Hutchison, Those gentlemen all and Captain Russell. voted against this Bill. If this Bill goes to a division I shall look to see how some of those honourable members vote, and I shall very much surprised if they are consistent. I say, if this matter is not to be treated seriously, members have no conception of the responsibility cast upon them. The member for Waitaki may be said to have been a consistent party-man : there is no member of the party who can be relied upon with greater confidence. I say this measure is inconsistent with his own political existence and life. We find him - one of those who have always stood by his party- we find him now bringing in a Bill which in effect means to repeal and undo what the people decided upon at the last general election. An Hon. MEMBER .- NO. Mr. SEDDON .- I say, Sir, the last 9.30. general election decided in favour of party, and decided in favour of the Liberal Government. Mr. PIRANI .- Be serious. Mr. SEDDON .- Sir, I am perfectly serious, and there can be no mistake in what I am saying. If proof were wanted, look at the empty Opposition benches. Now, I ask, I have What is really behind this Bill ? said that members are not prepared to give reasons. No reasons were given by the member who introduced the Bill. Must we come, then, to solid facts? Is it that there are , not know the difference between a correspondence on this side of the House who think that this is a means of bringing about a reconstruction of the Ministry. Sir, if I put my hand on my heart I am afraid I should have to answer that question in the affirmative, and say, " I am afraid that has something to do with it." Of course, on the other side of the House anything that will tend to bring down the Ministry will

be supported. They care not what they do so long as they can destroy, and they will use those who may hold advanced views on the question, and who are conscientiously supporting the measure. They think it will bring them nearer to the Treasury benches. Then, I ask another question : Is there a majority of the members of the House in favour of loosening the bonds between this country and the Mother-country ? I say that by this measure you are sapping that connection. Underlying this Bill you are affirming a principle which sets at defiance the representative of the King-the Crown-in this colony. Hon. MEMBERS. - Oh, oh ! Mr. SEDDON. - Interruptions by honourable members will not put me off my argument. I hope members will listen to what I am saying, because I am speaking seriously, and desire to show that if this great constitutional change is carried it means the cutting of one of the strands of the painter that binds us to the Mother-country. Hon. MEMBERS. - Oh ! Mr. SEDDON. -- Then, honourable members have not read the Bill. Under section 4 it is provided that after an election has taken place in this House the names of the Cabinet have to be submitted to the Governor. If the Governor declines to accept the names, what is the result ? Under that clause you have to come back to the House and have a fresh election. Let us suppose, then, that a majority of the members who voted in that election had been sincere and had voted for the men they believed would be the best men for the Ministry. The consequence is that there is at once a deadlock between the Representative of the Crown in the colony and the Legislature, and you bring the actions of the Governor on the floor of the House. Such a position would be quite unconstitutional. The Governor's action would be a subject of debate in the House, and would be in conflict with the majority of the people of the colony. If members will read that clause they must admit there is nothing that has ever been brought down in any Legislature that strikes more at loosening the bonds and tends more to bring into conflict the Crown and the representatives of the people of the colony. Let members read the clause for themselves. There is no getting away from it. Let the honourable member in charge of the Bill meet that point. I say, Sir, it is impossible for him to do so. Mr. HUTCHESON. - The Ballance Government were twice in conflict with the Governor, and twice they won. Mr. SEDDON. - Sir, when a member of the House is so dull of comprehension that he does

<page>438</page>

dence between the Ministry and the Governor | that they have no right to take away. The and the Secretary of State, and a conflict with the Governor on the floor of the House on the decision of members of the House, it is no use my attempting to convince him. Then, there is another question : At any time during the session twenty-five members of the House may move either for the removal of one Minister or the whole of the Ministry. Very well, I remember a time when we had in this House twenty - seven members who were combined upon one given question, and that was the question of Prohibition. I say that, under a Bill like this, these twenty-seven members would bring the Ministry under a ballot of the whole House. For what purpose ? Was that purpose the general good of the country, or to carry out their convictions upon one given question, irrespective of all others affecting the colony ? And I say you may have that done if this Bill became law. Now, with eighty members, which number we shall have at the next general election, you may have twenty-five members to cast a slur on one Minister, and put him off these benches. But if one Minister was impeached, and a majority was against him, I say that that would mean that Ministers would as a body leave the Treasury benches. Sir, that must be the case, because, being elected together and working together, when one was singled out the result would be an entire change of Administration ; and each session I say the country would be liable to this. But, Sir, I will show the honourable gentleman the other side of that question. I can point out to him that a supporter of the Ministry could select the most popular member of the Ministry, and with a challenge from twenty-five, a vote would be taken, and after that, under this Bill, no matter what the Ministry brought in during that session, no matter how it was proved a chance was necessary, according to this Bill you could have no change. It is clearly set out in the clauses of the Bill following clause 4. And I say they may do anything

against the best interests of the people of this colony, and by the Bill we are asked to pass at this moment there could not be a change of Ministry. If that is not taking away the power from the people, by taking it away from this House, I do not know what is. I say it is taking away power from the people, because the Ministry now are, from day to day and from week to week, liable during the session to have the whole of their administration and their proposals attacked in the House. But by this measure the course would be taken in the first week of the session that I have now mentioned, and for that session, no matter what was done, you could not further impeach a Minister or the Ministry. How will the honourable member get over that? Can he deny it is in the Bill? And when we are asked to vote for the second reading of a Bill containing proposals such as these, it is my duty, as leader of the House, to show members the dangers in which they are going to land themselves-that, instead of the power continuing in their hands as at the present, they are going to divest themselves of the power Mr. Seddon people have given them responsibility and power, and they have no right to divest themselves of that privilege and responsibility. Then, Sir, would not this lead to log rolling? Who will undertake to attack that Minister who makes himself popular? And to prevent this attack which might be made you would find a very lavish, shall I say, public works policy? Shall I say, also, that you would find your estimates largely swelled? Now, at the present time the Government are responsible to forty-one members. It means, Sir, that there must be a majority of the representatives of the people before there can be any change. Now, does this mean that? Does it mean in the election of Ministers there is to be an absolute majority? Sir, nothing of the kind. If members will turn to the clauses of the Bill dealing with the first nominations they will find that ten members are to nominate the Minister; but are they, the same ten, to nominate each of the eight Ministers, or are you to have some nominating and some being candidates? There is nothing in this Bill that says that one who nominates another shall not be a candidate. Then, each member has ten. Eight tens are eighty. There are eighty members of the House, so that you can go round the House, and then you come to the voting. And what is the position of the voting? Every member's name, and how he votes, is to be recorded on the Journals of the House: "The names of members voting and of the candidate for whom they vote shall be recorded on the Journals, and shall be laid by the Speaker on the table of the House." Mr. PIRANI. - Does that apply to both Houses? Mr. SEDDON. - Yes, that applies to both Houses. Very well, I will leave it at that: but you will see there that each Minister knows who votes for him. Is that destroying party? Will not the Ministers look upon those who voted! for them being in the Ministry just as we look here to-day upon those who come to Parliament to support us? Where is the doing away with party? I say you make a party the moment each man's name is revealed to the Minister he votes for. Under the honourable gentleman's proposals you have the party system in a worse form than that in which it exists at the present time. All they have to do is to look to those who supported them and who voted for them, and they are perfectly safe on the Treasury benches, provided they give to those members what the members think they ought to have given. I hold that if you are to have good government you must have men on the Treasury benches amongst whom there is cohesion. You must have men whose views are to a large extent in common-whose aspirations and ideals are the same. Unless its members are banded together, and have confidence in each other, what is your Cabinet life going to be like? And how could men depend upon each other, when the fact may be that you will have put into the Cabinet men who are entirely opposed to their colleagues? But there they

<page>439</page>

would be; and under these conditions what would you find? First they have to elect a Premier. They have to face the election of a Premier. Well, I have seen the election of a County Chairman, and you have had to pass special legislation upon it. Seven out of nine members want to be Chairman; and I have known friction arise, and last for the whole year, in the selection of a Chairman. The Premier and the members of the Cabinet are human, just the same as members of the County Councils. Well, friction first

commences in the election by the Cabinet of the Prime Minister, and then, as though you wished to commit the country to still further difficulty, the Prime Minister is only elected for the year. At the end of the year there is to be a further election. Who, under the circumstances, would be Prime Minister? Why, there is no man of light, no man of leading, no man of any self-respect, who would put himself in that unfortunate position. But in this Bill you go further. You provide here that the resignation of five Ministers puts out the whole Ministry. While the Premier with three colleagues may be holding out on a large question of policy, or of administration- An Hon. MEMBER .- They never resign. Mr. SEDDON .- If five Ministers resign, the other four must. I am giving you the Bill as it stands. There is the compulsory resignation of the whole Ministry if five of the Ministers resign. Again, at the end of three years all the Ministry must resign and submit themselves to the ballot. And if one resigns, by Order in Council the vacancy is filled ; but if during the recess the whole of the Ministers resign, there can be no Order in Council passed and no Ministry. Then, Sir, there is in this Bill a setting aside altogether of another branch of the Legislature - the Legislative Council ; and the Legislative Council is to have as leader a member of the Executive, but he is not to have any salary. He is only to have \$150 a year, and two guineas a day travelling-expenses. At the present time he is only allowed 91 10s. Clause 17 says, - " An Executive Councillor not holding Ministerial office shall not be paid any salary in addition to the payment he may receive as a member of the Legislative Council, but he may be paid travelling - expenses at the rate of two guineas per day.' Why, Sir, I cannot understand why the honourable gentleman would cast such a grave reflection upon another Chamber. But the honourable gentleman goes further. In the last clause of the Bill he provides that you can take into the Executive a representative of the Native race who is not to be elected at all, who is not to be brought under this law at all. He is under the existing statute, and so he is to remain. I want to know why the honourable gentleman desires to make that change. What reason has he given for it ? None whatever. Sir, the whole position, I think, may be summed up in this way : there are some people who are always desirous of bringing something new forward. Very well; I say that if what you are bringing forward is an improvement, and if in administration it will be an improvement, then, Sir, it is our duty to support it. Our colony now stands the first in the British Empire, and to make a change such as now proposed would be a stop in the wrong direction. If you take the condition of the workers here they are better off than in any other part of the British Empire. If you take the industries and manufacturers here you will find that they are well satisfied, and are doing well. Take the farmers and the producers of the country : the country has developed. Every encouragement has been given to local industries, and they have been fairly treated by the present party and the present Administration. In connection with our railways-in connection with our administration as a whole-there is no fault to be found, and unless you can show that our system does not prove satisfactory you have no right to ask for the change to be made. I, for one, am in favour of progress, but I do not see my way under existing conditions to support the extraordinary and insufficiently considered measure now before the House, and which in effect will destroy every power for good, and give us chaos in return. There cannot be any argument in favour of such a change. It is well to look before you leap, and there have been no good reasons shown for this change, and I will ask members under these circumstances to remain firm and steadfast. If the people were going back-if our country was going back, as it was years ago -- then there might be some cause for that change ; but with our country prosperous and hope for the people. and with advancement within the reach of all, why should we of the Liberal party be parties to a change ? It is quite reasonable to understand that men who have been driven from public life by the people should, like drowning men, grasp at any straw. The gentlemen opposite are grasping at a straw now, and they wish to use this to the detriment of the progressive party, and I would ask the extremists of the Liberal party not to help them to undo all the good work we have done in the past, to pass a Bill that will in the future prevent further progress and good work. Mr. FOWLDS (Auckland City). - Sir, the Postmaster-General, Sir

Joseph Ward, twitted those who are in favour of this Bill as being engaged in a conspiracy of silence. Now, Sir, there is only one way to meet a conspiracy of stonewall, and that is by keeping silent. Honourable members who have been speaking against the Bill have not been trying to bring forth arguments against it, but to fill up the time till twelve o'clock, in order to get an adjournment of the debate, when this matter will never have another chance of coming forward on the Order Paper. It is a well-known fact that the most vigorous whipping of the last two sessions have been against this Bill by the Government ; and I say that all the pressure of roads and bridges has been brought to bear, so as to prevent members of the party from recording their votes according to their convictions. I do not want to waste time, because

<page>440</page>

members have made up their minds, just as the country has made up its mind, on this measure. All that is wanted is that the House and country shall have an opportunity of giving a free expression to their opinion. We were told by the Postmaster-General that the adoption of this Bill would bring in a condition of conspiracy and intrigue. I say that has been going on to prevent this Bill from passing on to the statute-book of the colony, and the sooner we send it to a referendum of the people the better. Now, I will not attempt to go into the arguments that have been used-if they can be dignified by that name : but the Postmaster-General drew a graphic picture to us of the prosperity of Great Britain under a system of party government. Sir, he did not give any arguments to show that party government was responsible for the prosperity in any shape or form. He might as well have told us to look at the magnificent position Great Britain has got into under a House of Lords: Let us set up a House of Lords in New Zealand. He might as well have told us to look at the magnificent position of Great Britain under free-trade : Let us have a policy of free-trade in New Zealand. He might also have said to us, Look at the bungling that has got Great Britain into the South African war ; and the party system of government is responsible for that ! I say that Britain became great in spite of the defects of party government. We have become great because of the intrinsic character of the people of Great Britain ; because we are a progressive people ; because from time to time we have adopted such reforms as that now before this House. Sir, we heard the Premier speak the other night of "rusty, musty precedents." He calls everything rusty and musty if he is opposed to it, but as soon as any one else commences to embody their convictions in a reform Bill, then it is a dangerous innovation. The Premier stands convicted of insincerity, either to-night or the other night. He stood up in his place in the House the other night and gave as one reason why we should adopt the Referendum Bill that a question like the elective Executive could be referred to the people. The Bill, as it is proposed by the honourable member for Waitaki, is simply referring it to the people. Either the Premier tried to mislead us by making us suppose that the passing of the Referendum Bill would mean the submission of this measure to the country. or he ought to support the passing of this Bill in order that it may be submitted to the people. Mr. SEDDON .-- Show me a word in the Bill about the referendum. Mr. FOWLDS .- It is on the Supplementary Order Paper. Mr. SEDDON. - That is not in the Bill. Mr. FOWLDS .-- It will be in the Bill, if the mover of the Bill has his way. It is surely better that a Bill worked out and shaped in Committee be submitted to the people, so that they may know actually what is meant, than that a simple resolution of the two Houses should be submitted for their vote. The whole of the objections raised by the Premier were simply such as might be considered and rectified in Committee. The House will do well to pass the Bill. I am sure if members were free to vote as they pleased, without reference to party influence, there would be a strong majority in its favour. Mr. SEDDON .-- I have been misrepresented by the honourable member. I did not say the other night that I was in favour of the Elective Executive Bill being referred to the referendum : what I said was that if the Referendum Bill was passed, and the Elective Executive Bill were passed, it could be referred to the people under the referendum. I did not say I was in favour of this Bill being referred to the referendum. Mr. G. W. RUSSELL

(Riccarton) .- In listening to the two speeches made from the Treasury benches this evening against the proposal which is before the House, the most striking feature was their utter inconsistency. In the closing sentences of his speech on the subject the Premier spoke of our colony standing first in the Empire as regards progressive legislation. The same remark was made by the Minister for Railways in the address he gave on the subject. And yet, Sir, is it not a fact that this colony leads in legislation because it has undertaken experiments which have been the means of showing the way to other countries ? Yet the strongest argument used by both these honourable gentlemen against the Bill before the House was that no other country in the world, except Switzerland, had given effect to such a proposal. I should like to ask how they show the consistency of their arguments when they on one hand claim credit for New Zealand showing the way in experimental and progressive legislation, and, on the other, allege this is an experiment for which there is no precedent in the legislation of any other country in the world but one. In regard to Switzerland, which has been mentioned, although there may be things in connection with the economic life of that country which we as colonists do not approve of, we cannot get away from the fact that, though it is a country of only some 16,000 square miles, as against 104,000 in New Zealand, in many respects it is far ahead of this country. Let me say, for example, that it has a population of over three millions of people; its imports in 1899 were \$44,000,000. and its exports £32,000,000: in other words, in 1899 this little country had a foreign trade of no less than \$76,000,000-as against our own, which is but a little over \$20,000,000. Therefore a country which has so much enterprise, and whose revenues are on so firm a footing as are those of Switzerland, and which is so progressive regarding many economic and social matters of legislation, is certainly not one that should lightly be sneered at by politicians in a young country like this. I do not say, of course, that everything done in Switzerland is to be commended ; neither do I think we should advise other countries to follow New Zealand in everything. What we can say in regard to Switzerland is that there the elective-Executive

<page>441</page>

principle has stood the test of time; and that there, in one of the most highly educated democracies in the world, where there is undoubtedly government by the people and for the people, no proposal has been made repealing the elective-Executive principle and returning to the old forms of government. Now, Sir, in listening to the speech of the Right Hon. the Premier this evening, one would have thought that he himself was strongly in favour of party. His speech was a laudation of party government. But what the Premier wants is not party government as a principle, but he wants all one party, and him to be head of it. Mr. R. MCKENZIE .- That is what he has got. Mr. G. W. RUSSELL .- But if the Premier were consistent in his allegation that all the legislative blessings we have are the result of the party system, surely it would be a part of his programme to encourage the existence of another party as a counterpoise or balance to the predominant party led by him. But what is the honourable gentleman's practice? No sooner is there the slightest move in any part of the colony for the purpose of creating anything that can be called a second party than he is there with his dragoons endeavouring to sweep the whole thing away. What happened only a few nights ago at Pahiatua ? In this Island a movement has been started for the purpose of combining the farmers in defence of their particular interests. But directly it is started the honourable gentleman sees in such a proposal something that may result in the creation of a stronger party than the Opposition party which now exists, and which might have the effect of uniting on the other side of the House a powerful body of men. Does he want party government, then ? Not a bit of it. Yet, Sir, if the party system is to continue, a second and powerful party in the State is absolutely necessary as a complement. But that is not the party government the Premier wants, for no sooner does such a move as that take place than away the honourable gentleman hies himself to Pahiatua, and there makes proposals of an exceedingly taking and attractive character to prevent another party rising up : thus showing that, whatever the other side were prepared to do for the farmers, the Government and the Premier are

prepared to go one better. What is his object ? It is that he wishes to prevent party government in the sense of there being two parties in the State, but he wants the whole House to be one party, as I have said already, with him as the head of it, and in a position to manipulate the political machine. I remember very well a speech that was made by the Hon. Mr. Reeves, who supplied the Minister for Railways with a very large part Mr. Reeves I re- of his speech this evening. member standing at those benches on one occasion and saying that he thought an Opposi- tion was an exceedingly good thing, provided it was not too strong ; and I think there is a great deal in that remark. Now, the Premier asked, in the course of his address, who had demanded the elective Executive. He said that the sole issue at the last election was whether the policy of the Liberal party was to be continued or not. I am prepared to admit that always at a general election the existence or the destruction of the Government of the day is the primal question that is submitted to the electors. And upon that test the Government undoubtedly swept the polls, although, to be fair and accurate, if the exact number of votes that were recorded for the two parties in the State were placed side by side and compared they do not represent the rela- tive strength of parties in this House. That must be admitted by every one who analyses and studies the statistics of the last election. To this House there was an overwhelming majority of members returned to support the Liberal policy ; but, as regards the actual number of votes recorded in the colony for Conservative and Liberal, the difference is not so great as is represented in this House. That, I think, must be admitted. Now, the Premier asked who demanded this change of the party system. I say one of the minor questions that was submitted to the country. at the last election was the question of the elective Executive, and that outside the main policy questions and the existence of the Go- vernment no question was more canvassed at the last general election, or more queries were put to candidates than with regard to the elective Executive. My profession puts me in the way of seeing more papers than many other members in this House, and I say, without any hesitation, that, next to the primary questions submitted at the general election, one of the questions on which the voice of the people was taken was this one that we have before us to-night. And I say there is hardly a political association in this country that is worth the name that has not declared in favour of the elective Executive. I do not include the political associations that exist in Wel- lington. I count those as very small affairs, and there are none of them that exercise any influence on the politics of the country outside this immediate district. As far as I know the political associations of Wellington, they are composed of the hangers-on of the Ministry, and those who have received favours or who expect them. The genuine political organizations of the colony are in favour of the principle of this measure. For example, the Trades and Labour Conference of New Zealand, which sat a few weeks ago in the City of Dunedin, passed a resolution unanimously in favour of the elective Executive: and a body like that is certainly entitled to be regarded as expressing the opinion of a very large number of the people of this colony. The member for Buller interjects that the three Dunedin mem- bers are against the elective Executive. It does not follow, because the Trades Coun- cil happened to sit in Dunedin, that it was expressing the opinions of Dunedin more than of any other part of the colony. It was a re- presentative gathering of the workers of this colony, and they expressed an opinion in favour of the elective Executive. I could go through a large number of other associations

<page>442</page>

and organizations which have expressed that opinion. Now, the Premier said, in the course of his speech, that this Bill, if given effect to, would undo what the people had done at the last election. There I entirely differ from him, and there can be no doubt that if the elec- tive Executive were brought in to-morrow the Right Hon. the Premier would remain where he is. I think there can be no doubt that everybody who knows the skill and adroit- ness of the Premier would say that he would appoint the Ministry, even if you had an elective Executive. I am prepared to admit that such is the Right Hon. the Premier's strength in this House that my opinion is that he would pass round the ticket of the Ministry that was to be elected,

and there can be little doubt that in the House, as at present constituted, even if the Ministry was not composed of all those gentlemen who now occupy the benches, at any rate those elected would be the ones that the right honourable gentleman favoured. Now, Sir, what I object to in connection with the honourable gentleman's speech, and in connection with a great many other of his speeches, is that whenever he has an argument that he finds it difficult to get over he endeavours to find out some unworthy motive to attribute to those who are against him. In the course of his speech to-night he asked the question, Is it a means of forcing reconstruction of the Government ? And he hinted that there were on his own side of the House a number of members dissatisfied that they were not in the Ministry, and they thought this might be the means of their getting in. I venture to say that suggestions of that kind are not worthy of the leader of this House. I venture to say that in considering a question like this - one of the most important that can be submitted to this House -- it ought to be quite possible to consider the question upon its merits-judging by argument, precedent, and historical illustration - without endeavouring to raise a personal and entirely false issue by suggesting that every man, or even any number of men, supporting the Elective Executive Bill are doing so because they think it will provide the means of their getting into the Government. I venture to say there are a number of members of this House who have not the slightest idea of entering the Cabinet-who have not the slightest hope or expectation of being asked - and who will, from conscientious motives, cast their votes upon this occasion, as they have done in the past, for the principle of the elective Executive, because they believe that under the present system the strongest possible Government is not of necessity placed upon those benches, and because they believe that by the elective Executive we shall get rid of some of the greater evils of the party system without losing any of its benefits. I am one of those who recognise -- as the member for Dunedin City (Mr. Barclay) said this evening-that there is something in the constitution of man which leads one party of men to be more progressive than others. There are the more progressive, who are Liberals, and there are those who are Mr. G. W. Russell more careful to conserve existing interests, and who are called Conservatives; and I suppose there will always be these two classes in a Legislature where political opinions are active- in fact, the more active they are the more sharply it is probable, will be the lines of demarcation between the parties. But, while saying that. I am also of opinion that under the principles that govern this Bill we should obtain purer legislation and secure more independence on the part of members of this House ; further, that. instead of the members of this House being compelled to go cap in hand to Ministers and ask for things that are their right as member of this House, or as representing their constituents, they would feel they met Minister, on a plane of equality as servants of the people : whilst the Government of the day would be in a position to assert their independence, and say, " No, we are not going to give you this particular road or bridge; it is not needed We do not need to purchase your vote." I believe that the effect would be actually to strengthen the hands of the Government, and it would result in economy, instead of, as the Premier said to-night, in there being recklessness in expenditure. Now. there was some twaddle spoken by the Premier when he said that under one of the clauses of this Bill there would be the possibility of the representative of the Crown being insulted. section 4 the approval of the Governor had to be asked before the Ministry could be sworn in. and that if the Governor refused to accept the nominations of Ministers by the House there would be trouble, as the Governor's actions could be canvassed on the floor of this House. But, Sir, I would ask, is the Governor bound to accept the nomination of the Premier as to who his Ministers shall be ? Has not the Governor the same right now to refuse to accept any Minister whom the Premier may nominate ! And is it not far less likely that the Governor would object to accept the nomination of Parliament deliberately given than that he would assert the same right regarding a Minister nominated at the behest of a Premier? Again, the Premier said that under this Bill there would be a constant state of political turmoil, because any twenty-five member could raise the question of the fitness of any particular Minister. But, Sir, is it not the fact that

one man can do that now ? I think it is not more than two years ago that from the other side of the House a motion was made which questioned, I think, the position of the Minister of Marine in connection with what is known as the " Marine scandal." That motion was the act of one person, not twenty-five. It appears to me that under this Bill, which requires that before the position of a Minister can be attacked there must be twenty-five members to sign the paper demanding a proof of his fitness, you have a still greater guarantee for the security of tenure of Ministers in their positions than you have at present. The Premier also remarked that there would be under this Bill a want of cohesion in the Ministry. Sir, are the present Ministers

<page>443</page>

entirely agreed on all points of their policy ? to say that I do not give my vote to all the Ministers. Everybody knows they are not. In 1894, when details of this Bill were proposed, I am prepared to support the proposal in this House that there should be a second reading of the Bill and to see it go into the Committee, and when in Committee the Land for Settlements Bill, the present Ministers are probably certain amendments which the Minister of Lands followed that up with a notice on the self would be disposed to move. What I do Supplementary Order Paper to the effect that if support this Bill for is because I believe some periodical revaluation were granted the freehold change from our present party system is also hold title should be given to every Crown tenant necessary for the purpose of preserving the tenant in the colony. I would ask, if the Premier, the independence of members. I am one of those--and I have always been the same--who, Sir, as I shrewdly suspect, intends or proposes where I feel it is my duty to say a thing, say this session--or next, perhaps--to himself propose the periodical revaluation of leases in perpetuity independently of the consideration whether it will be allowed the Minister of Lands to give pleasure or dissatisfaction. But, Sir, if I follow that up by granting the freehold to those who have a conscientious difference with Ministers--if I feel it my duty, for example, to vote with who are now Crown tenants? That is a case those who are voting against the suspension of the point. There is no more guarantee of cohesion--the Standing Orders of this House--I object, so far as the Ministry is concerned, to-day than there would be under the elective system altogether, because I cast such a vote, to being branded, as the Premier attempted to brand me Executive. But what does exist is that the master mind of the Premier, who possesses the other night, as Judas Iscariot. Judas Iscariot, right of the Ministerial existence of a member who is not a very nice figure with whom to be of the Cabinet, forces into line his Ministers. That power would cease to exist under the elective Executive. At the present time, if the Premier wishes to get rid of a colleague who his friend says he was a noted character, but he was distasteful to him, or who has shown himself a man who betrayed his Master. I would be anxiousness and independence in his position, all sorry to suppose that the Premier, in describing he has to do is to send in his resignation, and myself as Judas Iscariot. was setting himself up down tumbles the Ministry. That power is as the Master whom Judas betrayed. The power is vested in the Premier now. Under the elective system the honourable gentleman has risen a good deal, Executive a single Minister could be retired but I do not think he has yet got so high as without the whole Ministry being turned out. That. Then, again, I think. if we were to abolish the system of party government in its extreme want of cohesion. I noticed that the Premier form as it is, we might do away with some of the members who went to Blenheim to attend a banquet given to the evil--I would even say debasing--influences the Minister of Customs, the Hon. Mr. Mills, that arise from such creations as Government and I could not help noticing, from the Premier's Whips. There are some gentlemen who have speech at that banquet, exactly what his ideas been in days past Whips in this House. There are as to the qualities that constitute fitness for other individuals that have been members of Cabinet rank. The honourable gentleman said who only by a great stretch of imagination this was the third time of asking. On two previous occasions Mr. Mills's claims to a seat in Government Whips are sometimes required to

do the Cabinet had been placed before him, and exceedingly unpleasant things. I suppose I he had been compelled to say the time had not should not blame them. They receive, I understand, a small remuneration for the come. But now the time had come, and the words work they perform, and probably when he used were these : " Mr. Mills had proved his they do a certain thing it is because they fitness for Cabinet rank by three things : they have to do it. One might say it is their busi- were, first of all, conscientious discharge of duty ; secondly, loyalty to party ; and, thirdly, ness to act as a kind of moral scavengers, and empty the result of their scavenging upon those self-abnegation." Sir, I have never heard members of the House who disagree with their before that the quality of self-abnegation was one of those things in a gentleman's character leader. It is not a very honourable or very nice occupation. Sometimes members, like myself, that entitled him to stand in a Cabinet where all may have time after time to feel the result of the members are presumably equal, and where he would be entitled, if the necessity arose, to it, but I do not think it injures any man in the eyes of the country, although that may be in- even contest the will and wishes of the Premier. tended by the seavenging I refer to. I believe Mr. SEDDON. - You are misrepresenting the effect of the Elective Executive Bill will be what I said. Mr. G. W. RUSSELL .-- I have no desire to to weaken the debasing influences of parlia- misrepresent the honourable gentleman, and I mentary life, and to leave members of the am quite willing- House free to carry out their duties conscientiously ; also, that it would leave the Govern- ment of the day what it really should be - the pressing his claims, and that was his self- exact expression of the minds of the people. abnegation. Mr. G. W. RUSSELL .- The explanation is Nobody can deny that if you change the method of appointing your Ministry from being so remarkably lucid and clear that I shall not appointed by the Premier to being elected by endeavour to enlarge upon it. Now, Sir, my this House, you would have anything but time is drawing to a close. I should just like Mr. MCLACHLAN. --- A noted character. Mr. G. W. RUSSELL. - My honourable

<page>444</page>

an expression of the mind of the country. This House is a Liberal House, and, having been elected by the Liberal party of the colony, it would be utterly impossible for a Ministry which did not express the Liberal sentiments of the country to keep on these benches. It will be exactly the same whenever the elective Executive is brought into force. As I have said, I shall support the Bill, and in Committee I shall reserve to myself the right to vote as I please on the amendments that may be moved. Mr. NAPIER (Auckland City) .- The honour- able gentleman who has just sat down has treated us to a very strenuous speech against the Gi vernment under the cloak of supporting this Bill; and he tells us, and protests, like the character in Dickens, that it is all on account of his conscience and his patriotism. But. Sir, it may perchance be that " patriots are grown too shrewd to be sincere, and we too wise to trust them." I must congratulate the honour- able member who introduced this Bill on his very interesting speech, which I listened to with very great pleasure ; and, though I cannot sup- port the Bill as it is drawn, vet I sympathize with some of his arguments. I do not agree, however, that the time has arrived when it would be convenient or politic to allow the House of Representatives to elect the Ministry of the day. Personally. I should prefer that, while some system of election should be deter- mined upon, it should be election by the mem- bers of the predominant party for the time being. I think that, as the electors at a general election express their faith in or their dis- approval of a political party, so that political party, when it comes together at the beginning of a Parliament, ought to elect the members of the Administration. Such a method, I think, would preserve the homogeneous character of the Ministry, which is one of the attri- butes in a Government most to be desired. The honourable member for Waitaki, however, I think, prejudiced the chances of his Bill by his general and very vehement attack on the principle of party government. I understood from the honourable gentleman's former speech, which he was kind enough to give me a copy of, and also from what I gathered was his present opinion, that he believed the party system could be maintained in its entirety

under an elected Executive. But to-night he completely threw to the winds any such opinion, if he ever entertained it, and he unmistakably and uncompromisingly asserted that if this Bill were carried party government in New Zealand would be destroyed. Now, that being so, I shall be wholly unable even to vote for the second reading of the Bill by way of affirming its principle, because I hold that the instrument of party government has been one of the most potent in the hands of reformers in ameliorating the condition of humanity that the world has ever known. In proposing a great constitutional change, I think it would not be irrelevant if I were to quote the warning of Lord Bacon, who says, in speaking of the considerations that ought to guide one in introducing any large measure of constitutional reform,- " It were good that men in their innovations would follow the example of time itself, which, indeed, innovateth greatly, but quietly, and by degrees scarce to be perceived. It is good also not to try experiments in States except the necessity be urgent or the utility be evident ; and well to beware that it be the reformation that draweth on the change, and not the desire of change that pretendeth the reformation." Now, Sir, to-night the honourable gentleman who introduced the Bill did not advance any reason why this change should be introduced. He merely assumed that the case for a change was proved, and then he attempted to show that the change he proposed would be a salutary one. But I take it that perhaps it was his desire that the debate should not be prolonged. I contend that it was incumbent upon him to show, either by the experience of other States or by a priori arguments, that this was the best possible change to make in our system of government ; but I wire he did that it was equally incumbent upon him to show that great evils had arisen from the present system of party government. I maintain that the system of party government -that is, the division of the representative body into two parties, and only two parties - a division which our own experience and history alike prove to be calculated best to promote the welfare of the people. I will take an: country under parliamentary government, and a country you like where there has been a party government, and will maintain that the condition of that country and of its people is infinitely worse than that of Great Britain or this country under the party system. Take, for instance, in our own day, the French nation. Now, since 1871 there have been, I think, nearly or sixty Ministers in France. The Chamber is split up into little factions, small intriguing groups, and the result is that a Government is up to-day and down to-morrow. The consequence of that has been absolute paralysis in the body politic. There has been a sterility in legislation, an impotence in foreign affairs, until France has almost lost a second-rate Power. The average duration of a Ministry in France has been about five months -- some of them have only lasted a few days. and this has been the direct result of not having the Chamber of Deputies divided into two parties. so that there would be always one united party ready to take the reins of power when the other party failed to satisfy public opinion. Now, the principle of electing Ministers of State for a definite term is vicious. It has been demonstrated in America to be one of the greatest causes of corruption, and also of weakness or grossness, in political affairs. I have an American writer's opinion here, which I propose to read showing the extraordinary condition into which the American Cabinet drifts, owing to the fact that there is no cohesion, no solidarity. and that Ministers of diverse views are frequently placed in power. Mr. Woodrow Wilson, who has written a work on "Congressional Government," gives us a glimpse of the chaos that:

<page>445</page>

reigns in the Executive in America, and how free enough to have any independent policy of the Governments are rendered unfit to perform their proper functions by reason of the conditions of their own, are free enough to be very poor, conditions of their existence. He quotes a leading cause very unmanageable, servants. Once installed, their hold upon their offices does not rest from a New York newspaper to the depend upon the will of Congress." following effect : - "We have been told, upon what we deem good authority, that no such thing as a compulsory party system - and my honourable friend the member for Auckland City, Mr. Fowlds, suggests a unitary, deliberative Administration exists ; that the President's brave

willingness to we ought to prove this-I assume it, but I can take all responsibility has quite neutralised the prove it also if time will permit-has conferred idea of a joint responsibility ; and that orders of benefits upon the people of Great Britain which the highest importance are issued, and move- under the non-party system it were hopeless to ments commanded, which Cabinet officers learn expect, it is upon the people who desire the change that the onus is thrown of proving to us of as other people do, or, what is worse, which that it is desirable we should discard a perfectly the Cabinet officers disapprove and protest against. Each Cabinet officer, again, controls useful instrument of government, and one which has been tried and not found wanting. A re- his own department pretty much as he pleases, without consultation with the President or cent writer, speaking of the results of American with his coadjutors, and often in the face of legislative efforts, and illustrating the defective determinations which have been reached by the and incoherent character of much of the legis- lation of the American Parliament through the others." And he further says,- absence of a homogeneous body of leaders. says " It is this constant possibility of party diver- this :- sity between the Executive and Congress which so much complicates our system of party legislation agreed upon, there can be little government. The history of Administrations coherency about the debates. There is no one policy to be attacked or defended, but only a is not necessarily the history of parties. A strong party Administration by which the score or two of separate Bills. To attend to energy of the State is concentrated in the such discussions is uninteresting; to be in- hands of a single well-recognised political structed by them is impossible." organization, which is by reason of its power saddled with all responsibility, may sometimes used to-night that each member of the House would under the elective Executive be capable be possible, but it must often be impossible. We are thus shut out, in part, from real party of voting according to his individual opinion government such as we desire, and such as it upon each measure that was brought before is unquestionably desirable to set up in a the House, and consequently that greater per- political system such as ours." sonal independence would result, and members The honourable member said, in introducing would not be driven to vote for measures of the principles of which they disapproved, in defer- the Bill, and I think he was also supported by the honourable member for Riccarton, that ence to the exigencies of party, and that our there would be greater independence in Parlia- legislation would be better. That is what the ment if the proposed change were introduced. writer says, speaking of the American Legis- Now. Sir, the system of electing Executive offi- lature- a Legislature in which the Executive is cers for a fixed period has absolutely deprived appointed for a fixed term. the House of Representatives of the United States of all legitimate control over the public thing. The point I seek to make is this : that departments. There is less independent power in the individual representatives in the United the Executive is appointed for a fixed period, States than there is here. The authority I have and you propose by this Bill to elect the Execu- tive for a fixed period, and therefore 1 am seek- just quoted states upon this point. -- " At the same time, it is quite evident that the ing to show that under an Executive appointed means which Congress has of controlling the for a fixed period there is no greater independ- departments and of exercising the searching ence in the members of the Legislature than oversight at which it aims are limited and de- there is in our House, and that the results of Congress stands almost helplessly the labours of that Parliament are incomparably fective. outside of the departments. Even the special, inferior to the results we can show in this coun- irksome, ungracious investigations which it from try. With regard to personal independence in time to time institutes in its spasmodic en- an assemblage of eighty members, I think any deavours to dispel or confirm suspicions of mal- one who states that each member should be in feasance or of wanton corruption do not afford a position to assert his own independence on it more than a glimpse of the inside of a small every proposal cannot have reflected on the impossibility of accomplishing any political province of federal administration. Hostile or designing officials can always hold it at arm's reforms at all under such a state of things. From our own experience, even in the smallest length by dexterous evasions and

concealments. local bodies, we know that no reform can be It can violently disturb, but it cannot often fathom, the waters of the sea in which the accomplished unless the presiding officer of that body has a party of supporters who are bigger fish of the Civil Service swim and feed. determined to stick to him in a certain course Its drag-net stirs without cleansing the bottom. The Secretaries [of Statel, though not Now, Sir, I maintain that, seeing that the "Since there is little coherency about the That disposes of the argument that has been An Hon. MEMBER .- That is not elective. Mr. NAPIER .- It is practically the same

<page>446</page>

Elective Executive Bill. 446 of action. I do not care whether it is in New Zealand or outside, unless you get a certain number of men to act together you can achieve nothing. It has been well said by a distinguished politician of the last century-I refer to Edmund Burke -- that " a man who lives wholly detached from others must be an angel or a devil." I maintain that according to principle, and according to experience, which is always, I think, the best test, party government is the best in a free State. It has been defended by almost every writer of eminence on political ethics. There is scarcely a man in the front rank of British political scientists who has attacked the principle of party government. I take the leading writers of the present day or of a past age on political philosophy, and I do not think there is one in the front rank who attacks the principle of party government. There are a number of small-fry writers of minor importance who clamour for its abolition : but if you will inquire who these writers are you will find that in nearly every case the works of these minor writers are the works of men who are opposed to the party of the people, and in most cases the works are published by societies and organizations banded together to keep the power in the hands of the classes and take it out of the hands of the masses. Now, Sir, Edmund Burke, on the subject of political science, is probably head and shoulders above any authority of the present or past times. Edmund Burke says, - " Party divisions, whether on the whole operating for good or evil, are things inseparable from free government. This is a truth which, I believe, admits little dispute, having been established by the uniform experience of all ages." Now, that is the testimony of one of the deepest thinkers and most distinguished writers that has ever lived. If you take countries where no party government existed you will find disorder, insecurity of life and property, chaos. Take the case of Rome. Was it not the absence of strong political parties that largely contributed to the destruction of Rome? If you take any writer on the history of Rome you like - take Froude : read the Life of Caesar by Froude, or read any book on the political history of Rome - you will find that sectional jealousies and the intrigues of coteries brought about the fall of Roman liberty. Mr. W. H. Lecky, who is one of the greatest living English writers on politics, in his work on "Democracy and Liberty." speaking on the party system, says,- " In a Parliament divided into several groups its "Executive" strength is still further diminished. A coalition may at any time overthrow it. It depends upon the concurrence of many distinct groups, governed by different motives, aiming at different objects, representing different shades of political feeling. It is obliged to conciliate by separate bribes these different sections, or to discover some cry that may rally them, some active and aggressive policy that may secure their support, and to which they will subordinate their special [HOUSE.] Elective Executive Bill. [JULY 17 strongly organized parties these minor questions fall into their natural place: but in a Parliament broken into many fractions, each fraction can exercise a power utterly disproportionate to its numbers and to its real hold upon the country. One consequence of this disintegration of Parliament is a greatly increased probability that policies which the nation does not really wish for may be carried into effect. The process which the Americans call 'log-rolling' becomes very easy. One minority will agree to support the objects of another minority on condition of receiving in return a similar assistance, and a number of small minorities aiming at different objects, none of which is really desired by the majority of the nation, may attain their several ends by forming themselves into a political syndicate and mutually co-operating." The Bill, therefore, is one that I cannot support : but I think that some change in the existing system is necessary, and the change which I suggest, and which, I submit, is

in accordance with the theory of the Constitution. is that the predominant political party should elect the Ministry. At the beginning of each. Parliament there could be a meeting of the party in power, and the Ministry could be elected by the members of the party. Notwithstanding what the honourable member who introduced the Bill has said, I think it might be possible for one or more of the minority in opposition to get into the Ministry under his banner. That would destroy the solidarity of the Government. I maintain that, unless you have a united Government acting in concert on main lines of policy, it is not possible that you can have effective administration. The experience of other countries bears this out : but time will not permit my further referring to them to-night. Probably the introduction of the Bill and the discussion will have done good. I think that when Parliament is sitting, and the members are assembled in Wellington, the members of the party in power ought to be consulted about fresh appointments to the Ministry. That party having received the confidence of the people of the colony, it is its function to nominate the members of the Executive. And, no matter how capricious the judgment of the head of the party may be, and even though his choice of Ministers may be in accordance with the wishes of the party, I maintain there ought to be a pre-conventional meeting at the beginning of a new Parliament, and that Ministers ought to be elected by the members of the party. No new law is necessary for this purpose. The law does not recognise Liberals and Conservatives: therefore no legislation is necessary to place us in a legitimate constitutional position. - I am glad that the opportunity has occurred for this debate, and I am sorry that the honourable gentlemen opposite have not thought it to discuss the proposal. I hope that on some future occasion we may have a resolution introduced that would be quite sufficient. If it is desired that the question

<page>447</page>

Elective Executive Bill. [HOUSE.] 1901.] referendum it need not be in the form of , They have not supported it for three years and then opposed it, like the Minister for Public a Bill. The honourable member who has introduced this measure is a conscientious worker. If a division is taken to-night I think it will be found that the leading members of belief in his doctrine, and I think we ought to congratulate him on the effort he has made. the Opposition will maintain the same position that they took up in 1894. I could not help I have derived no little profit in listening to him, and I do not think the time of Parliament smiling when I heard the Premier endorse the statement of the member for Auckland City, Mr. has been wasted in discussing this important. Napier, that at the beginning of a Parliament constitutional proposal. Mr PIRANI (Palmerston). - I have heard the dominant party should elect the Executive. The honourable gentleman's position reminded over and over again the leader of the party of which the honourable member for Auckland me of the story of the person who went for a City. Mr. Napier, is such a distinguished ride on a tiger .-- member object to the citing of the opinions of leading political economists in this House on subjects that come before us, pointing out that in New Zealand we are leading the van in legislation, and making precedents of our own. and setting examples for older countries which they are only too proud to copy. Under fate would be. as in the old fable, that he these circumstances, I think it is just as well would come back inside, while there would still now and again to quote our own political be a smile on the face of the tiger. But I do economists in opposition to those who are quoted say it is a pity, and it is an instance of the from outside, and therefore the House will decadence of party government, that when a bear with me while I give them an extract from question like this is brought up year after recent opinions of a political economist whom. year by a consistent supporter of the Government. I think. the member for Auckland City holds in mind --- and if the member for Waitaki had not the highest esteem. Referring to party government brought it up I am sure no member of the Opposition as it existed in New Zealand no later position would have troubled to do so-the Pre- than last October, this gentleman wrote, that milder cannot refrain from sneering at what he " the first thing that struck him during his pretence is going on in the Opposition party in first few weeks in Parliament was that, according connection with it. Sir. what has

been going on in the ideas he had formed of parliamentary lately ? We have had the senior Government government, and according to what was laid Whip canvassing members of the Opposition down by constitutional writers, parliamentary against this measure. We have had Ministers sovereign did not exist in New Zealand." going to members of the Opposition party to That is an utterance from a speech made by get "pairs," and pairing supporters against the the member for Auckland, Mr. Napier, within measure who have never expressed an opinion the last six months, yet the honourable gentleman on the subject. They actually trapped me - man to-night has given us a long dissertation bers into " pairs," to show a better result when t , prove the existence of genuine parliamentary the division comes. Government in New Zealand. The only conclusion I can come to is that the personality of trapped. the Premier is so strong that he has thrown a glamour over even such a strong political economist as the member for Auckland City, members are easily trapped. Unfortunately Mr. Navier, who when he is within the sphere for the result of the vote, that is so. Sir, I of influence of the people of Auckland - who are say it is a highly improper thing that on a pretty well able to judge what is right and question like this-on a private member's what is wrong in these constitutional matters- Bill, that the Premier not many years ago said was not a party question -- the Government can express his real convictions ; yet when the honourable member for Auckland City comes Whips, who are paid by the Ministers out of within the strong personality of the Premier, their own purses, should be sent round so that then all his convictions on the abuse of con- Ministers' own positions may be made more constitutional government vanish, and he becomes secure in this House. Talk about prostituting a strong advocate of that which he formerly party government ! Would the gentleman whose opposed. But what has occurred this year on opinion I quoted just now on constitutional the part of the Government is only what I government as it exists in New Zealand say that that is a proper exercise of constitutional remember occurring in every Parliament since government? Would he say that that is a 1591 in connection with the elective Executive. Mr. SEDDON. I can go back to 1884. proper method of carrying out party government in New Zealand ? If it is not so, I think Mr. PIRANI .--- I cannot go back to 1884. but it is time for those members who know what is in 1894 the Premier pretended to believe that going on behind the scenes in regard to this there was a movement by the Opposition to measure to let a little light in on it. entrap the unwary members of the Government 1 party. As to the Opposition, I say, unfortun- the whipping in favour of the Bill ? ately, a few members have been consistent opponents of this measure, and they have not Elective Executive Bill. 447 There was an old lady of Riga Who went for a ride on a tiger ; They came back from the ride With the lady inside And a smile on the face of the tiger. -because if he went to a caucus to 11.30. elect a Ministry, I feel certain his An Hon. MEMBER. - They are so easily Mr. PIRANI. - Yes. unfortunately, some An Hon. MEMBER .- Why not tell us about Mr. PIRANI .- The subject has hardly ever

<page>448</page>

session. In fact, it was only to-night that I knew for the first time how certain members of the Opposition party were going to vote, and every member I spoke to said he would vote against the measure. It was only in consequence of what the Premier had said with regard to the votes cast by members of the Opposition in the past, that I asked them how they would vote. Sir, we know, so far as this measure is concerned, it has not a hope. We know that the Premier, by himself and by his agents, always lobbies against such a measure, because he is afraid that if it passes without being introduced by himself it will be looked on as a slap in the face for the Ministry. We know also that the Premier is himself going to introduce the measure if we only give him time. He opposed the Referendum Bill far more strongly than he has ever opposed this measure. He used stronger arguments against the Referendum Bill than he has ever used against the Elective Executive Bill. However, if we only give the honourable gentleman time he will come round on the measure. But, when he finds there is a majority in favour of it-and if the result of his active working is to prove there is a majority in the House in favour of it-he will get the

adjournment moved, and next session he will come up with it hot and strong himself. It is a good point in the Premier that he is always open to conviction when there is a majority against him. The member for Auckland City (Mr. Napier) also told us he was in favour of the Ministry being elected by the dominant party. I would like to know how he is going to designate the Government party. Is it to be a party of principle—that is, men who are elected to support certain measures—or is it going to be a personal party, a party elected to support one man and one Ministry? If it is going to be a personal party, how are you to get any change in the Ministry they are elected to support? If it is going to be a party of principle, how are you going to define it? For instance, are you going to take out of that party certain members of the Ministry who oppose the advanced legislation that is being supported by other members of the Ministry -- legislation, for instance, like the elective Executive? Are you going to tell the Minister for Public Works and the Native Minister that they do not belong to the Government party because they voted for this legislation that the Premier is against? Are you going to include Captain Russell in the dominant party because he is opposing with the Premier the elective Executive? The result will be, undoubtedly, that the dominant party would be a personal party, with the result that you would get a personal Ministry elected, for the very reason that they were supported by men who are included in that dominant party. And, Sir, I do not agree with those members who speak most strongly against the manner in which Ministers are selected at the present time. For instance, one member to-night spoke strongly against the selection of the Commissioner of Customs, Mr. Mills. There is a very good reason, and a reason not stated by the Premier, why he made that selection. Some honourable members will remember, a little over a year ago, at a banquet at Blenheim, I pointed out to the Ministry it was necessary in the interest of the Government that the next selection in filling a vacancy in the Ministry should be that of the present Commissioner of Customs. and I think the Premier, as he generally does, although he does not like to admit it, took my advice and made the selection. That is a startling instance: of the elective Executive, because he gave a member of the Opposition a voice in the selection of his Minister. I can quote other instances where the Premier does not consult his own party at all in making additions to the Ministry. An. Hon. MEMBER .- Did he send for you? Mr. PIRANI .-- Oh, no; the Premier reads the papers. And he does not consult his own party or the feelings of his own party, but goes outside of them and thinks far more of the opinions of his opponents than he does of his supporters. And, Sir, in that he is wise, because it is his opponents that can injure him. and not his supporters. With regard to this elective Executive, I say it would be to the advantage of the Ministry to have the system of the elective Executive, because, instead of having to grease the wheels of their supporters political conveyances by giving them money votes for their districts, and in one electorate represented by a supporter paying the whole cost of a bridge, or in another electorate represented by an opponent only paying one-third -- well, instead of that, and instead of having, as we were told by one of the Ministers plaintively, the back-stairs carpet worn out by supporters of the Ministry going up and down to get votes for their districts; instead of requiring the Premier to speak strongly against a particular supporter. and calling him Judas Iscariot and all that sort of thing for the purpose of kicking him back into line, in case he happened just to step over that line—the Government would be able to go on their course regardless of the personal feelings of any section of the House; and I am sure you would get better administration and have a more successful Government of the country. At present I know the Government, although they probably do not want to do so, have to manipulate all sorts of things for their supporters, making political appointments, patti; votes on the estimates, and sending telegrams of inquiry about the health of Tom, Dick, and Harry, because they know it means additional votes and additional kudos for the Minister. But if they were removed from that line... and they were considered solely as administrators and solely as men desirous of & tempting to pass into law measures they know the majority of the people want. the a Ministry would be more secure than the could possibly be at the present time. So far as the Opposition is concerned, I think: can truly be said that during the last

two years there has been nothing in the shape of an attempt to prevent the Ministry carrying legislation which is in the best interests of the

<page>449</page>

people. I do not wish to be egotistical, but we may be termed Liberals and Radicals, and that have only to go back to last year, and I guarantee that any number of members of the Government party would say that the Premier got no better assistance from any member of the House, even amongst his own party, in putting the Municipal Corporations Bill into shape than that which he got from myself, and especially after the Premier had put a slight on me, at the first sitting of the Committee, that would have been a sufficient justification for my abstaining from giving him any assistance at all. The Opposition during this Parliament have done their best to help the Government where they thought they were right, and even where they believed them to be wrong they have not obstructed them, but have merely voted against what they thought ought not to be carried into law. I say that that proves more than anything else that those who are on this side of the House have the best interests of the country at heart, and are desirous that Parliament should do the proper work of legislation, and that they should not hinder it from doing even what sometimes they think is going to be bad for the country because they were elected in opposition to the Premier himself. I think, under these circumstances, it is out of place it is not required - that the Premier should be continually attempting to keep his own supporters into line by casting slurs upon members of the Opposition party. I do not think that improves the tone of the House, or assists him in passing legislation, or helps him one bit. Mr. HOGG (Masterton). - I have during the past few years opposed this measure so frequently that it is hardly necessary to do so again. Owing to the persistency, however, of the honourable gentleman who is its author, it is, perhaps, desirable that instead of giving a silent vote I should briefly point out that it is a Bill of a decidedly pernicious character a Bill that should hardly emanate from a member belonging to the side of the House to which I am attached. So far from being a Radical or a Liberal Bill, it is entirely the opposite. If such a measure as this became the law of the country we would be going back to the "dark ages." The slightest consideration on the part of the honourable gentleman, who brings forward this Bill with the regularity of clockwork, only to be quietly buried every session, ought to convince him that, as a professing Liberal, the alterations he advocates should not receive his encouragement or support. Why, what does it aim at ? This Bill, I maintain, aims at nothing less than the destruction of representative government. That is the meaning of the Bill. Possibly certain members who are supporting the Bill, and whom I respect very much, are unable to see its character ; but that is its true character. Why, Sir, what may happen ? We are about to have a slight addition to the number of members of this House. We are going to have eighty members in the next Parliament. Now, what would possibly happen is this : Supposing-I am not going to say the Conservative party is likely to figure prominently -- but supposing the next House is composed of what the Radicals are in the majority, and out of these eighty members we have thirty Liberals and fifty Radicals. Are these Radicals going to be represented under this system ? Here is where the danger lies. The minority in the House may choose the Ministry of the day, and keep them in office for three years. An Hon. MEMBER .- NO. Mr. HOGG .- Members say " No," but I will prove it. We will assume that there are thirty Liberals who constitute the Opposition. Now, we have seen some of the Opposition-and they are not to be discredited for their conduct . session after session, going into the lobby in a solid body, voting for their side, and accentuating the pronounced principles of party government. If these thirty members, constituting the minority in Parliament, should put their heads together and say, " We will select certain members who have subscribed to our programme as Ministers of the Crown to conduct the business of the country," and they can manage by active canvassing to secure eleven out of the fifty Radicals, where are the Radicals then? The minority, small as it is, thirty votes out of a House of eighty, are able to determine the fate of the country, to decide what measures are to be brought forward, and to put the men they approve

of on the Treasury benches. You have thus on the Treasury benches the representatives of the minority, and that is what this Bill would achieve. Mr. G. W. RUSSELL .- Supposing the fifty Liberals got ten Radicals ? Mr. HOGG .- If they only got eleven Radicals by bribery, corruption, or any other means- and we know that when men are determined to achieve some great object they are not always careful about : he means they adopt-if they can only get eleven out of the eighty to go along with them, they would constitute a majority in the House and be able to put the Conservative party, or the Liberal party as we would then call them, on the Treasury benches. I think the subject requires no further argument than this to convince any person of ordinary reasoning power that if we adopt a Bill of this kind we are doing our utmost not merely to throw things back but to endanger the representation of the majority in the Cabinet of the country. What is the reason of this Bill? Can the honourable gentleman who has introduced it look back on the history of the last eleven years and, viewing the triumphs which have been won by this Ministry and the party supporting them, say he has no reason to be satisfied with the Government, or with the way in which the country has been represented in the House and on the Treasury benches? I am astonished that a member like the member for Waitaki, one of the most pronounced Liberals in this colony, one of the oldest members of this House, should, after all his long experience, fall into a trap of this kind and be led year after year to bring forward a Bill that the majority of this House very rightly do not approve of. I believe that no more calamitous thing could befall a Parliament or a country than to have a Bill of

<page>450</page>

this pernicious character passed into law. I do hope after what I have said that honourable members will look at the matter fairly and squarely, because if they do so they will see at once that this Bill ought never to be passed. If they only grasp its purport I feel sure that they will never agree to pass it. I trust that this debate will to-morrow open the eyes of the people to the character of some of the legislation which is being brought forward- An Hon. MEMBER. - Nothing you say will open them. Mr. HOGG .- I am satisfied that there is hardly a man in New Zealand who calls himself a true Liberal, and who carefully examines this Bill, who would for a moment support it. It is a Bill that does not deserve the support of any democratic community. Something was said by the honourable member for Riccarton about it being paraded at the last election. I never heard such a measure whispered about in my own constituency, nor do I think it received attention in any part of the North Island-at least, not in this part of it. I am satisfied that if the people are only consulted, and if the honourable member for Waitaki will only go back and consult his constituents, he will find the majority opposed to it. That is my impression. The elective Executive may be a very good thing to bring forward before debating societies and Trades and Labour Councils, because it affords them intellectual recreation. But I was very sorry to hear one honourable member refer to a political association in Wellington in the terms in which he did. Sir, I think political associations have no right to be grossly insulted, and members of these associations have no right to be referred to as hangers-on of the Ministry. I do not believe they are. They are possibly quite as independent as the honourable member who used those terms. The name is a very fascinating one - Elective Executive - it sounds very well, but it is totally misleading. While this proposed alteration of the Constitution may be a very good subject of debate for some of our debating societies, I consider it one of those measures that will not bear investigation, and to introduce it in a free country like this, where we have well-advanced representative institutions-institutions that can hardly be improved on-session after session as the honourable member is doing, seeing that its pernicious character should be perfectly apparent to every one who will only properly examine it, is, to say the least, conduct to be condemned. Mr. R. MCKENZIE (Motueka) .- I do not propose to go deeply into ancient history on this measure. For instance, I do not intend to vote for it, nor yet to give the House quotations from Gibbon's "History of the Rise and Fall of the Roman Empire," "The Life of Cæsar," nor am I going to quote Edmund Burke or

Herbert Spencer. However, like the honourable member for Palmerston, it will be necessary for me to quote some of our own leading authorities. I may mention, before starting, that since I have been in this House every speech that I have heard in connection with the Bill, from the honourable member who introduced it onwards, has been pretty well composed of quotations from very ancient history-indeed, this measure has been invariably murdered with liberal quotations from ancient history. Now, Sir, we had a very good Liberal in this House at one time-I believe that honourable members on both sides of the House will agree that the authority I am now going to quote is worth listening to-and this is what he says on this question : - " You are all aware that we have what is termed representative government. We have a Parliament that is called upon to administer our affairs, and wherever there is a Parliament elected for such a purpose party government is essential. If you do not have party government you descend into mere cliquism, and nothing but log-rolling and jobs. But if you have strict party lines, if you have one party with some defined principle, and another party with some defined principle, then you can hope to have really good government, each fighting for what they believe to be best. No one can say, for example, that the one party is all right and the other party all wrong. You must give credit to the people in different parties for having good intentions, and for doing what they believe to be best for the colony. But, though we give them credit for that, we have a right to examine their creed to find out what their principles are, and to vote according as we find them. And I say that if a man go into any House of Parliament to vote alone and stand alone, and to be drifted about on every motion, first on this side and then on that side, he can do no credit to himself and no credit to any constituency that elects him." I hope, Sir, the honourable member for Palmerston and the honourable member for Riccarton will let those words ring in their ears.

An Hon. MEMBER .- Who is the authority ? Mr R. MCKENZIE .- He is a very important and substantial authority-the present Chief Justice of the colony. But, Sir, on this very question I will quote the honourable member for Riccarton, no later than August, 1899, and every one in the House will admit that he is a great authority on this question. He commenced his speech this evening with this sentence : "The most striking feature of the speeches of the Premier and Minister for Railways was their utter inconsistency." Well, now, Sir, we always recognise that the honourable member for Riccarton is the very essence of consistency. when addressing the electors of Riccarton -- Mr. G. W. RUSSELL .- I was in the House last August. Mr. R. MCKENZIE .- I should have said before the last general election ; and in this connection I would point out that the honourable member is something like the proverbial Irishman, for in this House he is always against the Government ; but as soon as he is out of the House and is going to contest an election he is always a staunch Liberal, and a consistent supporter of the Liberal party. He generally

<page>451</page>

manages to find his way into the House on the shoulders of the Liberal party. This is what he said before the last general election in connection with the elective Executive :- " He deprecated personalities and bitterness introduced into politics. The elective Executive, however, was opposed by leaders of both parties, and he did not think it had yet come within the region of practical politics. The rate of progress made under a purely Liberal Administration would not be possible under a composite Administration." Well, has it come within the region of practical politics during the last twelve months, or since the last general election ? This is what was the honourable gentleman's opinion on party government then : -- "The ' left wing ' at the time of its formation was a wing of the Government, and in 1894, 1895, and 1896 had prepared the way for the Old-age Pensions Bill. But-he said it to their shame-the 'left wing' had since practically joined the Conservatives in opposing every measure brought forward by the Government. He could not possibly ally himself to the ' left wing.' The Government party was not without fault, but when such questions as poverty and higher education had to be faced he would go with the party that would take up reforms, and if returned, he would vote with Mr. Seddon and the Liberal Government. (Applause.)

There were only two lobbies-the Conservative and the Liberal. There was no independent lobby where a vote of neither 'Aye' nor 'No' must be returned." Which lobby is he going into to-night? The honourable gentleman objected to the Premier's idea that this measure was now introduced to force the reconstruction of the Ministry. In my opinion this Bill has been brought forward for some years for the purpose of forcing the reconstruction of the Ministry. Before the last general election the honourable member for Riccarton had an idea that he was going to be in the Ministry if he worked his way into the House, and this is what he said about the reconstruction of the Ministry at that time :- " As Cabinet reconstruction was imminent it was all the more necessary that staunch and able Liberals should be returned. Re- garding scandals, he said that the Bushy Park, the Marine, and other scandals, were ground- less, and had failed to soil the character of Ministers." We always recognise that the honourable gentleman has got ability, but he is not always reliable ; his consistency is not to be relied on in the House. He makes a good Liberal outside the House-far better than in the House. There is no doubt in my mind that this Bill is brought forward annually to try to force a reconstruction of the Ministry. The Liberal party as a whole do not want it. The colony has made great progress under party govern- ment, and I feel confident the electors do not want the Bill at all. He wanted to make out now that the electors of the colony had 12.0. election ; but at the time of the election he did not think it was within the region of practical politics. Sir, I have never thought either before or since I came into this House that it was within the region of practical politics, nor do I think it is ever likely to become so in the history of this colony. In fact, I believe the electors are quite satisfied with party govern- ment as they now have it. There seems to be some parliamentary fatality in connection with this measure, because almost every member who has previously spoken in support of it lost his seat at the following election. Major STEWARD .- No. Mr. R. MCKENZIE .- I can prove that to be an absolute fact. If honourable members will look at the division list of 1896 on this same question they will go into the lobby against this proposal of the honourable member for Waitaki, if they have any belief in fatality at all. I do not mind placing on record a few of the names of those members who voted for this measure and who have since lost their seats. They were Messrs. Buddo, Buick, Earnshaw, Green, J. W. Kelly, O'Regan, G. W. Russell, Saunders, G. J. Smith, Button, and McNab-more than half the members who voted for it in 1896, and if you follow it up you will observe it has invariably produced a similar result ; consequently I think members must come to the conclusion that the electors do not want this system at all. I do not know whether members are aware that there has been a caucus meeting of the honour- able members on the other side during the last week. An Hon. MEMBER .- There is no truth in it. Mr. R. MCKENZIE .- Well, all I can say is that when I was travelling up from Dunedin last week I saw in the Otago Daily Times and the Dunedin Star, and when I came up the line I saw in the Canterbury Press, that there had been a caucus of the Opposition party, and that it was kept strictly private. Sir, it is quite clear to me that that meeting was held in connection with this measure, and the object was to catch the unwary on this side of the House. But the most remarkable thing was that when I got back to Wellington nobody knew anything about it, showing that those honourable gentlemen who attended knew how to keep the matter secret. To my mind, the conspiracy of silence which existed before the supper adjournment, and which has been broken since, was about the most effective idea of bringing on a no-confidence motion I have ever seen since I have been in this House ; the manner in which it was done was very likely indeed to get votes on the sly. However, it will not come off on this occasion. I am quite sure the honourable member for Waitaki, who has brought the measure forward, never in- tended anything of the kind, but it was done behind his back and without his knowledge. No doubt honourable members will have seen through this "slim " party move by this time. Certainly we must be thankful we have a pro- fessor of constitutional law in this House. He explained the main objects of this Bill very

speech from the Minister for Railways, which made matters still more clear, and by the time the Premier had finished I think he had pretty well killed the Bill. Therefore, I do not think it is necessary for me to detain the House any longer, further than to say that honourable members, especially the honourable member for Riccarton, who was returned to this House on the shoulders of the Liberal party, is supporting a measure which, if the second reading is carried, will turn the Ministry off those benches. In fact, there is no other constitutional course open to them. If this measure is put on the statute-book it will be almost an impossibility to get any one with any self-respect at all to sit on those benches. What would be the result ? There would be several small parties in this House, and each one would want a friend as a Minister ; and then two or three would combine together, and they could hold the Treasury benches for ever, and at the same time, so far as representing the opinions of the people of the colony is concerned, they would represent a great many less than the number mentioned by the honourable member for Masterton. Of course, as was stated by Sir Robert Stout, there would be log-rolling and jobbery going on all the time under such a system, and I am quite sure the electors of this colony do not want that.

An Hon. MEMBER. Try them. Mr. R. MCKENZIE .- I am quite willing to try them. You can always trust the people. Unfortunately, there are people who are sent to this House that you cannot trust ; and, in fact, they cannot trust themselves. That is the position of certain members in connection with this measure. If they had it on the statute-book to-morrow, before a couple of years had passed they would find they had made a mistake, and would want it repealed.

An Hon. MEMBER .- Put it to the referendum. Mr. R. MCKENZIE .- This is one of the questions I do not think should be put to the referendum hurriedly. This is one of the matters on which the electors of the colony require a great deal of education. When members of this House do not understand it, how can you expect the general run of the community to understand it ? Then, Sir, we have the same old story of Switzerland dragged in. Surely the sense of a British community and the traditions of their country are sufficient for them to work a Constitution from, without going to ill-governed Switzerland ? What, after all, is Switzerland when you inquire into it ? It is a small buffer State between four of the military camps of Europe; it has been necessary for them to support and maintain it to keep themselves apart and to regulate the balance of power, otherwise Switzerland would not be there at all. If you look at its progress and its prosperity, what is it ? that it had a population of three millions, but we know that it is at least two thousand years old ; so that by the time New Zealand is probably another hundred years old we shall have five or six million people, and there is therefore no comparison between it and Switzerland. Take the wages that are paid to the working-classes and compare them with the wages paid in this colony. Do you think it is right and proper that the representatives of the working-men of this colony should adopt a system of government like they have in Switzerland? It would be an outrage on the intelligence of the people of the colony. I am quite convinced that this Parliament is not going to pass this measure, and that the electors of the colony, if it were referred to them to-morrow, would not accept it. Consequently I do not think it is necessary for me to detain the House any longer.

Mr. COLLINS (Christchurch City) .- I think, Sir, the honourable gentleman who has just sat down, perhaps unintentionally, did an injustice to the mover of this Bill in saying that his object in bringing forward this measure was to bring about a disruption of the present Ministry.

Mr. R. MCKENZIE .- I said distinctly that it was not. I said that would be the effect of it.

Mr. COLLINS .- I do not think that would be the effect of the Bill; and that such is not the intent of the Bill is clearly shown by the fact that a Bill of a similar character was brought in in 1891, when the Ballance Ministry was in power. Now, if members of the House just cast their minds back to the time of the Ballance Ministry, and remember the personnel of that Ministry, I am sure that every member of the House will agree with me when I say that it is impossible to think that the original mover of this Bill had any such intention in his mind as bringing about a disruption of that Ministry.

Furthermore, this Bill has been brought forward session after session in 1894, 1895, and 1896-and at that time the Ministry occupying the benches was

just as strong a Ministry as the Liberal party could desire to see sitting there, and there could be no desire to bring about a disruption of that Ministry. We may give the mover of the Bill credit - he being a staunch supporter of the party-for having brought forward this Bill on the ground of principle, and on the ground of principle only. I concede this to the honourable gentleman. that although I agree with him in principle. yet I differ from him with regard to every detail of the Bill. I wish to say at once that I take up a somewhat similar position to that taken up by the member for Auckland City (Mr. Napier), who declared in the concluding words of his speech that he was in favour of the principle underlying the Bill. So do I: but from that point I part company with the honourable gentleman, for the whole of his speech was a tirade against the principle of the Bill itself - with which principle he said he agreed. I agree with the principle of the Bill, and I will tell the House why I do so. It is not for the purpose of disturbing the gentlemen occupying the Treasury benches, for I have said outside the House, and I say it within the House, that I neither ask for nor want any stronger leader than the honourable gentleman who is at the

<page>453</page>

head of the Government. I neither desire nor wish for a more energetic or more capable leader than the Premier ; but I am sure other members must feel - as I have oftentimes felt -that the position of a member who desires to be loyal to his party, whatever it may be outside the House, is within the House that of a mere parliamentary cypher-he has absolutely no personal power within Parliament. It is altogether impossible for a representative of the people to feel that dignity attach to the position which he knows should attach to it. I do not say that this Bill will remove all the evils under which we at present suffer, but I think, at any rate, that the party in power ought at least to have some control over the appointment of the gentlemen who occupy the Treasury benches. An Hon.

MEMBER .- So they have. Mr. COLLINS. - The honourable member says, " So they have." Let him try to exercise that control. Let him even refuse to give implicit obedience to the party in power, and he will find that he can only do so by making his own position extremely unpleasant. A member has no right to be put in that position. Every representative is sent here to do his best in the interest of the people he represents and of the people of the colony as a whole, and I think he ought to be able to do that to the highest and the very best of his ability. Sir, it appears to me he will be free to do that if the principle underlying this Bill is given effect to. Now, Sir, I have listened very carefully-for I wanted to grasp any arguments of a forcible character that might be adduced against this Bill-and I have listened to every speech with a great deal of interest, but I must confess that up to the present time I have failed to discover a single valid argument against the principle underlying the Bill. Sir, we have been told of the splendid achievements of the Liberal party. Every member of the House is just as proud of those achievements as I am. We all recognise what, brilliant things have been achieved under the rule of the Liberal party. Sir, I do not believe it to be either desirable or possible to do away with legislation by party government, and I am sorry that some members, in advocating the claims of this Bill, both in the House and on the public platform, have apparently let it go forth that the object of the Bill is to destroy party government. You can never destroy party government. There will always be those who support the policy of the predominant party and those who oppose it. But when we are told of the brilliant achievements that have resulted from party government in the past, I would remind honourable gentlemen that a party which relies for its prestige on what it has done, and what it has done only, is in a very dangerous position. If we are to rely simply for our popularity on what the Liberal party has achieved in the past, we are in a very precarious position. It is not what the Liberal party has done, but what the Liberal party is doing and is prepared to do in the future, which will measure the amount of I have listened attentively to discover some potent point of argument against the Bill. The honourable member for Wellington City (Mr. Fisher) told us the proposal came from Switzerland, and, quite dramatically, he brought the map with him and opened it out before the House, and said that in looking at the Continent of Europe he had

actually failed to discern the existence of that diminutive country on the map. Sir, that may be so, and it may be a very easy way of turning the laugh against the principle which may be in force in that country. Sir, not only the honourable member but other honourable members have reminded us of the Swiss characteristics. It is a small country-a small country with a very mixed population. We have been told that French is spoken in the Swiss Parliament, and that German and Italian are also spoken there. Sir, that is simply indicative of the mixed character of the population -a population of a country which, as has been truly said, acts as a buffer between a number of armed camps. But, Sir, every reader of recent history, every student of political science, knows full well of the marvellous achievements that have resulted amongst that heterogeneous community. Every one knows how, so far as the establishment of permanent peace and the maintenance of prosperity are concerned, that country has outdone and outshone every one of the larger countries that surround it. Sir, if it has done this there is surely no reason why we should despise some of the proposals and principles adopted there. I venture to say that incongruous and heterogeneous as the elements are of which Switzerland is composed, they have learned in that country under the rules by which they are governed to live side by side in peace, and to maintain a general prosperity which no country by which it is surrounded can anything like parallel. I do not say that is a reason why you should adopt their constitutional methods, and I have not asked, nor do I expect, that we could put them into force. I do not think it would be a good thing with our homogeneous population-a people with one language and one sentiment, one desire and ambition-I do not think it would be a good thing for us to attempt to model our Constitution on the lines of the Swiss. But I do think it would be a good thing that a strong Liberal party, with strong Liberal leaders, should endeavour to remove some of the defects which are militating against the success of that party and the best interests of good government. Now, the Minister for Railways (Sir Joseph Ward), in the course of his address, told us that this system would mean the introduction of intrigues of the very worst character. I am not prepared to go so far as that. I do not think it would mean anything of the kind; and, at any rate, it would be a wise party while the party is so strong to give an innovation of this kind a trial and see what it would lead to. Do you mean to tell me that because a great party itself is to have some control over the executive officers that it must necessarily mean the introduction of intrigues of the very worst

<page>454</page>

character? I do not believe it for a single moment. He asked us, "Could we have got during the last ten years such great reforms as we have achieved?" and he instanced the land-settlement policy. Now, what on earth difference would it have made? I undertake to say that had the elective Executive been in force the Minister of Lands under that system would have been the Hon. John McKenzie. The best man for the position would have been placed there. I am quite convinced that the Premier would have occupied the seat he does now, and so also would the Minister for Railways; but there would be at least the satisfaction that they occupied their positions by the will and consent of the party, and, that being so, they would have the unswerving loyalty of the members of the House whom they really represented. The Premier suggested that this was a very grave and serious constitutional change. I admit it is a grave and serious constitutional change, but I will undertake to say the position into which members of the House are driven demands this great and constitutional change. I would ask members not to treat lightly this serious and grave change that is proposed. I can assure honourable gentlemen I shall not attempt that change merely for the sake of change, and the remarks I am now making I make with no light-hearted spirit of caprice, but because I believe something of the kind is absolutely essential to maintain the Liberal party on these Liberal lines of reform for which it has been intrusted with the power it possesses; and it is to maintain the stability and solidity of that party in the interests of the country itself that I speak as I am now doing. We were told that at the last general election the country decided upon the party which was to represent the country and exercise the functions of government. So it did. But the introduction of this Bill,

and the adoption of this principle, will in no wise affect the decision of the electors at the ballot-box. In what way would it? The real principle of the Bill would not abolish parties in this House. It would simply place the pre-dominant party in power to do work that is not possible under present circumstances, and would place the representatives of the people in that position which they have a right to occupy in this House. I do not know that there is any need for me to say more. remember on one occasion I opposed this Bill for a similar reason to that for which I am disposed to oppose it to-night. To my mind every detail of the Bill requires alteration. could not be a party to the election of a Premier for twelve months only. It would be a preposterous thing. I do not think that twenty-five members should have the right to petition for the removal of members from the Cabinet. I think these matters require considerable modification, but I think members professing Liberal principles should accede to the principle underlying this Bill. I do not advocate, as the honourable member for Auckland City (Mr. Napier) did, that we should accept the principle and vote against the Bill. I accede to the principle, and if the Bill gets into Committee I shall endeavour to amend it in the direction I suggest; and if it is not carried in that form I should, on the third reading, be disposed to vote against it rather than that it should go on the statute-book with the many blemishes I now see in it. Mr. NAPIER (Auckland City). I desire to make a personal explanation. The honourable member for Christchurch City (Mr. Collins). who has just sat down, unwittingly misrepresented me. He stated that I admitted that I was in favour of the principle of this Bill, and that notwithstanding that admission the whole of my argument was directed against the principle of the Bill. What I said in my speech was that I was in favour of the principle of Ministers being elected by the members of the predominant party for the time being. Mr. E. G. ALLEN (Waikouaiti). - I should like to say a few words on this Bill. I cannot understand the Hon. Major Steward, who has been a staunch supporter of the Liberal party and a strong party-man for the last five-and-twenty years, bringing forward a measure having for its object the defeat of party government. Whatever the honourable gentleman's mental, political feelings have been all these long years he never declared himself to be an independent in politics, and I think if he had he would not have retained the confidence of his constituents so long as he has done. There is no doubt the honourable gentleman is an excellent representative, and that he enjoys the confidence and esteem of his constituents because he has exercised for so long his grat ability on strong party lines. He is a man who can be trusted. Sir, I believe the honourable gentleman is actuated with the very pure motives, and with the best desire to improve the condition of politics in this country. But what has he offered us in exchange, what has he to give us as a substitute? He desires to substitute a system of Government that is beset with insuperable difficulties, and I believe, if the Bill was given effect to, it would plunge this country into great dangers. Sir, I have read the honourable gentleman's speech on the second reading of his Bill in 1896. A very excellent speech it was, and he finished a most eloquent peroration with these words: "I hear at the very door of this House the feet of them that shall bear it [party government] forth to its burial, unworthy, unhonoured, and unsung." Sir, the footfalls of the undertakers that were to bury party government have now become silent. We have had five more years of progressive legislation in this country, and that has increased the vitality of party government. Sir, in 1896 the second reading of the Elective Executive Bill was carried by the casting-vote of yourself. After that, a general election took place, the Bill was reintroduced into Parliament, and second reading was lost by fourteen votes. I take that in a great measure to express the feeling of the country that this measure was not required. There might have been a 12.30. time when a change might have been desirable. In the old Conservative days might have been the case, but since the advent

<page>455</page>

of the Liberal party the country has prospered, and the people have prospered, and are now perfectly satisfied with the present system of government. There may be defects in the nominative Executive system, but these defects are only slight compared with the evils and dangers that would follow the

abolition of party govern- ment. Let me quote a few lines from the "Cyclopedia of Political Science," by J. J. Lalor :-- " The most gifted and freest nations, politi- cally, are precisely those that have the most sharply defined parties, for the most important phenomena in the life of a State are conditioned by party struggles. It is only through the struggles and interaction of opposing forces that all the hidden wealth of a people's power is made clearly manifest. This proves the necessity and utility of the formation of parties. Parties are not an evil to the State, as many narrow and over-anxious minds are inclined to think. It reflects no glory on a statesman to stand aloof from his party, and it is no com- mendable virtue in the citizen of a State to belong to no party. For parties are, in the very nature of the case, the necessary manifesta- tions of the innermost impulses of the heart of the nation." Again, we find Lowell on "European Go- vernment." saying,- " A division into two parties is not only the normal result of the parliamentary system but also an essential condition of its success : with- out it parliamentary government would become an impossibility." The elective Executive method would lead to the formation of parties, as has been very clearly pointed out by another speaker this evening. It would cause confusion, and I believe the public business would be neglected to a very great extent by reason of the petty quarrels which would ensue through the establishment of the various coteries in this House. I think it would open the door for log-rolling, bribery, and corruption, perhaps in its worst form. Under the Bill Ministers would be really re- duced to the condition of political puppets in the hands of the House. They would cease to be responsible to the country for their actions. Just imagine the chaos that would result from a Cabinet Minister conducting his own depart- We ment without consulting his colleagues. may have, say, the Minister for Public Works deciding to carry on a progessive public works policy. The Commissioner of Customs might decide to make considerable reductions in the tariff in the interests of the people by reducing the duties on the necessaries of life-a very popular thing to do. The Minister of Lands might intend to devote large sums of money towards the construction of roads and bridges, but the Colonial Treasurer says, "No, there is no money for you." Well, what would be the result ? We should have the Ministers op- posing each other in the Cabinet and on the floor of this House. Mr. ELL .- Do they not do it now ? Mr. E. G. ALLEN .- I hope not. They ought not to do it. Under the conditions proposed in this Bill the Minister who opposed concessions to the people would in all probability be im- peached, and have to stand his trial on the floor of this House at the hands of his brother members and probably be dismissed from office, and not only that, but practically dis- graced, because to any one dismissed from office it certainly would be a disgrace. And what would happen ? His place would be filled by a more pliant man. Sir, what would bo the position of a member who voted for a Minister who did not give satis- faction to that member's district ? Well, he would find that at the next general election he would not be re-elected, because he voted to put a Minister on the Treasury benches who did not give satisfaction to his district. We know that Ministers cannot satisfy everybody. Diversity of opinion amongst Ministers would lead to strife amongst themselves, and neglect of the country's welfare. Where two compact parties exist, each watching the actions of the other, the people's rights are safeguarded, Now, what does Mr. Sydney E. Williams say on that ques- tion ? He says,- " It may be said that the advanced views of one side are necessary in order to overcome the backward views of the other, and, vice versa, that the immobility of one section is necessary in order to check the restlessness of the other ; and to a certain extent this is true. It is a natural law, which makes the opposite weak- nesses of human nature neutralise one an other." Then, Mr. Disraeli-and no one will doubt his authority-says,- " You can have no parliamentary govern- ment if you have no party government, and therefore when gentlemen denounce party go- vernment they strike at that scheme of govern- ment that has made this country great." Sir, this Bill aims at destroying the system of party government, and the system under which the country has prospered, and not only this country, but under which the country to which we belong has also grown great. Sir, it is a system that makes political corruption next door to impossible, and under which all the great reforms have been effected. It is a sys-

tem that makes the Government responsible to the country for their actions, and enables the party in opposition to criticize the action of the party in power and to expose anything they conceive to be wrong. It is a system that enables a strong and wise man to exercise his strength and wisdom for the welfare of the country. Carlyle, in speaking of that, says, - "The functions of good government does not lie in the capabilities of Parliament, but in one noble man, at once of natural wisdom and practical experience. What might not one such man effect ? " Well, I would not go so far as Mr. Carlyle in that respect, but I do say that the incentive to devote both energies and abilities to the common good of all would be considerably weakened if he held office at the mere caprice of members of this House. It is absurd that a man like the Premier-a man who possesses the confidence of -

<page>456</page>

the whole country-should be subjected to the indignity of being elected annually by his own colleagues. What could be more humiliating than electing Ministers like a School Committee or any administrative public body ? Not only that, but there is the chance of every Minister being turned out of office every session of Parliament, and turned out without reference to the country. Of course the country has that power ; but it would be absurd for members to have the power to turn out the Ministry one by one, as could be done every session under this Bill, and at the same time the Ministers may possess the confidence of the country. Under this system there would be no policy to put before the country at the general election. An Hon. MEMBER .- Why not ? Mr. E. G. ALLEN .- How could there be a policy when the personnel of the Government for the next Parliament would be unknown ? They would have no measures prepared for the consideration of the House; there would be no object in doing so. There would be no policy foreshadowed in the Governor's speech, and the term " Responsible Advisers" would have no meaning at all. The House should pause before supporting such a great constitutional innovation as proposed in the Bill. If we want to . preserve the purity of Parliament we must adhere to party government. Who will say that political corruption was not more rampant before government by party was practised than it has been since? That, I think is generally conceded. Party government, I should like to explain, focusses public opinion ; it places Ministers in a clear and defined light before the country ; it also enables Ministers to show an open front and place direct issues before Parliament. Party government may have its minor evils, but " Let us suffer the ills we have rather than fly to those we know not of." It has been said party warfare insures eternal vigilance. If this be so, let us by all means be vigilant in conserving the people's rights, and reject this Bill. It is full of dangers, and would, if adopted, bring reproach on the Parliament of New Zealand. Mr. ELL (Christchurch City) .- The Premier has stated that there is no need to make any change in the present system of government. would call attention to his opinion of our present system of government, and the evils attending it, in a speech he made in 1887 on the Representation Bill. He said :- " I do so simply as a protest. I do not think I shall be able to carry the amendment. " An Hon. MEMBER .- Why not ? "Mr. SEDDON .- Because there is a subservient majority following the honourable gentleman at the head of the Government rightly or wrongly; and, it matters not what the question may be, the honourable gentleman will tell them that if they carry an amendment it will mean that he will have to retire ; and, under that threat held over them night after night and day after day, we find honourable members going into the lobby and passing measures against which they have conscientious convictions." An Hon. MEMBER .- Who said that ? Mr. ELL .- The Premier stated that. And that is the evil we should be able to get rid of under the proposal which is now before the House. Unworthy motives have been imputed by the Premier, and by other honourable members who have spoken against the measure, towards those who have brought this forward and who strongly support it. Sir, I am one of those who strongly believe that the honourable member for Waitaki is absolutely sincere in regard to this question, and I know there are a number of other members who are supporting the measure from their honest convictions. I may say I have supported this consistently and actively since

1892, because I believe it would rid our system of government of many of the evils attendant on that system. I never have said it would get rid of party government. You cannot do that. But it would get rid of the evils connected with the system, and that is why I, for one, support it. Sir, I think it was in 1895 that the Right Hon. the Premier called a caucus of his party, and made it perfectly clear that unless they were prepared to give more general support to the policy measures of the Government he might have to consider his position. Now, what did that admission involve? That under our system of government, unless he was able to carry his policy measures, according to musty-fusty precedent he must resign his position. Why should the position of any one Minister on those benches, or the whole of them, be involved because they are unable to carry legislative proposals which are introduced in this Chamber? It is assumed that they are elected there because they are capable and clever administrators, not because they are able to carry their legislative proposals. That should have nothing to do with it. We have had a suggestion from the honourable member for Port Chalmers that if we get rid of our system of party government, - if we even make the simple change that instead of the Prime Minister calling to himself anybody he thinks fit we should give the power of election directly into the hands of the people through their representatives, - we are going to abolish all progress so far as legislation in this country is concerned. I say it is utter nonsense to talk in that way. Switzerland has had the system, and yet Switzerland has made very remarkable progress indeed. Her people are better off than they were many years ago. They have many laws. They have some laws, no doubt, that we do not approve of; but we have laws also which they from their convictions perhaps do not approve of. But this question must be judged from the standpoint of the national character of the people. The national aspirations of the people of Switzerland are not the same as our aspirations. They are differently constituted: and according to the character of the people so we follow their legislation, and their aims and objects in every matter. The Hon. Sir Joseph Ward, speaking in Southland in 1899, made use of this statement: "Some of the Government opponents had been urging that the whole system of government should be changed." Is

<page>457</page>

the Hon. Major Steward an opponent of the Government? Sir, he has never been an opponent of the Government. This statement has been deliberately made to throw dust in the eyes of the people. It has been made over and over again, deliberately, and those who have made it know perfectly well there is not an atom of truth in it. The Conservative Press of the colony have all along fought tooth and nail against this change. The Hon. Captain Russell, until recently the leader of the Opposition, has fought persistently and consistently against this measure. Mr. E. G. ALLEN.- The Dunedin papers have supported it. Mr. ELL.- The Dunedin Star and the Lyttelton Times have supported it, but the Christchurch Press is against it and has been against it for a number of years, and so have the leaders of the Conservative party in this country. continue Sir Joseph Ward's speech, - "The only country that had adopted that system was Switzerland, a country which no one desired to emulate. How many people had even heard of Switzerland having done a single thing to bring it into prominence?" And yet we know that there has been more attention paid by writers on social and economic questions to that little country than to any other country in the world. It is regarded as one of the most remarkable countries, and it has afforded the world many good examples as far as labour and social legislation is concerned. Then, mark this in the speech of Sir Joseph Ward: "One might have occasionally to vote against a thing one did not like." It is to get rid of this, of members being constrained to vote for things that they do not believe in, that we want to change the system. The Premier recognised it in 1897, and in 1899 Sir Joseph Ward recognised it, and stated that there were evils in our present system. Now, an honourable member in another place, who has always been regarded as a strong, and staid, and faithful supporter and follower of the Government, made this statement in that Chamber: - "Let not the Government come down to us and say, 'You must accept the Hon. Mr. Smith, or the Hon. Mr. Anybody else who wishes to occupy the position, as has been

done in another place under a system of party government.' That, I think, has too many imperfections about it to warrant us in copying it." Those are the opinions of the Hon. George Jones in the Legislative Council, and there has been no more consistent supporter of the Liberal Government in New Zealand than the Hon. Mr. Jones's paper. And yet they say that this proposal emanated from the enemies of the Government on those benches. A conspiracy of silence ? No, Sir, there is no conspiracy of silence at all. We have not had an opportunity to speak. The opponents of the measure were so ready to rush at the vile thing, and so pent up were their feelings. Evidently they have been working at high pressure against the Bill for several days, and every effort has been made to defeat it. The efforts made indicate that they are in their death struggle so far as this measure is concerned. Why all this whipping ? Because they see themselves that we are within measurable distance of getting what we have been wanting for years and years. How is it that this question is not to be referred to the people? Because they know perfectly well-those who are against it-that after the years and years it has been before the country in every electorate, and written upon by correspondents in every paper in the colony, and spoken on upon every platform, that the people are ripe for the question to be submitted to them. It has been stated that honourable gentlemen who are opposed to it are not prepared to submit it to the referendum-that they are not prepared to let the people express their opinion upon it. Mr. SEDDON .- That is not in the Bill. Mr. ELL. - But the Premier has been assured by the honourable member in charge of the Bill that he has an amendment on a Supplementary Order Paper providing for that. Then, with regard to the autocracy of the Premier : under the present system of government every Premier must be an autocrat ; it is inherent in the system. The honourable member for Waitaki has no personal feeling in bringing forward this measure - the Premier must be assured of that fact. The member for Waitaki simply desires to get rid of the evils of It has been said that the present system. unity of the Cabinet is necessary in order to carry on legislation. Why, only last session the Minister of Mines went into the opposite lobby to the Premier on the question of miners' rights, and the Premier was defeated. And did the House consider that because the Minister of Mines differed with the Premier that he was not fit to hold a position in the Cabinet ? Certainly not. Then, the Minister of Mines said he did not agree with the Minister for Railways with respect to part of his railway policy-he thought it would be far better to reduce the freight on the carriage of goods than to reduce the passenger-fares. There must be some give and take, and there will be give and take under the elective Executive. Therefore that objection falls to the ground. Who demanded the elective Executive ? I say it has been demanded by the people over and over again. Then, as to the Premier being the judge as to whether this is a Liberal measure or not, I think it will be admitted that Sir Charles Kingston, of South Australia, is one of the most democratic and one of the most Radical members of any Government that we have had in the Australasian Colonies. That gentleman proposed 1.0. this as a policy measure, and strongly supported the writings of his colleague Sir Arthur Cockburn-who was then Dr. Cockburn -- in the Review of Reviews for 1895, where Dr. Cockburn wrote against the evils of party government. The Premier must admit that Sir Charles Kingston is as good a democrat as he is, and that he is quite as capable. He has had many years' experience in office. Dr. Cockburn has also had many years of office, and in his writings he called attention to the fact that there were many evils inherent in the

<page>458</page>

system which should be amended. Now, Sir, , tion to make any change. The power of the does this system exist only in Switzerland ? It has been said that one of the reasons why the House should not adopt it is that it emanated from Switzerland-a country that is not worth taking notice of. Well, the honourable member for Riccarton pointed out that the exports of the country amounted to \$32,000, which is evidence that the people are industrious ; and I would like to call the attention of honourable members to the position of education in Switzerland. I am quoting from the "Statesman's Year-Book for 1901 " :- "They have 723 infant-schools, 4,600 primary schools, 511 secondary schools, 31 middle schools

(preparatory), 47 middle schools (not preparatory), 38 normal schools (public and private), 445 professional and industrial schools. There were also improvement schools for recruits with 76,859 pupils, private schools with 16,277, schools for girls with 4,206, gymnasia with 7,578, and higher schools with 5,878 pupils. In 1899 there were 16 commercial schools, 54 complimentary commercial schools, 4 agricultural schools, 1 horticultural school, 10 winter agricultural schools, 5 experimental stations for viticulture, 3 dairy-schools, 153 domestic-economy schools for girls." An Hon. MEMBER. - What has that to do with the Bill ? Mr. ELL. - It has a great deal to do with it. It has been said we have nothing to learn from Switzerland. I wish to make another quotation to show that we have a good deal to learn from Switzerland. It is this :- " In 1876 it was enacted that this forest area (2,109,368 acres) should never be reduced ; servitudes over it, such as rights of way, of gathering firewood, &c., should be bought up; public forests should be surveyed, and new wood planted where required, subventions for the purpose being sanctioned. Up to the end of 18.03 the cadastration of 268,256 acres of forest had been executed, and in the year 1899, 23,669,656 trees were planted." This shows that, as far as the Forestry Department is concerned, we have much to learn from Switzerland. Now, I have only one other matter to refer to, and I shall then finish. They have a compulsory school-age from seven to fourteen ; they have workmen's insurance for out-of-works in one of the cantons; they have 2,400 miles of railways, and 170 miles of trams ; they have a system of State fire insurance in some of their cantons ; and they have nationalised their railways. With regard to their railways again, you can buy a railway ticket for \$2 10s. and travel over the railways for fifteen days. All this will show that we have a good deal to learn from Switzerland. There is just one other matter that I need refer to. With regard to the statement that Switzerland is the only country where they have an elective Executive : they have had this system in operation in the State of Maine for seventy-nine years. I communicated with the Secretary of State, and I am assured by him that it has proved entirely satisfactory to the people, and that there is no disposition. Mr. Ell Executive is identical with the power of our own Executive, and they are elected by the members of the Legislature, and it has proved very satisfactory to the people there. The objections raised respecting the Swiss people cannot be raised against the State of Maine, so that we have not only these examples in Switzerland to guide us, but we have the example of our cousins in America. I just wish, in conclusion, to say I congratulate the honourable member for Waitaki upon the vigorous debate that has taken place on the Bill to-night. It is a compliment to him, and I believe we are now within measurable distance of this measure becoming law. Mr. T. MACKENZIE (Waihemo) .- I move the adjournment of the debate. Mr. CARROLL (Native Minister). - I just want to make a personal explanation. The honourable member for Palmerston, in making reference to me as a supporter of this measure, did not understand that at the time I voted for it I was compelled to, because I had been paired against it, and on the occasion of the division I was shut inside the House and could not get out, so I had to vote in the way the honourable gentleman with whom I was paired would have voted. It is only fair this explanation should be made, lest I might come under the charge of inconsistency. I have always opposed this Bill. and have spoken against it on the hustings. I am sure the honourable gentleman if he had been aware of the circumstances would have done me the justice of stating the facts. Mr. PIRANI (Palmerston) .- I would like also to make an explanation. I did not state that the Native Minister supported the Bill. I quoted his name from a division-list as being one of those who voted for it. I did not remember the circumstances at the time, but I remember now that the honourable gentleman was concealed in a corner of the House and was discovered by Mr. James Allen, and that the Speaker then compelled him to record his vote. I am sorry for the mistake I made. Mr. MASSEY (Franklin) .- Speaking to the motion for adjournment, I think it is a very great pity it has been moved for several reasons. and perhaps the strongest reason is this : that it would prevent, and the Premier knows it, a straight-out division being taken on the question before the House, which is the second reading of the Bill, and it is almost certain that Major Steward would not again this session have

an opportunity of bringing up his measure. An Hon. MEMBER. - Why did you talk so much about it ? Mr. MASSEY .- On this side of the House there has been very little speaking indulged in : the talking has been almost altogether on the other side. I suggest to the honourable member who moved it that he should withdraw this motion, and allow us to go to a division on the second reading of the Bill. Mr. SEDDON (Premier) .- At the early part of the evening it must be in the recollection of members that those- Mr. SPEAKER .- You cannot revert to the

<page>459</page>

main question now. It is the question of the adjournment of the debate that is now before the House. Mr. SEDDON .- Twice during the early part of the evening the question was nearly put and the honourable member for Christchurch City would not rise. What I object to is this : The honourable member for Franklin and others have urged all the time that we must not sit after midnight ; and yet when the debate nearly lapsed in the early part of the evening honourable members would not speak, and now they are talking after midnight. I think all measures should be treated alike. I think if we are going to have all-night sittings let us go on ; but if we are not, then I think the debate should be adjourned. Mr. ELL .-- I have been deliberately charged by the Premier with declining to speak in the early part of the evening. I had not the opportunity of speaking then, and I have not taken up the half-hour as some other members have done. Mr. FISHER. The answer to the honourable member for Franklin is easy. It is that the vote on this question of adjournment will bear exactly the same significance as a vote on the motion for the second reading of the Bill. Major STEWARD .- That is scarcely so, Sir. There are members who wish to get home to bed, and therefore will vote on that ground alone. The House divided on the question, "That the debate be adjourned." AYES, 33. Hardy Allen, E. G. Palmer Parata Barclay Heke Rhodes Carncross Hogg Russell, W. R. Carroll Houston Lethbridge Seddon Duncan Ward McGowan Field Mckenzie, R. Willis Fisher Witheford. Mills Flatman Fraser, A. L. D. Morrison Tellers. Mackenzie, T. Graham Napier O'Meara Hall Stevens. Hall-Jones NOES, 18. Steward Arnold Hutcheson Tanner Laurenson Bollard Thomson, J. W. Lawrv Buddo Meredith Tellers. Collins Monk Massey Ell Russell, G. W. Pirani. Fowlds Herries PAIRS. Against. For. Mclachlan Bennet Hanan Gilfedder Thompson, R. Guinness Millar Hornsby McNab. Symes. Majority for, 15. Debate adjourned. The House adjourned at twenty minutes past one o'clock a.m.