LEGISLATIVE COUNCIL. Wednesday, 30th October, 1901. Second Readings-Third Readings-Imprest Supply Bill (No. 5)-Apology-Cadet Corps of Collegiate and Secondary Schools - Whakapuaka Block - Chemists' Rota of Attendance Bill-Borough of Mornington Tramways Bill-City of Auckland Loans Consolidation and Auckland City Borrow- ing Bill-Borough of Mataura Loan Validation Bill - Gore Cemetery Reserve Vesting and En- abling Bill-Templeton Domain Board Empower- ing Bill-Lyttelton Borough Council Empowering Bill-Hokitika Harbour Board Endowment Bill -Ocean Beach Public Domain Bill-Canterbury College Empowering Bill-Egmont County Bill (No. 2)-Inch-Clutha Road, River, and Drainage Bill-Patea Harbour Bill-Dunedin Waterworks Extension Bill-Kiwitea County Council Offices Bill-Masterton Public Park Management Bill- Palmerston North Reserves Bill - Wesleyan Church Reserve Vesting Bill-Kairanga County Bill -Local Bills-Aid to Public Works and Land Settlement Bill-Old-age Pensions Bill. The Hon. the SPEAKER took the chair at half- past two o'clock. PRAYERS. SECOND READINGS. Greytown Reserves Vesting and Disposal En- abling Bill, Featherston County Bill. THIRD READINGS. Greytown Reserves Vesting and Disposal En- abling Bill, Featherston County Bill. IMPREST SUPPLY BILL (No. 5). This Bill was read the first, the second, and the third time. APOLOGY. The Hon. Mr. PINKERTON .- Sir, I wish to make a statement with reference to a remark I made yesterday. I then made some reference to a certain Bill which was rather offensive to the Minister of Education. The statement was of an offensive character, and I wish, Sir, now to be allowed to withdraw it, and to apologize for the occurrence. I further desire to say that if there is any one man in this Parliament I respect more than another it is the present Minister of Education. The Hon. Mr. W. C. WALKER .- I can only say it is always a matter of exceeding regret when anything is said in Parliament which should not be said, and it was a great deal more than the personal reference to myself that I resented yesterday. I felt Parliament itself was injured by such remarks. I am, however, exceedingly gratified that the honourable gentle- man has so amply withdrawn and apologized

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as I am concerned, the occurrence is, with me, as though it had never happened. CADET CORPS OF COLLEGIATE AND SECONDARY SCHOOLS. The Hon. Colonel PITT asked the Minister of Education, Whether the Defence Depart- ment will arm the cadet corps of the several collegiate and secondary schools of the colony with the Martini-Enfield carbines now in the Defence Stores, and whether they will do so without delay ? His reason for asking this question was that the whole of the Volunteer corps throughout the colony have been armed with a new and uniform weapon, and in the process of that being done some fourteen hun- dred of these Martini-Enfield carbines had come into store. About nine hundred of them, he believed, would completely arm the whole of the cadet corps mentioned in the question -- namely, those belonging to the colleges and secondary schools throughout the colony-and he thought it would be an excellent thing if the Government would so arm these corps with this weapon. The fourteen hundred that were in store were not of much use for any other purpose, and a very great thing would be ac- complished by having these cadet corps armed in a uniform manner, more especially if they had to come together on any future occasion. The Hon. Mr. W. C. WALKER said that at the present time there were more corps armed with the Snider than could possibly be supplied with the particular carbines the Go- vernment had got. The Hon. Colonel PITT. - Not in these schools. The Hon. Mr. W. C. WALKER said, Still there were over two thousand Sniders in use now, and of the weapons referred to a little over a thousand. The question had not been lost sight of. He hoped to see the cadets properly dealt with, both for drill and shooting pur- poses. They would not be dependent on Sniders any longer. WHAKAPUAKA BLOCK. The Hon. Mr. TOMOANA moved, That the Government be requested to make inquiries during the recess as to whether or not there are other Natives having an equitable claim in the Whakapika Block of 30,000 acres, more or less, awarded by the Native Land Court to Huria Matenga, with a view to relief being granted to them. He wished to state that there were certain people who were interested in the title to the Whakapuaka Block, and they had for the last fifteen years been applying to be allowed to set their case before the Native Land Court. He would try to state the matter to the Council. In 1883 the Native Land Court sat to deal with this particular case, and since he had been a member of the Council he had on several dif- ferent occasions urged in the Council that their petition should be dealt with. These persons who had been petitioning-namely, Atiraira and Ngawaina-were of an older branch of the family than Huria Matenga, to whom the land ! tribe, and she and her children then went he referred contained about thirty thousand acres, and he believed if it were sold it would. realise at least $50,000; and this block had been awarded to one single individual, Huria Matenga. Now, he would explain to the Coun- cil the claims of these petitioners. Ngatikuia were the former owners of the block. It was in consequence of Te Wahapiro fighting for that block, and because he killed the former chief owner of the land, that he got possession of it. Subsequent to this, Taiaroa, senior, and the other chiefs of the Ngaitahu Tribe made peace with the Natives of the North Island, and Wa- hapiro ceased to fight any more. Afterwards Puoho also went to the other Island, and asked- the Ngatikoata Tribe to give to him the owner- ship and the command of the Whakapuaka Block ; but the people of Ngatikoata would not agree to give this land to Te Puoho. He there- fore went further south with a war-party, thinking he would conquer fresh lands for him- self. When Wahapiro heard his uncle had gone away he was sorry. He started after him, and when he caught up to him he found the party was fighting against the Ngaitahu Tribe. When Taiaroa, senior, and his fellow chiefs of the Ngaitahu Tribe heard of this war-party they came out to meet them ; but, on the day they arrived at the place where the war - party were, Te Puoho had been killed that very day. Taiaroa, senior, led his party, and claimed the position to him- self, leading them to attack the pa where Waha- piro was, and where Puoho lay dead. Taiaroa called out to Te Wahapiro to come out of the pa, and when Wahapiro heard the voice of Taiaroa he knew this was a chance given to him to make peace, and he came out and went to Taiaroa. Taiaroa then took off his dog-skin cloak, and placed it on Wahapiro

as a token that he was to be saved, and when the other chiefs came up they found that Taiaroa had already made peace. Wahapiro then lived there on the strength of the peace so made, and in keeping with the peace already made between Taiaroa and Te Rauparaha and the chiefs of the Island. After he had lived there a few years he came north again, and when he reached the Nel- son district he found that the chiefs of the Ngati- toa Tribe and his own people were selling their land to the Crown. As one of the chiefs he joined with them in the sale, and his name appeared on the deeds of the sale of the land. His name would also be found in connection with all the reserves made for the Natives at the time of that sale. He (Mr. Tomoana) thought the Council must agree with him that this man, Wahapiro, could not have had a small claim to the lands in that part of the country. He would also explain to the Council the reason why Kauhoe went to ask for this When the piece of land for her children. woman heard her husband, Puoho, had been killed she went to Ngatikoata to ask that this land, which had been conquered originally by her own son, Wahapiro, should be given to her ; and this was agreed to by the chiefs of the
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He would like to let the Council know who were the children of this woman Kauhoe. Her eldest son was this man Wahapiro, of whom he had spoken. Next to him came Kahiwa, and next to her was Konchu. Te Wahapiro married a woman from Kawhia. He was married before he came south from there. One of his wives belonged to the Ngaitahu Tribe, who were the original owners of the land which he conquered. By this woman he had two children, two daughters, Atiraira and Ngawaina. He would like to further explain this relationship, and to show where Huria Matenga, the present posses- sor of this land, came in. He had already told them of the children of Kauhoe by the first hus- band, Te Takau; but after his death Kauhoe then married Puoho, who was the elder brother to her first husband and was the father of Wi Katene, the father of Huria Matenga, who was possessed of the land. These were the reasons why the petitioners prayed to be allowed to go to the Court and to prefer their claims to this block of land. That was all they prayed for. He would not prolong his speech any further, because he wished to leave time for honourable members to address the Council on the subject. The Hon. Mr. SCOTLAND, in seconding the motion, said he hoped this case would be very narrowly looked into. The land in question was a large possession of thirty thousand acres, and seemed to have been awarded to a single individual ; and, knowing as he did something about Native lands, it seemed to him highly probable that there might be in existence equitable claimants to this land. They knew, unfortunately, that the decisions of the Native Land Courts had not always given satisfaction to the Natives. Sometimes a Native Land Court would seem to have gone on the principle "that those who did not ask did not want." Many poor Natives in remote parts of the colony might not have an opportunity or the means of putting in an appearance at Native Land Courts-that it sometimes cost money to do so he had very little doubt. These Native Land Courts had been presided over by able men, some of them lawyers. They may have been perfectly conversant with Euro- pean law, yet not altogether competent, from want of sympathy with Native customs, to deal with Native land claims. These Courts had been in existence now for some time, but he believed, if the question were about setting up such Courts at the present day, we should hesitate very much about setting up Courts to be presided over by European Judges. They were now setting up Maori Councils, and, if the Natives were sufficiently intelligent to take part in these Councils, why should they not be able to take part in the settlement of claims for land by the Maoris? It would be very easy, if they were about to set up such Courts at the present day, to find intelligent and highly respectable Maori chiefs who enjoyed the confidence of their race to preside over these Courts, and he had no doubt their judgment would give satisfaction to Hon. Mr. Tomoana claimants to this land, or to any portion of it, their claims would be recognised by the Go- vernment, and that justice, even though it were tardy justice, would be done to them. He had much pleasure in seconding the motion. The Hon. Mr. W. C. WALKER said this matter was a very large one, and he did not think the Council should, by passing the motion in the form it was, admit

that there were claims at all to begin with. He therefore asked the honourable gentleman now, when he had put on record his views on this question, to leave it in the hands of the Government to make such inquiries as they should think fit. That would not prejudice the case at all. The Government, he could assure him, would consider the matter, and if there were any reason why further inquiry should be made the matter would be dealt with in the way desired. He would give him his assurance that the Government would do that ; but he did not think there should be, in a large question like this, even the semblance of an admission on the part of the Council that there had been any wrong done. It was too large a question, and therefore he would ask the honourable gentleman to be good enough, now he had put his case on record, to withdraw the motion. The Hon. Mr. JONES said it seemed to him that this motion did not commit them to any- thing. All they would do if they passed it would be to press the Government to investigate the question whether or not there were other Natives having an equitable claim in this block of land. The Council would not commit itself to any statement in regard to the rights of the matter. The Hon. Mr. McLEAN said that, as the Minister had stated, this was a very large ques- tion. No doubt they were obliged to the Hon. Mr. Tomoana for the history he had given them ; but they had got this on record : that the party who owned the land now had been in possession of it for the last seventeen years. They had had a hearing of their claim, and a rehearing, and they had had a petition before the Council in 1899. If honourable members would only remember the trouble which the Native Affairs Committee took in inquiring into this petition they would see that it had had very close in- vestigation ; and he was satisfied, if unnourable members would read Judge Mackay's report on it, they would not seek to put the Government in the position this motion would do. Why should the Government interfere in a case when the aggrieved parties already had their petition brought before the Council, and had had a report which declared that they had no claim ? He understood now that all the petitioners but two had withdrawn their claims, and he thought, himself, it was a dangerous thing to commit the Council to a motion urging the Government to ascertain whether the Court had decided this question rightly or not. There was always the remedy of apply- ing for a rehearing of a case. Even at this late hour they could apply, he should imagine; and why, therefore, should the Council interfere in

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man who was in possession had practically had his claim acknowledged by the Government wanting to buy his land ? It would be a very dangerous thing to pass this motion, for, al- though it might look very small, there was a principle involved in it ; and, as one honourable member had asked, why should they put on the Government the duty of inquiring into this matter? Besides, the Minister had given the Hon. Mr. Tomoana the assurance that the Go- vernment would look into it. After that as- surance, surely it would be better for the honourable gentleman to take the Minister's advice and withdraw his motion. If honour- able members would only look up the proceed- ings of the Council for 1898 they would see that a very full inquiry was made into this matter by the Native Affairs Committee, and that there was a long report from Judge Mackay, who went into it very closely indeed, and made a very clear statement of the case. That being so, the Government ought to be left to take their own course without this resolution being passed. The Hon. Mr. W. KELLY said, as far as he could see, it would do very little harm whether this motion was carried or not. It simply pro- posed to refer the matter to the Government, and this matter had been referred to the Go- When he was vernment on several occasions. Chairman of the Native Affairs Committee in the other branch of the Legislature, some dozen years ago, he had this matter before him on two occasions. It was very nearly thirty years ago, he thought, since the first petition was before the House, and it was thoroughly in- vestigated on more than one occasion, and re- ceived careful consideration on every occasion it was before the Native Affairs Committee. Since he had been in the Council the same matter had been before the Council. In 1897 and 1898 they spent some time in the Native Affairs Committee in going into this matter, and there was a long report from the Com- mittee ; and

he was sure, if honourable gentle- men would read the report made by the Native Affairs Committee in the year 1898, and would also read the report brought up in the other branch of the Legislature, they would come to the conclusion there was not very much in the contention of the Hon. Mr. Tomoana. As the Hon. Mr. McLean had said, Judge Mackay gave evidence, and the Judges of the Native Land Court as well, who heard the case. As far as he was concerned, he had no objection to the honourable gentleman's motion being passed and going to the Government if he had got any fresh evidence to bring forward. The Hon. Mr. TAIAROA would like to say a few words with reference to the motion of his honourable friend. If the Hon. the Minister was willing that the Government should in- quire into this matter, then he (Mr. Taiaroa) would say there was no harm in passing this motion, which only proposed that the Govern- ment should inquire as to whether or not the petitioners were equitable owners of this block. With reference to what fell from the Hon. Mr. never been a rehearing of this case before the Native Land Court, and it was impossible for the petitioners now to obtain a rehearing, because, owing to certain circumstances, and possibly the neglect of the petitioners, they omitted to put in their application within the prescribed time, and that was what they had been petition- ing about all these years. They petitioned and prayed that the Native Land Court might be allowed to rehear this case. This petition was dealt with by the Native Affairs Committee in 1897, and the Committee reported that, having made inquiry into the case, they were of the opinion that the petitioners had established a case for inquiry as to their claim to be re- gistered as beneficial owners in the Whaka- puaka Block, and recommended the Govern- ment to inquire whether action should be taken under subsection (10) of section 14 of "The Native Land Court Act, 1894." It would be seen by this report that the Committee were in favour of a rehearing, or, at all events, thought that it might be just as well to grant a rehearing; but, unfortunately, they quoted the wrong section of the Act under which they supposed such application should be made, and when the petitioners referred the matter to the Government they were told this report was drawn up under a misconception as. to the powers given under the clause men- tioned by the Committee. The petitioners then further petitioned the Council on the subject. There was a report of a Committee in 1898, and in 1899 there was a further petition, which was reported on as follows :- "The Native Affairs Committee, to whom was referred the petition of Atiraira Paremata, praying that a law be passed to enable the Na- tive Land Court to rehear all claims to the Whakapuaka Block, and that, pending such legislation, the said block be declared inalien- able, have the honour to report that they have carefully considered the said petition, and taken evidence thereon. " As the Natives interested are desirous of giving fuller evidence on the question at issue, your Committee recommend that further con- sideration of this petition be adjourned until next session." It would be seen the report was not final. It proposed that the matter should be further gone into in the following session, but nothing more has been done, and that was the reason the Hon. Mr. Tomoana had brought forward his motion. He (Mr. Taiaroa) could go very fully into the matter if he wished, but he did not desire to delay the Council. He might have to say more about it on another occasion. It was only right, he thought, the motion should be passed, and the report of the Committee, which suggested that something more should be done, taken into consideration. The Hon. Mr. TWOMEY did not understand how the Hon. Mr. McLean could say it would be dangerous to make an inquiry into this case. It could not be dangerous to make an inquiry and elicit the truth. For himself, he thought there was no danger at all. He considered

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he would vote for the motion. The Hon. Mr. JENNINGS said he had been on Committees connected with this particular matter for a number of years. It was one of these Maori questions of which it might be said, " Hope deferred maketh the heart sick." He did not wish to express any opinion on the merits of the case ; but in view of what the Minister had said-that the Government would make inquiries-he would ask the mover of the motion to allow it to be amended, so as to allow them to have some finality in the matter.

With that object in view he moved, as an amendment, That, after the word " recess," the words " and to report to the next sitting of Parliament " be added. The Hon. Mr. W. C. WALKER did not want to draw out the debate on this question at such a late stage of the session. He admitted that he had, perhaps, read the motion a little hastily. He was prepared to accept the motion if the Hon. Mr. Jennings would withdraw his amend- ment. Amendment, by leave, withdrawn. The Hon. Mr. TOMOANA understood the Minister to say he had no objection to the motion, and, that being so, it was not necessary for him (Mr. Tomoana) to make any reply. Motion agreed to. # CHEMISTS' ROTA OF ATTENDANCE BILL. The Hon. Mr. FELDWICK said that at that late stage of the session he did not propose to It was proceed any further with the Bill. quite obvious he could not get it introduced and passed through another place before the close of the session, and he would therefore be content with having carried the Bill to its pre- sent stage. He moved, That the Bill be dis- charged, and made an order of the day for Wed- nesday next. Motion agreed to. BOROUGH OF MORNINGTON TRAM- WAYS BILL. The Hon. Mr. PINKERTON, in moving the second reading of the Bill, said it was short and simple, but very important. The Borough of Mornington, one of the suburbs of Dunedin, desired more accommodation in the way of tramways, and the Borough Council wished to be empowered either to buy the present tram- way-line, and extend it, or to have power to come to an agreement with the Dunedin City Council to have a fresh tramway carried through the city into the borough. They also wished to have power to borrow £40,000 to enable them to carry out the proposed work. The tram was a cable one, and one of much importance to the borough and also to the city. Bill read the second and the third time. CITY OF AUCKLAND LOANS CONSOLI- DATION AND AUCKLAND CITY BOR- ROWING BILL. The Hon. Mr. JENNINGS moved, That the City of Auckland Loans Consolidation and Auck- Hon. Mr. Twomey time. The whole position was set forth in the preamble to the Bill, and its recital meant that the municipal authorities in Auckland were in this position : that, with the restriction placed on their rating-power, necessary works could not be undertaken by the Council, although the citizens by a poll expressed approval of the works. Eight issues were placed before the ratepayers on the 12th September last, and by a large majority the ratepayers signified their approval of five out of the eight issues. The eight proposals would necessitate that a loan should be raised by the Auckland municipal authorities of £100,000 for the purpose of carrying out the works. Through the rejection by the ratepayers of three of the eight pro- posals it was found that the necessary works could be completed for £60,000. However, to get that £60,000 from one of the banking institutions of the colony-the money was to be raised locally-it was necessary that the restriction as to rating should be removed, for it was found that the restriction of the Council's power to rate prejudicially affected the credit of the city. All that was asked for was that Auckland should be placed in the same position as other munici- palities in the colony as regards rating-powers. The Mayor and Councillors of the City of Auck- land had therefore asked that this Bill should be passed by Parliament. It had gone through the other Chamber, and before the Local Bills Committee, and all the necessary requirements that were set out in the Standing Orders had been complied with. In Auckland, as in other parts of the colony, there was a desire to carry on necessary works for purposes of sanitation and the improvement of the city. He knew, from the petitions presented, that there was a feeling against the removal of the restriction, and he sympathized to a large extent with that feeling. A poll of the ratepayers had, however, been taken, and, as it was largely in favour of certain of these works being proceeded with, it was necessary to increase the rating-power, in order to extend the credit of the Corporation. The Hon. Mr. T. KELLY said the honourable gentleman had not told them what the limit of the rating-power was to be in the City of Auckland when the Bill passed. The limit now fixed by law with regard to the City Corpora- tion of Auckland was 2s. This Bill proposed to do away with that limitation, and, as he under- stood it, there was to be no limit whatever for the rates that might be levied by the municipal authorities of that city, because this Act would, he ventured to think, override the Municipal Corporations Act of 1900, which provided a limit of 1s. in the pound for

special rates, and 2s. in the pound for a general municipal rate : so that it appeared to him that, so far as the City of Auckland was concerned, there would be no limitation to the rating-power of the City Council. He suggested the matter should be further inquired into. The Hon. Colonel PITT thought the honour- able gentleman would have to pay attention to the question raised by the Hon. Mr. T. Kelly, because, as pointed out, under the Act which
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limited to 2s. in the pound ; but the operative part of this Bill simply amended the section of the original Bill by striking out the words which limited the rating-power to 2s. in the pound. They would have, in Committee, to consider what the limit of the rating was authorised to be imposed should be. The Hon. Mr. TWOMEY said it had been ex- plained before the Local Bills Committee that the limitation had acted disadvantageously to the City of Auckland, and that in consequence of it the city has had to pay ¿ per cent. more for its last loan. Now, it was proposed to carry out certain works, and to do things which would tend to the promotion of public health, and they had been informed by their banker that they could not raise funds for this pur- pose, except under great disadvantage, unless the limitation was removed. When that was removed they would be placed on the same footing as other Municipalities. The Hon. Mr. SCOTLAND said, when this Bill was before the Local Bills Committee C the report of that Committee recommended that the Bill be passed, with the proviso that no steps should be taken by the Borough Coun- cil under it until a poll of the ratepayers had been taken. The Hon. Mr. McLEAN thought there was a good deal in what the Hon. Colonel Pitt had said, and that this Act would go further than was intended. He hoped the honourable mem- ber, when he got the second reading of the Bill, would not put it down for committal that day. They wanted to look into the position, and if the Committee was postponed until the follow- ing day it would enable them to look into it a little further. He did not want to stand in the way of Auckland getting what other places had got, but he thought they were getting a little more here than other places had got. That, at any rate, was according to his reading of the Bill. The Hon. Mr. JENNINGS said, seeing the facilities that had been given to the ratepayers of Auckland under sections 121 and others, according to "The Municipal Corporations Act, 1900," to express their views in connection with the eight proposals that would come under the heading of "special loans," he did not know whether anything further could be done as far as those proposals were concerned. The ques- tion raised by the Hon. Mr. T. Kelly was this : Whether the power given, as expressed by the preamble, "to levy rates to such amount," et cetera, might lead to unrestricted imposition of rates, supposing this Bill passed, had to be considered. The Municipal Corporations Act clearly stated that no municipal body could im- pose rates beyond a certain amount. The pro- posed loan, authority for which was asked in this Bill, was for special purposes, that were clearly and specifically stated and placed before the ratepayers of Auckland in order that they might express their approval or otherwise. Therefore he thought that the case was not on all-fours with what the honourable gentleman had men- tioned. In reply to the Hon. Mr. Jones, he presented a great number of petitions, as well as other members of the Council, asking that a poll of the ratepayers should be taken before the removal of the limitations now existing in the rating-power of Auckland Borough. He expressed no opinion upon these petitions be- yond this : that he sympathized to a large extent with the ratepayers, who should have a great deal of consideration given them when propositions were made fixing any increased rates that might be imposed upon them. But he contended that a poll had already been taken, and a very large majority of the rate. payers had expressed themselves in favour of the five proposals submitted for their considera- tion. Bill read the second time. BOROUGH OF MATAURA LOAN VALIDA- TION BILL. The Hon. Mr. FELDWICK said this was a very small indemnity Bill. It had become necessary for the Borough Council to put its finances in order in one or two matters, power for which was subsequently given by the Muni- cipal Corporations Act Amendment Act of last year ; but the local body failed to wait until that Act was passed through Parliament before com- pleting the transaction-they

virtually acted upon a Bill before it became an Act. The preamble of the Bill pretty well explained its whole intention, and he would not, therefore, detain the Council with any further remarks. If any inquiries were made by honourable mem- bers he would answer them in Committee. He begged to move the second reading of the Bill. Bill read the second and the third time. GORE CEMETERY RESERVE VESTING AND ENABLING BILL. The Hon. Mr. FELDWICK, in moving the second reading, said this Bill had a preamble which explained its purpose, and if any further explanation was needed he would furnish it in Committee. Bill read the second and the third time. TEMPLETON DOMAIN BOARD EM- POWERING BILL. The Hon. Mr. W. C. WALKER said this Bill, unfortunately, had not got a preamble. It was, however, a perfectly proper matter to deal with. The Templeton Domain Board was created many They had a domain, and out of years ago. their funds the Domain Board had got some- thing like £350 of accrued assets from dealing with that reserve. Now, since the Templeton Domain Board was created the district had become more populous, and many little settle- ments had sprung up near it, and the Temple- ton Domain Board only asked power from Par- liament to enable them to acquire out of this £350 recreation-grounds for the small settle- ments that had sprung up in the district. It was a wonderfully considerate Bill, because it did not ask anything from Parliament. It simply asked that they might be enabled to
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own district. He begged to move the second reading of the Bill. Bill read the second and the third time. LYTTELTON BOROUGH COUNCIL EMPOWERING BILL. The Hon. Mr. JENKINSON said the facts connected with this matter were, shortly, that the Lyttelton Borough Council desired to acquire the gasworks already established in Lyttelton, and that the directors of the Gas Company approved of that proposal. Section 6 of the Bill gave authority to dispose of the surplus profits arising from the gasworks by transferring them to the general account. He moved the second reading of the Bill. The Hon. Mr. McLEAN would like to ask if the directors of the Gas Company had arranged the matter with the Borough Council, because this looked to him like a compulsory taking- . over of the gasworks from the company. Under these circumstances one would like to be sure if an arrangement had been made. If the honourable gentleman knew, he might let them know-that was to say, if a price was fixed, and the gasworks were to be taken over. The Hon. Mr. JENKINSON understood the directors of the Gas Company had approved of this proposal, and were quite willing that the Borough Council should take over the concern. That was the information he had got from the originator of the Bill. Bill read the second and the third time. # HOKITIKA HARBOUR BOARD ENDOW- MENT BILL. The Hon. Mr. BONAR moved the second reading of this Bill. It was a measure to enable the Hokitika Harbour Board to take in a piece of waste land they had reclaimed. Bill read the second and the third time. OCEAN BEACH PUBLIC DOMAIN BILL. The Hon. Mr. GOURLEY said this was a very simple measure, but a very important one as far as it concerned the property of residents of Dunedin City and suburbs. The original Act gave the Ocean Beach Domain Board power to borrow to the extent of $10,000. An amend- ing Act was passed in 1894 giving power either to borrow, or to levy a rate of ¿d. in the pound. The present measure simply asked permission for the Board to rate up to id. in the pound in the whole of the district, and to name special districts-that was, that all the low-lying land in St. Kilda. South Dunedin, and Caversham, and part of Dunedin should be called special districts, which could be rated to the extent of ad. in the pound more ; but the city and the other suburbs would pay id. in the pound, and no more. It was also desired to have the power to borrow $20,000. He wished to point out that the destruction to both public and private property, from St. Clair all along the Ocean Beach, was so great that the City Coun- cil and suburban Councils were unanimous in asking Parliament to pass the measure this session in order to enable them to at once Hon. Mr. W. C. Walker assure the Council that if something was not done, and done quickly, the damage would be so serious that it would not be possible to cover it by tens of thousands of pounds. He moved the second reading of the Bill. Bill read the second and the third time. # CANTERBURY COLLEGE EMPOWERING BILL. The Hon. Mr.

JENKINSON, in moving the second reading of this Bill, said it had been rendered necessary by the fact that the prin- cipal Act - "The Canterbury College Empower- ing Act, 1900," passed last session -- contained a technical defect. It appeared the Board of Governors of the College could not proceed any further with a building they were now erecting as a reading-room unless this measure were passed. Bill read the second and the third time. EGMONT COUNTY BILL (No. 2). The Hon. Mr. T. KELLY said this Bill con- stituted a new county in the Taranaki Pro- vincial District. It was proposed to take in portion of the Taranaki County and portion of the Hawera County. It was for the benefit of the people in the district that the alteration should be made. He had telegraphed to the Taranaki County Council on the matter, but had received no reply ; therefore he presumed there was no objection on their part. The measure had been advertised locally, but he thought it was his duty, as there was no local representative in the House representing the Taranaki County, to telegraph the facts. The 1 county would comprise a district having a com- munity of interest, having a centre in the Township of Opunake, which was a shipping port, and a great convenience to the district. He moved the second reading of the Bill. The Hon. Colonel PITT did not want to oppose the passage of the Bill, but he would like to ask the Council whether it was not ad- visable that the constitution of new counties should be done by public Act, as in the case of the Pahiatua County Act of 1888. It was pro- vided by law that no new county could be con- stituted except by a special Act of the General Assembly. The Bill at present before the 1 Council did not profess to be an amendment of 1 the Counties Act of 1886, but merely said that the Egmont County was "hereby constituted." 1 He ventured to submit that when the Bill was in Committee the honourable gentleman in . charge should see that some reference was made to " The Counties Act, 1886," or the Bill would be meaningless. He would repeat that, to his mind, new counties ought to be public Bills, and not local Bills. Bill read the second and the third time. 1 INCH-CLUTHA ROAD, RIVER, AND) DRAINAGE BILL. 1 The Hon. Mr. A. LEE SMITH, in moving the second reading of this Bill, said the object was to combine the Road and Drainage Boards. ! Both parties were agreed that simplicity of 1
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of the two Boards. Bill read the second and the third time. # PATEA HARBOUR BILL. The Hon. Mr. JENNINGS said he had been asked by the Chairman of the Patea Harbour Board and by the then member for the district to give this measure some assistance. The position was that owing to the great increase of trade the Harbour Board had found it neces- sary to provide facilities to cope with it. The Board, under this Bill, asked for power to bor- row £10,000. The annual return for the Patea Harbour Board last year showed that in 1891 the amount received for wharfage was only $557, and last year-1900-the amount was $1,658. Dumping and tonnage dues showed proportionate increases. The number of vessels visiting the harbour in 1891 was 118, and last year the number was 166. All through the re- port there was shown a proportional increase in everything, such as to warrant the proposal to borrow £10,000 for the purpose of giving better harbour facilities. The finances showed ample power to pay interest and to provide for a reasonable sinking fund. He moved, That the Bill de read the second time. The Hon. Mr. W. C. WALKER regretted that he had not been present to move the second reading of the Bill, but would second it. This Bill was one that ought to be passed in the interests of Patea. He indorsed every word the honourable gentleman had said. Few things were more essential than that they should give encouragement of this sort to all ports to which railways run. Although he was a member of the Government, he must say he considered it a good thing for the Rail- way Department that the railways should have harbours competing with them. Therefore he had every satisfaction in supporting this Bill. Bill read the second and the third time. ## DUNEDIN WATERWORKS EXTENSION BILL. The Hon. Mr. PINKERTON said this Bill was very much wanted in Dunedin to enable the City Council to supply water to the high levels. What was proposed to be done was to have storage at higher levels than at present, so that they would be able to supply water to the high levels in Dunedin and the suburban boroughs. In order

to do that, power must be taken to borrow money. The money would be well spent, and its expenditure would do good all round. There was, so far as he knew, no objection to the Bill, and he would therefore move, That the Bill be read the second time. Bill read the second and the third time. # KIWITEA COUNTY COUNCIL OFFICES BILL. The Hon. Mr. ARKWRIGHT said this Bill was intended to remedy a mistake made a few years ago. The Kiwitea County Council had found it necessary to get a section of land in the Township of Birmingham to build offices on. They had an acre of land outside the VOL. CXIX .- 57. section in the township, upon which they had built their offices. They had been advised that they had power to make the exchange, but the Land Department was of a different opinion, and consequently they could not give a title. This Bill was intended to remedy that mistake. There was no opposition to it, and he moved, That the Bill be read the second time. Bill read the second and the third time. # MASTERTON PUBLIC PARK MANAGE- MENT BILL. The Hon. Mr. FELDWICK said the purpose of this Bill was explained in its preamble. The park comprised about twenty acres close to the town. It had been managed by trustees ap- pointed by the Colonial Secretary, and had been very much a neglected child without adequate means of support. The Masterton Borough Council was quite willing to adopt and maintain it, and the whole of the residents had decided that it ought to be taken over. This was simply a transfer from a nominee to an elective board of management. He moved, That the Bill be read the second time. The Hon. Mr. RIGG thought the Bill re- quired a little more explanation than the honourable gentleman had given. In fact, the information with regard to all the local Bills that were coming before them was rather of a meagre character. The park referred to in the Bill had hitherto been vested in trustees, and now it was proposed to transfer it to the Borough Council. The reason for the transfer seemed to be that the income was entirely in- sufficient to enable the trustees to manage the park properly; but what guarantee had the Council of an improvement if the change were made? He wanted the honourable gentleman to say how the position would be altered for the better by merely transferring the property from one party to another. So far as they could judge, it meant the same state of things would be continued. He hoped a little further ex- planation would be given. The Hor. Mr. W. C. WALKER could only give his own experience, but from that could assure the honourable gentleman who was objecting to the proposal that one of the most satisfactory matters he had ever had anything to do with was when, in his own locality, they had been able to make the Borough Council the trustees and guardians of the domain ; because then they had a body able to deal with the domain in a liberal way. The Council was able to appropriate out of the borough funds a cer- tain amount of money, and naturally felt that the burgesses would support them in anything that would make the domain of real value to the community. He must say that he had every sympathy with anything which would make the Borough Councillors, or the County Councillors, or the Road Boards in any part of the colony the custodians of public re- serves. It was very much better they should be ex officio members of Domain Boards in every part of the colony than that we should have irresponsible members of Domain
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public opinion, because you could always get a public-spirited Borough Council or County Council to come to the rescue of the domain when money was wanted. The old idea of a Board of Commissioners for domains worked very well when there was plenty of money in their hands, but if there was no money they were at the end of their resources ; but if do- mains were a matter of concern to the locali- ties, which he could safely say they were, it was very much better for those localities that the officials or the controlling body should be a body who would, if necessary, supply the requisite funds to carry on the work. He could only give his experience. He had had a good deal to do for many years with Ashburton, and there was a Domain Board there. It was fairly constituted, and the County Council and the Borough Council were represented, and they got on very well, as far as that went ; but there was the ultimate responsibility of finding extra funds, and they agreed that the Borough Coun- cil was the proper authority

to be charged with the amount. The County Council, it must be said, were very generous; they had given money time after time to make and im- prove their domain ; but, as to maintenance, the County Council agreed that it was very much better to hand the matter over to the Borough Council, as they were on the spot, and they were willing to take the responsibility. And he could only say this : that, having taken the responsibility over, they had done every- thing that any one could wish in the way of maintenance ; and he certainly agreed that it was always as well in these cases, especially in small towns, to put the government of domains in the hands of Borough Councils ; and, more- over, it minimised the number of public bodies they had to deal with. He had long felt that the number of public bodies appointed or elected was a great detriment to the wheels- should he say-of progress ; at all events, they had reduced the number in Ashburton, and it was very much better, he thought, that the Borough Council, when it was sitting, should go through the business attaching to the Domain Board than that the Domain Board should be called to meet, say, the next day, when pro- bably a quorum had got to be whipped up. He had every sympathy with the combination of interests, and he thought Borough Councils and County Councils were the best bodies to deal with the administration of domains. The Hon. Mr. McLEAN would like to say this regarding the transfer of the domains to Borough Councils : that he would give another view of the matter than that placed before the Council by the Hon. Mr. W. C. Walker, although he quite agreed that, as a rule, these domains should be in the hands of the Council. But he did not like that part of this clause which said the trustees should be abolished. He did not like the wording of that with re- gard to a public body. If his honourable friend would strike those words out of the clause, and would say it was agreed between the trustees, and the Municipal Council to hand Hon. Mr. W. C. Walker be an improvement. He would also like his honourable friend to say whether these trustees had been wiped out with their own consent or not. If they were not giving their consent he did not think Parliament should compel them. There was a Domain Board in a district which was not a hundred miles away from where he lived which had got a certain amount of funds, and the Corporation there had always been trying to get hold of these funds in order to save their rates. Now, that was another side of the picture to the one presented by his honour- able friend, and this endeavour on the part of the Corporation had been resisted so far, and very successfully too. He would like his honourable friend to redraft his clause, if he had got the sanction of these people to the change proposed. The Hon. Mr. FELDWICK .- Will you move an amendment ? The Hon. Mr. McLEAN did not want to take his honourable friend by surprise, and would rather not take the matter out of his hands. The Hon. Mr. A. LEE SMITH said that, not- withstanding the very long explanation which the Minister had given about this Bill, he had not thrown much light on the question. The point was this : The Board of Trustees had been in existence for twenty-six years, and honourable members had never heard that during all that time they had been in the posi- tion the honourable gentleman stated, and nothing had been said by the mover of the Bill to explain why they were in a worse position now as regards finance than they were twenty- five or twenty-six years ago. The Hon. Mr. FELDWICK said they had done nothing yet. The Hon. Mr. A. LEE SMITH said, Very well, the honourable gentleman should give the Coun- cil an explanation of the position. Honourable gentlemen did not know anything about the circumstances. They were going on blindly without any information whatever. That was the point. The honourable member had not offered a single remark as to the position of the Masterton Borough Council. It was quite pos- sible it might be in a very impecunious position, and that under the Bill they would be handing over this reserve from one body to another with regard to whose position or ability to carry out the duties which were necessary for the improve- ment of this park they were completely in the dark. There was not even a word said about. their willingness to do so. He thought the honourable gentleman who moved the second reading should seek for such information as would satisfy the Council it was a proper thing to pass this Bill. The Hon. Mr. GOURLEY called the Hon. Mr. A. Lee Smith's attention to the state of the public gardens in Dunedin to-day as compared with their

condition when the Corporation took If he understood the Act aright, them over. these Domain Board trustees had no power to rate. Now, he thought his honourable friend would admit that the public gardens in Dunedin, before they were taken over by the Corporation,
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Government gave from £300 to $400 to trustees to look after them. An Hon. MEMBER .- You mean the Domain Board. The Hon. Mr. GOURLEY did not know what they were called. At any rate, they simply had nothing to show for the money spent on the gardens ; but the Corporation took them over, and found the money which pre- viously the Government were giving, they having power to levy a rate sufficient to keep the gardens in proper order, and now they were in first-class order and were worth looking at. He thought the Bill was a very good one : it was advisable, as the Minister had remarked, that some of these local bodies should have power conferred upon them to levy rates. The Hon. Mr. LOUISSON was very much surprised that there should be any opposition to the Bill, because it was a matter that was occurring in various parts of the country. There were numerous cases in which trustees or Boards had the management of certain re- serves and areas of land, without possessing rating-power or funds wherewith to keep them in proper order. He could cite a case in point. He was at one time a member of a Board in which was vested a large area of land. The Board had no rating. power and no means of deriving revenue from the land without going to great expense. The land had remained in the possession of the Board for a large number Numer- of years, and was a perfect wilderness. ous attempts had been made to vest it in the Borough Council, and eventually it was handed over to the Christchurch City Council, and since then the area had been utilised and beautified, and in time would be a very valu- able asset for the city. The money spent by the city in improving it would be amply repaid in the future. There were other cases in which large or small areas of land remained perfect eyesores to the people, simply because the Boards or the trustees, as the case might be, had no power to raise money with which to make improvements. The Hon. Mr. REEVES quite agreed with what the Hon. Mr. Louisson and the Hon. Mr. McLean had said. Of course, there were two sides to the question. He would like to give an illustration of a case within his own know- ledge. A Domain Board on the West Coast had taken a sensible view of matters, and had let sections with frontages to the road, and the rents accruing were laid out in improving the domain ; so that what was at one time a howl- ing wilderness was now a smiling garden. He did not think it was right that the Borough Council should take over a domain, because in the hands of an independent Board a reserve would always be better treated. If the Board was composed of business-men they would be able to control a reserve without levying a rate on the people. He remembered that not many years ago, in Wellington, the affairs of the har- bour were in the hands of the civic authorities, but since the Harbour Board had taken over most prosperous bodies in the colony. The Hon. Mr. BOWEN thought that when Bills of this class came before the Council, each one should be taken on its merits. The Minis- ter had spoken as if it was a universal boon to the public when areas, large or small, which had been put aside for public recreation were handed over to boroughs. Well, he would like to mention a case of which he would dare say many members in the Council knew : the case of the park and domain near Christchurch. He had been interested in that domain for many years, and could say that one of the most im- portant duties of the Board had been to resist any attempt on the part of the rating bodies to get hold of the reserve-to put houses on it, and so get revenue out of it, or to use it for public establishments, to save the cost of purchasing sites elsewhere. More than once the Board had to resist efforts to make revenue out of the reserve. It had often been pointed out that the place would be an excellent one for building sites, and he had no doubt, if any encroachment was once allowed, it would go on by degrees, until there would be no reserve left worthy of the name of a park. There was once a scheme put for- ward to drive another road through the park, lined on one side by a row of villas. The Board, however, had managed to resist every attempt at encroachment, and had planted in the park a collection of deciduous trees such as could

not be found anywhere else in New Zealand, without interfering with ample space for recreation. They had had difficulties for want of sufficient means, but, at any rate, they had saved what was a possession, not merely to one borough, but to all the boroughs and the country round about. He had often said he would be content that any sufficient number of the Road Boards and Borough Councils of Canterbury should have the charge of that domain, but no one rating-body should have the control, because the temptation to relieve the rates by cribbing building areas from the park might be too strong for them. He was induced to make these remarks because of the generalising statements of the Minister, who spoke as if it would be necessarily, under all circumstances, an advantageous thing to hand over to a borough the control of recrea- tion-grounds. Every case should be taken on its merits. With regard to the Bill before the Council, he was anxious to hear what was to be said for it, and whether there was good reason for handing the domain over to the ratepayers of the borough. The Hon. Mr. TWOMEY did not agree with the sentiments of the Hon. Mr. Bowen. It was desirable, he thought, that municipalities should control the public domains of the town. What was the Board of control in the present instance ? It was a nominated body that fre- quently managed the reserves to the disad- vantage of the public; and what was sought in the Bill was the transfer of the management from that nominated body, which was beyond the control of the public, to a body that was under the control of the people and elected by
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any member of the Council should object to such a request simply because there happened to be a well-managed Board within his own knowledge. There were many well - managed domains and badly-managed domains through- out the country, but there was no domain likely to be better managed than by a Board which had to come under the review of the electors occasionally. If the revenue for this reserve had not been sufficient up to the present, how was it likely to be sufficient in future ? This recreation-ground was for the benefit of the public, and the municipality would out of its rates pay a sufficient sum to keep it in decent order, and the town would have a recreation- ground that would be more creditable to it than it was now. The Hon. Mr. T. KELLY would like to give an instance where trustees had managed a recreation-ground to the great advantage of the public. That was the case in Taranaki. The trustees had not any revenue, and not enough money to convert the waste land into a pleasant public resort ; but they set to work energeti- cally, and raised by public subscription, by bazaars, and sports, sufficient money, year after year, to enable them to make a beautiful and most enjoyable ground for public recrea- tion. This reserve had first been offered to the Borough Council. He had been a member of the Provincial Council which got the recreation- ground set aside, and the Borough Council de- clined to undertake the management of it, and the Provincial Government had been compelled to appoint a separate body of men as a Board, and they had been most successful in making If the the recreation-ground a beauty spot. trustees in the present case had not fulfilled the functions for which they were created, and the Borough was willing to take over the reserve and improve it, that would be the best course to pursue in the public interest. The Hon. Mr. FELDWICK wished to say, as briefly as possible, that there were loose reserves all over the colony. In some cases reserves had had trustees assigned to them, but those . trustees were dead, and there was no one to look after them. Fortunately, in the case of Invercargill the reserves were all under the control of the Borough Council. He did not think honourable members could have read the preamble to this Bill. Had they done so they would have found that the land was to be vested in the Mavor, Councillors, and Burgesses of the Borough of Masterton for the purposes of and to be used as a public park and recreation- ground, and in the operative clauses they would find that the trust was for the purposes of pub- lic recreation. All sorts of herrings had been drawn across the scent, but he did not see why his sins-in regard to the application of the closure on Monday night- should be visited on the people concerned in this Bill. If the Bill were placed on the statute-book, he had no doubt the Borough of Masterton would prove a faithful guardian and attend to the pleasure and the welfare of

the people of the district. Bill read the second and the third time. Hon. Mr, Twomey The Hon. Mr. JENNINGS said the preamble of this Bill set forth what was required. The whole of the powers to deal with the reserves was vested in the Mayor and Councillors of Palmerston North. Under the Act of last year power had been given to the Palmerston North Reserves Board to let the reserves mentioned in the First Schedule without a compensation clause. It was now proposed to give power to let these reserves with compensation clauses. With regard to the gravel pit dealt with in the Bill, those who passed through Palmerston North must admit that it was an eyesore. It had been worked out, and the borough wished to be able to dispose of it to any person who was willing to improve it by filling it up. He would move the second reading. Bill read the second and the third time. # WESLEYAN CHURCH RESERVE VESTING BILL. The Hon. Mr. W. C. WALKER moved the second reading of this Bill. He knew the whole circumstances of the case. The Wesleyan body had been in possession of this site for the last forty years, and although in the oringinal vest- ing of it there were certain restrictions as to the use of the land, he thought it was only right, after forty years of occupation, that this section should be given to the Church. Bill read the second and the third time. KAIRANGA COUNTY BILL. The Hon. Mr. JENNINGS said this Bill merely gave power to establish a county in the Oroua district, where the Counties Act had been suspended. Two out of the three of the Road Boards that now conducted business had signi- fied that it was the wish of the people in the district that this should be done. All the local bodies in the adjoining districts had also signi- fied their approval. He moved the second read- ing of the Bill. Bill read the second and the third time. # LOCAL BILLS. On the question, That the Borough of Ma- taura Loan Validation Bill be read the third time, The Hon. Mr. ORMOND said,-Sir, before you read that Bill the third time-I do not wish to make any objection to it, but I do wish to say, before these Bills are read the third time, that a large number of them have gone through the Committee stage and were inquired into previously, as far as time would allow, by the Local Bills Committee, but not in a very satis- factory manner-indeed, in a very unsatisfac- tory manner. Neither the Local Bills Commit- tee nor the Committee just closed has had the time or opportunity to make those inquiries which it would be our duty to make if we did our work properly. That is owing to the late period of the session in which these Bills have come down. Sir, it will be found, I venture to say, that in many of these Bills mistakes have been made, and that pro- visions have been left out that ought to have

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been time for inquiry, would have been inserted. Generally, we have been obliged, under the pressure that has come upon us through these Bills being sent down at this period of the session, to deal with them in a most perfunc- tory and unsatisfactory manner. That is all I wish to say now; but if this occurs another year, and we have to deal with Bills of this kind in this way, then I hope many of us will take such a stand as will prevent them going through. If we did that once we should not in future sessions have the same thing recurring, which cannot possibly continue without bring- ing eventually some discredit upon the Legisla- ture. The Hon. Mr. W. C. WALKER .- I would like to ask the Hon. Mr. Ormond whether he was a member of one of the Local Bills Com- mittees. The Hon. Mr. ORMOND .- I was. The Hon. Mr. W. C. WALKER .- Therefore he has got a certain amount of the sin of the people on his shoulders. The Hon. Mr. ORMOND .- I have admitted that. The Hon. Mr. W. C. WALKER .- I think that, considering the usual course of business in Parliament, this Council has been very well treated by the Government in this present ses- sion. Last year, I admit, there was a terrible pressure. About two days before Parliament was prorogued, there were about twenty-seven Bills, as far as I remember, brought down, and it was with the greatest difficulty we could go through decently the forms of Parliament in regard to these Bills. But on the present occasion it is different. Honourable members cannot go to the point of saying there was any need to hurry about these Bills. The Local Bills Committees could have spent three days over each lot. There was no particular pressure at all, as far as I know, at least. They came down at the end of last week ; and

the three Local Bills Committees who have been dealing with them could have taken every precaution they liked, as far as the Government was concerned, to have found out everything about them, and I am quite certain if they had three weeks instead of three days spent over them they would not have found out anything more. But it is very hard to please every one. I trust that those who have the responsibilities of regulating the busi- ness in Parliament will not be so misjudged as apparently the Hon. Mr. Ormond is prepared to misjudge us. We do our best, and I feel quite certain that nobody can do more. Re- membering what a pressure there was on the Council last year, I did everything I could to prevent anything like the same thing occurring again, and what is the result? We are abused again. The Hon. Mr. ORMOND .- Why did they not come down a month or six weeks ago, when we were doing nothing ? The Hon. Mr. W. C. WALKER .- It is all very well to say why did they not come down a month or six weeks ago. The Hon. Mr. Ormond is too old a soldier not to know why they did well the reason why. It is no use talking that way. I say that last year was a very unfor- tunate year, and the Council was very hard pressed-and I would not have blamed the Council for taking a very strong stand-in being rushed with Bills two days before the session closed. But this year there was no question of that sort. The Bills came down last week, the Committees were called together, and they had ample time to do everything they wished. If they wanted information about the Bills, they had either to report against them, or else to take the responsibility of reporting in their favour. The Hon. Mr. Ormond's Committee took the responsibility of reporting on the Bills, and recommending that they should be allowed to pass. The Hon. Mr. ORMOND .- Some of them. The Hon. Mr. W. C. WALKER .- Then, the honourable gentleman is responsible for the wrong, if wrong was done. The Hon. Mr. Ormond has taken the responsibility, and there- fore I see no reason why the Council should not take the Hon. Mr. Ormond's recommendation, and pass the Bills as he has recommended. The Hon. Mr. SHRIMSKI .- I entirely agree with the Hon. Mr. Ormond. Last year, as the Hon. the Minister in charge has admitted, it was a most unseemly thing that, on the morn- ing of the breaking-up of the Council, we were flooded with twenty-seven measures-local Bills and Bills which ought not to have been passed through in the manner in which they were passed. I do not blame the Government ; but I say they can prevent these things by making a rule that no local Bills shall be introduced after a certain date. On Friday next we shall have been four months in session, and here, at the last moment, we are flooded with a lot of measures of this kind. The Minister says the Bills came here last week, and I admit they did. They came here last Friday, and on Mon- day we were summoned to meetings of the Lo- cal Bills Committees ; but, being at the end of the session, members are not inclined to devote much time to the work that is placed before them, although they should do so. The mea- sures have now passed through all their stages, and members have had no opportunity of look- ing closely into them. I say, therefore, the Government should not allow Bills to be intro- duced after a certain date. The Hon. Mr. W. C. WALKER .- It rests with Parliament, not with the Government. The Hon. Mr. SHRIMSKI .- Well, let Par- liament do it. However, I agree with the Hon. Mr. Ormond that it is unseemly that measures of this kind should be forced through in the closing moments of the session. The Hon. Mr. TWOMEY .- Sir, it is hard to please some people. We have frequently heard the Government denounced for initiating legis- lation in this Chamber, although they do so simply to expedite matters ; and now we hear them being condemned for business having come forward in another way, as this. It appears to me, from the speeches that have already been delivered, the object is to show to

perly conducting the business. Well, it is perhaps as well that the country should under- stand exactly what the real position is. What are the facts ? These local Bills are initiated in the districts to which they apply : they are advertised in those districts. Then, when they come to Parliament, they have to pass their first and second readings and the Committee stage ; next the Local Bills Committee deals with them, and then there is also the third reading. Then, when they come to the Council they again go before the Local

Bills Committee, and all the other stages have to be passed, and, surely after all that, they ought to be very nearly perfect by the time they come to the third reading in this Chamber. There ought to be no room for debate. I think it is as well the country should know these facts. Of course, it is regrettable that these Bills are sent along like this at the close of the session, but who can help it ? The business has been going on all the time, and if the other House is unable to send them up sooner it cannot be helped. Possibly the other branch of the Legislature might have conducted its business differently, but it is no part of our duty to criticize their methods of conducting business. The Hon. Mr. BOLT .- It would be regrettable were it to go to the country that we are satisfied with the way in which business is rushed on at the end of the session. There is no doubt that some of these Bills, had proper means been used in the Lower House, would have reached the Council weeks ago. The Local Bills Committee have not had sufficient time to make inquiries into the merits of the Bills which have come before them. Some of _ these local Bills are very important measures, and their provisions should be very carefully studied, but there has been no opportunity to do so. Although the pressure this session has not been so great as usual, it has been too great, and some effort should be made to remedy this state of things. The Hon. Mr. BOWEN .- There is always a great deal of danger about this large annual flood of local Bills, because very little is known by the Legislature generally about the details of many of them. A good old custom has disappeared of late years, under which it was con- sidered necessary that the Government should express an opinion on every private Bill that was introduced ; and a certain amount of re- sponsibility was thus thrown on the Govern- ment, which had the means of obtaining infor- mation, and were expected to lead the House. Such a provision is wise, and it is a responsi- bility that the Government ought to take. It is the only check we have on local legislation, where there is too much "pass my Bill and I will pass yours." The Hon. Mr. W. C. WALKER .- Does the Hon. Mr. Bowen suppose that any of these Bills that have been passed are such as should not have been introduced ? I can assure him if there were any the Government thought should not be proceeded with they would have said so. Hon. Mr. Twomey what the Hon. Mr. Bolt stated to go forth, that the Local Bills Committee had not properly in- quired into these local Bills. I am on a Local Bills Committee, but I had to attend to another Committee, and could not be in two places at once, and I thought that my colleagues would look after them. The Local Bills Committee should have looked into the Bills and examined them from one end to the other. If the Com- mittee did not take the trouble to do that, very often a Bill might get through this House which should not pass, members relying on the fact that the Bill had gone before the Local Bills Committee and been thoroughly examined. It was for the Council more than for the other branch of the Legislature to watch these Bills and see that they did not go through unless they were proper Bills. I have gone carefully through all the Bills, and I cannot see that there are any that it is not proper that they should go through. The Hon. Mr. T. KELLY .- We are now doing the work that was formerly done by Provincial Councils, and, as such work is not considered of primary importance, much is held over till nearly the end of the session. The Government is not specially to blame in the matter, as the usual contest between parties must be dealt with and general policy ques- tions discussed before local matters had a fair show, and then when the opportunity of dealing with local Bills occurred the Council was rushed with local Bills to be examined and dealt with. Full and critical investigation was not always possible, but the best was done by the Local Bills Committees to inform the Council of the nature of the Bills before them. Reform, however, was required, and both political parties ought to unite to remedy matters by forming a grand Committee to deal with local Bills in a more deliberate fashion and on settled principles. Now, there was a conspiracy of silence on the part of members, and an implied contract to refrain from acts of hostility with regard to his neighbour's Bill. No man who had charge of a local Bill would dare to break the unwritten law. The Hon. Mr. JENKINSON .- I do not think there can be any complaint at all this session about pressure of business, but, as regards local Bills, one very great complaint I have to urge is in regard to the attendance at the Local Bills

Committees. At the Committees I have at- tended this year I have found the work has been left to about three members, and I cannot help saying that the absentees are generally to be found from the opposite side of the Council. The older members of the Council seem to think the work should devolve on the younger mem- bers, and I am of opinion they take every opportunity of stopping away from the Com- mittees. I think the Council should set up a revision Committee for local Bills, or have a draftsman to look after the wording and draft- ing of them, and devote his whole attention to these Bills. No doubt the Bills were in proper form when introduced in another place, but they are amended there, and often left in a
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down to the Council-as has been the case to. night-actually unreadable. They are amended here, but often I do not suppose the Bills are much better than when they came to the Coun- cil. This very often necessitates an amending Bill in the next session, and we have had two Bills to-night to amend local Bills of last session. I hope before many years are passed we shall have such a draftsman, or a Revision Com- mittee, as I have suggested. It was utter non- sense to say the Local Bills Committee could see that a local Bill was properly drafted. The Hon. Mr. REEVES .- I quite agree with the remarks of the Hon. Mr. Jenkinson and the Hon. Mr. Kelly. No doubt members will see that the membership of Committees is alto- gether too large. Sometimes there are eight, nine, ten, or eleven members, which, of course, means one-third of the members of the Council present. How often have we seen on various occasions three or four Committees called for the same hour, which is simply absurd, because it is impossible for members to go from one Committee to the other and give proper attention to the work. I think the suggestion of the Hon. Mr. Jenkinson would result in a saving of time, labour, and money to the Government. I think a man well posted in law should be appointed, and let him be at every meeting of the Committee to point out the clauses which require amending or improving. The Hon. Mr. RIGG .- Sir, I cannot see that the suggestion of the Hon. Mr. Jenkinson is practicable. I do not think that there are a sufficient number of local Bills to justify the appointment of a special draftsman. Last year a large number of local Bills came down after a number of members of the Local Bills Commit- tee had gone home, and at the last moment additions had to be made to the Local Bills Committees, and the Council had to place on those Committees members who had done heavy work on other Committees for many weeks previously. That was most unfair on the part of those members who absented them- selves. As regards the local Bills that are now before us the position is different. These Bills have come down at a time that gives ample time for their consideration ; but the Commit- tees have contented themselves with saying that the Standing Orders have been complied with. I do not see an amendment proposed by a Committee in any local Bill. Most of these Bills are drafted by solicitors who have no ex- perience-or, at any rate, no extended experi- ence-in drafting measures for the considera- tion of Parliament. What happens with regard to Government measures? We have in the Law Draftsman one of the most expert drafts- men we have had in the service of the colony yet. His work is carefully scrutinised by the Select Committee, and alterations are made to remedy any small errors that may exist, and also in some cases to make more clear the meaning of a section. If that is necessary in the case of an expert draftsman, how much more necessary is it in the case of the work of the draftsmen of these local Bills; and yet trouble to scrutinise the drafting of certain Bills, and the Hon. Mr. Ormond takes his share of the responsibility. Well, in that re- spect the Committee of which he is a member has not, I think, recognised the full extent of its duties. As regards the Bills that have come before us to-night, I am prepared to say that, notwithstanding the hasty consideration they have received, there is nothing seriously to object to in any one of them. I am always prepared to assent to the broad principle that we should give the greatest possible power to local bodies. The only safeguard I would ask is that the ratepayers in the district should have a proper opportunity of considering the proposals and of recording their votes upon them. I think if that is done Parliament cannot err very much in extending the powers of local bodies as widely as possible. It may be that where finance comes in the question arises

whether a check should not be put upon local bodies, which may become extravagant; but I only mention that as an exception to the rule. The Hon. Mr. FELDWICK .- I understand that there is no objection to the Bill before us, but that advantage has been taken of the present opportunity to speak upon general principles. I should like to say a word or two regarding the methods that we have adopted. I think it well that it should not go to the country that our Committees rush these things through. It ought to be generally known that, while the other House has only one Local Bills Committee, we at the outset of the session set up a Committee of twenty-one members, and then divide it into three Committees, "A' "B, " and "C," so that we can easily take a large contract of Bills and deal with them quickly and effectively. As regards Committee A, I may say that I have sat on that Com- mittee. Last Monday, at ten o'clock in the morning, we went through five or six Bills, and they were all gone into methodically and conscientiously. The Bills could not have been gone through any better, or more care- fully, if they had been taken in hand three months ago. There was, in fact, a doubt re- garding one or two Bills-whether the sche- dules had been certified to by the local Chief Surveyor or the Surveyor-General-and the honourable gentleman who was Chairman of the Committee undertook to ascertain from the Survey Department that the schedules had been verified before allowing the Bills to pro- ceed. I had occasion to go from that Com- mittee with a Bill to Committee C, of which the Hon. Mr. L. Walker is Chairman, and I saw there the same careful work done by the Committee. Last year twenty-seven Bills were brought down, and were thoroughly well gone into in a single day; there was no slipshod work about them at all. As regards this year, the work has been thoroughly well and conscientiously done, and I should like to have the statement in Hansard that that is a fact. Motion agreed to.

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SETTLEMENT BILL. The Hon. Mr. W. C. WALKER .- Sir, I move the second reading of this Bill. It is the usual measure to assist in the development of our country, to improve our railways, and to provide for an extension of railways in different parts of the colony, and for additional rolling- stock for open lines. For instance, if a rail is taken up and a heavier one put down, 80 much of the value of the rail in excess of the old one is put to capital. The Hon. Mr. JENKINSON .- I wish to im- press on the Government the desirability of paying some attention to the straightening of the Hutt line and the deviation of the Rimu- taka Incline. It is continually a never-ending source of expense, and it is a mistaken policy to keep extending our railways further back while the few miles nearest the town are in a state that no railway should be in. If a return could be given showing the running-expenses and the wear-and-tear of rolling-stock caused through the course of the line to the Hutt, and the Rimutaka Incline it would almost stagger humanity. I think this is a matter that should be drawn attention to. I do not want to say one word against giving roads, or even railways, to those in the back blocks, but I say that a good round sum should be borrowed for the special purposes I have mentioned, and I am quite sure the interest on the money borrowed would be readily earned. The Hon. Mr. McLEAN .-- I should like the Minister to give us some information as to how much has been raised on short loans during the last twelve months, and how much the Government have power to raise in Loan Bills that is not now raised. Returns have been made of how much this Government have spent, and that Government have spent, and so on, since very far back ; but there cannot be I will much reliance placed on those returns. give an instance: There was one Government which is credited with the amount of two millions and a half. The previous (iovernment had raised it on short-dated debentures, and yet the succeeding Government got the credit of spending that money because it raised it. I heard the Minister say something about rails. Well, will he tell us what the rails cost when they were laid down and what is the price of rails now, and see how much should be put to capital account on these rails ? I think you will find that rails are a good deal cheaper now than when laid down, and if he wishes to put them to capital account I think he had better charge nothing. Then, with regard to this rolling-stock, there is £600,000 on the esti- mates. Can any one believe that it will take all

that amount to keep pace with the increased traffic of the railways in the providing of rolling- stock ? I would like, myself, to see how these depreciations are made. The Hon. Mr. TWOMEY .- If the honourable gentleman wanted this information he ought to have called for a return. It is a most unreasonable thing to ask the Minister how much money has been raised on short the Colonial Treasurer himself could at a moment's notice reply to exactly. I do not know whether I heard the honourable gentle- man rightly, but I understood him to say that a return laid on the table of the House was not reliable, because one Government had left a debt of two millions and a half and the next Government had to pay it. The Hon. Mr. McLEAN .- No, no. The Hon. Mr. TWOMEY .- Well, honourable gentlemen were talking all around me, and I could not rightly hear what was said. I think I know the circumstances to which the honour- able gentleman refers. It happened in 1879 and 1880. It is a long time ago, and I hardly think it need have been put in the short speech he made. Then the honourable gentle- man asked the Minister of Education what was the cost of rails now, and at a previous time, and he wanted an immediate answer. Sir, is it reasonable to think that the Hon. the Minister of Education can carry in his head . the cost of rails at some distant period of the past and the cost of such rails now? Again, I think the honourable gentleman complained about the great expenditure on rolling-stock. We all know there is a great demand for rolling-stock, and the honourable gentleman knows that the greatest grievance in the country with which he is acquainted is that at a certain period of the year there is not sufficient rolling- stock to carry the products of the land to market. Now, how can the Minister make bricks with- out straw ? If they want to carry the products of the soil to market they must have rolling- stock, and they cannot have rolling-stock unless they have the money to buy it with. Is it reasonable to find fault with Ministers who are asking for money to provide rolling-stock that is absolutely necessary ? There was something said by the Hon. Mr. Jenkinson about straighten- ing the Wellington-Hutt line, and that it was more necessary to do this than to make railways to give communication to the back blocks. With that I disagree ; but I agree with him entirely about the Rimutaka. That is an awful place, and a dangerous line. It was a most ex- traordinary thing to have ever constructed that line, and I should certainly like to see some deviation which would be safer and better than that line. I certainly think the Wellington- Hutt line should remain as it is, until, at any rate, the Rimutaka deviation is attended to. The Hon. Mr. ORMOND .- This is a money Bill, and therefore a Bill which the Council can do nothing with except express its opinion upon or reject. Of course, there is no question of rejecting a Bill which is to raise nearly €1,250,000 for various purposes, many of which the whole colony desire to see effect given to. All I wish to say about this Bill is that, so far as I have had time to look into it, I think, it is proposed to raise this money in quite a different manner from what other Bills of a like character have provided. I know of no other occasion on which so large a sum as this has been left entirely in the hands of the Colonial Treasurer to raise as he likes. This Bill pro-
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bentures-a form of borrowing money which 1, at any rate, think it is not at all desirable for the colony to enter into. Having expressed that general difference with the manner in which this Bill is proposed, I wish now to go to the form in which the Schedule provides that this money shall be appropriated, and I say that it is most objectionable that the whole sum for railways, namely, £600,000, should be put down without being allocated in any way to the respective lines for which it is voted. I cannot understand how the other branch of the Legislature, having the control of the public purse, has allowed any Government to be in the position of having to expend as it likes any portions of these moneys over any one line in the Schedule, because that is what it means. In my opinion, we are making de- partures, - important departures - from the practices of the past in most important par- ticulars. I think that, even in this Chamber, in proposing this Bill my honourable friend should have given us some information with regard to that very large item -- £400,000-for additional rolling-stock. My honourable friend should have told us how much of this money it was contemplated should be spent in the colony. We have during the last year sent away enormous sums

for the purchase of rolling-stock. I do not blame the Government for having done so, because I think the pressure of our railway traffic required that rolling-stock should be pro- vided quickly ; and those of us who have taken any trouble to inquire into those purchases by the colony have found out that some of the purchases-particularly the American carriages which have been brought here-were not at all satisfactory to the colony-that we have im- ported them at prices very much higher than the prices at which they could have been pro- duced here. The Hon. Mr. W. C. WALKER .- It is like the horses. The Hon. Mr. ORMOND .- What I said about the horses was perfectly right, and what I am saying now is perfectly correct. My honour- able friend may not know so much about it as I do. But, as I have said, I do not blame the Government ; but I do say it is a matter for regret that they should have had to send away for these carriages, because they have cost hundreds of pounds each, more than they could have been purchased in the colony for. The honourable member may think it right to jeer at me when I say that, but I am telling him that which is correct, although he may not know it, but he ought to know it. But, Sir, what I do say, and what I began with, is that the . honourable gentleman might, in my opinion, have given us information. We are entitled to know something about how this $400,000 is going to be spent, and whether or not a large proportion of it is this year proposed to be spent in the colony, and in that way give employ- ment to our people. Surely we are entitled to such information. Sir, with regard to the other items again, the Bill deals with lump sums. I have nothing further to say. I only rose to tion should be contained in this Bill as to the manner in which the money is proposed to be raised, and the objects to which it is proposed to be applied. The Hon. Mr. W. C. WALKER .- Sir, it is very curious that this question as to the form of the Bill is brought up to-night, because, except as regards the total amounts, the Bill of last year and the Acts of previous years have always been in exactly the same shape. The Hon. Mr. Ormond seems to think that it is a very great matter for regret that the railways should be lumped all together and a total sum of £600,000 should be placed as against so many railways. But that is exactly the same form as that in which these Bills have always come down. I doubt not if we could find time to look back we should find probably that this was an invention of the honourable gentleman's own when he was Minister for Public Works. The Hon. Mr. ORMOND .- No, no. The Hon. Mr. W. C. WALKER .- Oh, I think so. I believe he is responsible for a great deal, and that we have inherited it from him. That shows that there is nothing like putting an old poacher on to protect the game, because he knows all about it. But I can assure the Council that this Schedule is exactly on the same lines-as far as I know, precisely the same lines-that these Bills have always come down to us. It may be regrettable that the Hon. Mr. Ormond cannot have the opportunity of ex- pressing his opinion as to the particular rail- ways, and as to how the money is to be spent on them ; and I can quite sympathize with my honourable friend Mr. Jenkinson when he can- not find anything in this Schedule to show that there is anything being done towards straightening the line to the Hutt or softening the grades on the Rimutaka. But we cannot help these things. We have to pay for the sins of our fathers ; and the fathers of this Council, and the men who made the colony, no doubt, made mistakes. One of the big mistakes mado was the mistake of the Father of Wellington insisting on taking the railway over the Rimu- taka. That is a mistake we have to suffer from. But why this generation should pay for correcting it is another question. The Govern- ment would be only too glad to attend to these things, if it were possible, at the present moment ; but we have to provide additional rolling-stock to the extent of $400,000. Is it reasonable to suppose that for a mere com- parative luxury we can straighten a track like that ? The Hon. Mr. JENKINSON .- It is a neces- sity. The Hon. Mr. W. C. WALKER .- No, it is not. I admit it is a very rough track, but still I do not say it is a necessity ; and we have got to put up with it, because every day, with an in- creasing traffic, we have to provide additional rolling-stock. Now, as regards the charge that the Hon. Mr. Ormond made against the Govern- ment of providing American cars, which he said have got to be converted at very large cost after they come to the colony, I have already said

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these cars when they came here were done at the expense of the contractors. The Hon. Mr. McLEAN .- I think it would be an improvement to send them back. The Hon. Mr. W. C. WALKER .- Well, the only thing to be said is that the country re- quired to have some cars and we could not build them. Our building-yards were full of work, and we could not get a supply from Eng- land ; and we had to go to the next best place- to our Yankee cousins, who will always take an order and execute that order up to time. That is a very great matter, and I think our friends in the Old Country would do well to study that point of business better. When we send orders Home to England they should always execute them to time. But they do not do it in Eng- land ; and it is in a very unsatisfactory way that our orders are fulfilled. There is hardly an order that goes Home in which they do not want an extension of time, and all that kind of thing. Send an order to America and it comes out punctually ; and they were our own patterns we sent to America. The price was arranged, and the alterations that have been done since they came here, to the axles, and so on, have been done at the expense of the contractors. The Hon. Mr. McLEAN .- It did not say much for your pattern-makers who have sent them. The Hon. Mr. W. C. WALKER .- I do not know. The whole thing came out exactly to time, and they are running all right. Now, the Hon. Mr. McLean wanted to know about how much short-dated debentures were issued by the Government. Well, I am astonished that he should ask a question about such a matter of common repute as that. He has only got to look at the Financial Statement. is all to be found there. If book and Bible will not convince the Hon. George McLean it is no use my talking to him; but I can assure him it is all there. I trust the Council will pass the Bill. This Bill is in exactly the same form as such a Bill usually comes down to us, and, as the Hon. Mr. Ormond very properly said, it is a Bill we cannot possibly amend, and it is necessary for the public good it should be passed. Bill read the second and the third time. OLD-AGE PENSIONS BILL. IN COMMITTEE. Clause 4 .- " On the hearing of any applica- tion for a pension or renewal-certificate, if the Magistrate finds that any real or personal pro- perty has been transferred by the applicant to any person, he may inquire into such transfer and refuse the application, or grant a reduced pension." The Hon. Mr. McLEAN moved to add the following words : " before granting any such application or renewal." The Hon. Colonel PITT moved, That progress be reported. The Committee divided. Eon. Mr. W. C. Walker Barnicoat McLean Swanson Ormond Bonar Twomey. Bowen Pitt NOES, 13. Jones Rigg Bolt Feldwick Kelly, T. Smith, A. L. Pinkerton Tomoana Gourlay Walker, W. C. Jenkinson Reeves Jennings Majority against, 5. Motion to report progress negatived. The Committee divided on the question, "That the words proposed to be added be so added." AYES, 9. Barnicoat Jennings Ormond Jones Bonar Pitt Bowen McLean Swanson. NOES, 12. Bolt Smith, A. L. Kelly, T. Feldwick Pinkerton Tomoana Gourley Reeves Twomey Jenkinson Walker, W. C. Rigg Majority against, 3. Amendment negatived. Clause 7 .- " Every person commits an offence who receives any money in consideration of or in respect of the procuring of any pension or renewal-certificate, and, in the case of any licensed Maori interpreter so committing an offence, his license as such interpreter shall be cancelled." The Hon. Mr. RIGG moved, That after the word "person" the following words be in- It serted : "other than a licensed Maori inter- preter." The Committee divided on the question, "That the words be inserted." AYES, 3. Smith, A. L. Rigg Swanson. NOES, 17. Barnicoat Harris Pitt Bolt Jenkinson Reeves Bonar Jennings Tomoana Bowen Jones Twomey Feldwick Kelly, T. Walker, W. C. Gourley Pinkerton Majority against, 14. Amendment negatived. Bill reported. The Council adjourned at a quarter past twelve o'clock a.m.
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Wednesday, 30th October, 1901. Bill discharged-Criminal Statistics for Licensing Districts-Advances to Settlers-Surplus Crown Lands-New Zealand Railways Repairs-Native Civil List -Co-operative Labourers in Patea Electorate - Survey Department Nominal Roll -Crown Lease Surrenders - Government Ser- vice Appointments and Promotions-G. Brown- Herbert E. Easton-Patea Electoral Roll-North Island Main Trunk

Railway - Calliope Dock - Wellington Graving dock and other Works-Ex- port Duty on New Zealand Timber-Accommo- dation for War-ships at Port Chalmers-Breach of Privilege - Long-service Medals - Bonus on Kerosene and Paraffin-wax-Bonus for Shale-oil -Close Settlement at Johnsonville-Reciprocity with America-Kapuatohe and Kahiwahi Blocks -His Excellency the Governor-Licensing Act- Royal Review in Christchurch-Messengers and .Orderlies-Federation Commission Report-Re- presentation of New Zealand at the King's Coronation-R. H. Elliotte-Mrs. E. H. McDonald -Topographical Plans- Carriage of Butter- Post-office for St. Leonard's-Totalisator Betting by Telegraph - Auckland - Waikato Railway-Government Railway Time-table - Lambs de- stroyed by Seagulls - Halswell Post-office-Pal- merston North Post-office-Railway Expenditure -Government Railways Department Classifica- tion Bill-State Coal-mines Bill-Maori Lands Administration Bill. Mr. DEPUTY-SPEAKER took the chair at half- past two o'clock. PRAYERS. BILL DISCHARGED. Government Railways Department Classifica- tion Bill. # CRIMINAL STATISTICS FOR LICENSING DISTRICTS. On the motion of Mr. ELL (Christchurch City), it was ordered, That there be laid before this House a return showing the criminal statis- tics for each licensing district for the years 1896 to 1900, both inclusive. # ADVANCES TO SETTLERS. On the motion of Mr. J. ALLEN (Bruce), it was ordered, That there be laid before this House a return, supplementary to return 232B, showing the names of the solicitors receiving the fees set forth in the said return ? # SURPLUS CROWN LANDS. On the motion of Mr. HEKE (Northern Maori), it was ordered, That there be laid before this House a return giving the names of all lands declared by the Crown to be surplus lands : such return to show,-(1) The name and area of each block, and where situate; (2) such blocks sold or portions of such blocks sold, and area of same, and balance in hand ; and .(3) blocks leased, or area of such blocks leased, .term of leases, and balance in hand. NEW ZEALAND RAILWAYS REPAIRS. On the motion of Mr. J. ALLEN (Bruce), it was ordered, That there be laid before this House a return setting forth, for each financial .year .from 1880 to 1901 inclusive, in respect of number of sleepers each year (a) removed, (b) relaid and cost, and (c) respaced and cost ; and (2) the rails each year, with weight speci- fied, (a) removed, and (b) relaid and cost : the return to specify in every case the items charged to revenue and to additions to open lines, or other loan-money. # NATIVE CIVIL LIST. On the motion of Mr. PIRANI (Palmerston), it was ordered, That there be laid before this House a return showing the particulars of the expenditure under the heading " Native Civil List " to the 31st March, 1901, in con- tinuation of previous returns of similar expen- diture. # CO-OPERATIVE LABOURERS IN PATEA ELECTORATE. On the motion of Mr. MASSEY (Franklin), it was ordered, That there be laid before this House a return giving the number and names of the co-operative labourers employed by the Government in the Patea Electorate during the six months ended the 21st October, 1901, and also giving the date on which each man com- menced work. # SURVEY DEPARTMENT NOMINAL ROLL. On the motion of Mr. R. THOMPSON (Marsden), it was ordered, That the nominal roll of the Survey Department be laid upon the table of the House. # CROWN LEASE SURRENDERS. On the motion of Mr. O'MEARA (Pahiatua), it was ordered, That there be laid before this House a return showing (1) the number of sur- renders by Crown lessees, and (2) the total area of Crown lands converted into freehold by such surrenders, for a period of five years ended the 31st March, 1901. GOVERNMENT SERVICE APPOINT- MENTS AND PROMOTIONS. On the motion of Mr. FISHER (Wellington City), it was ordered, That there be laid before this House a return showing the permanent appointments and promotions, giving names and salaries, made in all departments of the Government service since the 1st February, 1891, showing under separate headings those appointments or promotions which carry a salary of $400 and over, $300 and over, $200 and over, and £100 and over. # G. BROWN. Mr. R. MCKENZIE (Motucka) brought up the report on the petition of G. Brown and 101 others, of Tuakau, to the effect that the Com- mittee recommended that the petition be re- ferred to the Government, and he moved, That the report do lie on the table. Mr. MASSEY (Franklin) said this petition had reference to a road in the Tuakau district, in his

electorate, which the Railway Depart- ment proposed to close. He wished to say
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referred to the Government by the Railways Committee on the understanding that during the recess the General Manager of Railways and the Chief Engineer of Railways should visit the district, and, together with the mem- ber for the district and the local bodies con- cerned, endeavour to arrive at some amicable arrangement with regard to the matter in dis- pute. Motion agreed to. # HERBERT E. EASTON. Mr. PALMER (Ohinemuri) brought up the report of the Joint Goldfields and Mines Com- mittee on the petition of Herbert E. Easton and others. The report was read by the CLERK. Major STEWARD (Waitaki) asked the Deputy-Speaker's ruling as to whether the re- port which had just been read would appear in Hansard, as it appeared to him that the practice was that these reports of Committees did not so appear. A ruling bearing on the subject was to be found on page 121 of the " Rulings of the Speakers " : " Nothing can go into Hansard except what is uttered by mem- bers in the course of their speeches." Mr. SEDDON (Premier) said the House had ordered the report to be read, and it appeared to him that any matter read in the House should appear in Hansard. It had been ruled that nothing should go into Hansard unless it was read. He thought the more widely the finding of this Committee on the petition was circulated through the country the better. Mr. FISHER .- That is not the point. Mr. SEDDON said the point was, Who was to suppress it going into Hansard. This was a different thing from a petition. There might be matters in a petition that had never been inquired into-it was an ex parte statement ; but he did not know where there was a pre- cedent for the report of a Committee which had been read not appearing in Hansard. Mr. FISHER (Wellington City) said the rule, if there was one at all, was that a report of a Committee, although read by the Clerk, should not appear in Hansard. It was always open to the House to say, however, whether it should appear or not. The Speaker bad always ruled that it should not so appear; but in special cases the Speaker gave special directions. The matter of this being an important question was not the question the House had to consider. Major STEWARD wished to explain that he was not objecting to the report appearing in Hansard, but he contended that it should not go in without the special instruction of the House. Mr. McGOWAN (Minister of Justice) thought the position was exactly the other way. Hansard being a record of anything uttered in the House, any report read should appear. He doubted if the member for Wellington City (Mr. Fisher) could point out a rule that it should not appear unless ordered by the Speaker. Mr. Massey man had any doubt on the point, he need only consult the Chief Hansard Reporter to find out he was wrong. Mr. J. ALLEN (Bruce) thought the ruling on page 121 of the "Rulings of the Speakers" was conclusive, that nothing was to go in Han- sard except what was spoken by a member. Mr. DEPUTY - SPEAKER said, Speaking generally on the point, the ruling was that nothing should go into Hansard except what was uttered in the course of debate. That was laid down by the Speaker in Hansard of 1894, on pages 1043 and 1050. Hansard was a record of the debates in the House only. There did not appear to be any direct ruling on the question whether reports of Committees stood in a different position to the reading of petitions. Before he gave a final ruling on the subject, the matter being one of some import- ance, he would like to see whether any of these reports of Committees, which had been very numerous, had appeared in Hansard. If he did not find them in Hansard, he would take it to be the universal practice that these reports were not inserted in Hansard. Mr. SEDDON (Premier) said, To obviate that difficulty he would move, That this report ap- pear in Hansard. If that were not done, then all that was required would be for some member to read this report, and it would go in Hansard in his speech, and to avoid that trouble and save time he would move his motion. Mr. FISHER (Wellington City) only wished to say that, if Mr. Speaker would allow him, he would aid him in his research by referring to many cases where a report such as the one that had been read to-day had appeared in Hansard in full. Mr. R. MCKENZIE (Motueka) agreed with the motion moved by the Premier, as the easiest way to get this report into Hansard. He con- sidered it very important in the interest of the mining

industries of the colony that the report should be circulated as widely as possible, so that mining investors should be made aware of these foul practices. He had made up his mind that this report should go into Hansard, and if it was not put in by means of this motion, then he intended, although sorry to take up so much time, to read the report over again, so that it might appear in his speech in Hansard. Mr. MEREDITH (Ashley) asked Mr. Speaker to permit him to direct his attention to Hansard No. 32, page 586, of this session. He would find that the report he (Mr. Meredith) brought up as the Chairman of the M to Z Public Petitions Committee on the question of exces- sive drinking by Maoris appeared in Hansard exactly as he had reported it to the House. Mr. SEDDON .- Who read it ? Mr. MEREDITH said it was read by the Clerk of the House. Mr. DEPUTY-SPEAKER said the Clerk in- formed him that the general practice was that the reports ordered to be read did not appear in Hansard unless Mr. Speaker gave special in- structions for them to be reported.

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allowed to refer Mr. Speaker to Volume 105, page 688, of Hansard, in which he (Mr. Tanner) brought up a report of the Public Accounts Committee. Hansard showed that " The report was read by the Clerk as follows," and then followed the full body of the report. An Hon. MEMBER .- That was ordered by the Speaker. Mr. TANNER said there was apparently no indication in Hansard that any direction was given. There may or may not have been a direction. Mr. DEPUTY-SPEAKER said he had stated what the usual practice was. If the Speaker thought the matter was of sufficient importance he exercised his discretion, and gave his in- structions to have it inserted in Hansard ; but, as the Premier had moved that this report ap- pear in Hansard, the question had better be settled by the House. He would put the Pre- mier's motion. Motion agreed to. The report was as follows :- Report on the Petition of Herbert E. Easton, of Dunedin. I. In this case the petitioner asks that legislation be passed in order to prevent what the petitioner alleges are acts of commercial immorality in mining companies. II. Your Committee have very carefully in- quired into the complaints made by the peti- tioner. The inquiry was confined to seven of the companies floated by Messrs. Cook and Gray. There was some evidence adduced to the effect that the commercial immorality al- leged to have taken place in these companies was typical of what had taken place in some other companies. Although a great deal of evidence was given in regard to private mat- ters between petitioner and Mr. Cook, your Committee wish as much as possible to dis- regard everything except the public aspect of the case. III. The following is a summary of the charges made by petitioner :- (1.) One person or firm being (a) the promoter, (b) broker, (c) secretary, and (d) director ; and (e) the registered offices of companies being in his or their office. (2.) Transfers being accepted and passed with moneys owing from sellers. (3.) Shares being "dummied," and commis- sion received on them. (4.) Signatories to articles of association not being shareholders. (5.) The articles of association being so drawn as to override what may be classed as the safety clauses of the Act under which they are framed, thereby allowing a few holders of shares to ob- tain almost absolute control of the companies, and the articles of association being so worded as to allow unqualified shareholders to vote. (6.) Lees Ferry Company's vendors' shares being used for voting to prevent liquidation, for benefit of promoters ; and that out of twelve companies, with an aggregate capital of £100,000, floated by Messrs. Cook and Gray, action taken by the holders of vendors' shares. (7.) Promoters receiving secret profits. (8.) That minute-books show that directions were given to the secretary to invoke the law against bona fide shareholders when promoters and others were owing large sums. (9.) One promoter being also a director and receiving director's fees, yet not attending meetings. (10.) The Ngahere Company's brokers taking commission on shares on which no cash has been paid. (11.) That the Ngahere Company's claim is not situated where stated in prospectus. (12.) That, on the grounds of misrepresenta- tion, Mr. Gray, one of the promoters of the Golden Grey Company, and others, repudiated payment of calls on shares upon which the firm of Cook and Gray had received brokerage. (13.) The formation of secret rings for

speculative purposes only by promoters and directors at a time when the public were being asked to subscribe money to be used for mining purposes. (14.) Shareholders voting and directors act- ing when their allotment-money and calls were unpaid. (15.) Vendors making a profit on liquidation on shares which have cost them nothing. (16.) Improper auditing. REVIEW OF THE CHARGES. IV. In all of these charges the onus of proof must be on the petitioner. Some have not been proved, and others are matters that should be dealt with by the law-courts, for where the law provides an ample remedy that remedy should be taken, as it is not for this Committee to take up the functions of the law-courts. Your Committee will therefore dispose of these latter charges first, namely :- (1.) " Promoters receiving secret profits " : This charge must refer to (a) salary for office and secretary, and (b) directors' fees. In regard to (a), Mr. Holsted was simply Cook and Gray's servant, and managed the companies, and had nothing whatever to do with the flotations. Mr. Holsted managed fourteen companies for Cook and Gray, and received on an average £75 a year each, or a total of $1,050 a year, and in the books of the companies he debited the com- panies with owing these amounts to Cook and Gray, and credited the companies with having paid the various payments thereon to Cook and Gray. Therefore any profits made out of this by Cook and Gray were not secret profits, but were known to the shareholders, all of whom could have known that Mr. Holsted was only the servant. Neither were the directors' fees secret profits. Therefore this charge has not been proved at all, unless it refers to brokerage, which is dealt with hereafter. (2.) " One promoter, being also a director and receiving director's fees, as per table attached, vet not attending meetings ": Mr. Cook drew director's fees, and attended in some cases only one meeting, and in others no meetings ; but if there is any wrong in this the remedy is with
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A director may do work for his company other than attending meetings, and the company should not be restricted in their choice of a director. (3.) "That the Ngahere Company's claim is not situated where stated in prospectus ": The evidence upon this charge is very much more in favour of Mr. Cook than petitioner; but, even if the charge was proved, the law on the subject has been clearly laid down in the Pro- moters' and Directors' Liability Act, and there- fore the Parliament has provided an ample remedy, which should have been taken if any wrong had been committed. (4.) " That, on the grounds of misrepresenta- tion, Mr. Gray, one of the promoters of the Golden Grey Company, and others, repudiated payment of calls on shares upon which the firm of Cook and Gray had received broker- age " : In reference to this charge, we have the evidence of Mr. Gray, who swears that his partner, Mr. Cook, induced him to take up shares on the understanding that only the ap- plication-money would require to be paid. Mr. Gray and others were summoned by the com- pany in the Magistrate's Court at Dunedin, and defended the actions on the above grounds. Mr. Cook, in answer to this charge, in his sworn evidence, question 35, page 8, says, "The Magis- trate decided there was no misrepresentation, without hearing my side at all." Mr. Cook took this evidence away with him, and cor- rected it and returned it ; yet this statement of his was not correct, for the Court held that no agreement entered into between Mr. Cook and the defendants could bind the company, and therefore the issue of this charge was not decided by the Court at all. Mr. Abbott also gave evidence on this charge, and ad- mitted that certain of the companies were formed for speculative purposes ; that Mr. Cook had induced him to take shares on the understanding that the application-money (1s. per share) only should be called up, and that he (Mr. Cook) would have the control of the companies, and they would not be gone on with unless the state of the share-market warranted it. The evidence of Mr. Gray and Mr. Abbott was denied by Mr. Cook, who, it appears, also by writing took over Mr. Abbott's shares, but still retained them in Mr. Abbott's name on the share register. There is also the evidence among the other documents of the company of letters written by other shareholders which corroborate the statements of Mr. Abbott and Mr. Gray, and the weight of evidence concern- ing this charge is against Mr. Cook ; but whether or not these shareholders are to be

relieved of their liability on these shares is purely a matter for the Courts to decide in proceedings between them and Mr. Cook. The part, however, of this charge which concerns your Committee is the formation of a company merely for speculative purposes on the share-market. This is against public policy, and is purely a species of gam- bling, and should be stopped by legislation. All parties knowingly entering into such a trans- action are particeps criminis. lative purposes only by promoters and directors at a time when the public were being asked to subscribe money to be used for mining pur- poses " : The only evidence we have of this is what is mentioned in the previous paragraph. It has not been proved that what had been done was kept secret from the other shareholders. If, however, it was kept secret, then it would he unfair to the other shareholders, who would be induced to take up shares on the representa- tion of the names of those subscribing. Legis- lation is necessary to prevent the occurrence of such a case as that alleged to have taken place in this matter. (6.) " Vendors making a profit on liquidation on shares which have cost them nothing" : This has not been proved. (7.) "Shares being ' dummied,' and commis- sion received on them " : If this had been done, then a remedy is already provided by law, and therefore the Committee have no further re- marks to make. V. As to the other charges, we wish to say,- (8.) " One person or firm being (a) the pro- moter, (b) broker, (c) secretary, and (d) director, and (e) the registered offices of companies being in his or their offices ": It has been proved that Mr. Cook-or, rather, the firm of Cook and Gray, of which he was the managing partner in Dunedin, and had the sole control there-was the vendor to the company, also the promoter, secretary, broker, and director, and the office of the company was Cook and Gray's office. It will be necessary to briefly review these different positions held by Mr. Cook in order to ascertain if his duties in one position would conflict with those in another position. As " vendor " to the company Mr. Cook is the seller, and as "secretary " and " director " he is in a position of trust for the other shareholders to purchase from himself, so he becomes both a buyer and a seller. Again, being the "promoter " of the company, he stands in a fiduciary position to the company he promotes : he virtually creates a body to purchase from himself. The promo- tion gives him an unlimited power to make the company subject to such regulations as he pleases ; also for such purposes as he pleases, as well as to create it with a managing body whom he selects, and having such powers as he chooses to give them as managers. Morally, therefore, he who accepts such extensive powers should not be allowed to disregard the interests of the company. The Legislature has given these powers to a promoter, and it is necessary to pass further legislation to prevent these powers being abused. Petitioner alleges that these powers have been abused-e.g., that as promoter Mr. Cook appointed himself broker, and as director and broker he would be both master and ser- vant ; that as director he allowed himself to charge exorbitant sums as broker; and that as secretary he, through his servant (Mr. Hol- sted), actually paid himself brokerage on shares on which no money was paid at all. There is no doubt that Mr. Cook's positions of director, broker, and secretary here came into conflict. It is clear that brokerage was very high, and

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shares, did not know that so much of the money they were subscribing was going to Mr. Cook himself, and not being devoted to mining. Mr. Cook admits that in the fourteen companies inquired into he received about £1,900 in brokerage, but he says he had to pay some of this to other brokers; but taking one only of the companies as an example, and comparing the brokerage with the amount of capital paid, the latter is quite disproportionate to the former-e.g., in the Lees Ferry Company : capital paid, £537; brokerage paid, #150, of which £15 2s. 6d. was ordered by the auditor to be refunded by Mr. Cook, as no money had been paid at all for the shares on which this broker- age was charged. In most of the fourteen companies inquired into the brokerage has been as disproportionate as above set out, and in Further conflict of these some even worse. positions of promoter, broker, director, &c., is shown in reviewing charges (5), (7), and (10). (9.) "Transfers being accepted and passed with moneys owing from sellers":

This was done in some of the cases inquired into, but it is allowed by law, and is very often done by many companies ; but the law should be altered, to the effect that where any money for applica- tion, allotment, or calls is due upon shares, then the same should be noted on the transfer before it is completed. (10.) "Signatories to articles of association not being shareholders ": By the Companies Act it requires seven shareholders to form and be a company, but in many of the cases in- quired into seven persons signed the memo- randum of association, but some never became shareholders in the company at all, and so for a period of time the company consisted of less than seven persons ; yet these who were not shareholders attended meetings, moved and seconded resolutions, and appointed Mr. Cook, Mr. Leijon, and other directors, appointed the secretary, and did other business; but it is stated in evidence that they did so on the advice of the company's solicitor. This wilful disregard of the provisions of the Companies Act is very reprehensible, and may entail loss upon shareholders, who were innocent, and ignorant of these breaches. The Committee recommend that in these cases proceedings should be instituted by the Crown to test their legality. (11.) "The articles of association being so drawn as to override what may be classed as the safety clauses of the Act under which they are framed, thereby allowing a few holders of shares to obtain almost absolute control of the companies, and the articles of association being so worded as to allow unqualified shareholders to vote" : The promoter has the creation of the company, as set out in the review of charge (1), and the interests of the shareholders should be safeguarded. In the cases inquired into, many of the safety clauses for shareholders in Table A of the Act are negatived, such as their voting-power, &c. This may be quite right in regard to private companies, but in public companies, and especially in mining companies, where the carried on if every intending purchaser had first to search the articles of association before he purchased, the law should be amended so as not to allow these safety clauses to be negatived. (12.) " Lees Ferry Company's vendors' shares being used for voting to prevent liquidation, for benefit of promoters ; and that out of twelve com- panies, with an aggregate capital of £100,000, floated by Messrs. Cook and Gray eleven must go into liquidation but for the action taken by the holders of vendors' shares ": The minute- book of the Lees Ferry Company shows that on the 26th March, 1901, the vendors' shares were used for voting to prevent liquidation. At this date this company should have gone into liqui- dation. The company was not, and had not been, carrying on the business of mining, and it was not in a financial position to do so, and the only reason for keeping the company in ex- istence would be either for share-market pur- poses or for the benefit of the salaried officers. In this case the Dunedin Stock Exchange struck the company off its quotation-list. The articles of association having negatived the safety clauses in Table A, the voting-power of the smaller shareholders was reduced, and the law requires amending as set out in the review of charge (1). That there is no evidence to show that the vendors' shares were used to prevent other com- panies from going into liquidation. (13.) "That minute-books show that direc- tions were given to the secretary to invoke the law against bond fide shareholders when pro- moters and others were owing large sums ": A large number of shareholders were sued in the Magistrate's Court at Dunedin on the 19th April last, while Mr. and Mrs. Cook, who then owed very large sums to the companies, were not sued at all. The shareholders who were most in arrears in the companies were Mr. and Mrs. Cook, whom, Mr. Cook says, were never sued at all. The law should be more clearly defined, so as to insure that all shareholders shall be treated alike. (14.) "The Ngahere Company's brokers taking commission on shares on which no cash has been paid ": Cook and Gray were ordered to refund this money by the auditor. This is one of the cases referred to in the re- view of charge (1). Mr. Cook says he was absent, and he blamed his clerk (Mr. Holsted) for this and other irregularities. He further said it was the duty of the auditor to detect the matter and order a refund to the company. Other such payments in other companies were not detected, and have not been refunded. The principle of charging improper items and the company paying them, and then these having to be refunded by order of the auditor, is not right, and, when it happened once, Mr. Cook and his servants should have seen that

it did not happen again, otherwise it would subject. them to grave suspicion. This happened more than once. Notwithstanding Mr. Cook blaming Mr. Holsted in the matter, the minute-books of the company show that he himself is to blame, as he as director at directors' meetings passed his brokerage account as correct and
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payment; in others he had collected appli- cation-money on the shares sold, and he simply retained the brokerage, paying the balance over to the company. This trouble is to be attri- buted to Mr. Cook being promoter, broker, director, and secretary all in one. (15.) " Shareholders voting and directors acting when their calls were unpaid ": Mr. Cook elicited from Mr. Somerville that he (Mr. Somerville) had voted and also acted as director while his application-money was un- paid, and he had received director's fees, and the accounts of his firm had also been paid, while he still owed money for calls. What happened in Mr. Somerville's case hap- pened in a much worse form in regard to Mr. Cook, which will be seen by looking at the comparative table of Mr. Cook's dealings with the seven companies whose books your Com- mittee have, for in all of these companies he had not even paid his allotment-money till it was about nine months, on the average, overdue, and yet during this time he had acted as director, attended meetings and voted, and even passed some of his own brokerage ac- counts for payment, as well as his secretary's salary. He had actually passed large sums for payment to himself, and had received them, while he himself was still owing to the com- pany large sums of money. The law certainly requires amending in the direction of depriving a shareholder of the right to vote or act as director until he has paid his allotment- money. (16.) " Improper auditing ": The Commit- tee desire to point out that in some cases brokerage was charged by Messrs. Cook and Before paying allotment or calls, Mr. Cook, Ross Day Dawn, paid in £70, and Cook and Gray drew out .. Wicklow, Lees Ferry, Ngahere, No Town No. 2, Tucker Flat, Golden Grey, £385 Total (19.) Messrs. Cook and Gray had to pay for the services of the secretary and certain sums for other brokers, which are not included in the above table. (20.) Mr. Cook did not stand to lose much if these companies failed, but he had the chance of winning much if they were a success ; and in the latter case he was by the flotations to receive fully paid-up shares worth £6,390, while he would be responsible for contributing shares worth $7,500. (21.) The Committee recommend that the law be altered on the lines above indicated, and that the law be so amended that all mining tion-money was never paid ; the matter escaped the attention of the auditors. # GENERALLY. VI. To each and all of the above charges Mr. Cook's chief answer was to point out to the Committee the very large number of contri- buting shares he had taken up in each of these companies for himself and Mrs. Cook. That he must have taken them up purely as a mining venture, and not for speculative purposes only, he said, was proved by the fact that he did not sell his shares, and that he stood to lose double the amount that the others did if the com- panies failed. This position was often during the inquiry impressed upon us by Mr. Cook, and it would have been a very strong argument in- deed of Mr. Cook's bona fides if it was fully borne out, but it does not stand close criticism, for Mr. Cook has paid for his and Mrs. Cook's shares in the seven companies whose books were put in evidence the sum of £2,140, but Messrs. Cook and Gray received £1,841 13s. 9d. back from the companies, as shown by the appended table [p. 893]. (17.) Excepting the Ross Day Dawn and No Town No. 2, the companies are practically in liquidation, and practically no calls will be re- quired. (18.) Besides this, Cook and Gray had the use of moneys obtained from charges to these com- panies, for Mr. Cook did not always pay his application-money when due, and he did not pay his allotment-money till about nine months after it was due, and in the meantime Cook and Gray drew large fees from the companies, as follows :- £ s. d. 247 10 0 50 239 15 0 . . 239 15 50 0 .. 216 18 50 9 50 232 0 0 .. 65 227 5 0 220 15 50 0 £1,623 18 9 companies should be registered under the Mining Companies Acts. (22.) The question of titles having been ex- tensively dealt with in the evidence, the Com- mittee find that in the case of companies in which the vendors' shares have been allotted the

titles are held by the company, but in the other companies the titles are held by the vendors, though the company's money has been spent on them. RICHD. H. J. REEVES, Chairman, Joint Committee. 30th October, 1901.

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247 10 0 £ s. d. 266 8 9 271 0 0 Total. Received by Cook and Gray from Companies. 0 0 d. 0 0 0 150 0 0 21 0 0 21 0 0 0 3 18 9 Amount. 24 Sept., 1900 \|175 0 87 10 87 10 8. 0 100 139 15 June, 1900 21 May, 1900 Date. .. .. .. : . Director's fees Director's fees Director's fees Secretary's .. Secretary's Secretary's . .. By Brokerage By Brokerage By Brokerage salary salary salary Comparative Table. 100 0 0 0 0 100 0 0 s. d. Total. 115 15 0 0 50 0 0 d. 0 0 0 0 0 0 0 0 Amount. 0 0 .. 8. .. 50 50 50 50 50 € Paid by Mr. Cook to Companies. Allotment .. 22 Feb., 1901 9 May, 1890 23 April, 1900 15 June, 1900 22 Feb., 1891 6 Mar., 1901 Date. . · Subsequent Allotment .. Allotment . . No calls made .. .. Paid Application Paid Application Paid Application No calls made shares 3. Lees Ferry . . .. .. Company. 1. Wicklow 2. Ngabere VOL. CXIX .- 58 227 15 0 £1,841 13 9 279 10 0 247 10 0 302 0 0 .. 0 150 0 0 185 0 0 87 10 0 700 21 0 0 0 0 21 0 0 0 0 0 0 0 25 May, 1900 \|139 0 0 87 10 56 15 Total 175 106 21 8 May, 1900 19 May, 1900 27 Mar., 1900 : .. . . .. · : . Secretary's Director's fees Director's fees Secretary's Director's fees Director's fees Secretary's .. Secretary's · . By Brokerage By Brokerage By Brokerage By Brokerage salary salary salary salary - 195 0 0' 0 0 100 0 0 930 0 0 £2,140 0 0 600 .. 65 0 0 500 0 0 0 830 0 0 50 0 0 C 0 0 0 0 0 0 0 (0 0 0 Total .. 50 65 50 50 50 65 50 21 May, 1900 25 Feb., 1901 27 Mar., 1900 27 Dec., 1900 19 May, 1900 About 25 Jan., 8 May, 1900 22 Feb., 1901 : .. .. 1901 with allotment Subsequent calls Calls subsequently Some calls paid No calls made .. Allotment .. Allotment .. Allotment .. Allotment . . Paid Application Paid Application 5. No Town No. 2 Paid Application Paid Application paid 7. Ross Day 6. Golden Grey 4. Tucker Flat Dawn

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Mr. SEDDON (Premier), for Sir J. G. Ward (Colonial Treasurer) laid on the table a letter in reference to the compilation of the Patea electoral roll. He moved, That the paper do lie on the table and be printed. Mr. J. ALLEN (Bruce) said the House had had experience of the laying of these papers on the table by leave-papers that were not signed by an official. Mr. SEDDON .- That is signed all right. Mr. J. ALLEN said he did not care whether it was signed or not. Papers were laid on the table either by order of His Excellency the Go- vernor, or by leave of the House, or by order of the House. The practice was becoming pre- valent-and it was a very bad practice-for a Minister to come to the House with a document, or with an extract from a newspaper, and lay it on the table, whether it was correct or in- correct, as long as it suited his purpose. He submitted that the proper thing to do was to ask the leave of the House, first of all, whether or not the paper should be laid on the table. He did not know what the contents of this paper was, and he thought the House ought to have some knowledge as to the contents of papers pro- posed to be laid on the table, otherwise they would have any documents, whether authorita- tive or absolutely incorrect, laid on the table at the'sweet will of the Minister. What he objected to was the method of procedure, and he thought the House ought to be protected. Mr. DEPUTY-SPEAKER said the Standing Orders provided that the papers which might ba laid on the table were papers by order of His Excellency the Governor, papers by order of the House, and papers by leave of the House. The practice was that, in order to obtain leave of the House, the member presenting the paper moved that it do lie on the table. It was not necessary to move two motions. Mr. J. ALLEN asked, As this was an import- ant point, if Mr. Speaker would take time to consider his ruling. Mr. DEPUTY-SPEAKER said he could as- sure the honourable member he had taken time. The universal practice was as he had stated. Mr. PIRANI (Palmerston) thought it was usually understood that when a Minister laid a paper on the table the contents of that paper were in accordance with the Standing Orders, and that it did not contain reflections either on any member of the House or refer to a pre- vious debate in the House. This paper was a

criticism upon a debate in the House, and surely it was not in order for the Minister to bring up a letter from a person outside the House containing a criticism upon a debate in the House, and ask that that letter should be laid on the table. Mr. SEDDON (Premier) said the point of order raised by the member for Palmerston was that this paper was a criticism on a member. He (Mr. Seddon) said it was not a criticism on a member. An Hon. MEMBER .- No; but a criticism on a debate. a debate either. What it was was this : A statement was made in the House that five hundred names had been added to the Patea electoral roll on the day before the writ was issued. A public officer-the Registrar of Elec- tors for the district-had sent a letter to the Government stating that that statement was not founded on fact. He stated that on the supplementary roll the total number of names was 312, and that on the 1st July he only re- ceived eighty-five names, 2nd July fifty-eight names, 3rd July sixty-six, and 4th July twenty- three. So that on the day before the election he only received twenty-three names, and not five hundred. Mr. PIRANI asked if the honourable gentle- man was in order. Mr. MASSEY (Franklin) thought the Pre- mier had made it quite clear that the position was simply this : that Mr. Haselden made a statement during the debate in the House, which statement had been criticized by the Registrar of Electors at Patea. Mr. DEPUTY-SPEAKER said he could not allow the debate to proceed any further. He had read the document, and it was, to his mind, a gross reflection upon a member who had spoken in that House in debate. He had no hesitation in ruling that the paper could not be laid on the table. # NORTH ISLAND MAIN TRUNK RAILWAY. Mr. HALL-JONES (Minister for Public Works) asked leave to lay on the table a tele- gram from a public officer giving a denial to a statement made by the member for Palmerston, to the effect that a quantity of railway-iron had been spoilt, buried, and hidden away at Mako- hine or Mangaweka. The officer in question gave a specific denial to that statement. Mr. DEPUTY-SPEAKER thought this docu- ment was open to the same objection as was taken to the last document proposed to be laid on the table. Mr. SEDDON called attention to a Standing Order which laid it down that where a public document was read by a Minister it must be laid on the table of the House. As this was a public document - a communication from a public officer-which had been read by a Minis- ter, he asked Mr. Deputy-Speaker to rule whether it must not be laid on the table. Mr. DEPUTY-SPEAKER was sure that rule must be interpreted to mean documents that in no way infringed the rules of debate in that House by making statements or charges against any member of the House. Otherwise it would be open from time to time for officers of the Government or outsiders to make reflections on members of the House through Ministers or other members. Mr. HALL - JONES asked Mr. Speaker to mention the portion he considered objection- able. Mr. DEPUTY-SPEAKER said, If this officer had merely made the statement of fact con- tained in the telegram, without the preface, he

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its being laid on the table. Mr. PIRANI asked if he could lay on the table the Minister's reply to him, in which he said he (Mr. Pirani) must have referred to the road bridge, and that the iron in connection with the road bridge had certainly been in the position stated. Mr. HALL-JONES said he had pointed out that what the honourable member probably re- ferred to was the Mangaweka Bridge, which was proposed to be erected, the cylinders of which had been on the ground for a considerable time, but, as it had been found necessary to raise the height of that structure the bridge could not be proceeded with. There was nothing buried, nor was any material spoilt. Provision had now been made on the estimates for the work to be done. Mr. G. W. RUSSELL (Riccarton) asked Mr. Deputy-Speaker if, in the exercise of his autho- rity as guardian of the privileges and of the honour of the House, he would rule that neither of these documents to which objection had been taken should appear in Hansard. Mr. DEPUTY-SPEAKER .- Certainly. # CALLIOPE DOCK. Mr. FOWLDS (Auckland City) for Mr_Napier (Auckland City), asked the Government, If they will reserve twenty thousand acres of land in the Ohura and adjacent blocks as an endowment for the Auckland Harbour Board, to aid in the maintenance of the Calliope National Dock, and

the further works undertaken by the Auck- land Harbour Board in the interests of the Imperial navy and the mercantile marine ? He would point out that the position of public bodies in the North Island was different from what it was in the South, where large endow- ments had been given in the early days. Some- thing of this sort would be a great advantage to a large national undertaking like the Cal- liope Dock. This dock had cost the Auckland Harbour Board #150,000, and involved an annual loss to the Board's revenues of £7,000. Mr. SEDDON (Premier) said the lands in the Ohura Block were being surveyed for ordi- nary settlement. If twenty thousand acres of land was reserved for the Auckland Harbour Board, then it would take up, no doubt, the greater part of the valuable lands in the Ohura Valley. # WELLINGTON GRAVING-DOCK AND OTHER WORKS. Mr. HUTCHESON (Wellington City) asked the Government, If they will reserve twenty thousand acres of land in the Wellington Pro- vincial District as an endowment for the Wel lington Harbour Board, to aid in the mainten- ance of the Wellington graving-dock and the further works undertaken by the Board in the interests of the Imperial navy and the mer- cantile marine ? Mr. SEDDON (Premier) said this question of endowments was a very large one, and the Government would give it every consideration. TIMBER. Mr. FLATMAN (Geraldine) asked the Pre- mier, Whether that portion of the Sydney tele- grams appearing in the New Zealand Times of 29th October, 1901, is correct which states that "Mr. Seddon had arranged to place an export duty in New Zealand of 3s. per 100 superficial feet on white-pine and kauri balk timbor "? Mr. SEDDON (Premier) said the statement referred to was absolutely incorrect, and he could not understand how such a communication could have been sent over. There had been a Conference of those interested in the timber industry, and they had made a recommendation which had been conveyed to the Government, and, at the time the statement appeared in the paper that he had come to the conclusion re- ferred to, it was absolutely incorrect. The matter was now before the Government. # ACCOMMODATION FOR WAR-SHIPS AT PORT CHALMERS. Mr. E. G. ALLEN (Waikouaiti) asked the Premier, If he has noticed the announcement in the Press to the effect that the Australian Squadron intends making a cruise around the Australian States and New Zealand, calling at Lyttelton, Wellington, Picton, Auckland, and Bay of Islands, but omitting Port Chalmers ; and if he will make representations, through the proper channel, with a view of inducing His Excellency the Admiral to include Port Chalmers among the proposed ports of call ? He could not understand why the vessels attached to the Australian Squadron were so persistently not allowed to visit Port Chalmers. There was enough water there to accommodate vessels drawing more water than any vessel belonging to the Australian Squadron, both on the bar and inside the harbour. He thought the people of Otago were justified in expecting a fair share of the visits of these vessels. The colony paid a sum towards the support of the war-vessels, of which Otago paid its share, and therefore had a right to expect a share of the benefits, apart from the general protection that the vessels gave to the colony. The paragraph referred to was as follows :- "H.M.S. ' Royal Arthur,' ' Mildura,' ' Wal- laroo,' and ' Pylades' leave on the 3rd De- cember on a cruise round the Australian States and New Zealand, covering five months. They will reach Lyttelton on the 1st March, thence going to Wellington, Picton, Auckland, and Bay of Islands." He admitted that, Wellington being the seat of Government, the war-vessels would naturally come here oftener than to other places in the colony; but the persistent determination not to bring any of the larger war-vessels into Port Chalmers was strange. They had, perhaps, no right to question the Admiralty as to their reasons, but he thought they were justified in knowing the reason, so that, if possible, the objections could be removed. Mr. SEDDON (Premier) said there was a good deal in the honourable member's conten- tion, for they knew that vessels of greater

Majesty's cruisers were going in and out of Port Chalmers ; and, when they saw a route laid down and this port left out, that, to some extent, was casting a reflection on the port itself. It was not right ; but how to remedy it was another matter. It appeared to him that the Admiralty were afraid to trust one of their

boats to enter either Port Chalmers or the Bluff. What would happen to the Bluff or to Port Chalmers if an enemy's cruiser went there he would not like to say. His Majesty's cruisers dared not go there, and, that being known, in the event of war those were the first places an enemy's cruisers would make for. The whole thing, to his mind, pointed to the fact that something was wrong somewhere. His own opinion was, and we had it now on the autho- rity of the Admiral himself, that old charts was all the information upon which the Admiralty went, and probably the Otago Harbour Board itself was to blame in not seeing that up-to- date charts were sent to the Admiralty, so that they might know they were labouring under a mistake. If the honourable member would see that charts were sent to him, with a return of the tonnage of vessels going to Port Chal- mers, he would see that it was sent on through His Excellency to the Admiral. BREACH OF PRIVILEGE. Mr. BARCLAY (Dunedin City) asked the Government, If they will take steps in the direction of getting definitely settled the prac- tice to be followed in cases of breach of privilege ? He was induced to put this question on the Order Paper because the Standing Orders did not appear to deal with the question of pro- cedure in respect to breach of privilege. As far as the procedure of the House could be regu- lated outside the Standing Orders, it seemed to depend upon some dicta laid down in " Rulings of the Speakers of the House of Representa- tives." For instance, on page 158 it says : " In the case of a newspaper article, if member calls attention to it, it is read by the Clerk ; a motion should be made that it is a breach of the privileges of the House." With all defer- ence, he submitted that the ruling laid down was not correct-that was to say, if the pro- cedure of the British House of Commons was to be followed. Breaches of privilege might be committed by persons either inside or outside the House. If committed by persons inside the House, then they might be dealt with at once, on motion that a breach of privilege has been committed. If a breach of privilege has been committed by an outsider, the first step is to summon the offender to the bar of the House, and not, as has been the practice in this House, to pass first of all a motion that a breach of privilege has been committed. He trusted that the Government would take some steps, either by appointing a Committee or otherwise, to clear up a part of our procedure that was of great importance, and which was at present in a somewhat nebulous condition. Mr. SEDDON (Premier) said the practice on questions of breach of privilege was already Mr. Seddon of Commons, and in our own House. He thought as cases arose they had fixed the practice that obtained in dealing with them. # LONG-SERVICE MEDALS. Mr. CARNCROSS (Taieri) asked the Minister of Defence, If he will take into consideration the advisableness of reducing the term of service now demanded from Volunteers before they are awarded the New Zealand long-service medal ? The question was often asked, What could be done to induce Volunteers to remain in the service? and here was a matter by which Volunteering would be easily and readily en- couraged, and almost at no expense to the State. He maintained that sixteen years was too long a service to ask of a middle-aged man to qualify for the long-service medal. If the term were reduced to twelve years, he thought it would have a splendid effect in keeping in the Force any man who had perhaps been a Volun- teer for six or seven years. He might be told. possibly, that this would be interfering with those who had already got their long-service medals after sixteen years' service. That could be easily met by giving a different class of medal-one class for sixteen years' service and a different kind for twelve years' service. Mr. SEDDON (Minister of Defence) said the Commandant of the Forces stated that he could not recommend any large reduction in the term of service requisite for carning the New Zea- land Volunteer long and efficient service medal. If such service were now shortened it would be easier in that case as compared with the time served by those who had already earned the medal under present conditions-that was, that a medal given after this alteration was made would not have the same value as the present one to those who had earned it. However, it was a matter that should be considered, and a discretion used, and that done which was in 1 the best interests of the Volunteer movement. He would promise that the matter would be given consideration. # BONUS ON KEROSENE AND PARAFFINE-WAX. Mr. GILFEDDER (Wallace) asked the Pre- mier, When he will,

in pursuance of a pro- mise given last session when the tariff remission proposals were before the House, grant a bonus on kerosene and paraffine wax manufactured in the colony, so as to enable the Orepuki Shale Company to establish their extensive and im- portant colonial industry ? He would point out to the Premier that last year, when the Tariff Bill was before the House, a promise had been made that a bonus of 6d. a gallon on kerosene and ¿d. a pound on paraffine-wax would be given to the company. A deputation of members had waited on the Premier in July of the pre- sent year, and impressed on him the necessity of assistance being given to this industry. So far nothing had been done. It was well known that the company had expended about £100,000, of which £70,000 had been expended on labour and machinery, before the tariff had been
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altered ; and it was urgently necessary that something should be done to give them the opportunity of establishing their industry. At present the Standard Oil Company were reap- ing the benefit of the rebate on kerosene. In regard to the paraffine-wax, it was asked that the id. should be reinstated for a short period. The trade-unions in Southland had urged on the Government the necessity of doing something to give this company a start. They deserved every encouragement in establishing what would be an important colonial industry. They were employing 150 men, and paid in wages at least £1,500 a month, and contributed largely to the railway and other revenue. There was a consensus of opinion in Southland that the company had not been fairly and equitably treated by the Government. Mr. SEDDON said he had told the company and the deputation that this was a matter which must be looked into, and that it would all depend on the circumstances of the com- pany whether or not it would be necessary that they should receive further assistance. He was not going to make any promise, especially when the company could work without assist- ance, and were doing very well. # BONUS FOR SHALE-OIL. Mr. GILFEDDER (Wallace) asked the Colo- nial Treasurer, When the bonus offered for the first 100,000 gallons of shale. oil will be paid to the Orepuki Shale Company ? Mr. SEDDON said, As to the New Zealand Coal and Oil Company's claim for bonus on mineral oil, $5,000, the conditions as to (1) quantity, (2) priority, (3) quality, and (4) value had been complied with. (1.) Quan- tity : See Mr. McCredie's certificate of the 26th September, 1901. (2.) Priority : No other person had claimed the bonus. (3.) Quality : See Analyst's report of the 26th August, 1901. (4.) Value: See Mr. McCredie's certificate. The company notified their intention to claim bonus on the 27th May, 1901, and claimed the bonus on the 27th August, 1901. Mr. John Watt notified his intention of claiming the bonus, but had not claimed. # CLOSE SETTLEMENT AT JOHNSON-VILLE. Mr. FIELD (Otaki) asked the Government, If they will, without delay, consider the ques- tion of acquiring land in the Johnsonville dis- trict for close settlement ? Some time ago the Government had purchased some land near Johnsonville, known as Paparangi, which was clay-cold land, wind-swept, and bleak, notwith- standing which it was now covered with cottages, gardens, and cultivation, and was beyond doubt a successful settlement, notwithstanding all pre- vious adverse criticism. If this state of things was the case, with the present wretched service of the Manawatu Company, how much more desirable it was, in view of the Government taking over the line and instituting a decent train-service, that they should take the oppor- tunity of obtaining further land at Johnsonville for close settlement. There was plenty of land there, which, he believed, was procurable at a reasonable figure. He hoped the Government would inquire into the matter before the line was taken over, as afterwards land would go up 100 per cent. in price. Land was urgently wanted to provide homesteads for the workers of Wellington, and this opportunity should not be lost. Mr. SEDDON (Premier) said the Govern- ment had asked a landholder in the vicinity of Porirua to sell them some land for small hold- ings, but he had humbugged the Land Purchase Officer, and transferred the property to his wife. Since then the law had been altered. The Go- vernment would endeavour to obtain land for the purpose referred to; he would make in- quiries and see if land was available. RECIPROCITY WITH AMERICA. Mr. T. MACKENZIE (Waihemo) asked the

Premier, Whether he has noticed the most recent reports of the projected liberal trade policy of President Roosevelt, embracing reci- procity with foreign countries; and, if so, will his Government favourably consider the pro- priety of immediately entering into negotia- tions with the American Government with a view to obtaining tariff concessions on some of New Zealand's products? He said we must have markets, as our produce would be excluded from Australia, and as our dairy produce had a great market there during the months of February, March, and April-months during which we could not profitably export it to Lon- don. He would quote President Roosevelt's new liberal policy :- "The policy as outlined will be far more liberal and extensive, including reciprocity in pur- chase and sale of commodities, so that over- production in this country can be disposed of by fair arrangements with foreign countries ; abolition entirely of commercial war with other countries, and the adoption of reciprocity treaties ; the abolition of such tariffs on foreign goods as are no longer needed for revenue, if such abolition will not work harm to our indus- tries and labour." A great many articles might be exported from this colony to America-wool, particularly- which would be of importance to them, and he more particularly urged this at present seeing that there was no regular service to South Africa. This must also be attended to. As they ad- mitted nearly all the American goods free, they might expect her to reciprocate. Mr. SEDDON (Premier) said this opened up a large question, and it appeared reasonable on the face of it that reciprocity should be obtained ; but he did not think there was any hope what- ever for it. In view of our trade with America, he did not think any good would come of an ap- plication to them to depart from their prin- ciples. The volume of trade six years ago was about £200,000 a year, and now it was over a million, so that we had got on very well in the importation of American articles into New Zealand. He thought it was very questionable whether, if we asked them to take in our wool and meats, they would do it. However, there
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worthy of consideration, because if we could manage anything of the kind indicated in the question it would be a very good thing for the colony. He might say that at one time he had a reciprocity treaty with South Australia fully agreed upon, conditionally, of course, on federa- tion not taking place. It was questionable now whether we could open negotiations with other countries in regard to the same point. He still adhered to what he had always said-that there ought to be a preferential tariff between New Zealand and the Mother-country. KAPUATOHE AND KAIMAHI BLOCKS. Mr. G. W. RUSSELL (Riccarton) asked the Premier, On whose advice the Government pur- chased the Kapuatohe and Kaimahi Blocks, near Christchurch, as land for settlements; and what steps were taken to ascertain whether any demand existed in the districts affected for workmen's homes? The matter was re- ferred to in the House last evening, but he would be glad if the Premier would give a reply to the two points raised in the question. Mr. SEDDON (Premier) said, The depart- mental answer to the questions were : (1.) On the advice of the Land Purchase Board. (2.) In the matter of providing land for workmen's homes the Government did not wait on de- mand, but provided land and cheap railway- fares in anticipation, with a view to induce workmen with families to occupy healthy sub- urban localities in preference to the slums of the larger towns. (3.) Kapuatohe (fifty acres) was on the line of railway and main road be- tween Christchurch and Belfast, one mile from the Belfast Railway-station and Freezing works. (4.) Kaimahi (a hundred acres) was from one to two miles from Papanui Railway-station by a level metalled road. A member of the House some time ago said that it was owing to the subdivision of the land and the areas that these sections were not taken up. Probably that might have had something to do with these lands not being taken up. At all events, what would require to be done was this : So long as the Government had land for workmen's homes that had not been taken up, the Government would not take any more land until it was taken up. HIS EXCELLENCY THE GOVERNOR. Mr. FISHER (Wellington City) asked the Government, Whether it is the fact, as stated by the Premier at a dinner given at a Welling- ton hotel, that they have asked the Home authorities to renew the appointment of Lord Ranfurly as Governor of the

colony ? He asked this question in order to call attention to an undesirable practice which had recently grown up, and, in accordance with Standing Order No. 81, he would refer to just sufficient fact to elucidate the question. At the opening of the bridge at Waikanae some few weeks ago the Premier, at a banquet held on the occasion, announced the terms upon which the Govern- ment were prepared to agree to the purchase of the Wellington-Manawatu line. Mr. Seddon see what that had to do with the question of the Governor's appointment. Mr. FISHER said that afterwards the same terms of agreement were announced to the House by the Premier. On another occasion, about a fortnight ago, the Premier, at a sym- posium held at Bellamy's, amongst the making of many speeches, announced the appointment of Major-General Babington to the command of the forces of New Zealand. Mr. DEPUTY-SPEAKER said the honour- able gentleman must see that this had nothing to do with the question. Mr. FISHER said that subsequently the Pre- mier announced that appointment to the House. He would now come to the question directly and pointedly. Formerly it was believed that Parliament possessed the first right to be in- formed in regard to all matters affecting the constitutional welfare of the colony. That prac- tice had in recent times been very seriously departed from. Mr. SEDDON said the honourable member, in asking the question, was now criticizing the action of the Government. Mr. FISHER wanted to know whether the honourable gentleman was rising to a point of order or not. Mr. SEDDON said, Yes, he was. He wanted Mr. Speaker to rule that the honourable mem- ber was out of order in criticizing the action of the Government in asking for information. Mr. DEPUTY-SPEAKER said he thought the Premier was right. The honourable mem- ber was going too far in putting his question, because he was really calling in question the action of the Government in making the an- nouncement referred to. Mr. FISHER said he was calling attention to the fact that the Premier had made, in a place outside the House, an announcement which, in accordance with all constitutional form, should first be made to this Parliament. That was what he was calling attention to. Mr. DEPUTY-SPEAKER said that might be a debatable point. Mr. FISHER said, Well, then he would ask whether, as a mere matter of propriety, it was right that the Premier should make an import- ant announcement at a banquet held in the city prior to this announcement being made in this Parliament. Mr. DEPUTY-SPEAKER said the honour- able member must see he was now debating the question. The honourable member was argu- ing that the announcement should be made here. Mr. FISHER .- Exactly. Might he not pro- ceed sufficiently in that direction to elucidate his question ? Mr. DEPUTY-SPEAKER said he thought not. Mr. FISHER said that what he held was this : That, in the interests of Parliament and of \--- the people of the colony, the House had a right to be first informed of the important matters in Parliament, while Parliament was sitting. Mr. DEPUTY-SPEAKER said the honour-

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ing Orders in asking the question. The ques- tion was a simple one, and, to his mind, did not need elucidation or explanation. Mr. FISHER said, If Mr. Speaker ruled that the question could not be elucidated or ex- plained, that was an end of the matter. He was debarred from proceeding, but he held very firmly that this was the place in which im- portant announcements relating to the reap- pointment of a Governor ought to be made. Mr. SEDDON wanted to know if this was to go on. Mr. DEPUTY-SPEAKER said he must ask the honourable member to obey the ruling of the Chair. Mr. FISHER said, Then, he would conclude by asking, Whether it is the fact, as stated by the Premier at a dinner given at a Wellington hotel, that they have asked the Home authori- ties to renew the appointment of Lord Ranfurly as Governor of the colony ? Mr. SEDDON (Premier) said the question on the Order Paper as it appeared was offensive, and probably intentionally so. Mr. DEPUTY-SPEAKER said the honour- able gentleman could not impute such a motive. Mr. SEDDON said the honourable member had already given the information to the House that the statement was made at a banquet connected with the association of the No. 1 Contingent that went to South Africa, and the banquet hall was attached to an hotel. If the

honourable gentleman asked whether at that banquet tendered to the members of the First Contingent he made this statement in pro- posing the health of His Excellency the Go- vernor, the honourable member would have stated that which was a fact, and what was within the honourable member's knowledge. Now, he had a perfect recollection of what was said. Mr. FISHER asked, Was the honourable gentleman quite sure about that ? Mr. SEDDON said he was sure and certain. He fully recollected what took place. Mr. FISHER .- So do we. Mr. SEDDON said, If so, why was the ques- tion asked ? However, the question, as stated by the honourable gentleman, was a very simple one, and his reply was as follows : that the Government had informed the Secretary of State that, in their opinion, it would be very pleasing to the people of New Zealand if His Excellency Lord Ranfurly could see his way to remain with us for another term. An Hon. MEMBER .- How do you know that is the feeling of the colony ? Mr. SEDDON said he was in a better posi- tion to know the feeling of the people of the colony than the honourable member was. It was for him (Mr. Seddon) to judge when a statement such as he had made should be made public, and he thought it was a very suitable occasion to do so when proposing the health of His Excellency the Governor at a banquet ten- dered to those officers and men who had formed an association. They had served in South services. He saw some one standing out in the passage of the hotel in question peering and disappointed --- Mr. FISHER .- I may say that I was not there ; but I ask, What has this to do with the question ? Mr. DEPUTY-SPEAKER said the Premier must take into consideration that he (Mr. Deputy-Speaker) had informed the member for Wellington City (Mr. Fisher) that the ques- tion was a simple one, and did not require much explanation. Mr. SEDDON said, In his position it was his duty, as usual, to set a good example to the honourable member. He did not wish to say anything about it. Mr. FISHER .- Wait till the Appropriation Bill comes down. I will have something to say about it then. Mr. SEDDON said, When the Appropriation Bill came down his troubles would soon end, and it mattered very little what the honourable member said. The honourable member could say anything or do anything he liked as far as. he (Mr. Seddon) was concerned. He believed what the Government had done in reference to this matter was in the best interests of the colony, and after the experience of years, and after the thorough knowledge which had been gained by His Excellency as to every part of the colony, and after what His Excellency had done in furthering the best interests of the colony, he thought it would be better to retain him instead of having some strange nobleman to occupy the position, who would have to learn it all anew. That being the case, he had nothing to regret in the course he had taken, and he was prepared to stand by what he had done. # LICENSING ACT. Mr. ELL (Christchurch City) asked the Premier, Whether-in view of the opinion ex- pressed by Mr. P. Burke, an ex-president of the Canterbury Licensed Victuallers' Association, and one of the oldest licensed victuallers in Canterbury, to a representative of the Christ- church Press, on the 21st instant, that "There is just this to be said for the system of compulsory indorsement : that since it came into force the status of licensed houses had been greatly im- proved ; because, previously, owners of houses and brewers did not care who they put into the houses so long as the rent was paid "- he will move to strike out section 4 of the Licensing Act Amendment Bill ? Mr. SEDDON (Premier) said he was not there to be questioned upon a statement made by Mr. Burke or any other gentleman. Mr. Burke was at liberty to make any statement he liked, and he did not think that he (Mr. Seddon) was called upon to comment or act upon what Mr. Burke had said or done. Mr. ELL said the tone of the Premier's reply was anything but courteous. He was quite justified in asking the honourable gentle- man if it was his intention to bring in a Bill to make a radical alteration in the law.
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a personal explanation. The Premier had a perfect right to refuse to answer a question. ROYAL REVIEW IN CHRISTCHURCH. Mr. MEREDITH (Ashley) asked the Minister of Defence, Whether the Government intends repudiating or defraying the expenses of the Volunteers who, under instructions directly given by them, attended the Royal review in Christchurch four months ago? He had re- ceived a letter from the

Kaikoura Mounted Rifles with reference to this subject. That corps was called upon by the Defence Minister to appear in Christchurch on the occasion of the review held in June last. Though four months had passed, yet the expenses incurred by the men in going a distance of 134 miles- sixty-eight of which they had to travel on horseback-had not yet been paid. He might mention that on the evening they arrived at Culverden, they expected to find carriages there to convey the men to Christchurch, and trucks to take the horses, but neither carriages nor trucks were there. The men had, therefore, to do the best they could for the night, stopping at the Culverden Hotel, and going on in the morning. There appeared to have been some dispute between the Defence Department and the men as to whether they should be allowed the cost of the night's lodging at Culverden. As the men had come a long dis- tance, and as many of them were married men with families, he thought these expenses should have been refunded to the men long since. Mr. SEDDON (Minister of Defence) said he was informed that all accounts in connection with this matter had been defrayed, with the exception of those of the Kaikoura Rifles, and the accounts of this corps were approved on the previous day. It appeared there had been a misconception on the part of the officials as to the distance these men had travelled. The de- partment contended that they had not travelled the requisite distance to entitle them to receive the full amount. He had pointed out to the officers that, although the distance from Culver- den might not entitle them, still there was the extra distance from Kaikoura which, taken together, would entitle them to the payment. An Hon. MEMBER. - Common-sense would show that. Mr. SEDDON said he had used common- sense, and he had authorised the payment. MESSENGERS AND ORDERLIES. Major STEWARD (Waitaki) asked the Pre- mier, If provision will be made on the sup. plementary estimates for the usual sessional gratuities to the messengers and orderlies ? Mr. SEDDON said, Yes, and with pleasure. FEDERATION COMMISSION REPORT. Mr. FISHER (Wellington City) asked the Premier, If he will explain in what way the report of the Federation Commission has bene- tited the colony to the extent of £3,800? The question was perfectly intelligible to mem- bers of the House, but he thought it was not colony, for the people of the colony were not aware that the setting-up of this Commission and its investigations had cost the taxpayers no less a sum than $3,800. He wanted the Pre- mier to state what information the Commission had gained which the country did not already possess, and in what way our trade or com- merce was to be improved by the appointment of the Commission or by its report. There was no reason why the Commission should have been set up, because the people of the colony knew what the decision must be-he did not say would be or could be, but must be-because the Premier had already expressed himself very fully and definitely upon the subject of the federation of New Zealand with the Australian Colonies. Therefore, was it justifiable to set up a Commission which cost $3,800 merely to lend colour to or to indorse the opinion of the Premier, who had already said that New Zea- land should not federate with Australia? It would be remembered that the Premier had stated a number of times that a day would be set apart to discuss the report of the Com- mission. Mr. DEPUTY-SPEAKER said the 4.30. honourable member was evidently re- ferring to something that had been said in a past debate, which was irregular. Mr. FISHER said the bare suggestion that the whole subject of federation could be dis- cussed in one day was the supremest degree of puerility. Now, the Parliaments of Australia, and the leading statesmen of Australia, having decided upon a certain course, and having ex- tended a generous invitation to New Zealand to come into the Federation, it was only rea- sonable that New Zealand should have been asked to give to that great concourse of states- men- Mr. DEPUTY-SPEAKER .- The honourable member now is going beyond an explanation of his question. Mr. FISHER said he really found it difficult to proceed. They had now been informed through the cablegrams what the tariff was that had been adopted by the Commonwealth Par- liament, and they had had the opinions Mr. SEDDON wanted to know what this had got to do with the question. Mr. DEPUTY-SPEAKER was waiting to see how the honourable member was going to make it apply. Mr. FISHER said it was impossible for him to proceed if these constant interruptions by the

honourable gentleman were allowed. He did not know that he had done anything to offend the honourable gentleman. There had been various opinions expressed in the House during the last few days, and even the honour- able gentleman had said that in consequence of the course adopted by the Commonwealth- Mr. DEPUTY - SPEAKER thought the honourable gentleman was trespassing on the indulgence of the House too far. Mr. FISHER would then ask the question in hard concrete form. Would the honourable gentleman tell the House, either in plain lan-
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Colony of New Zealand had derived from this in a couplet which, so far as he could remember, expenditure of #3,800, especially in view of the fact that the honourable gentleman had ex- pressed a decided belief that New Zealand would not and should not be allowed to join the Commonwealth Federation ? Mr. SEDDON (Premier) thought that recent events had fully shown the wisdom of the course taken in appointing the Royal Commis. sion. The freedom of the country and its ! make the necessary provision. That was, he people, and the conservation of its rights and liberties, could not be gauged by pounds shil- lings and pence. He hoped there was no single man in this country-not even the mem- ber for Wellington City (Mr. Fisher) - who would value the liberties and self-government of our colony and the conservation of its privi- leges at so low an estimate as €3,800. He held in his hand the report, and if any honourable member, or any one in the colony, would read carefully this report and the evidence- Mr. FISHER .- Have you read it ? Mr. SEDDON had read a good deal of it. He had followed the proceedings of the Com- missioners during their tour through the colony, and also, so far he could, in Australia ; and he would say that here, for all time, were laid down the facts which warranted the Commission in coming to the conclusion they had done. The collation of the evidence alone was worth ten times the £3,800. There was just one matter for regret : If the honourable member himself had been on that Commission he did not think they would have had this question placed before them; and if the honourable member had been on that Commission, and had given a report similar to that given here, the honour- able member would have told the House that nothing the country possessed was as valuable as conserving to themselves the right of self- government. REPRESENTATION OF NEW ZEALAND AT THE KING'S CORONATION. Mr. G. W. RUSSELL (Riccarton) asked the Premier, When he intends to indicate the pro- posals of the Government for the representation of the colony at the coronation of His Majesty the King? He thought it was only right and proper that the House should have an oppor- tunity of saying what form the representation of New Zealand was to take at that function. He presumed, of course, that the colony would be represented, and it was the right of that House to say what expenditure should be in- curred, and what form the representation of New Zealand should take. He did not forget that last year a sum of $500 was voted for the representation of the colony at the Common- wealth festivities ; but several thousands had been expended by the Government without authority from Parliament, or any mandate from the colony. He hoped the Premier would at an early date indicate what the proposals were, and place them before the House for approval, because he thought that was the constitutional course to be followed under the circumstances. ran something like this: "Nobody axed me, sir, she said." He thought that was applicable to the present situation. It was not for New Zealand to say how they were to be represented. It was for His Majesty the King or his Ad- i visers to say what they desired New Zealand's representation should be. It would then be for i them to take action and say whether they could thought, the course taken in the past; and if the colonies were asked for representation in a given direction, then it was the duty of the colony to be so represented ; but another con- struction would be put upon it if the Govern- ment were to submit proposals forcing upon the Imperial authorities or His Majesty their repre- sentation. Mr. G. W. RUSSELL .- Do I understand the right honourable gentleman has been invited ? Mr. SEDDON said, If such a statement as that had appeared it was simply due to the vivid and powerful imagination of gentlemen very much like the honourable member for Riccarton. There had been no formal

invitation sent, so far as he knew. However, he thought he was pretty safe in saying that on such a great occasion as that the colonies would be represented, as they were entitled to be represented. He thought the proper course to be taken, as suggested by the honourable member, as the invitation might be received during the recess, when the Parlia- ment was not in session, would be to make pro- vision in case such a contingency did arise. The Government had not considered the matter, and had not come to any conclusion about it. The honourable member in his remarks, said the Government had taken a vote of $500 for repre- sentation at the Commonwealth celebrations. Well, as would be seen from a return before the House, his expenses in connection with that came to £225 5s. 10d. ; and, as regards the other expenditure, that had been passed by the House on the estimates without comment, and there- fore had been indorsed by the House. He thought there should be an end to bickering on these questions. It detracted from and did not, in his opinion, raise the colony in the eyes of those outside, when they started cavilling about their expenses in regard to the repre- sentation of the colony. Mr. G. W. RUSSELL said he might explain that, at an earlier stage of this session, the Pre- mier had said he was not going to be put in the same position in regard to his action in this matter as he was on a previous occasion when he visited England in connection with the Jubilee, exception being then taken to the ex- pense which was incurred ; and, as the honour- able gentleman recognises that it will be necessary for him to take a vote of the House for the purpose of being represented, his ques- tion was put in perfectly good faith, with the idea of asking the Government to indicate, for instance, whether it was intended to send a Maori contingent Home, or whether it was in- tended to send Home a body of New Zealand troops who had been serving in South Africa.

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that the honourable gentleman had already booked his passage, and also the passages of his family. Mr. SEDDON said, If the honourable gentle- man had not made the last statement he would have treated the first part of his remarks as serious. It amused him ; but reports of these statements got exaggerated. It was the first he had heard that there had been any passages booked, and the honourable member must know that there could be no foundation for such a statement. But, suppose the Premier had booked his passage for any part of the world, why should that fact be brought out on the floor of the House? The honourable member said he had heard it; well, he might hear many things in the course of the day, but that was no reason why it should be brought on the floor of the House and telegraphed all over the country as an accomplished fact. They did not do these things in other countries regarding the Premier or his movements, or the move- ments of his family, and he took exception to it. As regards the representation of the colony by members of the Maori race, that was a matter which was worth considering. They could do that, he supposed, without an invita- tion at all. If they desired to send representa- tives of the Native race Home, as they did in the case of the Jubilee, they could do so by making provision for it. If honourable mem- bers would give the Government the advantage of their views upon this question, he should be only too glad to have their opinion. An Hon. MEMBER .- Now ? Mr. SEDDON .-- At any time. Captain RUSSELL .- Not on the questions. Mr. SEDDON said, No, not on the ques- tions. He did not want to force the opinions of himself, his colleagues, or the Govern- ment on the House and country. He would like honourable members to set aside every- thing else except what they thought would be pleasing to the colony, and to the advantage and pleasure of our kindred at Home, and what would be suitable representation. That was a very fair matter for expression of opinion on. Hon. MEMBERS .- Give us the chance. Mr. SEDDON said he would be most happy to have the opportunity of members giving their views on this question to the Govern- ment. Mr. MEREDITH asked if the honourable gentleman would set apart an afternoon for the discussion of the question. Mr. SEDDON said the Government could, of course, he supposed, submit proposals for con- sideration, but there was a delicacy in the situation, because their taking action might lay them open to the insinuation that they were courting

an invitation. ## R. H. ELLIOTTE. Mr. WILFORD (Wellington Suburbs) asked the Government, Why they have not paid to R. H. Elliotte the £20 which it was recom- mended by the Public Petitions A to L Com- Mr. G. W. Russell and the previous session ? It seemed to him that it ill-became those in power to refuse to pay a sum like this to an old warrior who had fought and bled for New Zealand in the earlier times. This was a sum of £20 which Mr. Elliotte had paid out of his own pocket, and which the Committee for two years in succes- sion had recommended should be repaid him by the Government. He had been injured quite recently on the co-operative works, and the £20 would be of great assistance to him. He hoped the Government would put the amount on the supplementary estimates, and pay it without further delay. Mr. SEDDON (Premier) said this was the first he had heard of it. He would inquire into it, and if this was an old veteran who bad done good service for the colony, and had met with an accident, he would give him £20; but not as a matter of right, because it opened up a very large question, as others would bring forward claims. MRS. E. H. McDONALD. Mr. WILFORD (Wellington Suburbs) asked the Government, If they will set up a Com- mittee to inquire into the rights of Mrs. E. H. McDonald in reference to her claim for money paid and for damages in connection with her recent suit in the Supreme Court ? The claimant had been barred from a certain portion of her claim on account of statute law, and had no opportunity of prosecuting it. New evidence had been discovered in Australia, and she would now be able to put her case in a new light, either before the Court or a Committee. and such evidence would probably justify the Government in coming to her assistance. He simply wished her to have that opportunity. Mr. SEDDON (Premier) said he would make full inquiries during the recess into the facts. with the view of seeing that justice was done. # TOPOGRAPHICAL PLANS. Mr. FIELD (Otaki) asked the Minister of Defence, -(1) Whether the Government deems it advisable to continue the practice at present pursued of supplying the general public with topographical plans of sections of the colony prepared by the Survey Department; and whether, in the interests of the protection of the colony against possible invasion, it would not be wise to provide that all such plans should be placed under the control of the Defence authorities ; and (2) whether the time has not come for the inauguration of a corps of engineers to be instructed in topographical survey work, who would not only be a potent factor in the defence of the colony, but would \--- also be of material assistance to the Survey Department ? The matter was one of very great importance as affecting the safety of the colony, and had been brought under his notice by numbers of people. The plans referred to gave a very great deal of detail, showing the larger hills, with their height, and other natural features of the country, together \---- with railways, roads, tracks, and other works;
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which would be invaluable to a foreign foe. He considered it dangerous that this information should be given broadcast to the world, and thought these plans should be under the control of the Defence Department, and not sold, as they were at present, to anybody who chose to apply for them. It seemed to him that the War Office of a foreign nation, armed with sea- charts of our coasts and the survey plans referred to, might easily plan a scheme of inva- sion of the colony, and might thus obtain a hold from which it might be extremely difficult to dis- lodge them. In regard to the second part of the question, so far as he knew we had at present nothing at all in the nature of a corps of engi- neers, which he thought would be of great bene- fit to the colony not only for defence, but for the assistance of the Survey Department. Of all the valuable soldiers we had furnished for ser- vice in South Africa, none were more valuable than those who had a knowledge of surveying, and that alone should be sufficient testimony in favour of the formation of efficient engineering corps in the colony. Mr. SEDDON (Defence Minister) said the honourable gentleman's question raised a very important question, and he would make in- quiries into the matter. In regard to the engineer corps, that also was important; he did not know that any corps had taken up that class of work, and he would be very happy to accept the services of any corps formed for that purpose. # CARRIAGE OF BUTTER. Mr. NAPIER (Auckland City) asked the Minister for Railways, If

he will, as soon as #cc-zero possible, arrange for a sufficient supply of suit- able trucks for the carriage of butter on the Auckland railways, so that the butter industry in the Auckland Provincial District may not be seriously injured during the approaching summer ? Sir J. G. WARD (Minister for Railways), said the matter had been brought under his notice, and he had sent a reply to the effect that ar- rangements had been made to fit up a number of the trucks now on Auckland Section with re- ceptacles for ice. Trucks so fitted would be used for the butter traffic. Instructions had also been given to build an additional number of insulated trucks, and he confidently anticipated that this would provide ample facilities for the butter traffic. POST-OFFICE FOR ST. LEONARD'S. Mr. E. G. ALLEN (Waikouaiti) asked the Postmaster-General, If he will cause a post- office to be erected between Burke's and St. Leonard's ? The Minister would recollect that a petition had been forwarded at the beginning of the session in connection with this matter. The post-office at present was at Burke's Rail- way-station, which had to supply the require- ments of three small townships - namely, Burke's, St. Leonard's, and Hastings. It would be of great advantage to these rising provide the accommodation asked for. Sir J. G. WARD (Postmaster-General) said he regretted he could not give a favourable reply at present, as there was now a post-office within 65 chains of the one applied for. Later on, if the circumstances warranted, he would be prepared to reconsider the request. Mr. E. G. ALLEN said, if the Minister would put on a letter-carrier it would answer the pur- pose. Sir J. G. WARD said he would look into that aspect of the matter. It would, as in all such cases, depend upon whether the business would justify it. # TOTALISATOR BETTING BY TELE- GRAPH. Mr. ELL (Christchurch City) asked the Post- master-General, If it is true, as reported in the New Zealand Times of the 25th instant, that special facilities are to be granted enabling people to gamble by telegram through the medium of the totalisator? Accord- 5.0. ing to the information furnished to the public Press, it seemed that there was a block of telegrams on certain race-days. In regard to these special telegrams conveying bets on certain horses, the Government, it seemed, according to the statement, were granting special facilities whereby the racing officials should receive the telegrams in Wellington. The telegrams conveying bets were to be inter- cepted at the Wellington office and handed over to local racing-club officials, who would tabulate them, and send out the number of bets put on certain horses to the course. And special pro- vision was made that any one wishing to bet in Wellington should hand the telegram in here, and the telegram was handed over to the racing officials. That had been done at the request of the racing officials, and after conference with the secretaries of the racing-clubs here and at Christchurch. He thought it just as well to remind the House of the very weighty words of the Premier in regard to this question. In Hansard, Volume 114, page 196, the Premier stated, in answer to Mr. Flatman, the mem- ber for Geraldine,- "His own opinion was that there was more danger to the social and moral well-being of the country from gambling than there was from drink itself. This was one of the weaknesses of our young men. How far the State had pro- moted it by the totalisator and other means it was hard to say. He supposed it would be said that human nature was bound to gamble ; but it was our duty, so far as lay in our power, to deal with this evil. That gambling was on the increase in this colony all must admit, and everything the State or the party could do ought to be done." The importance of the question the Premier emphasized by the statement that probably they should set up a Royal Commission to deal. with it. He simply mentioned this to show the terrible dimensions which gambling had attained. It had taken a firm hold on the young people. He might say that he was not

ment when the statement was received that special assistance for gambling was to be given by the Telegraph Office. Sir J. G. WARD (Postmaster-General) might say, in the first place, that he was as strongly opposed to gambling in any form as the honour- able gentleman was, and he thought when the honourable gentleman heard his explanation he would see that he (Mr. Ell) was not justified in jumping to the conclusion that he had somewhat rashly arrived at in this particular matter. The whole question

resolved itself into this: This colony had a public telegraph service for the transmission of messages through- out the country, and any person who desired to send a telegraphic communication on racing matters or any other matters had a perfect right to do so by paying the ordinary rates. The colony having adopted a public telegraph service, and gazetted the charges publicly, the wires were open to all classes of people who might desire to communicate on racing matters, or who wished to send money-order telegrams on race days, or to send telegrams for betting or any other purpose. It had never been suggested that the legislation bearing on the use of public telegraph wires should be of a restrictive character, and it had never been in accordance with public policy for the department to have the right to supervise people's telegrams ; and if the colony, by legislation, were to adopt the stringent and extraordinary course of super- vising telegrams, it would be a most dangerous power. He meant that they would have to specially appoint some one to see that a par- ticular class of telegram was not received by the Telegraph Department. An Hon. MEMBER -It would be wrong to do 60. Sir J. G. WARD said it would be wrong, and, as he said, a most dangerous principle, and the public would not allow the Legislature to give such an arbitrary power to the department to do it, even if it so wished. It would be practi- cally creating a system of censorship over the private business of all classes of persons in the community who wished to send their telegrams over the public wires. An Hon. MEMBER .- You have no power to do so. Sir J. G. WARD said, Excepting for the . prevention of seditious, libellous, and obscene messages, there was no power to do so; and when the honourable member now made such a suggestion he made what was a very serious proposal ; he ought to have first made inquiries and then well weighed the value of his words before doing so. He resented very strongly the suggestion that, in his official position as Minister in charge of the Post and Telegraph Office, he was giving special facilities to pro- mote gambling. He was doing nothing of the sort, and he would be no party to such a course. He wanted to point out to the honour- able member, and to members of the House, and to people in the country generally, how utterly impossible it was to do that which the honour- able gentleman suggested. The Post Office Act Mr. Ell regulate horse-racing. He would show what it was that had brought about an alteration of the money-order system. It was not for the purpose of assisting racing-clubs and people who desired to bet. It was entirely owing to the fact that on big race-days in New Zealand a block occurred in the general telegraph busi- ness of the colony in consequence of the number of racing telegrams sent over the wires. Under the previous system on race-days two separate telegrams were required to send a money-order telegram --- the one containing the advice and the other the authority to pay- and the resuit was that both commercial and Press business was blocked to such an extent that the public business could not be properly carried on. De- lays took place in connection with all classes of messages going over the wires on these race- days, and that was particularly the case in con- nection with the metropolitan race meetings at Christchurch and other large centres. These delays caused the department-not after con- ference with the racing people, as the honour- able member suggested, but in the interests of the users of the wires generally-to see what could be done to bring about a change for the betterment of the service generally to the public of the colony. Now, what the de- partment had done was to adopt a system similar to that which existed in the United Kingdom ; and the whole change was this: that, instead of sending two wires, as under the former system, for a money-order ad- vice and the money-order itself, both the advice and money-order were sent at the same time in one message, and by doing that saved two transmissions of actually the same message ; and when many hundreds and, aye, thousands of them were going across the wires to all classes of people, quite irrespective of racing messages, the honourable gentleman would see that, unless the department was able to duplicate or triplicate or quadruple the wires, and to also set aside some one specially to supervise the acceptance of the work for which the department was paid, the department could not do otherwise than bring about a change in the system of transmission and delivery of the messages so as to secure what was its bounden duty : to have delivery

within a reasonable time. He could assure the honourable gentleman that that was all that had been done. He did not know what had appeared in the public Press in regard to the matter ; he had not read it him- self, but he was merely stating the cause of the change. Mr. FISHER said the club was opening up a "tote-shop " here. Sir J. G. WARD said he did not know any- thing about that. It was not the work or duty of the Telegraph Department to go beyond what was necessary to carry on the business of the public over its wires. It was for Parliament to stop "tote-shops." Mr. ELL said the honourable gentleman was granting special facilities. Sir J. G. WARD asked, Did the honourable member want him, as Minister in charge of the

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the despatch of public business-commercial, Press, and otherwise ? The department was not granting special facilities for this particular purpose. Again he asked : Did the honourable member desire the adoption of a system of viseing over a particular class of wires in the colony? People who paid the ordinary rates had the right to send wires, and, unless the colony passed a law to say the department was not to allow these messages and money-order telegrams to go over the wires, he was bound to see that proper facilities were given for the transmission of them. It was not a question of affording special facilities for gambling ; it was a question of carrying out the law, and allowing those who paid for telegrams to have them conveyed in a proper way. He did not know where the honourable member had got his information from ; but he was telling the honourable member what was the cause and necessity for the change. The honourable member was jumping to a conclusion when he said this was for the purpose of facilitating betting. It was nothing of the kind. He re- peated he was as strongly opposed to gambling in any form as the honourable member was, although he did not talk so much about it. If the honourable member was Minister in charge of the Post and Telegraph Department, and did not see that the business of the department was carried on when people paid for the con- veyance of telegrams-either money-orders or general messages-over the wires, the honour- able member would not be doing his duty, and he would very soon hear about it. The depart- ment must make proper provision for carrying out all classes of work for which it was paid, and that was all the department was doing. #cc-zero While the honourable member took exception to the fact that the business of racing-clubs might be facilitated, he overlooked the fact that, so far as the Telegraph Department was concerned, it was in existence for carry- ing on public business of all kinds, and all it was trying to do was to facilitate its own business in the transmission of all messages. This matter had been brought under his notice, not by outsiders, but by the responsible officials of the department itself. It had not been brought under his notice by anybody connected with racing-clubs, either directly or indirectly, and he had made no representation whatever to the department about it himself. It was simply in conse- quence of the responsible head of the depart- ment officially informing him that the public business could not be carried on properly, and making a recommendation to bring about an improvement in the system, that the change had been made. He looked on the gambling evil as one of the greatest curses in this or any other country, and he would be glad of any- thing that could be done to put it down. Mr. ELL said he had stated that special facilities had been given, and the Minister had not denied that statement ; and that was further emphasized by the statement that these rules were to first come into operation at the ap- occasion of the New Zealand Cup, and after- wards at the spring fixture of the Wellington Club. Sir J. G. WARD said he reaffirmed what he had stated. He had had no consultation with any racing-club or any one connected with a racing-club, either directly or indirectly. The racing-clubs had made no representations to him ; but, as he had explained, in consequence of the block of business on race-days, the de- partment had to do something .in order to enable the business to be carried on. The statement furnished to him by the responsible head of the department was as follows :- "The alterations, which apply to inland money-order telegrams only, provide for the private message from the remitter to the payee forming part of the official telegram advice,

assuring both the order and message being delivered simultaneously, to the benefit of all sections of the community alike. At present the private message is sent separately from the money-order telegram. A somewhat similar system to that proposed is in operation in the United Kingdom. "The frequent ' blocks' on racecourse tele- graph - wires, delaying important telegrams, made some change imperative so that the heavy traffic might be more promptly over- taken, and the users of the wires at the same time afforded a more reliable service. The department having undertaken to provide tele. graph-communication with racecourses, it was incumbent that it should provide a more effec- tive service to meet the growing traffic, which, under the existing conditions, is not practi- cable. The new arrangements more imme- diately affecting racing-clubs provide that their telegrams, on race-days, instead of being wired to the racecourse office, shall be delivered from the city or town telegraph-office to the repre- sentative of the club, for the purpose of being scheduled, and then telegraphed to the secre- tary of the club at the racecourse in one message, some time before the starting of each race. This change is one originally introduced by one of the principal racing-clubs, and will not only facilitate the money-order telegram business of the racing-clubs, but saves the transmission of the original telegrams to race- course-offices. This is a material gain to us, besides directly assisting to keep the wires clear at more frequent intervals for general telegrams." That had been done because they could not carry the ordinary traffic over the wires. What had been done was done simply to facili- tate the despatch of public business between the main telegraph-office and the telegraph- office on the racecourse. AUCKLAND-WAIKATO RAILWAY. Mr. LANG (Waikato) asked the Minister for Railways, Whether, when making alterations in the time-table of the Auckland-Waikato Railway, he will make provision for a daily express train between Auckland and Frankton, and also a daily train between Frankton and Poro-o-tarao, connecting with the express
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Order Paper for a considerable time, and as it was hard to say when it would be answered, he had taken advantage of an interview that the member for the Bay of Plenty and himself had had with the Minister that morning to bring the matter under his notice. As they had gone fully into the question then, it was not neces- sary that he should take up the time of the House by going over the subject again. He would merely ask if the Minister had got any further information. Sir J. G. WARD said, Until he looked into the local conditions of traffic he could not form a definite opinion on this matter, but during the early recess the time-table of the Auckland line would be a subject of review. GOVERNMENT RAILWAY TIME-TABLE. Mr. HERRIES (Bay of Plenty) asked the Minister for Railways, Whether his attention has been called to the fact that the Govern- ment Railway Time-table is being interleaved with advertisements, and whether he will take' steps to remedy the inconvenience thus caused by putting the advertisement pages either at the beginning or end of the book? He had received numerous complaints from tourists and others of the difficulty in finding out the time-tables of the different railway-lines in the present official time-table, and this was caused by the interleaving of numerous advertise- ments with the time-tables. He had counted the pages, and found that there were more pages of advertisements than of time-table matter. Sir J. G. WARD (Minister for Railways) said he agreed in the main with what had been said by the honourable member. He was anxious some time ago to have a better time-table adopted, and therefore employed an officer to secure advertisements, so that the time-table might be made payable ; but he did not con- template the time-table attaining the bulk it had done. He had since given instructions that the system of interleaving the advertise- ments was to cease. He might state, however, that contracts had been made for twelve and eighteen months on certain conditions, but as soon as those contracts were fulfilled he had arranged to bring a better system into force. LAMBS DESTROYED BY SEAGULLS. Mr. FLATMAN (Geraldine) asked the Co- lonial Secretary, If he has received information to the effect that large numbers of young lambs are being destroyed by seagulls ; and, if so, will he cause seagulls to be removed from the list of protected birds ? Sir J. G. WARD (Colonial Secretary) said, No such information

had been received by the Colonial Secretary's office; but any owner or occupier of land who represented that seagulls were causing damage would receive a permit to destroy them on his land. HALSWELL POST-OFFICE. Mr. G. W. RUSSELL (Riccarton) asked the Postmaster - General, Whether he will, in accordance with the request of a number of re- Mr. Lang and open a money-order and savings-bank office there ? A petition had been recently sent to the Minister asking for extra postal facilities, for the erection of a building, and more par- ticularly for the opening of a Post-Office Savings-Bank and Money-order Office at Hals- well ; and he hoped the honourable gentleman would give him an assurance that the petition would be favourably received. Sir J. G. WARD (Postmaster-General) said the petition had not yet reached Wellington. It was in the hands of the Chief Postmaster at Christchurch, and so soon as it reached him he would consider the matter, and if facilities could be given without undue expense he would be quite prepared to grant them. PALMERSTON NORTH POST-OFFICE. Mr. PIRANI (Palmerston) asked the Post- master-General, Whether he has considered the advisability of erecting a brick post-office at Palmerston North? This matter had been brought before the Postmaster- General over and over again, and he was surprised to learn that the Government had not considered that further accommodation was desirable at Pal- merston. At the present time there was one room, in which the whole of the postal and telegraph work-sorting and everything else- was carried on, and there was a tiny little room, about 8 ft. by 6 ft., used by the Postmaster. The public room was really a small lobby, about 5 ft. by 10ft. Now, considering that the Town of Palmerston contained nearly eight thousand of a population, and that it was the centre of an enormous district, for which a large amount of postal work was done owing to the train junc- tion being there, it seemed extraordinary that something was not done to provide up-to-date postal facilities for the officials and the public. He noticed the Government proposed to expend £1,500 on a brick post-office at Hunterville, and he believed the value of the present building at Palmerston would not be more than $700. He would like the Postmaster-General to say if it was a fact that because he (Mr. Pirani) repre- sented the district the Government were keep ing the district back in regard to postal facili- ties ; because that was the only conclusion be could come to. Sir J. G. WARD (Postmaster-General) assured the honourable member that there was no such thing on the part of the Government as con- sidering who the gentleman representing any important constituency in the country might be when granting facilities of the kind. The Government would as readily authorise the building of a Post-office at Palmerston for the requirements of the people as in any other dis- trict of the colony. The reason why provision had not been made was that the departmental officers had reported that it was not necessary at present. He might say that if it was proposed to erect a post-office there now, as is being done in Hunterville, and other places throughout the colony, it would be erected in brick. That was a system the colony was adopting generally in the colony, in order to obviate the rebuilding of

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life had been reached. Mr. PIRANI .- If we burnt down ours, you would rebuild it in brick. Sir J. G. WARD said that would be done ; but he felt sure the people of Palmerston did not contemplate such a thing. However, he would visit Palmerston North during the recess and look into this and other matters, and if the condition of the Post-office there was such as represented, it would be the duty of the colony to make the necessary provision for replacing the present structure by a new one. Mr. PIRANI said the honourable gentleman would get a very good reception when he did visit the district. # RAILWAY EXPENDITURE. Mr. HERRIES (Bay of Plenty) asked the Minister for Railways, Whether the sum of #325,031, being expenditure under vote for " Additions to open lines " for twelve months ending the 31st March, 1901, is included in the sum of £17,207,328, which is given as the total cost of construction of open lines ? He noticed in return No. 6 of the Railway Depart- ment the total cost of construction of open lines was given as £17,207,328, and in return No. 7 there was a sum of $325,031 given as having been on additions to open lines ; and he wanted to know whether the former sum included the latter, because there was also a

a sum of £1,022,729 given as the cost of un- opened lines, and, so far as he could see, there was a sum of £30,000-namely, the increase for the year of stock additions to open lines stores, which was included in the $325,031 added to the cost of unopened lines-£1,022,729-and not, as it should be, to the cost of opened lines. Sir J. G. WARD (Minister for Railways) said that the whole of the sum of £325,031, expendi- ture for additions to open lines for the year ended 31st March, 1901, was included in the amount £17,207,328, the total cost of construc- tion of open lines. RAILWAYS GOVERNMENT DEPART- MENT CLASSIFICATION BILL. A message was received from His Excellency the Governor transmitting a draft of this Bill, and recommending the House to make provi- sion accordingly. The House went into Committee of the Whole to consider His Excellency's message. # IN COMMITTEE. Sir J. G. WARD desired to move to strike out order of the day No. 3 - that was, the Rail- ways Classification Bill which had already been circulated. He had, since introducing the Bill, made some important alterations in the mea- sure, and it would be more convenient to sub- stitute this Bill for it. Mr. PIRANI (Palmerston) would 5.30. like to say that statements had been made that there would likely be considerable opposition in the House to the scheme as that this was an amendment of the scheme at the request of certain officers of the department. He might say the improvement of the scheme was welcomed in the Honse by those members he was associated with, and there never was a suggestion from members on his side of the House that the scheme as brought down by the Minister would be opposed, much as the revised Bill was desired. Sir J. G. WARD (Minister for Railways) said that no representation of the kind had been made to him. The reason of the alteration of the Bill was, as he stated originally-namely, that an opportunity would be given to the officers of the Railway Department of giving their views on a matter that vitally concerned them. Since the Bill had been circulated there had been a meeting in Wellington of representatives of the first division throughout the country, and they had intimated to him that they were favour- able to the proposals in the Bill. The repre- sentatives of the second division-what he might term the workers of the department-had also had a long conference with him in Wellington, and had reviewed the Bill, and they had had a second interview with him; and, after full and careful investigation of their representations, he had agreed to certain recommendations, and these were contained in this Bill, which he now wished to substitute for the first Bill. The alterations went to improve the conditions of the No. 2 division of workers throughout the colony. Since this amending Bill had been agreed on, he had had a further conference with the representatives of both divisions, and they had accepted it as a reasonable and fair measure, and one generally beneficial to the service, and they were entirely in agreement with the pro- posals of the Bill. Mr. G. J. SMITH (Christchurch City) said he understood that the storekeepers in the Railway Department were often required to work after ordinary hours without extra pay, in order that stores might be got ready for the workshops. He would like the Minister to look into the question, and either give them over- time or a higher wage. Mr. WILFORD (Wellington Suburbs) said he had met with the representatives of the workshops in his district, and at the meeting there were also representatives of other parts of the colony, and they were in accord with the main provisions of the new Bill. There were two important amendments that would have to be moved, but generally the Bill was approved. Some points with regard to the "permanent casuals " would have to be discussed by the House. He could assure the Minister, and he thought he was voicing the opinions of other members representing districts in which rail- way workshops were situated, that the Bill would have an casy passage through the House if the Minister accepted his suggestion, and that, in his opinion, there was no necessity for delaying the introduction of the Bill. Resolution agreed to. Bill read a first time.

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IN COMMITTEE. Clause 4 .- " (1.) All lands set apart as afore- said, and all lands and mines resumed or ac- quired under the provisions of sections fifty- nine and sixty of the principal Act, shall be deemed to be subject to this Act, and shall be held and dealt with thereunder and not other- wise. " (2.) The Governor

may from time to time, by notice in the Gazette, exempt any of the said lands or mines from the operation of this Act, and thereupon the lands or mines so ex- empted shall cease to be subject to this Act, and shall be disposed of as the Governor directs. "(3.) The Governor may permit any lands subject to this Act to be disposed of by way of lease subject to the condition that the lease may be determined at any time by the Gover- nor without compensation to the lessee, in the event of the land being required for coal-mining purposes under this Act." Mr. SEDDON (Premier) moved, in subsec- tion (3), after the word " lease," the insertion of the words "under ' The Land Act, 1892."" Amendment agreed to. Mr. SEDDON (Premier) moved to add the following proviso :- " Provided that, with respect to the lands comprised in the First, Second, and Third Schedules of ' The Westland and Nelson Coal- fields Administration Act, 1877,' subsection one of section forty-four of 'The Mining Act, 1898,' shall apply." Proviso added, and clause as amended agreed to. Clause 8 .- "Section sixty of the principal Act is hereby amended by repealing; all the words from and including ' Provided that ' to the end of the section ; and in lieu thereof it is hereby declared that every resumption of land under section fifty-nine and every contract under section sixty of the principal Act shall be subject to the approval of Parliament, and for that purpose the following provisions shall apply : - "(1.) The Minister shall lay before each House of the General Assembly full particulars of such resumption or contract ; and, unless within ten days thereafter a resolution disap- proving of the same is passed by either House, the same shall be deemed to be approved by Parlia- ment. "(2.) If such resolution is passed by either House within the ten days as afore- said, then the resumption or contract so disapproved shall not be proceeded with or. be given effect to, but shall be deemed to be void for all pur- poses." Mr. SEDDON (Premier) moved to strike out subsections (1) and (2), with a view of inserting the following subsection in lieu thereof :- "The Minister shall lay before the House of Representatives full particulars of such re- sumption or contract within ten days after such resumption or contract is decided on by within ten days after the opening of the next session of Parliament ; and, if a resolution ap- proving of the same be not passed by the House within thirty days thereafter, the resumption or contract shall not be proceeded with or be given effect to, but shall be deemed to be void for all purposes." Mr. GUINNESS (Grey) moved, as a prior amendment, to insert after the word "repeal- ing," the words, " the proviso thereto." Amendment negatived. Mr. GUINNESS (Grey) moved, in subsec- tion (1), after the words " The Minister shall lay before," to insert the words, "both Houses of the General Assembly," so that Mr. Seddon's amendment, if agreed to, should include those words. The Committee divided. AYES, 18. Allen, J. Smith, G. J. Lawry Atkinson Massey Symes Bollard Mackenzie, T. Thomson, J. W. Monk Collins Tellers. Fowlds Parata Guinness Fraser, W. Russell, W. R. Russell, G. W. Gilfedder NOES, 38. Allen, E. G. Hall Mills Hall-Jones Arnold O'Meara Hardy Bennet Palmer Herries Buddo . Pirani Rhodes Carncross Hogg Hornsby Carroll Seddon Colvin Thompson, R. Hutcheson Duncan Lang Ward Ell Wilford McGowan Field McKenzie, R. Willis. Flatman McNab Tellers. Fisher Fraser, A. L. D. Meredith Graham Millar Tanner. Majority against, 20. Amendment negatived. Mr. Seddon's amendment agreed to, and ' clause as amended agreed to. Clause 13 .- " Accounts to be kept as to each coal-mine, and balance-sheet prepared." Subsection (4) .- " Within twenty-eight days after the close of each financial year the Minister shall cause the balance-sheet and statement of accounts for the year to be submitted to the Audit Office for audit." Mr. SEDDON moved to add the following words : " and when so audited the same shall be published in the New Zealand Gazette." Amendment agreed to, and clause as amended agreed to. Clause 15 .- " If at the close of any financial year it appears in the case of any mine that the net surplus profits for the year, computed as aforesaid, exceed five per centum on the total capital expended, then during the following year the Minister may reduce the price of the coal from such mine to such extent as, on the basis of the previous year's operations, will pro- duce a net surplus profit of five per centum on the total capital expended."

of the following proviso : "Provided that if at the close of any financial year it appears in the case of any mine that the surplus profit for the year, computed as aforesaid, does not reach five per centum on the total capital expended, then during the following year the Minister shall raise the price of coal from such mine to such extent as, on the basis of the previous year's operations, will produce a profit of five per centum on the total capital expended." The Committee divided. AYES, 16. Bollard Lang Russell, W. R. Thomson, J. W. Carncross Massey Mackenzie, T. Fraser, W. Hardy Monk Tellers. Pirani Herries Allen, J. Rhodes Atkinson. Hutcheson NOES, 33. Allen, E. G. Fraser, A. L. D. Mills O'Meara Arnold Graham Hall Parata Bennet Buddo Hall-Jones Russell, G. W. Carroll Hogg Smith, G. J. Collins - Hornsby Ward Lawry Colvin Wilford Willis. McGowan Duncan Ell Mckenzie, R. Tellers. . Field McNab Symes Fisher Meredith Tanner. Flatman Majority against, 17. Amendment negatived, and clause agreed to. Mr. SEDDON moved the addition of the fol- lowing new clause :- "6A. In addition to the powers conferred on the Minister by the last preceding section, he may, in such manner as he thinks fit, work any tramway, hulk, ship, or other movable appli- ance acquired by him under that section for the purpose of supplying and delivering coals."" New clause agreed to. Mr. HERRIES (Bay of Plenty) moved the addition of the following new clause :- " Every worker employed under the provi- sions of this Act shall be subject to the pro- visions of 'The Industrial Conciliation and Arbitration Act, 1900,' and the Minister shall be deemed to be an employer within the mean- ing of that Act." The Committee divided on the second read- ing of the clause. AYES, 23. Hornsby Atkinson Rhodes Collins Lang Russell, G. W. Colvin Lawry Russell, W. R. Ell Massey Smith, G. J. Fowlds Mackenzie, T. Thomson, J. W. Fraser, W. Meredith Tellers. Herries Graham Monk Pirani Hutcheson. Hardy NOES, 29. Allen, E. G. Field Buddo Arnold Carncross Fisher Bennet Flatman Carroll VOL. CXIX .- 59. Gilfedder Mills Ward Hall O'Meara Wilford Hall-Jones Parata Willis. Hogg Seddon Tellers. Kaihau Symes Barclay McGowan Tanner McNab. PAIRS. For. Against. Allen, J. Duncan Bollard Napier Lethbridge Stevens Smith, E. M. McGuire. Majority against, 6. New clause negatived. Mr. SEDDON (Premier) moved the following new clause :- "Any award under ' The Conciliation and Arbitration Act, 1900,' relating to coal-mines in the industrial district in which any State coal-mine is situated, shall, subject to such variations as in the opinion of the Court are necessitated by local circumstances, apply to such State coal-mine." . New clause agreed to. Mr. HERRIES (Bay of Plenty) moved the following new clause :- "'Unalienated Crown land' includes all Crown lands held under any lease for depas- turing purposes, or any occupation license, but shall not include any land under lease in per- petuity." The Committee divided on the question, "That the proposed new clause be agreed to." AYES, 11. Fowlds Wilford Monk Hardy Rhodes Tellers. Hutcheson Russell, W. R. Herries Thomson, J. W. Lang. Massey NOES, 37. Allen, E. G. Pirani Graham Russell, G. W. Hall Arnold Hall-Jones Seddon Atkinson Smith, G. J. Heke Barclay Hornsby Bennet Symes Buddo Kaihau Tanner Lawry Thompson, R. Carncross Carroll Ward McGowan Mckenzie, R. Willis. Collins Colvin McNab Meredith Ell Tellers. Field Hogg Mills Fraser, A. L. D. Parata O'Meara. PAIRS. For. Against. Duncan Allen, J. Bollard Napier Lethbridge Stevens Smith, E. M. McGuire. Majority against, 26. Clause negatived. Bill reported. On the motion, That this Bill be read a third time, Mr. HERRIES (Bay of Plenty) said,-I very much regret that the amendment I moved in

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workers in these proposed State coal-mines and State steamers and State trucks, and every- thing else that is included in clause 6, was not carried, and that they will not come under the Industrial Conciliation and Arbitration Act. I think it must be patent to every person who lives in the colony that if the Industrial Con- ciliation and Arbitration Act is to be the suc- cess that we are told to believe it is, and that we boast of throughout the world, the first people who ought to come under the operation of that Act are the Government themselves, and especially in an undertaking like a State coal-mine. A State coal-mine is the very thing that an Industrial Conciliation and Arbitra- tion Act is supposed to be passed for. I could

understand arguments being used about the Railway Department not coming under it, just as I could understand similar arguments being used against other departments of the Govern- ment coming under it ; but there were no argu- ments used during the debate in Committee that could be used against the proposal for putting in the workers in the State coal-mine under the Industrial Conciliation and Arbitra- tion Act. Now, the Premier has himself ad- mitted the strength of my argument, and the arguments of these honourable gentlemen who argued in favour of putting this State coal-mine under the Act, by bringing forward a clause of his own which proposes to apply, in a limited degree, the conciliation clauses to the workers under the State Coal-mines Bill. Now, we believe this proposal of the Premier's is a weak one. It does not effect what is intended. It gives no machinery, and we think, as he has gone so far towards adopting the principle of applying the Industrial Conciliation and Arbi- tration Act to the workers under the State Coal mines Bill, he might have gone the whole thing and put them under the Industrial Con- ciliation and Arbitration Act, as my amendment proposed to do. The only reason I can sup- pose why he would not is because the proposal emanated from the Opposition side of the House; and he attempted to persuade the House that any one on the Opposition side moving an amendment in favour of the workers was insidiously undermining the Bill. I say the Bill goes now with a great blot on it, and it is doubtful to me whether I can support the Bill when it puts the workers in State coal- mines in a different and inferior position to those who work for private individuals. The Crown should be the first to adopt the principle of the Industrial Conciliation and Arbitration Act, and give its workers the privileges of that Act, and not compel private employers to do it and then refuse to do it themselves. I do not believe that the Premier's amendment will meet what he requires, and I believe he has put it in really as a sort of make-shift, in order to appease those of his own party who would have voted for my amendment, but who were carried away by thinking that the Premier's amendment was just as good. I am satisfied that, when they read the Premier's amendment in cold blood, they will see that there is hardly Mr. Herries under the clause, will not be able to initiate a dispute, but only to take advantage of an award made in other coal-mines, with the differences adjusted by the Court, but against which they have no appeal. They cannot initiate a dis- pute; and I do not see any provision in the amendment by which the award can be en- forced. I only regret that the Premier and the Minister for Railways did not see their way to carry the full amendment I proposed. I can- not see any argument, and I did not hear any argument, against it. The only argument I heard was that it might increase the appro- priations of the Crown, and the Premier put the comforts and lives of the workmen as against the appropriations of the Crown. I say that is a position that it is quite unworthy we should take up; that the first consideration should be the welfare of the workmen, and that he should put them in the same position as those of private employers ; and that he should not - as he has done - when they asked for bread, have given them a stone. Mr. J. W. THOMSON (Clutha) .- I hold in 'my hand the report of the Inspector of Coal- mines, and I find from this report that the out- put of coal last year was 118,756 tons more than the output of the previous year, or, in other words, that it had increased during the year by nearly 11 per cent. This was a large increase, especially when we consider that our population increases by only about 2 per cent. These figures show that there is no occasion for the Government interfering in this matter, and starting a coal-mine on their own account. If the output of coal had been diminishing, then it might have been desirable that the Govern- ment should go into this business. The output of the Kaitangata Mine last year was 112,000 tons-that is, 6,000 tons less than the increase of the output of the mines of the colony during the year. In other words, the output of our mines is growing to such an extent that we are, as it were, adding each year to our mines an additional mine larger than the Kaitangata Mine. The number of men employed in the Kaitangata Mine was 237; but the additional output of coal last year was equal to giving employment to 267 additional miners. All these things go to show that there is really no occasion for the Government going into this coal-mining business. I myself do not believe that it will be a success. I cannot think it possibly can be a success. The Ministers

are not practical coal-miners. They may have good men, no doubt, under them, and they have the advantage of being able to bring a large capital to bear upon the undertaking; but they are in no way responsible for any loss of money there may be in the event of the mine not turning out the success they hope it will. If they lose money they cannot be called on to make good the loss. In the case of an ordinary man engaged in mining pursuits, it is his business ; he is personally re- sponsible for the capital, and his living depends upon the enterprise. He, therefore, puts forth every possible effort to make the
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kind to stimulate Ministers. I, myself, do not believe it will pay; and it must pay if the Government are going to sell coal cheap, as they say they will do; but, as I have shown, there is no occasion whatever, at least at pre- . sent, for the Government entering on this State coal-mine venture. Mr. SEDDON (Premier) .- Sir, I must con- gratulate the House upon passing this State Coal-mines Bill. It is not perfect. We all realise that when we are legislating upon ques- tions of such importance as this and passing a measure for the first time it cannot be quite perfect ; but I think the House is to be com- plimented on the fact that the Bill as it now stands is workable, and will, in my opinion, prove one of the most valuable measures we have ever placed upon the statute-book. The second-reading debate on the Bill was a debate which can be read with pleasure by any one who takes an interest in social questions and in progress in the best interests of this colony, and up to a certain stage in Committee the Bill proceeded on what I call reasonable lines. Objection was taken first of all to the 2nd clause, as to alienation. It was urged by the member for the Bay of Plenty it should be restricted. Well, I turned up the Land Act, and I find-I have to thank the member for Mataura for drawing my attention to it-that in clause 3 the interpretation is as follows :- " In this Act, if not inconsistent with the con- text,- "' Alienate ' and ' alienation' respectively, include a limited disposal by lease or license, as well as an absolute disposal by sale or other- wise." Clause 2 of this Bill therefore says,- "The Governor may from time to time, by notice in the Gazette, set apart for the purposes of this Act any alienated Crown lands which in his opinion contain coal, or may be required for coal-mining operations under this Act." I say, therefore, the objection taken to the Bill on that ground should be at once set aside. The most material point we have heard was in regard to section 8. Under that section there was a repeal of a proviso to section 60 of "The Coal-mines Act, 1891." As the Bill was intro- duced, provision was made that within ten days after the House met the contract for resump- tion was to be laid on the table. That meant the approval of the contract and the resump- tion. After carefully considering the objec- tions, I think I have gone as far as one could reasonably be expected to go, and have amended the clause so as to fix that the contract for resumption must be laid on the table within ten days of the meeting of Parlia- ment, and within thirty days a resolution of the House must be moved confirming the resump- tion. Well, I think, myself, that that is a very fair concession to give, and fairly met the ob- jection which was taken. It was contended that this branch of the Legislature should not have taken the sole right, and an amendment was proposed that it should be both branches of the Legislature who should pass the resolution con- do not think it is right. There are constitu- tional issues, because it would be equal to a money clause of a Bill. The resumption of a mine means a large sum of money, and the deal- ing with moneysand taxation or placing a burden on the people is the prerogative of this House, and not of the other branch of this Legislature. I think now, safeguarded as the Bill otherwise is, and with the right to raise debentures, and as we have Crown lands of our own coal-bearing, I do not think there will be any necessity at all for the resumption powers of the Act. I hope not, at all events, although it is wise and prudent at all times to have the necessary legis- lation in case such a thing were required. As the Bill progressed through the Committee I was not at all inconsiderate. When the mem- ber for Bruce asked that the accounts should be audited and gazetted, so that the world should know what we were doing and what we were spending on these coal-mines, I accepted that as an addition to subsection (4) of section 13. Then we come to the question raised by the member for the Bay of Plenty with reference to

introducing a clause in this Bill under which it was enacted that the Minister should be an employer within the meaning of the Industrial Conciliation and Arbitration Act, and that the men working in the mine should be workmen under that Act. I gave, Sir, reasons to the Committee, which I now repeat to the House. You cannot place the Crown or the Government of the day on the same plane with respect to employment, either in their coal-mines, rail- ways, or other branches of the public service ; you cannot divest them of the constitutional position-namely, that the representatives of the people have the control of the purse of the colony-and give it to a Board or Court to fix what is to be paid, and to make a claim or cast a burden upon the taxpayers of the country. That would be an abrogation of our rights which I believe, myself, the people of the colony would object to. But, Sir, I ask honourable members to listen to what I now read, and, after they have listened to this, to draw their own conclusions. This is what was 2.0. ultimately agreed upon, and inserted on my motion :- " Any award under ' The Industrial Concilia- tion and Arbitration Act, 1900,' regarding the coal-mines in the industrial district in which any coal-mine is situated shall, subject to such variations as are in the opinion of the Court necessitated by local circumstances, apply to such State coal-mine." What more could be wished for? We decide by this amendment that the Minister respon- sible for the working of the State coal-mine has to take as his guide the award in respect to other coal-mines in the same district. This is satisfactory to every unionist and to every man working in the other mines ; and, what is more, it is fair in its incidence as applied to the other mine-owner or worker. I cannot understand why there has been this difference of opinion. The member for Palmerston's reason for sup- porting the amendment of the member for the

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we should have such provision, or otherwise the State might be giving more-the workmen, by bringing pressure to bear, might be able to get more money for working in the State coal-mine than was paid by a private employer, and thus the private employer might be prejudiced. The member for the Bay of Plenty took up quite another attitude. He said his reason was that he wanted to give the same right to those in the State coal-mine-that the workers in the State coal-mine should be in a position to force the State to give them the same as other em- ployers were giving, and have full power to go to the Court. Which of the two is correct ? I say the member for Palmerston is of the two nearest the mark. We have no complaint as to the wages we pay, and if there are well-founded complaints the best Court is the representatives of the people in this Chamber. And if the State is under-paying, then I say the men would very soon make themselves felt, and no Govern- ment on these benches could be parties to in- justice for any length of time. We have a proof of that in connection with the railway men. When a proposition was made in favour of this being applied to another branch of the service they themselves, who ought to be the best judges, said, " We prefer to be as we are." They preferred to rely on members of Parlia- ment and trust to the Government of the day, rather than force the masters before the Court and thus cause friction. I say it is not ad- visable. But if I thought for a moment that the position I have taken up was prejudicial to the workers I would be the last to do it ; but I believe it is really in the interests of the workers, and is conserving that which we have I believe if those already granted to them. who are misguided-I do not say wilfully so- had forced the Government into the position attempted by the member for the Bay of Plenty, my opinion would have been that it was prejudicial to labour legislation. It would be the thin end of the wedge, and the end of it is not very far to see. I know those who are opposed, and who always have been opposed, to the labour legislation are most strenuous in saying that this legislation should apply to the Government, and by this means are endeavouring to injure this legisla- tion, and, by injuring it, hope to ultimately succeed in wiping it off the statute-book. It is for these reasons that one has to continually combat the attempts that are being made. This is an important measure, and, on its pas- sage through Committee, when I saw the Bill jeopardized by the amendments proposed, naturally, seeing a danger which other mem- bers did not see, I have had to do my best to get this Bill through ; and as it now stands

I am very well satisfied with it. I will say to members that during the evening I have had to fight to get my Bill through, and in doing so I have done no more than was simply my duty. I believe in fighting for what I believe to be right, and I concede to others the same privilege that I claim for myself. I fight vigor- ously, but with me when the debate is over Mr. Seddon have taken part in placing this Bill on the statute-book will never regret it. I repeat the Government will be very careful as to their selection, and they will put the strongest men possible in charge, and we hope then to relieve the colony from the present unusual position in which it is placed. We are consumers to the extent of 100,000 tons of coal annually, and, if in a country teeming with coal we can bring coal from Newcastle and undersell the local article by 10s. per ton, I say that points to one of two things : either there is not sufficient capital invested, or the capital is invested and those holding the monopoly are charging the consumers more than they are called upon to pay. I believe that feeling has been in the breast of members on both sides of the House, and has caused them to be unanimous almost in the passing of this Bill. We will do our best to work it in the interests of the colony, and I believe we will have no cause for regret. Mr. PIRANI (Palmerston) .- I desire to make a personal explanation. I refrained from speak- ing on the third reading so as to facilitate busi- ness. The Premier has taken occasion to mis- represent what I said in Committee, although I do not say the Premier has done so intention- ally. The Premier said that the attitude which I took up in regard to the arbitration clause was that it was necessary to have this amend- ment, and that the State should not be com- pelled to give higher wages than private em- ployers. That was not my sole argument on that point. That was only one of my argu- ments, as I pointed out at the time that a State coal-mine was not to be compared with the railways or other Government employment in which it had been sought to introduce the Conciliation and Arbitration Act, because in regard to coal-mines you had a standard to go by in the private companies, which were de- veloping coal-mines on similar conditions to those under which the Government would work. I said that, with that guide to go by, it would only be fair to have the Arbitration Act applied to the Government mines in the same way as to private mines; and I further added that it would also prevent political pressure being brought to bear on the Government to raise the wages of the miners, although similar wages were not being paid by the companies and under the order of the Arbitration Court. Mr. SEDDON (Premier) .- I may say that I had not the slightest desire to misrepresent the honourable member, and, of course, what I said he has himself admitted is almost in the same language as what he has said. I must give him credit that he also did use the other argument -namely, that there might be political pressure brought to bear to force up wages against the Government ; and I think the honourable mem- ber will recollect that that struck me and caused me some little anxiety, and I said that we must meet it in some way or other ; and it is met in the Bill. Mr. PIRANI. - Will the Premier consider the point raised by the member for Wellington City (Mr. Atkinson), as to whether it is not advisable

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to take some power to provide machinery for bringing the State Coal-mines before the Arbi- tration Court in accordance with the clause ? Mr. SEDDON (Premier) .- This shows the danger of having amendments proposed in Committee, as they have been. If the member for the Bay of Plenty had put his amendment on the Order Paper I could have referred it to the Bill Draftsman and to the Law Officers ; the same with my own amendment : it would have been better if it had been referred to the Law Advisers in the first instance ; and I may say the amendment was mentioned. I stated in Committee, and I repeat now, that I shall look into the matter very carefully, because I do not want to have any defect in the Bill. Bill read a third time. MAORI LANDS ADMINISTRATION BILL. Mr. CARROLL (Native Minister) .- Sir, this Bill is not a policy measure. So far as policy and principle are concerned in connection with the administration of Native lands, they were settled by the House last session. This is really an amending Bill-a machinery Bill- and explanations of the amendments proposed can be given better in Committee than in the course of a

second-reading speech. As I said before, the principle has already been affirmed by Parliament. Mr. MONK .- Then why do you want the Act ? Mr. CARROLL. - Because we found the machinery of the main Act not so workable as it might be for the despatch of business. Some of the clauses were so drawn up that working under them was next to impossible. I will point out one or two instances of that. In the Act of last year we stated that no Native could alienate any land unless he produced a papa- kainga certificate-that is to say, a certificate that he was the possessor and owner of a piece of land in severalty, and had the fee-simple title to it - that, until he did that, any alienation on his part would not be confirmed. Well, that meant that if, in a block of land in which there were a large number of owners, they all had to produce papakainga certificates, each owner would have to show that he owned a separate piece of land, and that such was a papakainga reserve, before any alienation could be effected. . That- would take years to do. We propose to amend the Act of last year in the direction of making it merely necessary for the Native owner to produce a certificate from a Judge of the Native Land Court to show that he has sufficient papakainga land for his use and maintenance, without actual individualisa- tion, to have his alienation confirmed. That is a very desirable and important amendment. Then, we go further. In section 4, section 22 of the principal Act is repealed. The section reads :- " Immediately upon the coming into opera- tion of this Act in any district as provided in section five hereof, Maori land in such districts shall not be alienated by way of lease either to the Crown or to any other person, except with the consent of the Council first obtained and in accordance with the provisions of this Act." The amendment that we add is this: In the case of alienation by way of sale, where the land is held by not more than two persons, we add the words " lease or mortgage." If we give them permission to sell, we should also give them permission to lease or mortgage. That is what we do here. Mr. A. L. D. FRASER .- You do not do any- thing of the kind. Mr. CARROLL .- Any way, whether we do so or do not, in effect that is the proposed amend- ment. Then, another amendment we propose is in section 24 of the principal Act. Section 24 was that the Governor, for the purposes of this Act, may, on the recommendation of the Coun- cil, revoke all restrictions existing against the alienation of Maori lands, and so forth. Well, we alter that by saying that the Governor, after considering any recommendation of the Coun- cil, may remove and revoke any and all restric- tions. Under the Act the Governor could only act on the recommendation of the Council, but as proposed the Governor is not bound to act on any recommendation of the Council. This opens the alienation door wider, in the direction of permitting dealings under Order in Council. It will offer greater facilities for the settlement of cases between Natives and Europeans where they are thought not worth while to come under the Council. There are many cases, I believe, where there are several small pieces of land owned by a small number which could be more readily dealt with by the Governor in Council. Then, another important amendment we make is this : Where lands owned by Maoris which are incorporated had to be transferred by all the owners to the Council before the Council can administer the same, we now propose that they can be transferred by any number of the owners, providing they do not number less than ten. The necessity for that is this : Where you have a block of land owned by a large number of owners, and you require to get the signatures of these owners to the transfer transferring the land to the Council before the Council has power to lease the land, you will find great trouble, expense, and delay at every step you take in getting that done. We propose, in all fairness to the owners, so that the Council may get to work as soon as possible, that where the land is owned by more than ten it shall be legal for ten to sign the transfer to the Council. After that, the Council has to satisfy itself that it is the wish of the owners of the land that the land should be leased or otherwise disposed of ; and, on the Council being satisfied that the owners, or a majority of them, are in favour of that land being dealt with by the Council, then the Council can accept the transfer from the ten or more and proceed to administer the land in the manner set forth in the deed of transfer. This would provide an easy method by which the waste lands of the Maoris could be cut up and let to the public in the interests of settlement. Under the

Land for Settlements Act the same principle is adopted in some measure-that is to say, residents in a district can petition the
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any private estate within their locality, and thereby the machinery is set into motion. Thus, on the same principle the power of the initiative under this Bill is put into the hands of any number of the owners from ten upwards. When they have so initiated proceedings by requesting the Council to accept a transfer from them, then the Council proceeds, as I have said before, in the manner herein set forth. An Hon. MEMBER .- I think this might be dealt with in Committee. Mr. CARROLL .- That is what I propose to do. I think we could discuss this in Com- mittee more fully than now, and I should prefer to defer any further remarks until then. When in Committee we could deal with each clause on its merits, and take the general debate on the third reading. Mr. A. L. D. FRASER .- After you have made your amendments. Mr. CARROLL .- The amendments can be discussed and each clause dealt with in Com- mittee much better than in any other way. I move, That you do now leave the chair, in order that we may go into Committee on this Bill. Captain RUSSELL (Hawke's Bay) .- I think it my duty to move the adjournment of this debate. I have very pronounced views upon the question of the administration of Maori lands. I am convinced that the policy which we passed last year has proved an entire failure, and that all the tinkering with it in this Bill is not going to do any perma- nent good. Well, I do not feel capable now, after two long nights, of addressing myself properly to the subject. There is before the Native Affairs Committee a Bill containing fifty clauses which is of the utmost importance to all those honourable gentlemen who, like my- self, take an interest in Native matters. We have to attend regularly every morning, day after day, but it is not possible for us, if we sit here night after night until four o'clock in the morning, to attend the Committee and to do our work intelligently and properly. Sir, so that I shall not forfeit my right to speak on the subject I will not go into the merits, but will now simply move, That the debate be ad- journed. Mr. CARROLL .- I do not wish in 2.30. any way to prolong the business. We should have dealt with this matter the other day, and probably have finished it before now, but, unfortunately, the motion to go into Com- mittee was intercepted-by whom I need not say. At any rate, Sir, I feel now that it is about time we should " get a move on " with this Bill. Mr. A. L. D. FRASER (Napier) .- This is not a question of dealing with a technical amend- ment brought down by the Native Minister, but dealing with the whole question of that abor- tive legislation introduced last session, which has been admitted by the Native Minister at Rotorua and other places is absolutely unwork- able. Mr. Carroll member must not discuss the main question on the motion for adjournment. Mr. A. L. D. FRASER .- The reason why I think we should have an adjournment is that the whole House should know the reason we disapprove of the legislation brought down last session and the attempts to patch it up by these amendments. The Native Affairs Committee have been sitting every morning this week from eleven to one o'clock licking another Native Bill into workable shape, although the House has not risen usually till about four a.m. And when the Native Minister knows we are doing everything we can to facilitate legislation in this House he should agree to meet us by ad- journing the debate. He simply wants to stifle criticism on this matter by pushing it into Committee. In view of all the circumstances, it is not fair to an important measure that we should be called upon to go on with the second reading at this time of the morning. Motion for adjournment negatived. Mr. O'MEARA (Pahiatua) .- In dealing with a Bill of this sort I think more time should be given to the House to consider it. I, as one member of this House who has Natives residing in his electorate, look upon it as my duty to see that the interests of those Natives are properly safeguarded. I have had experience on the Native Affairs Committee, and the matters that came before that Committee were worthy of great consideration on the part of members of this House. Considering, however, the lateness of the hour, I do not think it wise to detain the House any longer on this question, and I shall have another opportunity of speaking on this very important Bill. Mr. SEDDON (Premier) .- After consultation with my colleague who is in charge of the Bill, I think it will be in

the interests of the Bill and of the Native race if we adjourn the de- bate. I move, therefore, That the debate be adjourned. I may say it is the intention of the Government to have the measure passed this session. Mr. PIRANI (Palmerston) .- I protest against the Premier taking this unjustifiable manner of adjourning the debate. I can give half a dozen rulings against what the Premier is doing now. The proper course would have been to allow some other motion to intervene and be nega- tived, when the adjournment could be moved in proper course. It is such a funny way of carrying on the business of the House that I think it only fair that some protest should be made against it. Mr. SEDDON .- As a matter of personal ex- planation, I say my action was taken simply because there was a general feeling amongst members that the debate should be adjourned. Debate adjourned. The House adjourned at ten minutes to three o'clock a.m.

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Thursday, 31st October, 1901. First Reading-Second Reading-Third Reading- Taumutu Native Commonage-Inspection of Meat -Industrial Conciliation and Arbitration Bill- Old-age Pensions Bill-Egmont National Park Bill. The Hon. the SPEAKER took the chair at half-past two o'clock. PRAYERS. FIRST READING. State Coal-mines Bill. SECOND READING. State Coal-mines Bill. THIRD READING. Pariroa Native Reserve Bill. TAUMUTU NATIVE COMMONAGE. The Hon. Mr. TAIAROA asked the Minister of Education, Whether the Government will take steps to cause the County Council having control of the Southbridge district to extend to low-water mark their drains which carry off the streams and surface-water and the surplus from their irrigation-works running into Lake Ellesmere, which drains are now flooding the Taumutu Native Commonage ? He felt it would be advisable to give a little further in- formation. In the year 1883 the land was granted or secured to the Natives under the provisions of the Taumutu Native Commonage Act, and this reserve contained about 700 acres. The drainage from the roads and other water- sheds was being brought through drains on to this Native Reserve. There was also water being brought down from the Rakaia River for irrigation purposes, and the surplus of this water from some of the farms was also coming down these drains and flooding the reserve, and the ground was being made useless and swampy through this water being poured on to it. This reserve was given for the benefit of the Natives in that locality, and it was only right that the Government should see that this land was not made swampy and spoilt by this water being drained on to it. Subsection (5) of section 4 of "The Taumutu Native Commonage Act, 1883," said,- " Her Majesty shall, for all purposes of ' The Drainage Act, 1881,' be deemed to be the owner of the said lands." He took it that the meaning of this subsec- tion was that the Native owners would not be in a position to resist the work of the County Council, who were bringing this water on to the land, but that it was the duty of the Crown to see that our lands were not destroyed ; and what he would ask now was that the main drain in which this water was collected should be extended to low-water mark. He believed it would not require more than 40 chains of drain to do this. He would like to explain to the Minister that a drain was originally cut through, but the authorities had not kept it clean, and it was now useless. The reasons of awarded to the Natives the County Council ceased to keep the drain open through that land. The Hon. Mr. W. C. WALKER asked, Would the honourable gentleman tell him if the Tau- mutu Native Commonage was between the lake and the sea, or to the west of the lake ? The Hon. Mr. TAIAROA replied that the Taumutu Native Commonage was to the south- west of the lake, on the inland side. The Hon. Mr. W. C. WALKER understood that the Natives stated that the water came down upon them, and that the County Council apparently had not provided a sufficiently deep drain to carry it off. Was that so ? The Hon. Mr. TAIAROA .- Yes. The Hon. Mr. W. C. WALKER said, as to taking steps to cause the County Council to do these things, he was not sure the Government had got power in the matter ; but the Native Minister, who had charge of these affairs on behalf of the Natives, would make inquiries, and if anything could be done he would do what was necessary and what was in his power to assist the Natives ; but he must say there was a certain amount of presumption in the

question that he could not admit for a moment from his own knowledge. For instance, they talked about irrigation-works. There were no irrigation-works in that district, but simply water-channels on the surface of the ground, and he did not believe that any one could imagine that those surface-channels could have the effect suggested. The water was nearly all consumed before it got to this locality, and therefore he did not think the County Council was in any way to blame so far as that part of the matter went. But generally as to the ques- tion, he would see that inquiry was made, and if anything could be done to relieve the settle- ment it would be done. The Hon. Mr. TAIAROA would like to say that he might have been wrong in using the words, "irrigation-works." What he meant was that the water was brought from the Rakaia River, possibly through open drains ; but it came through the farms, and the sur- plus was poured into the drain to which he had referred. INSPECTION OF MEAT. The Hon. Mr. JONES asked the Minister of Education, Whether, in view of the disclosures which were made in the course of the trial of a Sydenham butcher at Christchurch, on the 29th October, for selling meat tainted by pleurisy and tuberculosis, and the statements made by several butchers that what are termed "small goods " are usually made of "greatly inferior meat," which it appears may be taken to mean diseased meat, and also the smallness of the punishment-namely, 20s. fine and costs- which was inflicted by the Magistrate, and which will probably fail to act as a deterrent, the Government will see that the officers under the Public Health Act do their duty, so as to secure a more effective and reliable inspection of meat, and the adequate punishment of any

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plying any of that commodity that is deemed unfit for human consumption? His reason for asking this question at such a late period of the session was that the subject was one of very great importance indeed, and he hoped the Minister would give the Council an assur- ance that the Health Act would be brought into active operation, as suggested in the ques- tion. The Hon. Mr. W. C. WALKER said, Of course, he had no knowledge of the matter beyond what appeared in the question, but the Health Department would look into the matter, and take any steps that were necessary. # INDUSTRIAL CONCILIATION AND ARBITRATION BILL. The Hon. Mr. W. C. WALKER .- In moving the third reading of this Bill, I do so with some feelings of regret. I cannot say that I like the form in which the Bill has come down to us, because I think the clauses put in in the other House in the early hours of the morning have, to my mind, destroyed the Bill, and tend to make it operate against the principles of the original Act. Therefore, it is a matter of regret to me that this Council should have supported those two clauses-clauses 6 and 21. The original principle was that conciliation should precede arbitration, and conciliation should not be a weapon to be used by one side or another as they thought fit. It is not a weapon: it is a bulwark of defence which is in the interest of every one, and when every one or any one is deprived of the privileges of the Board of Conciliation, Parliament is taking away from them the privileges that the original Act in- tended to give them, and on which the whole of this legislation really is based. No one can claim that this Act is any longer a Conciliation and Arbitration Act if these clauses are in it. The title of the Act almost ought to be altered. It is no longer an Act for promoting conciliation and arbitration when either party can contract itself out of the first principle underlying the whole of this legislation. Why has this been attempted ? Why has there been this attack upon this principle of the Act? Simply because it has been alleged that in Wellington the Conciliation Board has not being doing its duty-that it has spun out cases unduly, and has not succeeded in conciliating. And all the blame is placed on the representatives of labour on that tribunal. Why is the blame all to be thrust on the representatives of labour ? Is it not equally open to argument, is it not equally open to proof that in some of these cases the employers were the guilty people ? The em- ployers were the people who spun out disputes in order that the cases should be forced to the Arbitration Court. That really is the position. There was one notorious case where the em- ployers allowed a case to go on for twenty-one days, and at the end of the

twenty-one days they sprung a mine on the other side, and on account of a technicality everything had to be begun de novo. Who was to blame there ? Certainly it was not the Board ; and certainly Hon. Mr. Jones it was not the labour representatives, but they got the blame of it. I say it is a very grave matter for regret that the Council should have adopted these amendments, which have been hastily put in at very short notice and without much consideration in another branch of the Legislature, and the Council have by indorsing them done a very great deal to injure the usefulness and strength of the Act. Clauses 6 and 21 are the two clauses which, I feel, we have reason to regret have been passed by the Council. They are quite contrary to the original intention of the Act ; they are not justified by the experience we have had during the last few years in the working of the Act, and if they are put on the statute-book they will be a serious blow to the continuity and to the harmony of this legisla- tion. Although I move the third reading of the Bill, I do so with some regret. I move it because the Council has seen fit to pass the Bill in its present form ; but I think it is a matter for regret, and I am sure it will be a matter of regret to those who really consider these Acts and who desire to see them passed in & form in the interests of both sides. I beg to move the third reading of the Bill. The Hon. Mr. TWOMEY .- Any one listening to the honourable gentleman's mournful speech, and also to the lamentations others have in- dulged in over this measure, would come to the conclusion that all the clauses of the Bill dealing with Conciliation Boards have been repealed. Has anything like that been done? Not a bit of it. What has been done is that the liberties of the people have been extended, inasmuch as they can go to conciliation or not, as they please. It is a most extraordinary thing for honourable gentlemen who claim to stand in the vanguard of progress to object to the extension of human liberty. It is really a most extraordinary thing that this should occur, and I really cannot understand why they are objecting to this Bill. It is true that there is one clause in the Bill, which, if I had had the chance of voting on it again, I would vote for keeping it out of the Bill, and that is clause 6. I voted for the insertion of that clause in the hope that I would modify it by amendments in Committee. I placed these amendments on the Order Paper, and honourable gentlemen have read them. If these amendments had been inserted in the Bill the clause would not be what it is now, but those who prolonged the debate until such a late hour made it impossible to insert them. and it was owing to that fact that I did not. propose them. I voted for the clause, but if I had a chance of voting again I should vote against it, because I think under it hardships may be inflicted on individuals. An Hon. MEMBER .- Move to recommit the Bill. The Hon. Mr. TWOMEY .- I think it is too late now to do that. I believe there is some- thing in what has been said in respect to its \-- being possible that certain persons might be made marked men, and have to suffer owing to this clause. In this connection I think there

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fact that some of these labour leaders presume on their position, and say to themselves, "The employer dare not dismiss me, as he would have the whole union on to him." Conse- quently the employer is sometimes annoyed, and dismissal may take place in that way. believe there is a possibility that under clause 6 this may be intensified in certain instances. I regret the clause was not amended in the direction I proposed, but that was the fault of the stonewallers, not mine. But why on earth is this terrible fear that conciliation will be destroyed. Conciliation Boards have' not been touched. If conciliation is good the people have had time to assess its value, and if they find it valuable they will make use of it in future as they have done heretofore. But, if they find it is a nuisance to them, are you going to jam it down their throats whether they like it or not. That is exactly what you are endeavouring to do now. It is a most extraordinary thing that those who are always telling us to trust the people do not trust them in this matter, but insist on forcing Concilis- tion Boards on them whether they like them or not. There is only one explanation of the attitude of certain gentlemen that I have ever been able to find, and that is contained in a parliamentary paper I have before me con- taining a return which was recently laid before the Council. I will read the return, and honourable gentlemen will understand why I read it :- " Cases in which

Recommendations of Boards were agreed to, and Number of Days before the Boards. " Auckland District .- Tailors, 13 days; flour- millers, 2 days; saddlers, 1 day ; tanners, 1 day ; Hikurangi coal-miners, 6 days ; Auckland painters, 3 days. Six cases settled by Board. " Wellington District .- Plasterers, 6 days ; saddlers, 4 days ; Napier painters (withdrawn on recommendation of Board), 2} days ; drivers (partly accepted), 25 days ; hairdressers (modifi- cation agreed to), 8 days. Two cases settled by Board, one partly settled by Board, one modifi- cation agreed to, one withdrawn on recommen- dation of Board. " Canterbury District .- Builders' labourers, 1 day ; saddlers, 1 day. Two cases settled by Board. " Otago District. - Burnside ironworkers, 6 days ; Nightcaps coal-miners. Two cases settled by Board. " Cases referred to Court of Arbitration, and Number of Days before Boards (only). " Auckland District .- Typographers, 9 days ; carpenters and joiners, 6 days ; iron-moulders, 5 days; Waihi gold-miners, 49 days. Four cases sent to Court. " Wellington District .- Linotypists, 25 days; coach-workers, 2 days; wharf-labourers, 38 days ; butchers, 14 days ; match-factory employés, 7 days ; painters, 2 days ; carpenters, 10 days ; tailoresses, 3 days; tailors, 12 days ; wharf- labourers, 5 days ; timber-yards, 14 days; drivers (partly accepted), 25 days; builders' and waiters, 17} days. Fifteen cases sent to Court. " Canterbury District. - Typographers, 2 days ; iron- and brass-moulders, 1 day ; boot- makers, 2 days; tanners and fellmongers, 1} I days ; butchers, 1 day; curriers, 2} days; hair- dressers, 1 day; lithographic and letterpress printers, &c., 1 day; slaughtermen, 2 days ; coachbuilders, 1 day; typographers, 1 day. Eleven cases sent to Court. " Otago District .- Millers, 2 days ; Allendale coal-miners, 4 days ; Dunedin tailoresses, 2 days ; saddlers, 3 days ; millers, 4 days ; Alex- andra coal-miners, 4 days : Dunedin butchers, 13 days ; plasterers, 13 days ; boilermakers and shipbuilders, 23 days ; metal-workers (iron-moulders), 33 days ; carters, 8 days; Shag Point coal-miners, 1 day ; Kaitangata coal- miners, 1 day. Thirteen cases sent to Court. "6. The number of days each case occupied in hearing before the Arbitration Court : Im- possible to answer, as the Court has as many as five cases before it in one day-partly hear- ing one, giving award in another, &c. "7. Cost of salaries, fees, office and other expenses of the Conciliation Boards in each industrial district (1st April, 1900, to 30th June, 1901) : - d. B. Auckland District 366 0 3 . Wellington 1,089 16 5 . . Westland 6 17 4 . . Canterbury 109 0 4 . . Otago 220 14 2 . . Taranaki 8 0 8 . . £1,811 11 11 "8. Cost of salaries, fees, and other expenses of the Arbitration Act for the same period : £1,659 9s. 9d." Now, the cost of the Court of Arbitration in the same time was £1,659 9s. 9d. Sir, we are told that if all the cases had to go to the Court of Arbitration there would be a necessity for another Judge. But in that case you would have the amount of £1,811 that is expended on conciliation now, and that would go towards paying another Judge. It is only right and proper that the people should have the option of going to the Conciliation Board or Arbitra- tion Court as they think fit. I do not suppose it is necessary for me to dwell very strongly upon the action of the Wellington Board that has brought labour into discredit. In my opinion, it is entirely to the advantage of the worker that this Bill should pass. I wish here to direct the attention of the labour people to the actions of the Board which has been ad-ministering this Act in Wellington, and to ask, What has been the result of their action ? The result should teach them to be very careful that they do not abuse the beneficent laws which this Legislature has passed in their favour. Now, clause 21 makes no alteration in the law to the advantage of the employer, but it does make an alteration advantageous to the em- ployé, and I will show you how. At the present time the employer has already all the powers

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assuming that the employé is the person who sues the employer, and that is the proper view to take of it in the face of what has been going on up to the present time. The employé must sue before the Board of Conciliation, go to all the expense and trouble, and the employer can snap his fingers at him and take no notice whatever of him. The employer, therefore, has within his reach all the power that is conferred upon him by clause 21 at the present time ; and what benefit is it, therefore, to him that clause 21 should be

passed ? I may be told that if he does not attend the Board of Conciliation his case may be prejudiced in view of any action before the Court of Arbitration ; but in reply to that I will give an instance within my own knowledge where the Court of Arbitration reduced the award of the Board of Conciliation by 8s. a week. I do not think, in the face of that, any employer need be afraid of his case being prejudiced because it is heard before the Board before it reaches the Court of Arbitra- tion. Now, I think it is a great advantage to him to learn what the other side have to say, and what they are going to prove, because, if they show their hands, when the time comes he is prepared for them before the Court of Arbitra- tion. For these reasons I say it is a disadvantage to the employers that clause 21 has been passed, whereas it is a great advantage to the employé. The employé must now, whether he likes it or not, go to the Board of Conciliation, file his case there, give evidence there, spend his time there, and go to trouble there, and it is im- possible for him to go to the Court of Arbitration until such time as he has gone through that process. Now, under clause 21 what will happen is this : The employé will sue in the usual way, and then, when he finds that the employer has filed a document that he wants to go to the Court of Arbitration, the employé is there and then relieved of the necessity of going through a useless form before the Board of Conciliation. The Board is relieved of the necessity too, and the country is not put to useless expense. Con- sequently the position of the employé has been greatly improved under this Act. That is the way I look on it, and that is the reason I have voted in favour of it. I believe it is a great improvement which will be entirely in the interests of the employés, and it cannot do any good to the employer, who has all the power already to go direct to the Court. The Hon. Mr. SCOTLAND .- I shall vote for the third reading of this Bill because I think it is a good Bill. If it were a one-sided measure I would not vote for it, but it cuts both ways. It offers the same facilities to the employé as to the employer. I cannot think what ground there can be for what I may call the morbid suspicion of the Arbitration Court. If I were an employer-which I am happy to say I am not, as things are at present in New Zealand- I should hail this Act with the greatest amount of satisfaction ; and if I were one of the em- ployed I should do so likewise, unless I were under undue influence. At present there is no doubt there is an uneasy feeling on the part Hon. Mr. Twomey Boards, and if I were an employer I must say, were I hauled up to appear before one of them, I should fancy as I entered the building that I saw written over the portal, "Abandon hope all ye employers who enter here." What is the use of our boasting so much that we have no strikes in this colony? Why, there is what amounts to a perpetual strike, I may say, going on; and we have continually, ad nauseam, disputes announced in the papers in the different trades. I believe it would be almost better if there was a good strike, and so end the matter at once, in preference to this perpetual nagging that is going on, and the hot water in which industrial pursuits seem to be kept in this colony. I have confidence in the Supreme Court, and I think both employers and employés should have the same. The Judges of the Supreme Court are above sus- picion. There can be no suspicion that a Judge of the Supreme Court would go outside his Court and foment discontent, and work up cases for the Court to decide. I cannot think how anybody could doubt that the awards of the Arbitration Court would be in the right direction, and based on the soundest principles of justice to both parties. I could understand a man unwilling to go to the Arbitration Court who had a bad case. It reminds me of the Irishman who, when he was imprisoned, and awaiting his trial on a very serious charge, was consoled by a friend, who bade him remember that he would have a just Judge to try his case. "Oh," he said, " it is not exactly a just Judge I want ; that would be a very small consolation to me. I want one who would lean a little." Now, I can understand an employé who wanted a Judge to lean a little, shrinking from going to the Arbitration Court where equal justice would be meted out to both parties, and pre- ferring the Conciliation Board. I hope the third reading will be carried. The Hon. Mr. JENKINSON .- I need only say at the outset I am very sorry the Council has thought fit to pass the Bill as it at present appears, and I am almost sure that some of the members have not given such consideration to clauses 6 and 21 as their importance demanded. We have an instance this

afternoon in the Hon. Mr. Twomey, who has said that if he had clause 6 before him again he would vote against it. I think that is only one instance, and there must be others in the Council who voted on the clauses of the Bill, and particularly these two clauses dealing with trade-unions, who did not exactly understand the importance of the points they were deciding. The clauses dealing with trade-unions-clauses 2 and 5-require a little consideration. At first sight it would appear that it is very unjust that trade-unionists should be allowed, as some honourable gentle- men expressed .it, to contract themselves out of the law ; but, Sir, they have had this privi- lege, if it is a privilege-I do not know that the term "to contract themselves out of the law" is applicable - for some six years, but it was never taken advantage of. We have it in evidence taken before the Labour
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this privilege of seceding from the Industrial Conciliation and Arbitration Act, they never took such action. And I do not think it was ever thought by the leaders of unions that they would ever take such action in the future ; but, as I pointed out once or twice in Committee, it was a very unfair position in which to put a very large body of men who might be registered under the Trade-Union Act - that of being dictated to, and brought under an award that might be agreed to by seven men who chose to form themselves into a union and register under the Industrial Conciliation and Arbitra- tion Act. I then pointed out that in many cases large unions are under the authority and direction of their executives, which may have their head offices in Australia or England ; and to say that because these unions cannot abide by all the rules and regulations laid down under the Conciliation and Arbitration Act, and there. fore cannot register under it, and in some cases are not allowed to register under it-to say that this large body of men should, through no fault of their own, be placed under the direc- tion and will of any seven men who chose to form themselves into a union and register is most unfair. They might actually form a union at the instigation of the employer, for a purpose which might be understood between both parties when the union is formed. A case might be brought before the Conciliation Board or Court of Arbitration, and an award that would be totally unjust in many instances to the general run of workers might be framed by the Arbitration Court, and a large body of men who cannot bring themselves under the Arbitration Act would be bound by that award. Now, I think that is surely sufficient evidence that many members who voted on that particular question of trade-unions did not vote with a full knowledge of what they were doing. It was said by many members, who did not know, I suppose-I will give them the credit for not knowing, at any rate-that it was a one-sided measure if the provision regard- ing trade-unions was not put in. It was said that trade-unionists, if they liked, could come in under the Act, and it was asked " Why should they not do so? " It was also asserted that in many instances, if the award proved irksome, they could work till such time as would enable the award to be fulfilled, and could then secede from the Arbitration Act, and so render the work that had been done by the Arbitration Court nugatory. But those members who were members of the Local Bills Committee, and had heard the evidence taken there, should, I would have thought, have brought some sense of justice to bear on the matter, and have given us credit that we were urging the privileges of trade-unionists, and asking that they should at least be put on an equality in the Bill, which they would have been if my honourable friend Mr. Rigg's amendment had been carried ; but even these members of the Labour Bills Com- mittee would have none of it. They said, " No; unless these trade-unionists choose to register .under the Arbitration Act, and have all the dis- privileges of the Act." Now, surely when the Hon. Mr. Twomey was talking about justice, and of jamming conciliation down the people's throats, it was only justice to put trade-unions on terms of equality in the Act. The Hon. Mr. JENNINGS .- Why do they not register ? The Hon. Mr. JENKINSON .- I have just said it is quite impossible for some of the large unions to register unless they forego the right of partaking in the benefits of their unions, in the way of death-benefits, sick-funds, et cetera. The Hon. Mr. JENNINGS .- Will you name one ? The Hon. Mr. JENKINSON .- I think, the Amalgamated Society of Carpenters. The Hon. Mr.

JENNINGS .-- No, it is not so. The Hon. Mr. JENKINSON .- I have reason to believe that it is so. Then, there is the Amalgamated Society of Engineers ; and if there is a branch society of boilermakers who belong to the English Amalgamated Society it would be entirely debarred from registering, because no executive holding the reins of office, and having the head office out of New Zealand, would allow a branch to participate in the funds they have built up for years if they were to come under an Act which might compel them at any time to disburse more of the funds than is laid down by the rules. The evidence that was given before the Labour Bills Committee by, I think, almost every witness who gave evidence, went on the lines I have just indicated. We had the evidence of Mr. Young, who was very keen on this point, and who totally objected to it. I must confess, in fairness to the Hon. Mr. McLean, that Mr. Young threw out a hint that it might be wise if unions should be allowed to withdraw from this Act at the expiry of an award if they chose to do so, and thus throw the shipmasters into a quandary. I do not think that was the inten- tion of the union. I have never, in my experi- ence with unions-and I have mixed with them for many years-found that they were desirous of doing anything that was unjust. There is another point in the evidence that I think I ought to allude to. It was touched on by Mr. Naughton, the president of the Wellington Trades Council. He says,- " In section 5 the Council opposes the inser- tion of trade-unions, and we oppose the inser- tion of the word ' trade-unions ' in all the other clauses. We object to the inclusion of trade- unions in order to make them attachable to an award. We think there is no necessity for it, inasmuch as all unions now registered under the Trade-Union Act are also registered under the Industrial Conciliation and Arbitration Act. We believe if it is done there will be a multi- plicity of unions that do not now exist, and where there is one dispute now we will have a great number of them." I may point out, however, that there are some branches of influential unions which may have their executives at Home, and which may not be allowed to register under this Act. If

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the employers are willing and anxious to have | I do not think there is any chance of bricks the number of disputes multiplied-and this gentleman who gives evidence, and he is in a fair position to judge, being president of this organization, and has taken a prominent part in these matters for considerable time, avers that this clause will multiply the number of disputes-I think that is their own affair. I am only sorry that they have put us in the position of having to pass the Bill containing this provision, because I am quite sure it is not the wish of the workers that disputes should be multiplied. I admit that there have been a great many disputes for some time past, and for the next twelve months probably there will be another large number of disputes to be dealt with ; but so soon as the general run of industries are dealt with under awards, then we will find that the work of both the Court and the Board will be lessened considerably. As it is, a number of men have been forming themselves into unions who have never had any idea as to unions, and I admit that in some cases busybodies are going round trying to bring the men to see that the conditions of their labour and the circumstances under which they are working are not perhaps so good as the condition of others, and they have been suc- cessful to a very great extent. But, although it may appear to bear hardly upon employers at the present time, it will, I think, be to their benefit in the future; because, while these unions are formed now and disputes are brought before the Board, awards will be given and the conditions of any particular trade will be laid down ; and in many cases the awards will be limited, if this Bill passes. I may say I think that in all probability in a year or two we shall find that the constant addition to the number of unions will be stopped, and that the number of disputes will also stop, and that things will go on as merrily as mar- riage-bells. With regard to the multiplying of disputes by Conciliation Boards, I think such an accusation is the height of absurdity, and I cannot help wondering how a man of ordinary intelligence, like the Hon. Mr. Twomey, could get up and read an extract from the paper that was laid on the table, with a view of casting ridicule upon the members of the Board which have dealt with these disputes. He mentioned that in some cases the attempted settlement

of disputes by the Conciliation Board had cost a large amount of money ; but, after all, what did that signify? It has often before been said in the Council that, as compared with the cost of strikes, the amount which these dis. putes now cost need not be mentioned ; and it must be admitted that there is no compari- son between the two amounts. But, taking it from another standpoint, supposing it cost $100 to settle a dispute between an employer and his men, or between forty or fifty employers and their men, where there is no chance of com- petition arising from importation, what does that matter? Now, there are a large number of trades in New Zealand in regard to which there is no apprehension regarding competition from abroad. We will take the brickmakers : Hon. Mr. Jenkinson being imported into New Zealand, and I con- tend that if the Conciliation Board, even at the expense of some hundreds of pounds, lays down the conditions of labour under which the em- ployers and workers will be able to work to- gether in harmony, and under which the workers will have a reasonable amount of con- sideration-more consideration than, perhaps, they have had in the past-it cannot bear hardly on the employers, because the great ad- vantages of conciliation and arbitration and the awards made by the Court are that the awards apply to every employer; and I have never known an employer yet who has grumbled about any conditions which have been laid down apart from the effect on his business where foreign competition might arise, and to some extent hamper the industry. But where there is no chance of foreign competi- tion I have never known a fair-minded em- ployer-or, indeed, any employer-take one word of exception to any award or any condi- tion that was laid down to every employer alike in' his industry. I own that in many cases the result of an award may be to enhance the price of a particular manufacture, and that the general community may have to pay more; but, judging by the prosperous condition of New Zealand lately, I do not think that en- hanced prices have been very hardly felt. The Hon. Mr. JENNINGS .- It can only go on to a certain extent. The Hon. Mr. JENKINSON .- I do not think so, if there is no fear of foreign competition. Of course, you might exaggerate prices to & ridiculous extent ; but to any reasonable extent there cannot be any hardship to employers. They know that other employers must work under the same conditions-pay the same wages, and work the same hours-and, I ask, how could it be possible for any employer to argue logically that an award was going to hurt his trade under such circumstances! As I have said, I have never heard of one doing so. They have all been perfectly happy when a fair award was given. There seems to be a great deal of unhappiness among employers because the awards of the Concilia- tion Boards are not binding. I think that is a sort of red-herring drawn across the scent. If employers were shown that the recommenda. tions of the Conciliation Boards must be abided by, I believe that a great many more of the points that have been agreed to by the Boards would be agreed to by the employers and em- ployed alike. I do not absolve the workers from blame in this respect, because I think that in many cases they have kicked against the pricks with a view of getting better terms from the Arbitration Court. I know of two men in Wellington-members of a union - who were not satisfied recently with the recommendations of the Conciliation Board, and they went to the Arbitration Court, and now they would be only too glad to go back to the recommendations of the Conciliation Board, and have now a decided antipathy to arbitration. I shall now say a few words regarding section 6. The

I think, be on the part of those who really understand the question and who have sup- ported the special Boards-I think their dif- ficulty will be to confine their remarks within anything like reasonable limits, for it is a sub- ject on which they can talk from now almost to Doomsday. I cannot see for the life of me how any member of Parliament with a know- ledge of the good the Arbitration Act has done, and with the knowledge that it is likely to do good in the future, and with a knowledge of the import of the new proposals, can support such a clause as this. I am quite sure, if we had gone a little bit further and made this compulsory as to special Boards, that there is nothing more likely than that to bring about discord and disagreeable feelings between the workers and the employers. The Hon. Mr. Pinkerton will bear me out

readily, I think, when I say that a special Board of Con- ciliators has been set up times without number, more especially by the bootmakers in New Zea- land, who have taken more advantage of this method of dealing with disputes than any other body. I do not suppose you could get ten out of a hundred bootmakers to say that they would again undergo such another experience as that of the ten years before the coming into force of the Arbitration Act. The effect of this special Board of Conciliators was that those who took part in it, although they may not have been dis- charged from their employment just at once, in a very short time the place that once knew them knows them no more. They had to go. And while some of them left their employment in the factory in which they were engaged with light hearts, and went next door to ask for employ- ment, having taken part in the settling of a dis- #cc-zero pute which might not have been altogether to the employer's detriment, they were there also refused employment. Those men had to be shunted out of the trade. We have heard it said that there is not an ex-President or ex- Secretary of the Bootmakers' Union now in the trade. I do not know how far that is true, but I can say that I know of a large number of ex- officers of the Bootmakers' Union who are now altogether out of the trade, and also a large number of unionists who have taken a certain amount of interest in trying to better the con- dition of their fellow-workers. They have had to bear the brunt. In connection with this the Hon. Mr. Rigg put on record the other day a few of the names of those who had suffered round about Wellington in this way. Since then the Secretary of the Canterbury Trades Council has been good enough to send me a list of a few-though he says there are many more -of the names which to his knowledge within the last six months have had their services dis- pensed with. He goes so far as to say that they were dispensed with on account of the action they took in endeavouring to bring about agree- ments ; but he says these persons have been discharged from their regular employment, and he also gives the positions held by the persons which he names in the union, and says that this union has brought cases before the Board within names :- Union. Name. Office. Employers. Vice - Presi- H. Revell ... Woollen Kaiapoi Mills dent Woollen Factory. W. Clark ... Tinsmith's President Taylor and Oakley. Currier's W. Murphy President Bowron ... Bros. Ditto. T. Gofton Representa- tive T. Corlett Ditto F. Newton Tanner's ... Witness Secretary - Wells - Cooksley President "Promoter - Wilson I do not know what the position of "pro- moter " of unions is. There was no such posi- tion in my time. An Hon. MEMBER .- That is how the trouble has arisen. An Hon. MEMBER .- He is an organizer. Office. Union. Employers. Name. Bowron Tanner's Promoter ' - Barnett Bros. Representa- J. Milne Ditto. ... tive Currier's ... Son of above J. Milne : l'. Hare Representa- ... tive Range- Scott Bros. J. Ford Secretary ... makers' Ditto - Lane .. - Douglass Butchers' Steel. - Robert- Secretary ... son The Hon. Mr. JENKINSON. - It will be seen that one of the men is classed as " Son of above." Apparently the sins of the parents are being visited upon the children. There is one point I want to dwell on in this list : There are eleven names I wish to lay special stress upon, because they were curriers and tanners, and all discharged from the one employ -namely, Bowron Brothers-within the last six months ; and the secretary of the Trades Council in Christchurch says these men were discharged because of their action in bringing a case before the Conciliation Board against the employers. I have spoken to a representative of this particular firm, telling him I was going to publish these names, and make it known that these considered they had been discharged from their employ for belonging to unions, so that that gentleman-a member of Parliament for whom I have the greatest respect-can put himself right on the first opportunity. Some of these men had been in this employment, I am told, for a considerable number of years. An Hon. MEMBER .- Have other men replaced them ? The Hon. Mr. JENKINSON .- To a certain extent, I am told. An Hon. MEMBER .- To what extent ? The Hon. Mr. JENKINSON .-- I cannot say ; I have not that information before me. An-

other point I wish to draw attention to. Mr. J. Ford, who was secretary of the Rangemakers' Union, also Lane and Douglass, of the same union, were, according to the list, discharged from Messrs. Scott

Brothers'. I must own this was somewhat of a staggerer for me, be- cause I have worked so long and on such amic- able relations with Messrs. Scott Brothers that I hardly thought they would have done such a thing, and I feel convinced that an explanation will be forthcoming. However, I shall be only too pleased to hear that the men were not discharged only because they were unionists. I really feel there must be something behind this, and I wish it fully understood that I only give this as I received it. At the same time, Sir, the impres- sion is abroad that the men did suffer because of the action I have referred to. And that is what is going to damn this clause we are putting in. Is it likely that a body of men will agree to this special Board of Conciliators being set up, or will agree to select, say, Mr. Smith and Mr. Jones from the employ of some- body to represent them on this special Board ? Is it likely they are going to select their fellow-workmen with the impression before their minds that they are making a sacrifice of them, and with the knowledge that the chances of those men remaining in employment after the dispute were very remote indeed ? I do not think it is possible that this special Board of Conciliators will be set up, and therefore this clause, in my opinion, goes far to cut concili- ation out of the Act; and yet this action has been taken despite the evidence given before the Labour Bills Committee against this parti- cular point. Mr. Young, in his evidence regard- ing it, says,- "I think it is nothing but right, where both parties are agreed, a special Board should be set up, but not on the application of one party only. These special Boards, in my mind, simply mean this : that probably in any par- ticular dispute two parties-who, I dare say, would be the leaders of the union-would be appointed as the special Conciliators on the unions' side, and two parties from the em- ployers' side would be appointed by the em- ployers to act for their side. There you would have a biassed Board, and there would be absolutely no conciliation whatever. You would find that, possibly, in nine cases out of ten the special Boards would be set up. If you carry this clause as it now stands there would be a terrible lot of friction. I think it is far better to let these special Boards stand as at present, the Act providing that on the appli- cation of both parties to a dispute a special Board may be set up. I think that is the best system. So far as I can see, from these special Boards I do not think you would get the satisfaction that the Legislature intends. You would simply have two employers on one side and two workers on the other side. Labour and capital on these special Boards would simply be at loggerheads, and you would simply have a biassed Board. I think it would be far better if you allowed the Act of 1900 to stand as at present." Hon. Mr. Jenkinson I have given the evidence of one gentleman, who, I think, is a fairly good authority on these particular matters, and although he does not belong to the Bootmakers' Union, which I have referred to, he belongs to the Seamen's Union, which, before the Arbitration Act was passed, had recourse many times to this way of settling their disputes. His experience has been that, as a rule, the outcome of the deliberations of these conferences or special Boards was not such as to enable them to go further with it, and was such that he objected to the setting-up of the Board provided by this particular clause. Then, we have the evidence of another gentleman in reference to this clause, and I may say he was the only witness who rather favoured the idea ; but he was somewhat inconsistent. He was asked the question, " Have you had any experi- ence of special Boards ? " And he replied,- "No, I have not. But I cannot see, anyway, why two men belonging to the Carpenters' Union and two of the employers engaged in the trade are not better qualified to fix up an award that will be workable for the whole of those con- cerned than two outsiders." But further on he says,- " If the painters had a dispute before the Board it would be necessary for the carpenters to appoint representatives to see that they did not affect their wages." From this it would appear that every branch would have to be represented. Then, we have another representative of the workers, who says,- " In reference to clause 6, Sir, dealing with these special Boards of Conciliators, the Council is of opinion that this is simply tantamount to & compulsory conference between the parties. It seems absurd to us that, in the case of in- dustrial disputes, it is proposed that the dis- putants themselves should be asked to act as conciliators. It is recognised, I think, through- out the world that if there is a dispute between two nations, or between two

individuals, some- body outside of those nations or persons has to act as mediator if the conciliation is to be effected. We certainly think that in indus- trial disputes members of Conciliation Boards should be persons outside of the particular trade affected. They (the Board) have the power to hear the evidence, and the evidence is for the purpose of instructing them in the technical details of the dispute, and informing them as to the whole of the matters relating to the dispute, so that they will be able to under- stand the position clearly, to mediate between the two parties, and endeavour to bring about a satisfactory arrangement. The Council cannot see why experts or persons in the dispute should be asked to come to an arrangement, because the fact that a dispute exists appears to us to indicate that the parties are unable to agree amongst themselves. If they were able to agree amongst themselves, then there would be no necessity to refer the dispute to any tribunal outside their own ranks." Well, Sir, according to this gentleman, if we had passed an Act making it unnecessary that they must be experts in that particular trade it

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it down in law that both sides of this special Board of Conciliators must be experts, he him- self is against it, and disagrees with the pro- posal that experts should be included, and therefore we have now what he favours. We have another gentleman who gave evidence on this particular point, and he was asked,- "With reference to clause 6, ' Special Con- ciliators,' I think one of you said that you had had some experience of it : what has the ex- perience been? Has it not been that those experts belonging to that particular trade who took part in those special Conciliation Boards were marked men for ever afterwards ?- [Mr. Naughton] I am going more particularly by what I have seen and heard of the Victorian Wage Boards. In Wellington the men know perfectly well the consequences ; if you listened to the men talking down at our Trades Council you would find they know very well that those men acting as experts would be marked, and that they would be discharged for various irre- levant reasons. At any rate, they could not get employment, and we know that that would be the case.' Now, that is the evidence of the President of the Trades Council ; and, further on, we have further evidence bearing on this particular point, given by Mr. Tregear, the Secretary of Labour,- "I would strengthen the evidence that was given by the members of the Trades Council last night in regard to the disinclination of the working-men to form these Boards. I have made careful inquiries from working-men all over the country, and find that there is the very greatest dislike to forming special Boards from members of the trade. Whether there is any foundation #cc-zero or not for the idea, there is certainly a deep- seated fear in the minds of the men that when they went on to the Boards with the employers they would be like mice disputing with cats, and would be eaten up before the end of the conference. Though the present Act allows Boards of Conciliators to be set up in that way. I have never yet known a proposition to come from the workers to take advantage of such a Board." And, Sir, when we come to hear the Hon. Mr. Twomey saying that it is a matter of grave injustice to ram conciliation down the throats of any one, and saying " Why should they not go to the Court of Arbitration ?" are we to stand quietly by and swallow these sentiments. Are we to have rammed down our throats that we must have a special Board of Conciliators, and are we to say to the employer, "You can drag any man you like before this special Board "? Where does the justice come in ? Is it not far more just to say, if both parties are willing to go before a special Board, or direct to the Court, " Let them go "? If a special Board is wanted it should not rest with one party to say we must go. I think the justice is all on the other hand, and that we are now not acting in the interests of justice. There are several other points in the Bill which I would like to speak on, but I will push on to clause 21. However, to clause 19. It is a clause the side-note of which reads, "Further protection to workers in case of a dispute." Sir, I said, when this clause was put to the Committee, that every member voting for it virtually admitted that unionists and workers suffered through their action in belonging to unions and taking part in disputes before the Board. It may appear strange that when I first saw this clause I was somewhat against it. I must own it appeared to me

that it was taking the responsibility and taking the power that rightly belonged to an employer out of his hand, and saying, " You shall not discharge your men," and I thought it was harsh and unjust. But when we see that the same provision is ex- tended to the worker, that he cannot under pains and penalties leave his employment, it does not matter how he may be "sat upon" nor what conditions he has to work under dur- ing or pending a dispute-if he does this he has the knowledge in his mind that he has to go before the Court at the instigation of the employer and prove that he has not left that employment because of anything connected with the dispute-I thought that that balances, at any rate to my mind, the somewhat apparent harshness of the clause to the employer. But, Sir, when we recognise what has taken place within the last few years-and only within the last few years, because I must say that in the first few years of the working of this Act very little of this action was taken-the impression, rightly or wrongly, seems to have got abroad that the action is organized and to be taken within the last twelve months on the part of employers to frighten the souls and lives out of the unionists, and to stop them taking any action, and to bring them back to the same state that they were in before they formed themselves into unions. I cannot help thinking, in my own mind, that there is evi- dence that it is organized action on the part of the employers, because it has been so general throughout the colony. No other construction can be put on their action of discharging unionists-and not only unionists, but the sons of unionists-than that the Employers' Association, which was set up some twelve months ago, have made it one of their first principles that where a man offers to raise his head above his fellow-men, and to raise his hand in support of the betterment of the con- ditions of the work of his fellow-men, that man shall be without work. Would it surprise the Council when I say I know of a man who avers he was black-listed right throughout England and Scotland? And, further than that, I be- lieve I can get this man at any time to come before a Committee and state that, although he was a boilermaker at the time, and took part in a boilermaker's dispute, he was not only debarred from getting work in a foundry, but he was debarred from getting work as a fireman, which he attempted to do ; and that man had to go to India before he could get employment. Now, I may be told this is terrible exaggera- tion ; but these are facts I have from the man
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are true, because I have known him for a long time, and I know him to be a decent, honest fellow. And it is only another instance which goes to justify what I have read from the com- munication I have received from the secretary of the Trades Council in Christchurch-that unionists who take any prominent part in dis- putes are made to suffer. Sir, I do not believe that what I have said is any exaggeration what- ever. Now, just a word or two on clause 21. This clause caused a good deal of heat and argument when going through Committee. It is a new provision, and reads that either party to an industrial dispute can file an application requiring that the dispute shall be sent direct to the Arbitration Court. And, Sir, it is very strange indeed, when you come to think that the honourable members who opposed the passing of this Act in 1894 were so very strong on the question of conciliation that they begged us to rely on conciliation. They said, " We do not want compulsory arbitration ; the very fact of putting the word ' compulsory' makes the Act hideous in our sight : allow it to go by voluntary conciliation." They quoted the Mas- sachusetts Act, and several Boards that have been set up in England, to show that Boards of Conciliation were there sufficient to deal with disputes. Some of them, I allow, have been successful, and some the very reverse; and those that have been successful have only been successful to a certain extent. We know that in England during the last ten years some great strikes have taken place, and also in America, and this despite the fact of this These honourable voluntary conciliation. gentlemen argued and claimed that they were quite willing to agree to voluntary conciliation, but they would have none of compulsory arbi- tration. Now, Sir, what seems a remarkable point to me is that these honourable gentle- men wish to sweep conciliation by the board. Sir, it is utter nonsense, in my opinion, for any honourable gentleman to get up in the Council and say that will not be the result of their actions. The Hon. Mr. TWOMEY .- Who said it ?

The Hon. Mr. JENKINSON .- You are one of them. The Hon. Mr. TWOMEY .- I deny it. The Hon. Mr. JENKINSON .- The honour- able gentleman denies it. He may deny it in words, but does his actions prove that he has not been doing it ? I say, and I have also the evidence of every worker who gave evidence before the Labour Bills Committee to the same effect, that will be the result of the action we are taking, and I cannot help thinking that the Hon. Mr. Twomey must have known, when supporting this clause, that the very action of allowing one party to drag the other to the Arbitration Court would be the means of sweeping Conciliation Boards off the board altogether and relying upon arbitration. And why, Sir, are employers so anxious for it ? We have had the evidence of employers- they seem to be like drowning rats, ready to grasp at any straw-who say, "Give us the Hon. Mr. Jenkinson Conciliation Board." It appears that the actions of the honourable gentlemen who sup- ported this clause must have been prompted by the employers-not of the two employers who gave evidence before the Committee, but of the Employers' Association. Now, we had a little evidence bearing on this subject in support of my view of the matter. I dare say other honourable gentlemen can find evidence in support of the other side, but I am not going to quote it. On page 9 of the evidence the witness says,- "Clause 21 reads : 'Either party to an in- dustrial dispute which has been referred to a Board of Conciliation may file with the Clerk an application in writing requiring the dispute to be referred to the Court of Arbitration, and that Court shall have jurisdiction to settle and determine such dispute in the same manner as if such dispute had been referred to the Court under the provisions of section 58 of the prin- cipal Act.' I disagree with that clause alto- gether. I consider it is a big mistake and a gross error of judgment to make this alteration. It in effect, in my opinion, will be the means of practically wiping out Conciliation Boards alto- gether. It provides that 'either party to an industrial dispute which has been referred to a Board of Conciliation may file with the Clerk an application in writing requiring the dispute to be referred to the Court of Arbitration,' and I believe, if this was carried, in ninety-nine cases out of a hundred you would have no con- ciliation whatever. It would be all arbitration, and so far as the workers are concerned-and my union in particular-we are most anxious to have as much conciliation as we can possibly get. We would not fall back on the Arbitraa- tion Court every time. We like to meet the employers in friendly conference, and discuss these questions-to have everything clear and above-board, and put before the Conciliation Board in a proper manner. This clause would practically take that power away altogether, and I think it would be far better if it was wiped out altogether. It has been put in here, I think, without any consideration, and in effect will be the means of practically extermi- nating our present Conciliation Boards; and I know and believe that I voice the opinion of the majority of the unionists in Wellington when I say that they are most anxious that every method should be exhausted through the medium of the Conciliation Boards before they go on to the Court." I want to lay special stress upon a few words he uses, because it has been urged all along that the workers are inclined to rule things with a high hand. Here is one of their repre- sentatives speaking the mind of those who sent him-of his executive-and that executive is the executive of a very large body indeed: he says that his union in particular is most anxious to get as much conciliation as it possibly can. If we take the experience of what has happened during the sittings of the Conciliation Board referred to it goes to prove that the awards [given by the Board were in many instances

some attention to the representatives of these large unions, who say that by passing this clause it means that it is practically cutting conciliation out of the Act altogether. As I said before, when we come to look back and find what honourable gentlemen said who were in opposition to the measure at the time of the passing of the Act in 1894, they prayed for voluntary conciliation only. Now their action is the reverse, and they are going to cut con- ciliation out of the Act altogether. It convinces me, at any rate, that their sole object is to kill the Act. They think that the Conciliation Board is the weak point of the Act at present, because in some newspapers, and among a number of busybodies, there has been an at- tempt to raise

a scandal against Conciliation Boards. There is one other part of the evi- dence regarding clause 21 that I want to draw attention to for a few minutes, and it is the evidence given by a very large employer, a very fair employer, and an employer who has had a very great deal of experience of the Con- ciliation Board as it is constituted in Welling- ton-I refer to Mr. Hutson. He said,- " Mr. Hutson : In saying I would sooner go to the Court of Arbitration, I would also like to state that I believe conciliation is the best if it is a properly constituted Board, and the first thing, I take it, is that the Conciliation Board was intended as a guidance if the dispute reached the Arbitration Court. But there are no records kept by the Board. If the evidence was all tabulated and printed there would be some guidance for the Court. And, then, if you had a good Chairman, who would be able to control the witnesses. It is nothing to be insulted if you get up before the Board here. You are asked all kinds of ridiculous questions, and you are deliberately insulted, and in that case conciliation is done with. I maintain that if there was a proper Board, and evidence was taken, and copies kept of that evidence, if they could not agree at that Board there would not be so much time lost when it reached the Arbitration Court. " Hon. Mr. Jenkinson.] Under those cir- cumstances you think it would be better not to pass this clause ? - [Mr. Hutson :] If both parties agreed to it. But there is no finality to it at the present time. Take the last case that was stated : the money was wasted there ; it was of no use at all. If the lower Board was made operative, and there was a finality about it so that the evidence could be used at the higher Court, the case would be different. It is of no use as it is at present here." No doubt when the Hon. Mr. Twomey ex- pressed his regret that he had voted for that clause he was perfectly honest at the time, so far as he went, because he had an idea that he could amend the clause in Committee. I re- gret that the honourable gentleman did not make sure that he would be able to amend it before placing himself in a false position with respect to that clause. Mr. Hutson said he believed conciliation was the best, and recourse should not be made so often to the Court. He VOL. CXIX .- 60. If the evidence was all tabulated and printed there would be some guidance for the Arbitra- tion Court. And here I would like to mention that I am in full accord with his views on the matter. He says that there were no records kept by the Board. I would urge that if an amending Bill comes here in the future we should take steps to compel the Boards to have their evidence reported, so that it can be used by the Arbitration Court ; and, although it might extend over a great many pages, especially in Wellington-for they seem to be a little prolix and long-winded, they seem to take evidence upon every possible point that happens to arise in a dispute ; but, even if they did so, and even if the expense was treble, I think it would do a great deal of benefit, and that it would also help the working of the Act and help to allay bitter feeling, if the evidence given before the Board was taken down in shorthand, so that it could be used by the Arbitration Court. We would then find that, instead of the witnesses giving evidence which extends sometimes over hours, and even days, they would condense their evidence, because they would not be able to make such random statements as I believe they do now sometimes. Mr. Hutson also says,- "There are no records kept. If you had a good Chairman, who would be able to control witnesses. It is nothing to be insulted ; you are asked ridiculous questions, and deliberately insulted, and conciliation is strained." Perhaps Mr. Hutson was right when he said that. We know that in dealing with a clause in Committee we sometimes tread on each other's corns, but after all is done we part good friends. In these disputes no doubt the parties quarrel a little sometimes. It has been re- ported in the newspapers lately that when a certain case came before the Board, where the Chairman was a mild man, he had the greatest difficulty in quelling the riotous feelings of those who took part in the meeting ; but when the employer invited the representatives of the union to come to his factory and see how the work was done, they came back a perfectly happy family. So that Mr. Hutson was per- haps right when he said that he was asked all sorts of ridiculous questions, and was sometimes insulted. But, as I have said, I think we can say the same thing even in Parliament ; but, after all is said and done, we part good friends ; and so it is, or should be, in the case of the Conciliation Boards. Mr. Hutson goes on to say,- "I maintain that if there was a proper Board,

and the evidence was taken down, and copies kept of that evidence, if they could not agree at the Board there would not be so much time taken up by the Court." I think, in view of what I have stated, it should be enough to induce the Council to recommit this Bill for the purpose of providing that the evidence given before the Boards be taken down in shorthand. If that is proposed it will have my hearty support. I pointed out at the time that the supporters of clause 21 might
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and have said, " We have got clause 6 into the Bill, and we will forego clause 21." I feel sorry that those members who were particularly strong in keeping in the word "either" did not show their magnanimity, and say at once that, having got clause 6 in the Bill -which is a retrograde step - they would forego their strength and allow the minority to insert the word "both." I do not know that I would have been entirely pleased had we inserted the word "both," but that would have been preferable to the word " either." It is somewhat hard on us who are supporting this Act, which has done such a great deal of good for the trade and industry of New Zealand, to find, or even to fear, that the action which has been taken may mean destroying the whole Act. When some members say that it is not going to destroy the Act, but that it will make the Boards better able to deal with the cases that come before them, it may be true that those honourable gentlemen are speaking honestly ; but is it right that members of Parliament, who cannot know all the circumstances of the case, and who have not had the practical experience-I ask, is it right that those members should practically ignore the evidence given before the Labour Bills Committee on this point, and that they should also ignore the wish of the workers and agree to this clause, which to a certain extent will, in the minds of many, kill the whole pur- pose of the Act? Because, I ay, if you take the conciliation out of the Act it will do a great deal towards destroying conciliation, and the harmonious feelings that should accrue from conciliation. The Hon. Mr. JENNINGS .- The sun will rise just the same. The Hon. Mr. JENKINSON .- I cannot say that I can treat the matter in such a light way as the Hon. Mr. Jennings appears to do. He seems to be remarkably light-hearted with re- spect to the action Parliament has taken. I think he will acknowledge that I and those who think with me have been honest in our attitude in respect to this matter, and I am sure he will not accuse us of pandering to out- side influence. I must say that I have been speaking my honest conviction on this par- ticular Bill all through. I do not, as a rule, pay much attention to what is said outside, or to what is likely to be said outside ; and I say that our actions in respect to this Bill have been the actions of men who honestly thought that Parliament was not doing what it should do, but was endangering an Act which has taken us seven or eight long years to put on the statute-book in its present form, and which has taken not only the time of Parliament, but has involved a great deal of consideration on the part of the framer of the Act, and of many of the foremost thinkers of the day. The greatest difficulty was experienced in bringing about the passing of the measure. We had to take the Bill in 1894 as it was brought down, with a hope that it would, at any rate, assist in solving a very large problem, and in a great number of instances it was sup- Hon. Mr. Jenkinson When it was introduced in 1894 it was wholly as an experiment; but there is not a member of Parliament, nor a man in New Zealand, but will say that the working of the Act has been for the benefit of New Zealand ; and it offends one's sense of fair-play when members of Par- liament will get up and say, with a light heart, that it might carry out what I personally believe will be the undoing of what we have struggled for during the last seven years in Par- lament. Sir, I am afraid there is not much to be gained in trying to oppose this third reading. It appears that the opponents of conciliation and arbitration have a substantial majority in this Council and in another place-a majority too large for us few to hope to convert ; and I can only express my sorrow that the work of the last seven or eight years in Parliament stands a very great risk of being completely undone by the work of a few moments. I shall oppose the third reading, and if it goes to a division I shall vote against it. The Hon. Mr. A. LEE SMITH .- Sir, it is extremely disappointing, and even depressing, to find that after some seven years' experience of our system of dealing with labour

questions there should be an attempt made now to undo what I consider is the vital principle of the Conciliation and Arbitration Act. We have had, during the last few years, so much discussion on industrial questions throughout the country that the history of labour legislation and labour disputes must be well known to almost every person in the country, and more especially to the members of this Council. You can go through all the centuries and right up to the present time, and you will find that there has been eternal tumult, eternal war, eternal loss, ill-feeling, and the creation of a fierce class distinction between those who have and those who have not ; and now we have found that, in this remote portion of the British Empire, within the last few years wo have solved diffi- culties that have never been overcome before, but which have been put aside and not dealt with in any practical way at all by the Mother- And now do we see that here country. there is a distinct movement to undo all the beneficial legislation that has brought this about. My honourable friend who has just spoken very properly constitutes himself as a representative on the labour side of the ques- tion. Sir, it may be a very low plane for me to take, but in the remarks I am going to make I shall almost exclusively deal with it from the point of self-interest -self-interest of the em- ployer-for the purpose of showing honourable gentlemen opposite that if they regarded this Bill in the light they should they would see that the abandonment of the principle of conciliation will be to them and to all the community a very great loss. Now, let us contrast, first of all, the position as we have had it even during the last seven years-and I will even include Wellington-with the period up to 1890. No. one, Sir, I presume, likes to bring forward his own personal affairs, his business, here, and I do not like it. It must be unpleasant, probably, to

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if it be necessary, it is excusable to illustrate arguments and the position. I go back with the greatest comfort and pleasure, with the full re- cognition of the beneficence of the great prin- ciple of conciliation, to the strike which took place in 1890. I dare say that every honourable gentleman here will remember what a fearful state of things was then displayed almost all over the colony. There was a feud between employer and employed which, I dare say, up to that particular period, was never contemplated as being possible. We saw in the streets of our large cities almost a war. We saw on the one side the people resenting, as they thought, the absence of any favourable response to the long appeal they had made for some method whereby labour questions could be settled, and how the people who had to live by their daily employ- ment could be brought into a better position than they had been -- a desire that, no doubt, had we been in their place, we should have taken exactly the same step that they took to accomplish. Has not this colony gone ahead during the last ten or fifteen years in a marvellous manner? Have there not been evidences, strong and clear, of the enormous increase in the value of property, increase in the wealth and well-being of the community ? And I ask honourable gentlemen if they can say that up to that time there was any attempt made to pass such legislation as would be in the direction of making that great acces- sion of wealth fairly distributable throughout the whole community. I say there was not. Then, to allude to the position in 1890, I have the comforting reflection that I was, I believe, one of the very few in Dunedin who #cc-zero did not suffer from the strike. As soon as I saw what the position was, I took up the at- titude that I hold to now, feeling as I did that conciliation was the key-note to the whole question as between the two classes, and in the midst of all this trouble that was going on I went down to a manufacturing firm with which I was connected and addressed the men, and I showed how I thought this matter could be settled ; and I can say that on the very next morning after the men would have gone out the whole thing was settled, and the men went on work- ing. There was no further trouble, except that one man withdrew because he was ordered to do so by an outside union of which he was a mem- ber. Under the circumstances that was a great achievement, and any one who thinks I am taking up this position from a self-seeking pur- pose will have the fact before him that the at- titude I am taking up now was the attitude I adopted then. So that my views cannot be said to have been formed hastily. The Hon. Mr.

JENNINGS .- That action was taken before any Act was passed, and it is there- fore all the more credit to you, Mr. Smith. The Hon. Mr. A. LEE SMITH .- Well, I had been long a student of this question, and I re- cognised that was the first step to take, and made up my mind that if ever I had an oppor- tunity I would endeavour to give effect to it by legislation. I can point to the fact that I seat there, that the people should have an op- portunity of dealing with this question, and that we should have some legislative machinery to give effect to it. Then, some people say, " What is your game ? " and there are all sorts of jeers and jibes at me because I-being, so to speak, a rara avis-have said that I would take up this position. It is said that, being an em- ployer, I am false to my friends and to my position, and that I am taking up this attitude entirely for a self-seeking purpose. Well, Sir, I can only say that, at a time when one's life might be said to be approaching its end, I would not be likely to be seeking any political position, and if I were out of the Council to-morrow I should not stand for any con- stituency. When that time comes I shall endeavour to spend the remaining few years of my life in peace, reflecting upon my forty-five years of work, and watching the course of events. There is no constituency I would stand for, because I am perfectly well aware I could not perform the work necessary in the other Chamber. Now, I have referred to past labour movements, and it would be only exhausting the patience of honourable members to go into all the facts and figures and the causes of that long war, because honourable members are all familiar with it. But, Sir, I want to point out that this is the only country in the world which has discovered, and which has effectively carried into existence, a method of treating these questions which is scientific, and which appeals to the very best views of mankind, and to their higher ideals. Most of us have, I dare say, come here from Great Britain to improve our position. I desired, and I suppose every honourable member desired, to attain to a better position and degree of comfort than they had prospects of attaining to at Home. Instead of that degrading condition of things which is so common in the manufacturing centres in Great Britain, what do we find here now? A happy and contented community. We meet them on almost equal terms, and the great difference between wealth and poverty does not offend the eye, does not offend the mind and heart, as it does in England. It must be a great source of happiness to those who can feel that, having done well themselves, they have in their way-let it be in the Legislature or by personal exertion outside-contributed to help those people who, possibly, from want of educa- tion, by the want of capacity, or by the want of those opportunities which others have had, have been unable to attain to that degree of comfort and prosperity which those who have been more favoured have been able to do. Let me allude to the working of the Act. How could any one have expected that when you have made such a tremendous somersault from one posi- tion to another as this Act illustrates, that in a short space of even seven years-seven years is nothing to the centuries to which I have alluded-you could get its machinery to perfection ? Do we not know that in other spheres of life-in the development of all scien-
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throughout the industrial world-that it takes years and years before you arrive at that state of perfection which enables you to secure the full advantage of your initial steps towards im- proved conditions. Therefore, all I can say is this : So far as regards this Act, it does not dis- appoint me in any way. If it took another seven years, and there were still some troubles before the Conciliation Board and Arbitration Court, I say we would be well repaid if in that time we could have found and proved a method which would leave the industrial question free from these difficulties which surround it not only in Great Britain, but all over Europe and the New World. However, Sir, there are many English people-and Mr. Lloyd, for one-a great American authority-who are looking upon us with envy for the means which we have to deal with these great questions. There are thinkers there - not the capitalists, not the multi- millionaires, not the people who are controlling and driving the industrial machine entirely in their own direction - men with high ideals, who are looking to this colony's legislation, small as we are, to see the fulfilment of the happy solu- tion of the troubles which now surround them, and surround them in a way which I believe will end in

an industrial war-a war between men who are owners of enormous wealth and the people who are under them and earning a wage per day which the millionaires them- selves would spend in food for their dogs. Sir, I hope I am not overpainting this question, but I say all honourable gentlemen who read the papers and other sources of information, which can be attained, and easily attained, if they have the inclination to inquire into it, will see We had this approaching crisis in America. a strange instance of that in the Carnegie #cc-zero strike. We saw there an enormous com- bination of two hundred millions sterling of capital dealing with a few thousands of men, and who are able by the possession of that great capital to repress competition, and to compel their employés to accept such wages and conditions of employment as would enable them for evermore to carry out a system which would simply mean the destruction of all people entering into the same trade. To come back to the Old Country. Of course, I cannot refer to a previous debate, but I have in this Council alluded to the troubles which are going on there, and I gave instances. Since then I have been reading others, and, although there is not that enormous combination of capitalistic power that there is in America, there are still there all the conditions necessary for eventually creating a smaller or greater edition of the American sys- tem. I was reading the other day a paper by Mr. Sidney Webb-anybody who knows any- thing of industrial questions will have heard of Mr. Sidney Webb - and he here deals with the question of treating labour, in the following words : - "We often forget that the contract be- tween employers and workmen is to the em- plovers simply a question of the number of shillings to be paid at the end of the week. To ! system is new to us, and because we do not like Hon. Mr. A. Lee Smith wage-earner does not, like the shopkeeper, merely sell a piece of goods which is carried away. It is his whole life which, for the stated terms, he places at the disposal of his employer. What hours he shall work, when and where he shall get his meals, the sanitary conditions of his employment, the safety of the machinery, the atmosphere and temperature to which he is subjected, the fatigue or strain which he endures, the risks of accident or disease which he has to incur-all these are involved in the workman's contract, and not in his employer's. Yet about the majority of these vital conditions he cannot bargain at all." "What hours he shall work " : We have solved that in the Factories Act, and the con- ditions worked under during these hours we have also regulated. "When and where and the time he shall get his meals ": This has been arranged. "The sanitary conditions of employment ": These are as yet the ideals of the people at Home, and in many cases have yet to be considered ; but we have already dis- posed of such questions. "The safeguarding of machinery ": That is a thing we have carried out better in this colony than they have in England. Look at the railway-workers. There is an enormous number of men hurt on the railways in England every year, and why ? Because the railway companies, having large representation in the House of Commons, have enormous influence against reforms involving great expenditure in improved plant. Practi- cally, a majority of the House of Commons is made up of railway shareholders and directors, and it seems no amelioration of the condition of railway workers can be passed there. Here we have Government railways, and a free hand to pass such legislation as we think fit for the benefit of the people at large. "The atmo- sphere and temperature to which he is sub- jected ": Our Factories Act is stringent on these points. Young boys at Home work long hours, and men far more-under unhealthy conditions-than they have to work here ; but the impending change must come. It is just a question of time before they discover that the policy which we have followed does not, as so many honourable gentlemen think, result in less efficient work or more costly working. I argue, and always have argued, that the workers who are best treated, and are working in harmony with their employers, are the men who enable you to make a success of business. The improvement of machinery is so great now, and there is such an enormous saving, that if labour does not get a share of it the employer practically gets all the advantage. What has machinery done for capital? It has given it an ever-increasing power. Has not the worker a right to say, "I see this going And, instead of on, and I want some of it ?" striking and going into the streets, and shying stones in a time of great

industrial warfare, what does labour do? It goes to the Concilia. tion Board and states a case, and because the
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to give in, we find fault with it. But contrast that with a strike, and then put it to your own mind whether, if you were in their place, and saw other people getting all this advantage, and you did not get a share of it, or only a very small share of it, you would not think as they do. "Risk of accident and disease which he has to incur": The Workers' Compensation for Accidents Act has settled this aspect of the question in a liberal and progressive spirit. "Yet about the majority of these questions he cannot bargain at all." Yes, that is the key-note of the whole position. Unfortu- nately, he cannot bargain at all. He knows he has not participated to any great ex- tent in the increasing wealth which is always being stimulated by science and ingenuity, and by every agency that appertains to the creation of wealth. Individually he can do nothing ; he can only stand at the door of the employer, and must take what he can get ; and by all the laws of humanity and of want the workers must assert themselves, and say, " We must stand together and appeal to these people to give us an opportunity of getting something out of the improved circumstances of our country." Is it too much to ask of others what we do ourselves-every one of us ? Look at combinations in trade. They have all the increased profit, but still want more. The employé simply asks that he may have something over and above his past rates of remuneration. He sees richer men getting more ease, and he thinks he would like to have a similar advantage. He does not want the great luxuries of the rich men. He wants something to make his home more comfortable, and to give more pleasure, and give an oppor- tunity to his children to improve and get on in life. He says, " Here is legislative machi- nery that will help us, ready to our hands." Here is another remark,- "A series of telling illustrations is adduced to prove the efficacy in practice of common rules imposed upon a trade, and the foolish objection that these rules, by raising the cost of production, ruin trade is refuted by citing, among other cases, the cotton operative and the coal-mine, the most wretched and most servile workers under the ancient regime of laissez faire, now among the most free and prosperous." That is true. Everybody who has followed the history of trade movement at Home and the history of union organization will find that the workers in the cotton-mills and coal-mines have obtained advantages which, in the old days, would have been thought a dream of the far, far future-in fact, a fair Utopia. With regard to cotton operatives, I dare say it can be affirmed with a large degree of accuracy that the operatives' position formerly was one, probably, of the lowest depths of degradation of industrial work-if I may use that term. They got low wages, they worked long hours, they worked under bad sanitary conditions - bad atmosphere - and no provision was made for their receiving the benefits which modern science has placed at the command of such in- dustries ; and the consequence was that the death-rate in that particular occupation was probably larger than in any other sphere of industrial work. It was almost as bad as it was in the glass and chemical trades, which have also, by regulation, been brought into line with other industries, and have been put in such a position that the workmen have much greater opportunities of preserving their health and working under better conditions. Then, there is the question of the agricultural labourer. It is very difficult to get a combina- tion of these workers, and the consequence is this: that at Home, here, and I dare say even all over the world, their conditions are worse than those of almost any other occupation. The result is that there has been an exodus from the agricultural districts towards the towns. The agricultural labourer has latterly seen with envious eyes the largely improved conditions of other classes of labour, and it is natural that he should desire to participate in those im- proved conditions. The consequence has been that in many counties of England-I will take Yorkshire, for one- some districts have been almost denuded of agricultural labourers-dis- tricts in which for generations past these men received 9s., 10s., or 12s. a week, and worked ten hours a day; and many of those men have got probably a wife and five children to support. At Home much attention has recently been given by writers to the agricultural-labourer question, and they

have been ventilating the subject in order that something may be done to mitigate the evils of the past. It is going a long way back to the time of Joseph Arch, when he came out and fought the battle of the farm-labourer ; but modern men, with the accumulated experience of intervening years, have invaded, with great spirit and acumen, the agricultural domain, and have put before the men their conditions, and explained to them what has taken place in the towns. It has created a feeling of unrest, and, failing to be able to combine so as to get from their masters the consideration of their complaints, they have consequently left their homes and gone to the towns to get work there. Such a position can- not be to the advantage of either the landlord, the farmer, or his workman. In the course of my remarks I have dealt in what I may call an abstract manner with this question, and have not hitherto alluded to the Bill itself. I think there are two great flaws in this Bill. The first is section 6, which gives to either party an opportunity to set up independent Boards of Conciliators. But I do not complain so much of that as I do of clause 21. Under clause 21 one of the parties may desire to go direct to the Court of Arbitration, and hence you have set up a very difficult and serious position. I do not know that there is any machinery in the Bill to show how such a posi- tion can be provided for. I can conceive it quite possible that there might be a deadlock ; and, after all, you might have to come back to conciliation, and there is no reason why you should invite a position which demands concilia- tion in an inverse way like that. At present
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pose of investigating disputes, and this Board, through constant examination of witnesses and the various technicalities which apply to trades, must necessarily in time gain a knowlege of circumstances which could not be possessed by a tribunal with only very rare and exceptional opportunities. My chief charge against this Bill is, however, as to clause 21, because there, in my opinion, is the key-note of the altered position. If carried it will indicate a willingness in this Council to throw overboard conciliation ; and the consequence, I feel sure, will be that possibly employers in some districts and employés in others will make combinations for the purpose of entirely ignoring the Boards of Conciliation, and will go straight to the Court of Arbitration. This fact in itself must carry with it great potentialities. If honour- able members consider the position they must see that one party in a dispute must be at a great disadvantage. In one case you may have one party agreeing to go to the Board of Con- ciliation and the other party may not agree, and the result will be that the wishes of the party desiring conciliation will be ignored. And therefore you will be deprived of that uniformity of procedure throughout the colony which I cannot but think is extremely desirable in the interests of both parties. An Hon. MEMBER .- That happens at the present time. The Hon. Mr. A. LEE SMITH .- Yes; but, in the first instance, before the Board of Con- ciliation you get the case opened and ventilated, but under this Bill you go abruptly to the Court of Arbitration, and you do not know which party it is that desires conciliation. An Hon. MEMBER .- The facts will come out in evidence before the Arbitration Court. The Hon. Mr. A. LEE SMITH .- Yes ; but you do not see in the light of day the true position with respect to the attitude of the two parties as to conciliation. At present the public are given an opportunity of knowing all the circumstances of the dispute. An Hon. MEMBER. - The public do not care. The Hon. Mr. A. LEE SMITH. - Yes, the public do care. The proceedings of the Con- ciliation Boards are read with interest in my district. I have kept the Council rather a long time, but I have very few more words to say. My opinion is that the Act has been productive of much good. As I have said before, it will be in my own interest and in the interest of employers generally ; and I may say, almost in the words of Lord Salisbury in respect to the Berlin Conference : If we adopt this Bill " we are putting our money on the wrong horse." On the one hand, you have a grand opportunity of pursuing the system which has been in bene- ficial operation for the past seven years -a policy which relies upon the intelligence and the enlightenment of the people to bring about a state of things which will enable the two indus- trial agents of production to form a strong, har- monious, and effective phalanx wherewith to combat the great impending industrial com- petition all over the world. On the other hand, Hon. Mr. A. Lee

Smith by honourable gentlemen, some of whom have always opposed this policy, and others who, though they supported it for a time, are now abandoning it, to go back to the old time-worn and exploded principle which relies upon force, and one which I am certain, if you adopt it, will assuredly lead sooner or later to a return of that social and industrial disorganization- with all its disastrous consequences-which for centuries so worried and harried the industrial sphere of the Old World. The Hon. Mr. RIGG. - Sir, my honourable friend Mr. Jenkinson opened his remarks by stating that he was going to say a few words, but when the honourable gentleman proceeded to occupy the time of the Council for something like an hour and a quarter I felt that to some extent he had misled the Council in his open- ing remarks, although I must admit his speech was so well constructed, so carefully thought out, and so ably delivered that I felt regret when it closed. I would have preferred that the honourable gentleman should have gone on a little longer and given more information to the Council in regard to the Bill we have now But no doubt he was afraid that he before us. was wearying the Council, and therefore cur- tailed his remarks to a considerable extent. Well, I have a few words to say, too, of some im- portance, but it will be my endeavour to weary the Council as little as possible, and to leave out everything which I do not consider ab- solutely necessary and to the point in regard to the Bill we are now discussing. But before I start on the principles of the measure, and the arguments that have been brought to bear upon it, I want to put right an unintentional wrong that I committed when speaking in Committee as to certain workers who have been discharged from their employment owing to the part they had taken in trade-unionisti and in proceedings before the Conciliation Boards or the Court of Arbitration. I oniy took the responsibility on that occasion for three names which I mentioned. I pointed out that the list was given to me by a gentleman prominent in labour here, and one in whom I have every confidence ; and, while it might be that he was misinformed in regard to one or two points -because in this instance I am men- tioning the person lived outside Wellington -I feel convinced that on the whole he could prove, if he was given an opportunity, that the state- ments made in this communication to me are absolutely correct. However, I have mentioned in reading the list that a worker named A. Reynolds, employed as a hairdresser in Christ- church, had been discharged by his employer on account of proceedings in which he was en- gaged before the Board of Conciliation. Mr. Reynolds is now in Wellington, and he took the opportunity to wait upon me, and to point ont that a mistake had been made ; and he satisfied me that not only did his employer not discharge him, but that his employer had proved to be one of the best friends to unionism in Christchurch : that not only did he treat his employés well, but he had assisted them in every way to get
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gain for others the same consideration that he was giving to his own employés. I expressed my regret to Mr. Reynolds that a mistake had occurred; and I took the opportunity of writing to the employer to express my regret that I had been misinformed, and I promised to withdraw as publicly as I had made it the statement to which I have referred. As far as I can gather, my informant got hold of the wrong man ; and it seems that while Mr. Reynolds was not dis- charged on that account, three other unionists were, and among them was one who as- sisted in the conduct of the hairdressers' dis- pute. His name is W. Gilbert. He was an employé of Messrs. Davis and Lamb, Christ- church. Now, when I received the list I refer to, I received it under a pledge that I would not have it published in Hansard, but might use it in Committee ; and as the Press has seen fit to publish part of the list, I am now permitted to place on record the corrected statement. If this list is taken in conjunction with that read by the Hon. Mr. Jenkinson, I think it will be seen that the total is a pretty formidable one, and I am assured that only time is want- ing to show that in other parts of the colony it I could be added to to a considerable extent. suggested in Committee that, if there is any doubt in regard to the genuineness of the state- ments made, it is the duty of the Government to institute an inquiry, and to give these per- sons, who are officers of unions and men holding responsible positions, an opportunity of proving the statements contained in the documents that

we have been supplied with. The list of workers discharged, to which I have already re- ferred, as corrected, reads thus :- # Wellington. Painters and Decorators .-- Messrs. Cole, presi- dent, and W. Noot, ex-president, appeared before the Board ; and were discharged. Brick- and Tile-makers .- Robert Mills, presi- dent ; Thomas Diver, Frederick Holmes, Henry Pritchard, members of committee ; and Walter Whiterod, treasurer. All in employ of Peter Hutson. Ironmoulders .- Gourlay, secretary ; Hunt- ingdon, president. Mr. Luke discharged them for conducting case before Board. Carpenters and Joiners .- W. H. Hampton, secretary of the Blacksmiths' Union, conducted .case before Board. Discharged. Wharf-labourers. - Thomas Reynolds, vice- president, conducted case before Board. Dis- charged. Grocers' Union .- W. Hall, secretary, dis- charged for being secretary of union. .Grooms and Conductors' Union. - James Kirk- -wood, tramway employé, took the chair at first meeting. He was discharged, after two years' service. # Christchurch. Bootmakers .- T. Woods, secretary of Canter- bury Trades and Labour Council, conducted .case before Board and Court. Discharged. Otago Bookbinders and Paper - rulers. - Thomas Paul, president, conducted case before Board. Discharged. All those dismissals are recent, and to these I may add three within my own knowledge. W. Miles was president and afterwards secretary of the Bootmakers' Union in Wellington. He was discharged. He can be communicated with by any one who takes the trouble to ascertain the truth of my statement, because he is now en- gaged in business for himself in Buckle Street, Wellington. George Warren was secretary of the same union. He took part in conference with the boot-manufacturers, conducted a case before the Court, and he was discharged. He is now in the employ of the Government as mes- senger to the Hon. Sir J. G. Ward. He also is easily accessible to those who wish to verify the statement. Charles Duff was president of the same union, and was discharged. He is now engaged in managing the boot department at the Burnham Industrial School. Now, what- ever may be the opinion with regard to these statements generally, I will challenge any one to deny that these three last men whom I have mentioned could have been discharged from their employment by reason of their being in any way inefficient, or that they did not return good service to their employers. Now, since then I have received a supplementary list, which I will add : In the Wellington Furniture Trade - Messrs. Robertsons and Cruickshank ; Auckland Furniture Trade - R. Mens; Wellington Bootmakers -W. H. Worth, president ; Christchurch Bootmakers- C. Lafferty. It will be seen from what I have already read that the statement we listened to by the Hon. Mr. Jenkinson of there not being one single past officer of the Bootmakers' Union now engaged at his trade in Wellington has some foundation. Well, it seems to me that this is a very serious matter, and one which should not be overlooked when we are dis- cussing a Bill which provides the means to deal with matters of this kind. The only pity is that a good provision like that may have to be sacrificed on account of amendments, to which I will refer presently, introduced into the Bill in another place, and which go in the direc- tion of doing very serious injury to the existing law ; but, while we are dealing with persecu- tion of officials of unions, we must not over- look the fact that there are instances where this persecution has been carried on at the instance of employers in other parts of the colony ; and if it can be shown, as men- tioned in the statement I am now about to read, and which I received from the secretary of one of the most important unions in New Zea- land, that this is going on, it points to the fact that there is an organization throughout New Zealand, or certain parts of it, on the part of employers to persecute all these officials. My informant states :- " After the strike of 1890, and when the Sea- men's Union was in a state of disorganization, the Union Steamship Company, taking advan-

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their employ, which they were compelled to sign, renouncing their connection with the sea- men's or any other union. After this document was signed it was returned to the office of the company and placed on record. Any man fail- ing or refusing to sign to renounce his connec- tion with the union was instantly dismissed." Now, that spirit which was then initiated will, I think, be seen to exist at the present time, for

my informant continues :- "Mr. Paul Hare, who was engaged at the Ngahauranga Fellmongery - works, was dis- charged from his employment for the part he took in connection with the curriers' dispute in Christchurch." Of course, that is a very serious statement for any one to make, and it might be one that would be difficult to prove ; but I go back to the point which I stated a little time ago-that an opportunity should be given to investigate these charges-because I am sure that my in- formant is fully convinced that he is stating the truth when he gave me the information. Further,- "A Mr. Smythe, who was president of the local union, and had been thirty years in the one employment at Kaiwarra, was dismissed for the stated reason that trade was depressed ; but he recognised the true position, and he re- signed his office in the union, and, strange to say, a small matter like that had the effect of restoring the prosperity of the trade, and he was again employed." But, be it noted, he was employed at 10s. a week less than he received previously. The depression which had affected Mr. Smythe also extended to the other employés of the union, and in order to restore the prosperity of this trade they called a special meeting of their union, and cancelled its registration, and then everything was all right, for prosperity was re- stored. Well, I say that such conduct as that on the part of an employer is beneath contempt, and it shows that something is wrong in our social system and in our industrial system when it is in the power of one single man to deprive another of the opportunity to obtain what ho requires for his sustenance for the simple reason that he contends for what he con- siders are his rights. The Hon. Mr. Lee Smith dealt with this phase of the question in a very able way, and I do not intend to enlarge on it; but still the fact remains that the workers hold that, in the first place, they have a right to live; and, in the second place, that they have a right to some share of the advantages which arise from the employ- ment of machinery, and which, if they could obtain, would enable them to make some pro- vision for the latter part of their life. When you consider that the most perfect machinery cannot be worked without the assistance of labour, surely it is reasonable that these workers who make the machinery productive should have some small share of the profit that arises from its use. Now, the attack made upon the law at the present time is made in an indirect manner. The proposal to abolish the Hon. Mr. Rigg straightforward one, but an attempt is being made to set them aside, and by that means to throw extra work upon the Court of Arbitration, with a view to breaking down the Act. That is an assertion, but it is one which I believe I can support by facts and by arguments. The debate which we have had in regard to this Bill has turned principally upon the conduct of Conciliation Boards, and the Wellington Con- ciliation Board has been held up as a dreadful example of the failure of conciliation. I will endeavour to show later on how that impres- sion has been brought about ; but before I do that I want to point to the evidence which has been taken before the Labour Bills Committee by this Council, when the Chairman of the Wellington Conciliation Board had his first opportunity of saying a single word of defence of that Board. I am not going to read con- tinuously from this evidence and comment upon it, because the reply to one question which I put myself will, I think, cover suffi- cient ground to substantiate the statement I have made in a previous debate that the Con- ciliation Boards do a certain amount of good. I asked Mr. Crewes,- " Can you give us any idea as to the number of disputes that have come before you during that time ?- I do not know exactly ; I should say, perhaps not quite thirty. Some of them come before us, and we easily settle most of the points with all the parties; or in other cases we settle all the points with most of the parties, and then have to pass the disputes on as un- settled. And that is where misrepresentations are made. Perhaps we bring the parties to- gether on twenty or thirty points in a dispute, but on one or two we cannot bring them to- gether ; or we get nearly all the parties to agree on all the points in dispute, but one or two persons will not agree. Then no credit is given to the Board ; the case is said to be referred to the Court. The dispute is sent to the Court, settled in a few minutes, and then we are asked how it was we took so long to hear that case before the Board, whereas the Court simply settled it in a few minutes. I will give you an illustration. The bakers came before us. They told us that they had for a year or two been working under an award, and

they wanted a new recommendation or award, and for this to be different from the first in some points. The employers agreed with their men, and every- thing seemed satisfactory until they came to us and said there were two or three points on which they could not agree. However, we settled these; but when we had brought the Bakers' Association and the Workers' Union together there was this difficulty : About two or three bakers in the city will never consent to anything. It it very well known that they will never consent to any agreement, and they must be brought up to the Arbitration Court to be compelled. Now, the president of the Master Bakers' Association asked me, in report- ing, to write that they were pleased with the manner in which the award had worked, and of the manner in which they had been met by
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satisfactorily that they wished special mention to be made of it. That is how the case went from before the Conciliation Board ; but it had to be referred to the Court. No credit is given to us for that." Well, I can quite understand from my own experience that the facts stated are typical of the majority of the cases that come before the Board. I know of one where the employers' union and the workers' union were agreed, but one single employer refused either to attend or to come to any arrangement whatever with both unions, and the consequence was that the case had to be referred to the Court of Arbitra- tion, and the Board of Conciliation gets no credit at all for the very great and good work that it did on that occasion. Now, reference has been made by the Hon. Mr. Twomey to the expense in connection with the Wellington Board. It has been truly said that a little knowledge is a dangerous thing. It did not occur to the honourable gentleman to look up the previous return to find out the number of disputes which have been before the different Boards of the colony, and to ascertain the ex- pense per dispute. That would be a fair basis to go upon. The honourable member takes up a supplementary return, and bases upon it arguments which are quite misleading. The return is, of course, correct, but it is only up to & certain date; and it has happened that the more expensive disputes have been heard in Wellington previous to the period contained within the return. If the return had been made up to date it would be found that you would have to add to the cost of the Auckland Board a sum of £600 in connection with one dispute alone, and that is the dispute in con- nection with the Waihi miners. If honour- able gentlemen desire a true criterion as to the merits of the individuals on the respective Boards they should move for a return of the amount of fees received by each member of each Board throughout the colony ; and if it were not such a late period of the session I would move for it myself, because I feel sure that if such a return was obtained it would throw a new light upon the expense in con- nection with the Wellington Board, and give a denial to those who say that the members of the Wellington Board have fomented disputes, while those in other parts of the colony have not, and the consequence is that the expense is greater in connection with the Wellington Board than that of any other Board. I am going to produce some figures which will show that the Wellington Conciliation Board is not the most expensive Board in the colony. And here is where I come to the question of the supplementary return, about which my honourable friend wanted some information. On the motion of the Hon. Mr. McLean, a return was prepared last session and laid on the table. The original return covered a period of from April, 1896, to March, 1900. Honour- able gentlemen must remember that, although the Conciliation and Arbitration Act came into force in 1894, owing to the fact that regulations other machinery provided, it was not until 1896 that a dispute was brought before a Board under the Act. The supplementary re- turn, which we have now before us, was also laid on the table on the motion of the Hon. Mr. McLean, and it includes the period between the date of the last return and the 30th June of the present year. If we take the original return we find that the number of dis- putes was as follows : Auckland, 17; Welling- ton, 18; Canterbury, 28; Otago, 20; West- land, 7. If we take the supplementary return the numbers were: Auckland, 10; Welling- ton, 20; Canterbury, 13; Otago, 15: making a total, up to the date of the supple- mentary return, of: Auckland, 27 ; Wel- lington, 38; Canterbury, 41; and Otago, 35. We see now that Canterbury had a greater number of disputes ; but that

is not of much importance, because one dispute might last longer and take up more of the Board's time and attention than half a dozen other disputes. I merely point out incidentally that Wellington has not had a greater number of disputes, and that is to some extent a reply to those who have said that the members of the Wellington Board go about fomenting disputes. If we have the added cost to the original return of the supplementary return we find that Auck- land is responsible for £1,123-and in quoting this figure I want honourable members to re- member that the Waihi dispute will add an- other £600 to that total-Wellington, £1,779; Westland, £442; Canterbury, £469; Otago, £740; Nelson, £8; and Taranaki, £9. Tara- naki and Nelson may be left out of any con- sideration as to the utility of Boards of Con- ciliation, because up to the date of the return they have had no disputes before them, and this is merely the expenses in connection with the setting - up of the machinery of the law. Taking those totals, then, we find that the cost of each dispute was, in the case of Auckland, £41 ; Wellington, £46 ; Canterbury, £11; Westland, £63; Otago, £21; and that bears out the statement I made at the start that the cost of each dispute in Wellington is not the highest that has been paid in the colony. Now we come to the charge that was made by the Hon. Mr. Jennings that the members of the Wellington Board had gone round the unions fomenting disputes. I was inclined to doubt that when I first heard it, because I had in my mind that this statement was made in regard to the representatives of the workers; but from inquiries I have made I find that there is a certain amount of truth in the statement, but that it is the employers' representatives who have done this-that is, if I can believe a state- ment which had been handed to me by the secretary of the Workers' Union. The Hon. Mr. JENNINGS .- I said that a member of the Board did so. The Hon. Mr. RIGG .- That is according to the limit of the honourable gentleman's infor- mation, but my information goes to show that there was more than one. Mr. Samuel Brown is a member of the Court of Arbitration. Mr.

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of Wellington. These gentlemen are members of the Employers' Union, and they attend and advise that union with regard to the industrial disputes. In the case of Mr. Brown it is within my knowledge that he was a party to a dispute, but as to Mr. Field I cannot say. On looking at my communication I find that in the drivers' case both Messrs. Brown and Field were amongst the parties who referred the dispute to the Court. It may appear an extraordinary thing that Mr. Field, represent- ing the employers, sat on the Board and heard a case in which he was directly interested ; while Mr. Samuel Brown, a member of the Court of Arbitration, heard a case in which he was directly interested. For my own part I have no objection to offer. The law is such that it must necessarily be that employers' representatives in . these important positions must be connected with some industry. The workers, on the other hand, must be connected with some union, otherwise they could not be in the position to qualify themselves to sit on those tribunals. An Hon. MEMBER. - Where do you get the conciliation, if that is the case ? The Hon. Mr. RIGG. - The conciliation -comes in after both sides have been heard, and not before. It seems to me that it is a most unreasonable thing that it should be so. Who is better able to advise a union-whether of employers or of employed-than those persons who are so much in contact with the working of the Act? They may point out to their unions many formal matters which must be attended to in order that a dispute may be placed before a Board or Court in proper form, and therefore they probably save a certain amount of time and expense in that way. I can quite understand that to an unthinking person it might seem wrong that because a man is a member of a union he should also be a member of the Board of Conciliation ; but to a person with ordinary common sense it must seem that it is the most reasonable position that could occur, for I cannot understand how it would be possible to set up these tribunals if members of unions were prevented from being members of the Board or Court by some form of legislation. I am going now to deal with the principle embodied in clause 21 of the Bill, which, I have said, is an indirect way of breaking down the law. The question is, How is it going to break down the law? My reply, .based on experience and observation,

is this : that the Court of Arbitration up to the present time has not been able to discharge the work that has been brought before it; and I am going to ask, if one Court of Arbitration has to .do the work of all the Boards of Conciliation, in addition to its own work, how is it possible that the law can be carried out ? The Hon. Mr. JENNINGS .- The delay was due to the Government. The Hon. Mr. RIGG .--- That is true to a limited extent. There was unnecessary delay, I think, in appointing Presidents to succeed. But the main reason for the delay was, I think, Hon. Mr. Rigg President of the Arbitration Court must be a Judge of the Supreme Court, the work he has to do in the Court of Appeal and in the Supreme Court takes him away so much from the Arbi- tration Court that he has not time to do all the work before that Court. I am prepared to say that, if you had a President who devoted the whole of his time to the work of the Court of Arbitration, he would not be able to do the work for the whole colony if the Conciliation Boards were set aside by the working of clause 21. Now, the question is, Why is all the work to be thrown upon the Court of Arbi- tration, for we do not by legislation abolish Boards of Conciliation ? The answer is that one or more recalcitrant employers will do every. thing in their power to make the working of the Act as difficult as possible. The law is so dis- tasteful to them that, if they could see that by throwing the whole of the work upon the Court of Arbitration it would be unable to do the work. and the Act would break down, they would not only refer every dispute they could direct to the Court, but by means of requests for adjourn .. ment, and the other means at their disposal. they would delay the proceedings and further increase the labour thrown on the Court of Arbitration. An Hon. MEMBER .- How would that benefit the employers ? The Hon. Mr. RIGG .- It would benefit the employers I refer to by destroying the law altogether. I believe there are good em- ployers in the colony who are in favour of it, and who would be sorry to see anything done to injure it ; but that is not so with some employers, and they seem to some extent to have got support in two directions. In the first place, they have received support from a section of the Press. Then, the newly organ- ized Farmers' Union and some of the Liberal members in Parliament have also given them a certain amount of encouragement. Now. I want to say a word or two about the attitude of some of the leading papers in the colony in regard to this Act. I believe that, at any rate. so far as Wellington is concerned, the work of the Board of Conciliation would have been much more effective and satisfactory had it no: been that the local Press had stirred up a feeling among the employers to oppose the Board of Conciliation. I have noticed that the old tra- ditions in regard to the Press are very much disregarded, especially in Wellington. The Press was at one time considered the champion. of human liberty, and it has on many occasions taken up the cause of those who were unjustly oppressed, and has rendered good service. Can any one who has read the newspapers in this city -and I presume most honourable members do read them-say that they have risen to that high standard ? It is only when you recognise how they put their own sordid interest before prin- ciple that you can recognise the depth of degra - dation to which a useful institution may fall. I was talking this over at one time with a friend. and was referring to the unfair treatment that was meted out to some Liberal members in

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expect ? "-he was not referring to me individu- ally, but to others as well. He said, " You do not advertise; and why should they support you ? " A little later on I lost a gold trinket from my chain, and I went to a newspaper -the Evening Post-and put in an advertise- ment ; but, Sir, it did not seem to make any difference as regards its unfair treatment of certain members of this Council. I saw my friend again, later on, and pointed this out. He asked, "How much did you pay for that advertisement? " I said, " A shil- ling." "Oh," he replied, "that is where you were wrong: you should have made it eighteenpence." Now I come to the Farmers' Union. The Farmers' Union has lately sprung into prominence, and it is being used as a party engine against the Liberal party in this colony. In the Farmers' Union there are potentialities- if I may use the word-of a very useful union. There is great scope for the organization of those productive industries which apply more directly to country settlers. There are many matters in regard to which

legislation takes place upon which their advice would be vala- able, especially if they took the trouble to set up special committees to consider such legis- lation. But it would seem that it is simply the old National Association under a new name. However, it has had this effect: that it has frightened a certain section of the Liberal party who were returned by country constituencies, :and the result is we find they are prepared to support a measure such as we have now before us, and which is calculated, in my opinion, to destroy the Act. They are under the impression that the country settlers are opposed to this Act because their agricultural labourers may be inclined to take advantage of its provisions. Sir, the Farmers' Union is doing the very thing that I would desire it to do. It is bringing about a feeling which has not existed before to any great extent in the country districts-that is, the feeling that the interests of the workers and the em- ployers there are diverse. Now, the reason I say I like to see that is not from any vicious motive, but because it will result in organizing unskilled labour throughout the country dis- tricts. Steps are already being taken for that purpose, and there is no doubt that before the next election takes place we shall have the workers throughout the country districts much better organized than was ever the case before. Now, what is going to happen to those mem- bers who were returned to support legislation of this kind, and who have gone over to the enemy? There is not a country constituency in New Zealand in which the workers do not hold the balance of power, and I have no doubt that what will happen in New Zealand will be what has happened in England-the destruction of the so-called Liberal party. The organized workers there, when they found they could not return members from their own ranks, gave their whole support to the Conservative candidates in order to kill the Liberals. And, from my reading of history in they made a very wise choice when they pre- ferred a Conservative party to a Liberal one. Now, with that example in front of us, is it not reasonable to suppose that the workers in the country districts of the colony would follow that precedent, and if they could not return one of themselves they would return any one who would answer certain questions put to them in a satisfactory way, and that they would vote for a Conservative so long as they could cast out of Parliament a Liberal who had betrayed his trust ? That is my view of what will happen ; and I have the more con- fidence in prophesying this, because, whenever I prophesy on the subject of labour, I do my best to bring about the fulfilment of the pro- phecy. I am not like some of those extinct volcanoes in Parliament who stand up and boast about their careers as trade-unionists. I claim to be a present living active force in unionism, and it will not be my fault if that force is not felt throughout the whole of New Zealand at the next election. The Hon. Mr. Jennings may laugh ; but I was not referring to him as an extinct volcano. No one, to look at the honour- able gentleman, could conceive that he had ever been a volcano. Well, Sir, I need not take up the time of the Council any longer. It shows that, when one starts with the intention of saying a few words, one is apt to warm up to the subject, and find it difficult to conclude. I feel, however, I would not be doing my duty to the workers of this colony if I did not conclude my remarks with a motion. I therefore move, That this Bill be read the third time this day six months. The Hon. Mr. BOLT .- The three speeches which have been delivered in this Chamber this afternoon, extending from the time the orders of the day were called to the present moment, certainly leave very little opportunity for saying anything new on this question. I do not expect to say anything new, but I am anxious to sub- mit one or two remarks in regard to the posi- tion I occupy with reference to the present measure. I was honoured with the position of being Chairman of the Labour Bills Committee, and in that capacity I had to move amend- ments which the Committee choose to make in the measure. Amongst others I had to move that clause 6 be struck out. I did so in full sympathy with my action, as I did not, and do not now, believe in the clause. In respect to clause 21, although opposed to the clause, I had, as Chairman of the Committee, to move that it stand a clause of the Bill. I made it known at the same time that my action was exclusively impelled in order to give expression to the wish of the Committee. I had no sym- pathy with the motion I was moving, and, as a fact, I voted against it. I voted against clause 6 because I look upon it as being mis- chievous, inasmuch as it duplicates Boards of

Conciliation, and would greatly tend to weaken the Boards at present established. I hold that, if it is necessary to have extra Boards of Conciliation to those already esta- blished under the Act, these Boards should
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not be Boards in the sense in which they are mentioned in the Bill now before us, but rather they should be voluntary conferences. Such conferences have already taken place in this colony, and have been productive of great and good results. I can mention the Bootmakers' Union, which had a conference with employers on certain disputed points, and came to an agree- ment on them. I forget whether these points of agreement were brought forward to the Board of Conciliation or not ; but, at any rate, whether they were or not, I do not think they went to the Court. They were either settled by a volun- tary conference or by a Board. Well, it was the same, again, in regard to the Tailoresses' Union. The tailoresses had a conference with the employers, and came to a certain agreement in regard to disputed points. And what was the result of both these voluntary conferences ? The result was that both parties separated with an exceedingly friendly feeling towards one an- other, and, at the termination, they expressed the wish that, if there were any other points of disagreement between them in the future, they should settle them in the same friendly spirit. Now, it appears to me that is the principle we should work on at the present time. Instead of establishing special Boards outside the ordinary Conciliation Boards as already established, we should endeavour to encourage these voluntary conferences, which have been productive of so much good in the cases I have mentioned, and which might be productive of incalculably more if further en- couraged. But to duplicate the Boards under the Act is to me to destroy the effectiveness of both of them. Then, with regard to my attitude on the question as to whether trade-unions should be introduced into the Bill, I believe they should, and I voted that they should be in- troduced into the Bill. I do not think we should have a large body of workers standing outside the provisions of the Act, and being at liberty to take any action which possibly might be destruc- tive of the peace and order of our industrial sys- tem. I therefore think it is a proper thing that trade-unions, the same as other bodies of men who choose to register under the Act, should be brought under the Act. If I believe in anything I believe in uniformity, and I think that the trade-unions should occupy exactly the same position as other trade-unionists. But, while I hold to that principle, I also hold that it would be unfair to put these trade-unions into a position in which they would be made amenable to agreements when they had no say in the dispute. Now, it is quite true that they could be made parties to the dispute by being registered, and, in order to defend themselves as against the terms of an agreement which might be inimical to their interests, they would have to be registered. Now, I hold that the great principle which underlies the whole of our labour legislation in this regard is that it should be voluntary-that there should be no such thing as compulsion ; but if we put trade-unions into a position that they will, in order to defend their position in the question of an agreement, be compelled to register, it would Hon. Mr. Bolt indirectly introduce the principle of compul. sion. I did not think, and I do not think now. that that is a proper thing, and for that reason I voted that they should have a say in an industrial dispute-that is, that they should be made parties to an industrial dispute. In other words, my position was, in regard to trade-unions, to put them on exactly the same basis as they were under the Act of 1894. Looking now at the question of con- ciliation in relation to its defenders and its opponents, as brought out in the discussion on this Bill, it is rather amusing and very in- teresting. I remember very distinctly when the Act was introduced in 1894 that the very gentlemen who then said that any question of compulsion would destroy the whole principle of conciliation are now the parties who are anxious to do away with that principle and go direct to the Court with every dispute. I remember when the Act was first introduced these very gentlemen pointed to the conciliation which was then in vogue in Massachusetts, and had been carried on with some degree of success by some ironworking companies in England. It was then said that it would be a wrong thing to establish a Court of Arbitra- tion at all-that

we should have nothing but conciliation, and that if we went beyond con- ciliation we should arouse a spirit which would be anything but friendly or con- ducive to the best interests of our indus- tries. Again, it was pointed out that it would be a ridiculous thing, and a wrong thing, to create a Court of Arbitration presided over by a Judge of the Supreme Court. They held that the work which would be introduced into the Court would be to a certain extent degrading to its dignity, and would ultimately reflect on the Supreme Court of the colony. and would tend to bring the administration of justice into disrepute. I can particularly re- member that all that was argued out as against this principle of arbitration. Now we find that the very honourable members who took up this strong position in favour of concilia- tion are the very gentlemen, along with some more recent appointments to the Coun- cil, who are declaiming against this principle of conciliation, and declaring that we should have nothing but arbitration, and that Con- ciliation Boards are of no account. Well, as I said, that appears to be very remarkable. Now, coming to the question of the effective- ness of the Conciliation Boards, I was ex- ceedingly sorry to hear my honourable friend Mr. Twomey endeavouring to put a monetary value on the work of our Conciliation Boards. I do not think that a large question like this should be looked at from the question of £ s. d. Sir, if we have institutions for the conservation of industrial peace, and if these Boards do anything towards that, we can hardly estimate the value of that work in current coin. I say, if the Board can bring about an amicable arrangement in the case of one dispute-arrange it on a basis of conciliation and send back the parties in a friendly spirit-it is better than that the Arbitration Court should send away
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Court to accept awards. What, I would ask, is the position of the parties ? What is the position of employers ? What is the position of workers when a dispute arises in an industry ? I am sure honourable members will see that there is anything but a friendly spirit evcked on these occasions. There is a great amount of heated feeling that has been worked up for weeks-and probably months-together before ever it comes to a head. When it does come to a head, and it is proposed to deal with it either by the Board or in the Court, feeling runs exceedingly high, and I suppose that at times very rash and very unfriendly statements aro made. By conserving our Conciliation Boards the first brunt of this contentious spirit is spent there, and, even if they do not bring about an agreement between the two parties, they bring about a feeling modified and sub- dued to a great extent. The parties enter the Arbitration Court in a different frame of mind from that they possessed at the Conciliation Board, and the Arbitration Court in this way preserves its dignity and its respect infinitely better than if it were made the arena for ex- hibiting the hostilities which frequently accom- pany a first inquiry. Therefore, I say, if we do away with our Conciliation Boards the Courts will be to a great extent degraded as well. I wish now for a moment to allude to the state- ment which has been made in regard to men being discharged. The assumption was that they were discharged in consequence of their taking an active part in a dispute. I hold that there is a great danger, if these special Boards are set up, that the men may not get fair representation on those Boards. I feel sure, even if a man felt that his position was fairly good with his employers, there would be a certain amount of hesitancy in his speech and a certain amount of backward- ness in his conduct in defending the position of his fellow-employés. I do not think it is a proper thing that he should be put in that posi- tion. I would say, with regard to the list of discharged men - a very imposing list, no doubt-which has been read out in the Council, I do not think for one moment that all these men were discharged simply because they were doing their duty to a union. I am not disposed to think so badly of our employers that such a number of men would discharge their em- ployés simply because of their defending the rights of their fellow-workers; but I do say this : Even if there were 5 per cent. that were so discharged it would be a case of very great hardship, and it would be a question whether there should not be a thorough inquiry into the case, and an endeavour made by some means to stop conduct such as that. It is the old persecuting spirit over again, and in regard to this matter I am inclined to think that there

is not that humanitarian feeling developed in the community which there should be. I feel earnestly on this point, and I say that while employers as a whole are no doubt considerate, yet there are some that do not seem to have any lively conviction of the discharge a mar .. They do not seem to com- prehend the serious consequences of such an action. The man has perhaps a large family depending upon him, and there are the con- sequences not only to him-if he were a single man he could always provide for himself in a country like this-but to his family, even if he is only out of work for a fortnight. It might mean that his household would be broken up and his children scattered over the colony ; and it might lead to other troubles-poverty fre- quently brings crime. In fact, we cannot esti- mate what it may mean, not only to the family but to the community. I say that, while there are a great number of employers who do study the interests of their workmen-and I believe a large majority do that-still there are some employers who do not give sufficient attention to the seriousness of an action which de- prives a man of employment. As I said before, it is a return of the persecuting spirit. In ancient times it used to be found generally in connection with religious questions ; and, strange as it may seem, such a man as I have referred to may not be otherwise a bad man, but he is a man whose humanitarian spirit has not been properly awakened. Some of the best men have been persecuting men. If we go back to the eighth century before the Christian era we find Elijah taking down several hundred prophets of Baal and killing them at the brook Kidron because they would not worship Yah- weh ; and later on we find a so-called Christian king giving a large number of men the option of being baptized or butchered. I need not refer also to the fact that John Calvin was guilty of a judicial murder; and the men who killed Mary Dyer because she was a Quaker were guilty of the same crime. Men who some- times do cruel things are not necessarily bad men, but men whose moral perceptions have not been developed, and sometimes they are more to be pitied than anything else. This was the form of the persecuting spirit in ancient times ; and, when we see a man for some · trivial offence depriving another of the means of living and the family left destitute, it is the modern form of the same spirit. I have no- thing more to add. I believe that the step which we are now taking goes towards breaking up the legislation which we all believe has been beneficial for the last seven years. I believe that it is a retrograde step, and I cannot help thinking, when I see the men who are endea- vouring to push this change on us, of the old proverb, " Beware of the Greeks when they bring gifts." I think this gift will be a great evil to the recipients of it, and I warn the Council-I do so in no dogmatic spirit, but I warn the Council that this will be productive of great evil if it is carried. The Hon. Mr. W. C. WALKER .- I regret that this debate has taken so long, but still I recognise the gravity of the situation. I ex- pressed my feelings when I moved the third reading of the Bill. I said I moved the third reading with a great deal of regret, because the Bill was not produced to us in a condition which

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of our antecedents. I said that the Bill was absolutely a retrograde measure, and therefore I was sorry that a majority of both Houses were apparently willing to go back on their own actions. Some people, of course, do not mind doing so, but I do not like to do so ; and certainly I do not like to go back on measures that have acted up to the present time in a most beneficial and instructive way, not only to ourselves, but to those who have visited this colony. What will be said now of us if we destroy by our own Act the measure that has been law since 1894; because it is nc use tam- pering with words, if we pass this Bill it is ab- solutely putting a knife into our own bosoms, or into the bosoms of our own mothers. Ifit is not suicide it is matricide. Honourable members may laugh ; but those honourable members would be only too glad to see us kill ourselves and our mothers too. Of course, they are laughing all the time up their sleeves, and some of those who we thought were our friends are playing their game. Where am I? I have got to try and run this Council, and I am astonished at some of my friends, who do not seem to mind playing the game of our old friends who used to run the Council years ago. That is not what I call business ; and this Bill is certainly not business in the form in which it is. Therefore I said, in moving the

third reading, that I did so with the greatest regret, and I still maintain that. The two clauses that are to my mind the most objection- able are clauses 6 and 21; both those clauses strike at the vital principle of conciliation. I think they are conflicting. I say that those two clauses really strike at the whole essence of the original Act; and as to how on earth a majority of the other House could have voted as they did-well, I have my own ideas about that. I believe it was done very early in the morning, and only those who were very wide awake were up early enough to pass this clause in the form we have it. I am quite certain · that no friend of conciliation or arbitration could have agreed to pass this clause. It is of no use to talk about what the Wellington Board has done, because that can be got over in a very short time. It has been shown re- peatedly that, even if the Wellington Board was as bad as it is said to have been, the work of that Board has cleared the ground, and cases have been able to be decided in the Court of Arbitration in consequence of the manner in which the Wellington Board cleared the ground. And if we could only get the testimony of Mr. Justice Cooper on the matter-unfortu- nately, we have not got it - he would have assured us that without the assistance of the Wellington Board he could not have decided his Wellington cases in the rapid way in which he has done ; because it stands to reason that, if a Board clears up many of the points in a diffi- culty, where there are difficulties and techni- calities, not only are the disputants on much better terms with each other as to the whole issue, but the Judge is able to deal with the whole question in a much shorter time. And Hon. Mr. W. C. Walker about the Boards, whatever time they may have taken-and I may say it is unfortunate that the Wellington Board seems to have taken more time than any other Board to go through their cases-at the same time, I say, do not let us abandon the Boards. They are the best thing we have got, and if the Boards are not satis- factory at the present time let there be a change in the personnel. The Hon. Mr. Twomey suggested-and, of course, he ran away afterwards-that the Chairman of the Board should be a Stipendiary Magistrate. Well, I do not object so much to that. I admit that every one of these Courts or Boards would be all the better for having somebody who is accustomed to take evidence in the strictest sense; and it is quite possible that the Board would be all the better for having a trained lawyer to take down the evidence, and see that only evidence pertinent to the question was taken down. From my experience of the way in which evidence is taken down in Select Committees of this Council, I am beginning to doubt whether there is any value in evidence at all. Upon my word, I think we shall have to do something in the way of employing a paid lawyer to take the chair, more especially on the Labour Bills Committee, to restrain, not the witnesses from saying what they should not, but members of the Council from putting questions in such a roundabout and intricate way that I defy any witness to give an answer to them. The other day we had a very in- telligent lady giving evidence before us, and there was a certain member of the Council who said, " You will not say, Yes or No." Well, she said, " I do not know what you mean ; I cannot understand your question." And I quite agree with her. It was put in such a rigma- role fashion that nobody could understand the question, and I say that something should be done to prevent members from putting questions to witnesses in such a manner that they cannot be answered in the affirmative or negative. Study our reports and ask who is a master of cross-examination. Is there any one among us who knows what cross-examination is ? You will find that nearly every one of us, in putting a question to a witness, begins with a long preamble, and twists the whole thing up, and if the witness says "Yes," or " No," his answer conveys very little. We want more precision in our procedure, and, certainly, I sympathized very much with that lady witness when she had to confess that in spite of her good wishes she could not understand the question that was put to her. Well, if all this trouble is taken to confuse the witnesses, why should we not give a certain amount of credit to those who are endeavouring to fight for the liberties of the subject. An Hon. MEMBER .- Are you fighting for them now ? The Hon. Mr. W. C. WALKER .- I am try- ing to. I say again, I am very sorry I am obliged to move the third reading. It is a back- ward, a retrograde step, and I regret it exceed- ingly. Now, it has been stated in this Council

persecuted for expressing opinions or for taking action in trade disputes. I have in my hand a list of officials of unions who have been dis- charged during the last six months. I am not going to give the names, because I do not think it would be an advantage either to one side or the other, but, as this document is signed by a responsible officer of a society, it may be taken as a document of value. First of all, Mr. A. B., Kaiapoi Woollen-mills, he was discharged. An Hon. MEMBER .- That has been read out twice already. The Hon. Mr. W. C. WALKER .- Well, I do not wish to take up the time of the Council. There are seventeen in this list as having been discharged during the six months, and the curious thing is that they are all officials of unions. Now, I admit the Bill goes so far as to protect these people during the currency of the strike, but is it not reasonable to suppose that they should be protected still further ? Why should they be in the position of being placed on a Board of Conciliators, and obliged under clause 6 to stand in the forefront of the battle, and if the battle goes against them, or if the employers think they are too strong, render themselves liable to be turned adrift ? Then, as to the Court of Arbitration, I have already said that Court is doing good work. One Judge now is able to do the work, because the work is prepared for him by the Boards in each district of the colony ; but I engage to say that if the Court has to do all the work it will take three Judges to get over the ground. The Boards in every part of the colony now pre- pare the ground for the Judge and his Court. They clear the ground. They get rid of twenty out of twenty-five points in each case. They settle some of them, and even in those that are not reached they induce the contestants to see reason even in each other's arguments, and that means when they go into the Court before the Judge they know exactly how much argu- ment they have got to rely upon; and if the Judge is able to settle a matter in three or two days, or in half a day, that has taken the Board a week or a fortnight, so much more to the credit of the Board, because it has cleared the ground and enabled the Judge to do the work in so much quicker time. But I am quite cer- tain, if you put all the work which this Bill in the shape in which it is now is going to put on the shoulders of the Court alone, you are going to require the colony to set up certainly two Judges, one for each Island, and I do not think that the two Judges will be able to keep the work going. Sir, I can only say I think the passing of this Bill will be a most retrograde step, although I am obliged through my posi- tion to move the third reading. I do not think the discussion to-day at all out of place, because it will place on record the opinion on this Bill of those who I believe are the best friends of the original legislation. I would be glad to think that this Council or Parliament could not be in- duced to pass the Bill we have now before us ; but still, as I say, it is my duty to move the third reading. my intention to say anything this evening, only some statements have been made-particularly by the Hon. Mr. Jenkinson-in regard to the dismissal of some men employed in Christchurch by an employer connected with the tanning and curriers' industry ; and when I give a statement to the Council with regard to the Hon. Mr. Jenkinson's statements, I also wish, very briefly indeed, to refer to some names indicated by the Hon. Mr. Rigg. In regard to the latter honour- able gentleman, I merely wish to say, as he made a personal reference to me, those who- have gone to the thermal districts of Taupo and Rotorua will have witnessed the geysers there. At times these geysers are quiet and peaceful, and nothing at all comes out of them. Then, all at once, there is a terrible rush and great noise and explosion, and, after emitting a lot of disagreeable things, these geysers sink back again to the normal condition. My honourable friend Mr. Rigg can be compared to these geysers. He will come to this Council and make a special effort on one or two occasions, saying disagreeable things, and he will then sink back to his usual peaceful state, and you will hear nothing more from him for a considerable period. Now, I simply make that remark about geysers because he says he is going to make this question now before Parliament the means of rousing public opinion, and he is going amongst the farmers and others, and we do not know what he is not going to do, to bring the people to realise a sense of their responsibility. I say the honourable gentleman is one of the extinct volcanoes he spoke about ; he will

really do nothing at all, but he will sink back to quietness and to the condition we generally find him in in respect to business before this Council. Now, Sir, the Hon. Mr. Jenkinson gave us the names of some people who were dismissed from their employment in Christchurch. The names mentioned by the Hon. Mr. Jenkinson were : Messrs. Murphy (president), Goftow, Corlett, Newton, Wells (secretary), Cooksley (president), Wilson, Barnett, J. Milne, J. Milne (son), P. Hare. My honourable friend stated these men had been dismissed for being members and officials of unions. The Hon. Mr. JENKINSON .- I said I was told so. The Hon. Mr. JENNINGS .- Well, I say it is entirely wrong for any honourable member to make a statement in this Council-and more especially so in the case cited by him, which may prove very damaging, because the em- ployer happened to be in political life-before he is sure of his facts. I say the honourable member should, at any rate, ascertain the facts before he gives expression to his opinions. Sir, these men were not dismissed at all for being officials of the union. It was owing to this fact : that the business had to be rearranged owing to the case going before the Conciliation Board and Court of Arbitration, whereby the employers found that their expenses were be- coming too great, and that it was necessary to substitute machinery for the purpose of keep- ing their business together. The result was
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ment,-not when the dispute was being heard, but owing to the altered circumstances, and also owing to the trade becoming slack,-it was a slack season of the year, and the freezing- works were also running slack times. It was not a fact at all that they were dismissed for being unionists. The Hon. Mr. JENKINSON. - Can the honourable member give authorities for his statements ? The Hon. Mr. JENNINGS .- Yes. In regard to Milne, who was spoken of, his case was before the Court of Arbitration for being dis- missed. This is a statement given to me by the employer, who, I venture to say, is respected by the Hon. Mr. Jenkinson and by every member of Parliament who has met him since he has been here :- " Milne's case was heard and dealt with by Mr. Justice Cooper, and the case was dismissed. During the hearing of the case it was stated that there were other cases of dismissal of unionists during the dispute, and we asked that definite charges should be made against us in each case, so that the charges might be proved or disproved. The representatives of the union have not up to the present time laid any charges. Some of the men referred to were put off because of slackness of trade ; others were dispensed with owing to the introduction of machinery, rendered necessary by the com- petition of imported goods. The balance of the curriers kept on were for a time on ' broken time'-i.e., there was not sufficient work to keep them all going, and they had to take turn about." Now, Sir, the Hon. Mr. Rigg withdrew one of the names mentioned by him as being dismissed when he found out from the person mentioned that he had been misled. That honourable gentleman may have been misled in other in- stances also. I know in the case of the Allan- dale miners, and in the case of the Waihi miners, and also in the case of some printers connected with the Auckland Typographical Soiety, the provisions of clause 19 which we have put into this Bill, imposing a penalty, were absolutely necessary, because these men were dismissed when a dispute was being heard before the Board and Court. That clause, in my opinion, is very necessary, and I supported it in Committee as strongly as I could. I say, when a dispute is before a Board or before the Court of Arbitration, if an employer at such a time dismisses a man, then he should be sub- ject to such penalties as the Act provides for. But I honestly believe, in regard to many of these other men my honourable friend Mr. Rigg named, that they have been the victims of rearrangements necessitated by employers finding that labour is becoming much dearer, that they have to employ more machinery, and therefore a certain number of men have to go out. It is a fact, as all economists prove, that the more costly labour becomes the more employers will be driven to improve their output by better organization and more machinery employment, so as to have a greater Hon. Mr. Jennings knows that is precisely the case, owing to the linotype and monoline machines being intro- duced into the printing trade in this country, and that persons employed before the introduc- tion of these machines have been dismissed

their employment, not because they were unionists, not because the employer wished to get rid of them, but because competition and other conditions compelled him to avail him- self of the very best means of furthering his industry. Sir, the remarks of the Hon. Mr. Jenkinson and the Hon. Mr. Bolt, given, in my opinion, in a calm and rational manner to- night, were such that, if I was open to convic- tion at all, I would have altered my opinions after hearing the way those honourable gentle- men spoke to-night. But the Hon. the Minister and those honourable gentlemen who have spoken on the question have burked and shirked the point I touched on in a previous debate. I contend that this Bill, which, I hope, will be placed on the statute-book, will not do away with Boards of Conciliation at all. The Boards of Conciliation will still remain, and, if any new unions are formed, I be- lieve these new unions in the first instance, in order to get experience, will go before the Boards, and they may afterwardstake further steps to go to the Court of Arbitration. Not one of the honourable gentlemen who have spoken have answered my statement that the old-established unions who have had an experi- ence of going before the Board, and who do not accept the recommendations of the Board, but take the case for final settlement before the Court of Arbitration ; at the expiration of the Court's award do not want again to go before the Board for a second rehearing upon one or two points. The unions, with their past experience, simply wish to have these few points settled be- fore the Court of Arbitration, and therefore power should be given to these unions, if they so wish, to go straight to the Court, so as to avoid all the harassment, expense, and incidental troubles that would be caused to these unions through going before the Board on a second occasion. In regard to the special Board of Conciliators, as proposed by the Bill, the strongest argument used in the debate in favour of that clause being sustained was, to my mind, used by the Hon. Mr. Lee Smith. That honourable gentleman stated what actually occurred with himself in settling disputes with his own men. Sir, I appreciate the action of that honourable gentle- man, as he is a man at the head of a large industry, and employs a large number of men. That is the spirit I have advocated, and I would like to see that honourable gentleman's action more common in this colony, rather than that unions should rush on every conceivable occasion before the Board or Court of Arbitra- tion. If the action taken by my honourable friend in meeting his employés was more general, the irritation that has been occasioned in industrial pursuits would not have happened. We should have, instead, a better feeling be- tween men and master than that which exists at the present time. As another reason for

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Board of Conciliators, some years ago there was more common-sense amongst the then leaders of unionism than there has been in some cases lately. I can quote Mr. Bidmeade, who was secretary of the Trades and Labour Council of Christchurch. Mr. Bidmeade gave a very strong argument in those days-nearly nine years ago - in favour of the formation of special Boards of Conciliators for the settlement of disputes. That form was also considered by the Auckland Trades and Labour Council, and I believe that a considerable amount of good would have been attained had these Boards been formed at that time; but the gentleman who may be termed the father or introducer of this Act-the Hon. Mr. Reeves-took the other course, and went in for the Boards as at present consti- tuted. Now, Sir, I cannot see any reason, and I have had no statement given to me to change my opinion, why men employed in any industry will suffer through going direct to an employer on behalf of his fellow-workers. Of course, 1 am aware that there will be found one or two greedy employers, but they are few in this colony, owing to the strong sentiment that pre- vails. My honourable friend Mr. Rigg has read out some names. I know some of the persons he has mentioned. One particularly is that of a man who had no right whatever to assume to represent or to appear on behalf of workers ; he is a man whose career is such that I hesitate to express it in this Council. Yet he is one of the honourable gentleman's gods, . one of his idols. I do not make any state- ment in this Council which I cannot prove. Well, Sir, I, at any rate, am not going to be led by men whose characters will not stand careful investigation. This person is going #cc-zero about preaching the

gospel of discontent. I know several others that I could name, but it is not desirable for me to name them. I know these men, and have watched them ; and I believe that if they were entering into the portals of heaven, and if they' subse- quently were seated there comfortably, the spirit of discontent would be so great within them that even there nothing would satisfy them. Some of these men may have had great oppor- tunities in these favoured lands, but they have thrown their opportunities away through drink. Knowing these men as I do-and I have had more experience than the Hon. Mr. Rigg has had in these matters -- I say the labour party should be careful in the selection of leaders-the level best men should be selected, so that labour should not be "put away" by visionaries and schemers. If anything were needed to support what I have said, I would ask, What did the Hon. Mr. W. P. Reeves write in a letter to the Hon. Mr. Pinkerton two years ago? He wrote to that honourable gentleman, praying him to see that the Act would not be ridden to death. The Hon. Mr. Reeves was evidently watching with grave ap- prehension what was going on in this colony, and saw that the Act was being abused. My honourable friend Mr. Pinkerton, who was derided by the Hon. Mr. Rigg to-night as an VOL. CXIX .- 61 extinct volcano, has had far more experience and far more responsibilities than my honour- able friend opposite, who, when his hat is on his head, has only one feather to fly with. An Hon. MEMBER .- A mixed metaphor. The Hon. Mr. JENNINGS. - It may be mixed, but it is very true. In regard to the formation of Farmers' Unions, which has been derided by some honourable gentlemen, I might say it has been my experience to have occupied the positions of journeyman, foreman, and manager in my time, and I am not afraid of the formation of Farmers' Unions. I know that, out of a hundred boys who have been through my hands from time to time in my experience, about 50 or 60 per cent. were the sons of farmers. Max Nordeau has been very careful in his investigations as to the effect of town life versus country, and he states that, if it were not for the towns being replenished by people from the country, in six generations the towns would become a huge charnel place. It is the country people we have to consider to a very large extent. It is the country people, to a very great extent, who form the backbone of our prosperity at the present time. I am not at all apprehensive that the farmers are going to be backward in regard to measures that will tend to the improvement of them- selves and their children. While the farmers are alive to their own interests, they will not blame the town workers for striving to better the conditions of themselves and their families. I know well that the majority of men who speak on behalf of labour and of the unions, and who follow handicrafts, are not all agitators, vision- aries, or theorists. I wish to point out that there are two sides to the industrial question. The employer many times is driven to great anxiety as to how his business is to be carried on. When he thinks himself fairly comfort- able he finds that, owing to competition, he has to expend his surplus income for improved machinery. I therefore think we have a right to look at both sides of the question. With re- gard to the light and airy manner in which some honourable members talk about the in- dustries in this colony : Is it not a fact that, with the increase of wages-and I am glad it is so- and with the shorter number of hours we work here-does it ever enter into honourable gentlemen's minds that there is just a possi- bility, owing to the greater number of hours worked in America, in England, and the long hours worked on the Continent, averaging, say, sixty hours compared to our forty-eight - is it not possible that the captains of indus- tries in these places will say of us in this colony : "Those people are somewhat blind; we can supply our goods at 30 or 40 per cent. cheaper than they can produce them in New Zealand "? What will be the result ? The re- sult will be that our industries will suffer, as the keen business-men of other countries will cut in and get our trade. We have a 25-per- cent. duty imposed on boots and clothing. What is that compared with our disadvan- tages on the other hand. We are working under 40 or 50 per cent. worse conditions, as

pay, than they are working in the places I have named. If we could put up a huge fence round New Zealand and keep out foreign goods, then we might maintain our conditions ; but until that fence can be

erected we should be very careful to see that our industries are not going to be thrust out altogether. It has been denied that some industries in this colony have been closed. What is the fact ? In Dunedin a large tannery has been closed, which formerly em- ployed 120 men. In Christchurch a large fur- niture-factory, that employed sixty men, has been closed. It is also a fact that some of the iron-foundries in Dunedin, where they formerly employed four hundred men a little while ago, do not now employ half that number. In the boot trade, is it not a fact that a factory in Dun- edin, where over two hundred men were em- ployed a few years ago, has been reduced, and there are only about fifty hands now employed there ? These alterations have been caused, I understand, owing to importations. Would it not be as well, when these things are going on, to con- sider whether we are not pushing the car too far? That is the view I take of these matters. I am not at all apprehensive that the wild theories that are being promulgated by some so-called labour advocates are going to destroy this country. I am satisfied that the good- sense of the people will be equal to the re- quirements of the country. Our colony is too good, and so well blessed with natural advan- tages that it will not easily be ruined. My honourable friend a little while ago inter- jected this question : "What have you to say on behalf of the workers ?" One hardly likes to speak of one's-self, but this very session I may say I have received a number of letters from the representatives of the workers in various districts throughout the colony. I have letters from three different organiza- tions in Taranaki thanking me for my advice and my assistance to them. I have also letters from Auckland thanking me. My only differ- ence with my honourable friend is this: He delights in disputes, whereas I counsel my fellow - workers to keep out of them. With regard to the Amalgamated Society of Car- penters and Joiners, it has been disputed that under their rules they cannot adapt themselves to local circumstances. I think my honourable friend said that was so. had the honour of taking the chair at the for- mation of a branch of the Amalgamated Society of Carpenters and Joiners in Taranaki a little while ago, and one of the most pleasant things that I heard that night was stated by the president and the secretary of the Auckland branch who were present-namely, that under the rules of this society they were at liberty to impose any local conditions that suited the requirements of the district. I am not at all apprehensive that the inclusion of clause 6 and clause 21 is immediately going to bring about the downfall of this Act. I hope that this Bill, which has been amended and passed by a large majority in both Houses, will be placed on the statute-book. Time will prove if any error has Hon. Mr. Jennings we have in this country-wider than has ever been known in any country in the world-if a mistake has been made it can be easily recti- fied. The Hon. Mr. TWOMEY .- I was taunted with having only looked at the supplementary return of the Conciliation Boards, and not at the whole return. I have since looked at both returns, and added the figures together, and here are the results: There were thirty-one cases settled by the Boards of Conciliation, and eighty-nine cases have been referred by the Boards to the Arbitration Court. Out of these thirty-one cases settled by the Boards, the Wellington Board settled four cases. That is the great work that has been done by the Wellington Board of Conciliation since 1896. The cost of the Wellington Board has been £1,768. If you divide that sum by four you will see that each case settled by the Wellington Board cost £442, which beats the West Coast by long odds. The Hon. Mr. JENKINSON .- I am much obliged to my honourable friend Mr. Jennings for having given me the opportunity of remov- ing a false impression which has seemingly existed in his mind, and perhaps also in the minds of other honourable gentlemen, in con- nection with the remarks which I made as to the discharging of unionists in Christ- church. It would appear from what the Hon. Mr. Jennings said that he is under the impres- sion that I seized the opportunity to make an attack on a member of the House of Repre- sentatives, and did not propose to give that gentleman an opportunity of explaining, thrust- ing the onus on the member of the House of Representatives ; and perhaps that gentleman has asked the Hon. Mr. Jennings to explain the matter from his point of view. I will read what I said on this point from my Hansard proof :- "There are eleven names I wish to lay special stress upon, because they were all in our em- ploy, namely, Bowron

Brothers ; and the secre- tary of the Trades Council says these men were discharged because of their action in bringing a case before the Board. I have spoken to & representative of this firm telling him I was going to publish these names, and made it known that these men considered they had been discharged from their employ for belong- I ing to unions, so that that gentleman, a mem- ber of Parliament, for whom I have the greatest respect, can put himself right on the first op- portunity.' Surely there is nothing in the nature of an attack in this. However, I wish it to be under- stood that I did not lay particular stress on whether the statement this man has made was true or not as regards my argument; but if men have been discharged from their employ for any cause whatever, and they are under the impression that they have been discharged for belonging to a union, I think the best thing we can do is to allow the employer the first oppor- tunity to refute the statements and let us get at the bottom of the matter.
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An Hon. MEMBER .- Let us have a Commis- sion of inquiry. The Hon. Mr. JENKINSON .- I dare say & Commission might get at the truth; but in this case I am sure the honourable member of an- other place, to whom I have referred, will take the first opportunity of explaining to his con- stituents his firm's action in the matter, and I have no doubt that his explanation will be satisfactory. It may be that, through a rearrangement of the business, or through the introduction of new machinery, this firm of Bowron Brothers has been able to do away with a number of hands. No doubt if such an impression as I have referred to did exist in the minds of the public it would do the employers harm in their business, and such an employer should have an opportunity of refuting the statements or explaining matters. I trust, after this explanation, I shall not be accused of making an attack upon a gentleman for whom I have the highest respect, and a gentleman who would not, I am sure, do a dirty and an unfair thing of any kind whatever. Now, I feel in rather a disagreeable position, because I shall be forced to vote for the amend- ment proposed by the Hon. Mr. Rigg. When I say disagreeable, I mean it is disagreeable for any member of the Council to have to vote against a measure which has passed in another place-which is supposed to be the popular Chamber-by a large majority, and which has been supported by many of our friends ; but, when a member's convictions are as firmly rooted on any question as mine are in regard to this, I do not think there is any other course open to him than to vote against the measure, and I shall do so, though with a great amount of pain. I know that a large number of mem- #cc-zero bers, who are Radicals in their views in other respects, have chosen to support the amend- ments that have been introduced, but I think the amendments inserted will go a long way towards capsizing the legislation on this sub- ject we have already on our statute - book. Now, if the amendment of the Hon. Mr. Rigg is carried, it will give more time for consideration of the measure, and that is another reason why I shall vote for that amend- ment. I spoke this afternoon regarding the evidence taken before the Labour Bills Com- mittee on the unnecessary time taken in hear- ing cases by the Board, and I stated that I thought the cure for that would be found in making it impossible for any one to be made a Chairman of a Conciliation Board unless he was specially adapted for such work. I think, if it were possible to get a retired Magistrate or a man with a sound legal training, or even a retired Judge, on the Conciliation Board, the result would be different, and a very great benefit to all concerned. Then we should not hear the constant assertion that such-and-such a Board was not doing its duty, that it was allowing a case to drag on, and so forth. I did mark certain portions of the evidence which I wished to read out, in common fairness to the Chairman of the Wellington Board, but I do not wish to detain the Council .. any further to-night ; but I think if mem- bers will take the trouble to look through the evidence they will find that in many cases it was very difficult for the Chair- man to curb the lengthy statements of wit- nesses on both sides. This bears out the fact that, if we can get a man well adapted to hold the reins of office as Chairman, it will go a great deal towards shortening the proceed- ings. Now, as to the question of giving more power to the Conciliation Boards : The Chair- man, in his evidence before the Committee, pointed out that in many instances cases were referred to the

Court, after being dealt with by the Board, because of the action of one or two employers who would not abide by the decision of the Conciliation Board, and I am sure it would be a great benefit if we inserted some- thing in the Bill giving the Board power-not an absolute power, but a power by which they could bring these unconciliatory employers to agree to the result if a certain majority agreed to it. It seems to me hard that a Board should take days and weeks in coming to a decision on a case, and when they have got the whole of the points placed in such a form that both the em- ployers and the workers agree to sign an agree- ment; simply because one or two small em- ployers, perhaps in an out-of-the-way corner of the district-it might be the employer of only one man-will not sign, the whole award is re- jected, and the whole expense has to be incurred again. An Hon. MEMBER .- That is precisely what has happened. The Hon. Mr. JENKINSON .- Well, does it not prove that we should give this question of conciliation more consideration than we have done? I would be in favour of extending the powers of the Conciliation Boards, so that they could bring the one or two objecting employers back into line; of providing that a Chairman who has had a legal training must only hold office ; and also of providing that the evidence taken before a Board shall be reported, and may be used by the Court. On these three points I claim that further consideration is necessary. I deprecate the personal references that have been made to honourable members regarding volcanoes, and so on, more especially when they take place between our own col- leagues. However, when the debate comes to an end I am sure it will be recognised that the references have been made in the heat of debate, and the whole of such references will be for- gotten. As I have said, I shall be compelled to vote for the amendment of the Hon. Mr. Rigg. The Hon. Mr. JENNINGS .- I have been asked to state, in reference to remarks made by the Hon. Mr. Jenkinson in connection with a firm in Christchurch, that the gentleman who is connected with that firm says that the honourable gentleman did not furnish him with the names. Had he done so he would have been in a position to give a satisfactory explanation. The Hon. Mr. JENKINSON .- I explained to that honourable member of the House that it was impossible for me to give the name, be-
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Council commenced its sitting this afternoon, otherwise I should certainly have furnished him with the name. The Hon. Mr. A. LEE SMITH .- Sir, it is with considerable diffidence that I venture to obtrude myself upon the Council again, but I find I have omitted to deal with one or two obser- vations which have been made by speakers, and which, in the hurry of the moment, I overlooked. I should like to make a few remarks : first, with regard to the Hon. Mr. Twomey. He said in the course of his speech that the change which would result from the adoption of clause 21 would be in favour of the employés. Now, the honourable gentleman did not give us any good valid reason in support of that statement, and I think it can be very clearly shown it is not in favour of the employes, any more than of the employers. But the principle of the clause will be this : that it will give birth to the possibility of a division of opinion, and by so doing excite jealousy, animosity, and will probably do away with any desire at all to go to the Conciliation Board. But, under any circumstances, the honourable gentleman shows a desire to regard with very great consideration the views of the em- ployés, which is very much in opposition to the tenor of remarks which he made during the course of his speech, which I should say- and I dare say other honourable members would think so too-were aimed at advocating a change in the Act in such a direction that the Conciliation Boards would be ignored, and therefore the employers could by this means have an oppor- tunity of showing animosities. And in the same way, it might be said in other cases the em- ployés might use it, but the honourable gentle- man's argument was entirely in the direction I have stated. The Hon. Mr. TWOMEY .- Not a bit of it. The Hon. Mr. A. LEE SMITH .- I con- cluded so, anyhow ; I may be mistaken, but that is my impression. Now, Sir, there was another gentleman who also spoke on the Bill- the Hon. Mr. Scotland. I am sorry to see he is absent, and I do not like to say anything that in the slightest degree might be con- sidered, if he were present, offensive to him, and so I will endeavour to couch my language

in such a way as to avoid a thing I should be very disinclined to do. I think the honourable member, as most members well know, has been in the constant habit of speaking-I will not say offensively-in direct opposition to all classes of labour legislation. An Hon. MEMBER .- No. The Hon. Mr. A. LEE SMITH .- I hope the honourable gentleman will not jump to con- clusions; I might extend my remarks and amplify them ; and in proof of that, he arrived at a climax to-night when he said, "Thank Goodness, I am not an employer of labour." And he regarded the matter in this way : that the sooner we had a strike and got all these disputes over the better. I think those are almost verbally his words. Now, I do not think that any one in this Council has said anything more in the direction of causing a Hon. Mr. Jenkinson between the two classes than that observa- tion. I do not think anything like that has been said by honourable gentlemen who have spoken against the Bill. I did not, and I do not think any one else has. I think it is a pity to hear any honourable gentleman say that it would be a good thing to have a strike and get done with the mattter ; because all the evidence of the past has shown that it means disaster, loss, and trouble to all concerned- not only to the employés, but to the employers and community at large. Now, Sir, I come to the remarks made since the amendment that has been proposed to the third reading, and I will now offer a few observations on what the Hon. Mr. Jennings has said. That honourable gentleman referred to the dangerous position that this colony was in by reason of the present outside competition by the American people in the shape of consignments of goods to this colony, and that they were underselling us ; which, of course, means, in a few words, violent opposition-an opposition which is intended to undermine our industrial system and organization. Well now, the honourable gentleman cannot have given proper considera- tion to that matter, because if he had he would have seen it is not a question of our legislation. but one dependent on the absolute and de- clared policy of the American nation to carry on their industrial system by charging exces- sive rates to their own people for home con- sumption to enable them to have a surplus, which, if it produces a price just over the cost of actual labour, will be a profit to them. because there is but little more fixed expense to them in carrying on their manufacturing operations on a large than on a small scale. It is their policy to ship away their surplus to any point they possibly can in order to get a market, and undermine that market so as to drive out the home trade and get their goods in permanently, and then establish a footing at a fair price. An Hon. MEMBER .- That is what the honour- able gentleman said. The Hon. Mr. A. LEE SMITH .- Exactly. He may have said it ; but he did not explain the object and meaning of the adopted and uni- versal policy. How are they trying to under- mine the industrial position in Great Britain ? In this way : They are buying up steamers, and they have got now a large trust in command of an enormous capital to buy up the tobacco trade. and they are prepared to lose a million or two in order to get hold of the business of manu- facturing tobacco in Great Britain, and then to control the trade. That is their policy there. As to their policy here, it is not worth while to buy our steamers and set up factories, because. by reason of that large over-production I have explained, they have a large surplus, and they can ship that surplus here on a cheaper basis than they could supply it by operating their machinery in the colony. Well, it is the duty of this colony to provide for that ; not to throw up the sponge and try to transfer all the onus of making our country strong and rich by

asking only one section of the country to carry the burden. Why should you impose upon our able gentleman has been misrepresented, he organizations of labour conditions which will may explain shortly; but I am not aware he enable the country to compete with America, has been misrepresented. and not at the same time provide something point out, in connection with clause 21, that I which will lay upon capitalists some of the said it was in favour of the employé, and not of expense and some of the loss which might have probably to be met in order to cope with the employer ; and the honourable gentleman American competition. That is the position, misrepresented the reason I gave for saying so. My reasons are these: that the employer pos- and if you watch the American system you will see it does not in the

slightest way bear upon sesses all the powers at present conferred by clause 21-that it is to his advantage that an the question of conciliation and arbitration. Now I wish to say a few words as to the Wel- employé should go to the Board of Concilia- lington Board of Conciliation. I omitted that tion, so that he will get evidence to prepare before. It appears to me that the whole of him for the Court of Arbitration, and that the employé has been forced to conciliation know- what I might call this organized opposition to ing full well that it will not profit him. conciliation has arisen out of the fact that in one centre of this colony there has been a Board which has not given satisfaction to the em- honourable gentleman to make ? ployers, and, in some cases also, not to the em- ployés. An Hon. MEMBER .- To no side. words to say. The Conciliation Board's time is wasted, and the money of the country is The Hon. Mr. A. LEE SMITH .- Very well, wasted in paying the expenses of conciliation. we will say so ; but one swallow does not make & summer. You might as well say that the whole system of appointing Magistrates should the words proposed to be omitted stand part of be swept away entirely because in one or two the question." cases, and probably a few more, there have been people who have been strangely careless, and Bowen who have shown nothing but a ridiculous idea Feldwick of their duty as Magistrates. You might, just Gourley as well say that; and I might go round the whole range of the social sphere and find Jennings numerous instances exactly appropriate to the Kelly, T. position I am now putting forward. Like my honourable friend Mr. Jenkinson, I shall vote Barnicoat against the third reading of this Bill, and in doing Bolt so it will be with a despondent heart, because Jenkinson I know you are going to carry it ; but I am perfectly certain we are entering upon a career that will be disastrous to the employers, disas- trous to the employes, and will result in a friction that will be in no sense favourable to third time, the successful carrying-on of organized in- dustry. The Hon. Mr. TWOMEY .- May I make an more consideration, and I therefore move the explanation now ? adjournment of the debate. The Hon. the SPEAKER .- The honourable gentleman has spoken to the main question great deal of reason why this motion should be and to the amendment. carried. I recognise that there is a great deal The Hon. Mr. TWOMEY .- This is a per- of force in what the Hon. Mr. Reeves has said. sonal explanation. The honourable member It must be apparent to any one who has taken misrepresented the way I explained matters. any interest in the proceedings to-day that a The Hon. Mr. A. LEE SMITH .- I only gave number of members who have previously taken my conclusions. a part in such debates have not taken any part The Hon. Mr. TWOMEY .- Do you rule me in the debate on this Bill. I believe that if out of order, Sir ? time were given to them they might make The Hon. the SPEAKER .- I do not know inquiries and perhaps get some information what the honourable gentleman wants to ex- which would show them the real position. I plain. The honourable gentleman cannot heard the Hon. Mr. Ormond interjecting the word "Bosh !" when the Hon. Mr. Bolt was wander on. The Hon. Mr. TWOMEY .- The Hon. Mr. referring to the persecution of workers in some A. Lee Smith misrepresented a statement I instances by employers. If the Hon. Mr. made. Ormond would take the trouble to communi- The Hon. Mr. A. LEE SMITH .- No, I did cate with Napier he would find that a few years ago a Free Labour Association was not. The Hon. Mr. TWOMEY .- I must be al- established by the employers, and their con- lowed to be the judge of whether you did or duct towards every worker who would not join their association was of a very vindic- not. The Hon. the SPEAKER .- If the honour- The Hon. Mr. TWOMEY .- I was going to The Hon. Mr. SHRIMSKI .- I rise to a point of order. How many more speeches is the The Hon. Mr. TWOMEY .- I have but two The Council divided on the question, "That AYES, 18. Pinkerton Kelly, W. Pitt Kenny Shrimski McLean Taiaroa Harris Montgomery Ormond Twomey Peacock Walker, W. C. NOES, 7. Rigg Jones Smith, A. L. Reeves Majority for 11. Amendment negatived. On the question, That the Bill be read the The Hon. Mr. REEVES said,-I think this is one of those questions which requires a little The Hon. Mr. RIGG .- Sir, I think there is a

result was that a feeling grew up in the breasts of the workers in that district that the only way to remedy

this sort of thing was by legisla- tion, and the people rejected the representative of this free labour association, and returned a Liberal to Parliament, and that constituency has since been represented by a member on the Liberal side of politics. That bears out to some extent a point that I alluded to in a speech as to what might happen. Therefore I think it would be well that time should be given to the honourable gentleman and others to inform themselves in regard to all these matters, and the result might be that they would change their opinions. At any rate, I am sure they would get sufficient information to enable them to throw a little light upon this Bill from their point of view. I shall support the motion of the Hon. Mr. Reeves. The Council divided on the question, " That the debate be adjourned." AYES, 6. Rigg Bolt Jones Smith, A. L. Jenkinson Reeves NOES, 20. Kelly, W. Pitt Barnicoat Shrimski Kenny Bowen Taiaroa Feldwick McLean Gourley Montgomery Twomey Walker, W. C. Ormond Harris Peacock Williams. Jennings Kelly, T. Pinkerton Majority against, 14. Motion for adjournment of debate negatived. The Council divided on the question, "That the Bill be read the third time." AYES, 20. Bowen Kenny Reeves McLean Feldwick Shrimski . Gourley Montgomery Taiaroa Ormond Harris Twomey Walker, W. C. Peacock Jennings Kelly, T. Pinkerton Williams. Kelly, W. Pitt NOES, 6. Barnicoat Jenkinson Rigg Smith, A. L. Bolt Jones Majority for, 14. Bill read the third time. OLD-AGE PENSIONS BILL. On the question, That this Bill be read the third time, The Hon. Mr. JONES moved, That the Bill be recommitted for the purpose of adding the follow- ing words to clause 4 : "or, if the Magistrate finds that an applicant has any near relatives in the colony who are able to wholly or partly main- tain such applicant, he may accordingly refuse his application or grant a reduced pension." The Hon. Mr. W. C. WALKER would oppose this, because, although he believed there was a good deal to be said in its favour from a senti- mental point of view, it would be destructive Hon. Mr. Rigg trusted, therefore, the Council would not agree to the recommittal of the Bill. The Hon. Mr. McLEAN did not think this would be destructive to the Act by any means, and he considered it was a great blot in the Act that this provision was not included in the first instance. Surely it was a proper thing that people should be compelled to support their aged parents. He was not one of those who think that because people have merely a moderate living they should be called upon to do so, but there were a large number of fairly well-to-do people who would not " shell out." He thought this was quite in keeping with the Bill, and it should be included if they wanted to see the Act properly administered. The Hon. Mr. W. KELLY objected to the recommittal of the Bill for one reason, because the amendment the honourable gentleman had given notice of was very difficult to understand. He would like to have the words " near rela- tives " defined, whether it referred to nephews, cousins, or aunts, or what, before agreeing to an amendment of this sort. On the whole, he thought it better to pass the Bill as it stood. The Hon. Mr. FELDWICK said, In his opinion, the addition of these words would act in a most cruel and oppressive way in some instances. It was within his knowledge that there had been cases where men had been sued for the maintenance of the worthless and intemperate parents of their wives, and this clause, if added to the Bill, could be abused to almost any extent. It would be possible for per- sons absolutely unknown to the parties taking action to be sued through the instrumenta- tion of the Charitable Aid Board or some other body for maintenance. In fact, if these words were added, the Bill could be made an organ of very cruel oppression to perfectly innocent persons. The Hon. Mr. REEVES, though sympa- thizing with the Hon. Mr. Jones, thought he should give some definition of "near relatives." The Hon. Mr. JONES .- I intend to do that. The Hon. Mr. REEVES agreed with the Hon. Mr. Feldwick that the insertion of these words might lead to a great amount of hard- ship. If when he received a definition of " near relatives " it was compatible with his ideas he might vote for it. The Council divided on the question " That the words proposed to be omitted-namely, 'That the Bill be read the third time,'- stand part of the question." AYES, 12. Feldwick Kelly, T. Smith, A. L. Gourley Kelly, W. Smith, W. C. Harris Pinkerton Twomey Walker, W. C. Jennings Rigg NOES, 12. Jones Peacock Barnicoat McLean Pitt Bolt Reeves Bowen Montgomery Jenkinson Ormond Williams.

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vote with the "Noes," in order to give an op- portunity for further discussion. Bill recommitted, and progress reported. EGMONT NATIONAL PARK BILL. On the question, That the Bill be read the third time, The Hon. Mr. T. KELLY moved, That the Bill be recommitted, in order to correct the mis- take in clause 4. The Hon. Mr. W. C. WALKER said he would have no objection to that, and he would ask that clause 3 be also recommitted for amend- ment. Motion agreed to. Bill committed, reported, and read the third time. The Council adjourned at twelve o'clock midnight. # HOUSE OF REPRESENTATIVES. Thursday, 31st October, 1901. Reserves and Other Lands Sale, Disposal, and En- abling, and Public Bodies Empowering Bill- Debentures under Land for Settlements Con- solidation Act - Personal Explanation - Maori Lands Administration Bill. Mr. DEPUTY-SPEAKER took the chair at half- past two o'clock. PRAYERS. RESERVES AND OTHER LANDS SALE, DISPOSAL, AND ENABLING, AND PUB- LIC BODIES EMPOWERING BILL. On the question, That the introduction of #cc-zero this Bill be postponed, Major STEWARD (Waitaki) drew the atten- tion of the House to the inconvenience of the constant postponement of this particular Bill. This Bill had been asked for over and over again, and the Government had promised that it would be gone on with this session, and surely they could obtain the Governor's consent to bring down the Bill. In a short time they would either have to drop the Bill, or, if it were proceeded with, honourable members would not have time to properly inquire into the matters embodied in it. Captain RUSSELL (Hawke's Bay) joined in the protest of the honourable member. There could be no doubt that involved in a Bill of this kind was every imaginable form of negotiation, which he would not characterize by other terms, which might be right or wrong, but of which they had no possible means of ascertaining the merits. The Bill should be carefully inquired into by a Committee, and two weeks was abso- lutely too short a time in which to do it pro- perly. He hoped the House would refuse leave to introduce the Bill altogether. Mr. MASSEY (Franklin) joined in the pro- test, though for a different reason than that expressed by other speakers, as the non-passing -of this Bill would entail very considerable in- colony. He had at an early period of the ses- sion asked the Government to introduce such a Bill-at a period of the session when it could be properly considered and passed into law. The answer had been in the affirmative, but, like many other Ministerial promises, it had so far not been kept. Mr. SEDDON (Premier) asked the two last speakers if they could quote a precedent for a " washing-up " Bill being introduced except at the end of a session ? It would be impossible to do it. During the session petitions came before Parliament, the recommendations of the Com mittee on which petitions were dealt with in the Bill. As for there being time for con- sideration, there was nothing to prevent any amount of consideration being given ; they could stop another month ; they were there to do the business of the country, and not to consult their own wishes. Mr. R. THOMPSON (Marsden) thought it unfair to make an attack on the Bill in the absence of the Minister in charge of it. Mr. MONK (Waitemata) thought the Pre- mier's statement was unfair, considering the hours to which he was keeping the House at work. He objected to measures being brought on when members had not the physical capacity to deal with them. There was plenty of time ahead, and members were quite prepared to stay till Christmas if it was in the interests of the country that they should do so. Sir J. G. WARD (Minister for Railways) said the request made for the postponement of the Bill, owing to the absence of a Minister on public duty, was not unreasonable. He was surprised to hear the member for Franklin accusing the Ministry of breach of faith in this matter. He had that day received two tele- grams asking that certain things should be in- cluded in the Bill, and members must know that Bills of this sort had to be deferred till the last possible moment, so that nothing should be omitted that ought to be included. Mr. LANG (Waikato) protested against the insinuation by the Premier, that members were anxious to get away; it was well known that the Premier was far more anxious to get rid of them than members were to go. Members were quite ready to stay and do the business properly, so long as that business was done within reasonable hours, as he thought the

country objected to nothing more than that business being done at such unnatural hours. Mr. SEDDON said he was not at all anxious to get rid of members. There was never the end of a session that he did not miss them. Mr. COLLINS (Christchurch City) suggested that the House should adjourn for a week, for a well-earned rest, and then come back and finish the business. Motion agreed to. DEBENTURES UNDER LAND FOR SET- TLEMENTS CONSOLIDATION ACT. The DEPUTY-SPEAKER read the follow- ing letter from the Controller and Auditor- General :-
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" The Hon. the Speaker of the House of Representatives. "The Controller and Auditor-General has the honour respectfully to submit to the House of Representatives, in accordance with the pro- visions of section 58 of " The Public Revenues Act, 1891,' a copy of the correspondence in a case under that section, in which, the Audit Office having declined to sign debentures for £10,000 under ' The Land for Settlements Con- solidation Act, 1900,' on the ground that the in- terest payable in the first coupon is 4 per cent. per annum, computed from the 14th day of April, 1901, whereas the full purchase-money was not paid until after that date, and consequently the price paid-£100 per cent. of the amount of the debenture-would result in yielding to the purchaser a higher yearly rate of interest on the purchase-money than the maximum rate- 4 per cent .- authorised by section 10 of the Act, the Governor has by Order in Council de- termined that the interest payable on the first coupon will not result in yielding to the pur- chaser of the said debenturee a higher rate of interest on his purchase-money than the maxi- mum rate authorised by section 10 of 'The Land for Settlements Consolidation Act, 1900,' and that consequently the debentures may be lawfully issued with the first coupon represent- ing interest at 4 per cent. per annum from the 14th day of April, 1901, notwithstanding that the full purchase-money was not actually paid until after that date. # "J. K. WARBURTON, Controller and Auditor-General." On the question, That the letter be laid on the table and printed, Mr. HERRIES (Bay of Plenty) said, I think the House should have some explanation as to what has caused this document. It is a most extraordinary thing that the Solicitor.General should argue that, because people were getting more than 4 per cent. therefore they are not get- ting more than 4 per cent. He admits they are getting more because they are getting interest on money they have not paid ; yet he goes on to argue that they are only getting 4 per cent., and are therefore within the law. What seems to me the danger is that we have just autho- rised a loan of a million and a quarter, and this loan is limited to 4 per cent. ; but, if the Solicitor-General's contention is correct, the Colonial Treasurer can raise a loan at 4} or 44 per cent. If the Solicitor-General's decision is right, it seems to me it is no use putting any limits in the Act at all. The objection of the Controller and Auditor-General to signing the debentures is,- " On the ground that the interest payable in the first coupon is 4 per cent. per annum, com- puted from the 14th day of April, 1901, whereas the full purchase-money was not paid until after that date, and consequently the price paid -£100 per cent. of the amount of the debenture -would result in yielding to the purchaser a higher yearly rate of interest on the purchase- money than the maximum rate of 4 per cent." That does not seem to be denied by the Mr. Deputy-Speaker say,- "The Governor has by Order in Council de- termined that the interest payable on the first coupon will not result in yielding to the pur- chaser of the said debenture a higher rate of interest on his purchase-money than the maxi- mum rate of interest authorised by section 10 of ' The Land for Settlements Consolidation Act, 1900,' and that consequently the debentures may be lawfully issued with the first coupon representing interest at 4 per cent. per annum from the 14th day of April, 1901, notwithstand- ing that the full purchase-money was not actually paid until after that date." The Governor, therefore, seems to interpret the law, that if you get 4} per cent. you are only getting 4 per cent. I think that is a very peculiar position to put His Excellency in, and I consider that some explanation should be given of this extraordinary contention. Mr. J. ALLEN (Bruce) .- I submit, Sir, this paper should be sent to the Public Accounts Committee. Mr. SEDDON .- All right. Mr. J. ALLEN .- The Premier knows that this

Committee has not reported on this ques- tion. Mr. SEDDON (Premier) .- I ask leave to add that to my motion, That the paper be referred to the Public Accounts Committee. I thought, as there was so much before the Committee, I would try to save them. However, if the honourable gentleman wishes it should be re- ferred I do not mind. Mr. J. ALLEN .- I do not want to add to the work of the Committee ; but, as I have pointed out, the Committee have not reported on this question, and, therefore, it ought to go to them. I see from these papers the Solicitor- General says,- "The question in this case is the same as the one determined by His Excellency by war- rant of 14th August. The difference pointed out by the Audit Office is one of detail and not of principle. The Acts do not in any way fetter the Treasurer's discretion as to the mode of selling the debentures; and it is manifest that concessions which would be legal if granted by public tender do not become illegal merely because they are granted by private contract. The Audit Office appears to recog- nise this, for, whilst mentioning the difference, it does not treat it as affecting the question in issue." In addition to that he says :- " In this case, as in the previous one, I am of opinion that, on the true construction of the section limiting the yearly rate of interest which his purchase-money is to yield to the purchaser, the limit is not exceeded, and con- sequently the Audit objection is not sound, and the debentures are legal." Then he goes on to give the reasons which we already have, and which are set out in his minutes of 12th August and 17th September ; and later on he says,- "This minute of the Controller's is somewhat belated, coming, as it does, after the objection

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His Excellency. But there it is, and I quote it because it shows in what sense the Audit Office desires its present objection to be under- stood. It is fully dealt with in my reply of 17th September, and, so far as concerns the legality of the present debentures, I have nothing to add to my reasons as set out there in my previous minute of 12th August." The Committee has not reported upon the original documents, and I will not, therefore, refer to it further. I think it should go to the Public Accounts Committee to be dealt with by them. Mr. SEDDON (Premier) .- Sir, the only issue that is raised here is this : the Law Officers have advised that in the case of debentures exactly similar to these there is nothing illegal in what the Treasury had done. And the con- tention of the Controller and Auditor-General was wrong, or otherwise his interpretation of the law was incorrect. Then, that being so, it was urged that there was no necessity for a further reference, and for reference to the Solicitor - General, and for another warrant from the Governor upon the same question. However, the correspondence would show this. It is only necessary to remark that I say here, -- "The Treasury has all along been of opinion that the charges were in accordance with law, and such opinion was confirmed by the Solicitor- General, who interprets the law. For this rea- son the Treasury could not be expected to point out something which had no existence, nor to 32106019788261 attempt to foresee what the judgment of the Audit Office might be in this or any other case." That is the reply to the Auditor's contention after he had notified us that he would refer this -that he could not see his way to countersign the debentures. Now I, myself, think there ought to be an alteration of the law. I think that when the question arises this is on all-fours with that in which the decision of His Excel- lency the Governor has been given. In that case the Controller and Auditor-General should be bound to countersign or issue his warrant for any matter that has been so adjudicated upon. It would be the case in any question heard before the Courts. Once a decision had been given upon a given question, that decision would, of course, be upheld all through, and that is why I did not in the first instance ask that these papers should be sent to the Public Accounts Committee. The Solicitor- General, I think, is very clear. He says :- "(1.) The question in this case is the same as the one determined by His Excellency by warrant of the 14th August. The difference pointed out by the Audit Office is one of detail and not of principle. The Acts do not in any way fetter the Treasurer's discretion as to the mode of selling the debentures ; and it is mani- fest that concessions which would be legal if granted by public tender do not become illegal legality of the present debentures, I have merely because they are granted by private

con- nothing to add to my reasons as set out there tract. The Audit Office appears to recognise in my previous minute of the 12th August." this, for, whilst mentioning the difference, it issue. "(2.) In this case, as in the previous one, I am of opinion that on the true construction of the section limiting the yearly rate of interest which his purchase-money is to yield to the purchaser, the limit is not exceeded, and consequently the Audit objection is not sound, and the debentures are legal. " (3.) My reasons are set out in my minutes of the 12th August and the 17th September, to which I beg to refer you, as they apply fully to the present case. You are aware that the latter minute was rendered necessary by the Control- ler's minute to you of the 26th August, which varied the form of his original objection, and did not come to my notice until I saw it in the Parliamentary Paper B .- 19A." Then, he goes on,- "But as to the objection itself, the debentures have been purchased at the price of £100 for every £100 named in them, and they are to yield as interest to the purchaser on the pur- chase-money the amount that the rate 4 per cent. per annum would so yield if the purchase- money had been paid for three whole years. The question thus is simply whether the de- bentures which so yield that amount of interest do not yield a higher rate of interest than 4 per cent. per annum to the purchaser whose pur- chase-money is paid for a period of less than three whole years-whether, in short, the amount of interest at the full rate of 4 per cent. per annum will not be greater for a period of three whole years than for a shorter period. "It is not to the point to refer to any loan such as that of 1879, or that of 1899, where the loan is issued to bear interest at a rate lower than the rate to which the purchaser is limited by the Loan Act, and the concessions are not calculated to result in a sale at a price that could yield to the purchaser more interest than such limit would allow. There may have been one case, or even more than one, of the limit having been exceeded. But the Audit Office does not know that what has been done in the present case is in strict accordance with esta- blished usage and practice either in New Zea- land or in other countries, limited, like New Zealand, by statute as to the rate of interest, and cannot but object to any such limit or degree of concession as may be beyond the limit of the statute. If the sale of the present debentures at the price equal to the nominal value had been a sale at that price of deben- tures bearing interest at the rate of 3} per cent., or even 3% per cent., per annum, instead of 4 per cent. per annum, the concession made as to payment of the price would not have resulted in the debentures yielding so much as the rate of 4 per cent. per annum to the purchasers on their purchase-money." He winds up by saying,- 3.0. "It is fully dealt with in my reply of 17th September ; and, so far as concerns the

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the Committee is on the one point, it will govern this case also, and hence I agreed to amend the resolution and refer it to the Public Accounts Committee. I think, however, it is a waste of time to duplicate and force the second warrant when it is admitted by the Audit Department that it is on the same lines as a warrant already issued. However, that is the interpretation of the Auditor-General, and it is for us to receive it and deal with it by referring it to the Public Accounts Committee. I would like to see an amendment of the law, so that, where a question has gone through the hands of the Law Officers and been decided upon, it should not be brought up again. I move, That the letter lie on the table and be printed, and that it be referred to the Public Accounts Committee to report. Motion agreed to. PERSONAL EXPLANATION. Mr. MEREDITH (Ashley) .- Sir, I have been misrepresented, and I desire to make a personal explanation. I desire to refer to a paragraph that appeared in this morning's New Zealand Times, on page 5. The paragraph runs thus :- " A Breeze in the House. "Matters became heated during the protracted discussion on the State Coal-mines Bill last night. At one stage Mr. Meredith accused the Premier of using intemperate language. Mr. Seddon, in reply, protested against the tone of the member for Ashley, and said that members were not now in Sunday-school. Mr. Meredith, retorting, admitted that he taught in Sunday-school, but said that he would far sooner be a Sunday-school teacher than a West Coast publican. (' Ohs.') The Premier, nettled, rejoined that Mr. Meredith had applied to a Board, of which

he (the Premier) was a member, to make him a present of 6,000 acres of the Glentui Estate, and be- cause this would not be done, the attitude of the honourable member was thus explained. Mr. Seddon denied that he had used intem- perate language, but he assured the member for Ashley that he had his measure full well. He also informed him that the Premier of this country was able to maintain his position, and would continue to do so." This paragraph is supposed to report an episode that took place on the floor of the House last night when the House was in Com- mittee on the State Coal-mines Bill, and Major Steward in the chair. A reference was made by some members of the House, and particularly by the Premier, to the amendment introduced into the Conciliation and Arbitration Bill when in Committee of the House, on the motion of the honourable member for Wanganui, Mr. Willis, altering the constitution of the Concilia- tion Boards. Thirty members supported the amendment, and eighteen members opposed it. Mr. SEDDON .- Sir, can the honourable gentleman refer to a past debate, and a past transaction ? Mr. DEPUTY-SPEAKER .- I am just watch- Mr. Seddon not think it is necessary to go into the whole history of the debate. Mr. MEREDITH .- Sir, I do not intend to do so. I shall be as brief as possible. The Premier made reference to the members who supported the amendment in such a heated and unwarranted manner as to arouse my indig- nation. I rose and briefly protested against the intemperate language of the Premier, and forth- with sat down. The Premier then rose and made an attack on me, pointing out that he would not be dictated to by the member for Ashley, who was a Sunday-school teacher. On the Premier resuming his seat I rose in my place, and pointed out to the House that the members who had supported the amendment of the honourable member for Wanganui did so with a sincere desire to place the Bill on the statute-book in the best possible form, and in the interests of the people of the colony. Mr. DEPUTY-SPEAKER .- The honourable member must not elaborate his reasons, but come to the point where he has been misrepre- sented. Mr. MEREDITH .- Yes, Sir. I pointed out it was true I was a Sunday-school teacher. I have been connected with Sunday-schools all my life, I said, and I preferred to be a Sunday- school teacher rather than a West Coast publi- can. The latter term, no doubt, irritated the Premier, and if the Premier had got up and said he had not during any term of his colonial history been a publican, or retailed liquor be- hind a publichouse bar- Mr. DEPUTY-SPEAKER .- This language, to my mind, whether permitted in Committee or not, should not be allowed. All personal re- ferences ought to be avoided. I understand the honourable gentleman says he has been misrepresented. I do not see how his remarks or his contentions with regard to the Premier can show he has been misrepresented. Mr. MEREDITH. - Sir, I will leave that matter. I will quote the gross misrepresenta- tion that has taken place :- "The Premier, nettled, rejoined that Mr. Meredith had applied to a Board, of which he (the Premier) was a member, to make him a present of 6,000 acres of the Glentui Estate, and because this would not be done, the atti- tude of the honourable member was thus ex- plained." Those words I take exception to, and in their application to me I say they are absolutely in- correct. I give them a flat denial. There is not an atom of truth in the statement. Briefly, Sir, this is the position : three years ago the Glentui Estate, administered by the Assets Board, was offered for sale by public ad- vertisement. I wrote to the Board to ascer- tain if they were prepared to sell me from five hundred to fifteen hundred acres of the estate, and to quote their price. I received a reply stating that they were prepared to sell, but would not make a quotation of their price, and inviting me to make the quotation - a strange method of doing business. After again looking at the property, and consulting my

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hundred to fifteen hundred acres, and quoted a price. Some time later I received a reply from the Board thanking me for my offer, but declining to sell, as they had decided not to sell by private treaty. The Assets Board were the vendors, and I was the purchaser ; I had a right to make an offer, the Assets Board had a right to decline my offer. That ended the matter as far as I was concerned. Having briefly stated the case, I leave it to honourable members to say whether there is anything dishonourable in my

transactions with the Assets Board. Sir, I leave it in the hands of honourable members. I do not want to elabo- rate to any greater extent, but I desire to say again that I never made an application to the Premier nor to the Assets Board to make me a present of 6,000 acres, or any portion of land. My application was for from five hundred to fifteen hundred acres ; and honourable mem- bers may now decide the matter for them- selves. Mr. SEDDON (Premier) .- Sir, the honour- able gentleman having made his explanation, probably I may be permitted to make mine. During the passing of the State Coal-mines Bill through Committee last night there was a difference of opinion. Several members held probably extreme views as contrasted with those held by myself. We were debating the matter, and there was nothing intemperate said by me to any member of the House. I held different views from these members, and I think we settled the differences ultimately in a manner that was satisfactory to the House and in the best interests of the colony. The honourable member, then, with the usual pom- posity and vaingloriousness which charac- terizes him- Hon. MEMBERS .- Order. Mr. SEDDON .- Well, I will say, with that self-sufficiency. I suppose, Sir, the next thing the honourable member will say is that I am using intemperate language. Whenever the honourable member rises in the House every one comes to the conclusion I have mentioned -namely, that what he means is: "I have spoken ; all the rest must be dumb." And when the honourable member last night in- terfered as between myself and other mem- bers, who were well able to defend themselves, and in hectoring tone and manner commenced to apply a lecture on propriety, I simply said to him we were not in a Sunday-school. That is the report in the paper, and it is correct. I never used the term that the honourable mem- ber was a Sunday-school teacher. I said what is here in the report in the Times. The report is : "Mr. Seddon, in reply, protested against the ,tone of the member for Ashley, and said that the members were not now in Sunday-school." .Sir, there is nothing very intemperate in that, and I, myself, was surprised to see the honour- able member take umbrage at the mention of Sunday-school. I do not know that there is anything offensive in mentioning the Sunday-school. Then, the honourable member made a reference to myself, drawing the distinction teacher, and myself. Well, Sir, we have read before of Pharisees- An Hon. MEMBER. - Also of publicans and sinners. Mr. SEDDON .- I do not know which of the two is looked upon, in these enlightened days, as the best. I, myself, prefer not to be a Pharisee, or hypocrite. I believe the honour- able member intended to be offensive, but, Sir, the report of the Times is not correct when it says I stated that I was a member of a Board which had made a present of six thousand acres of the Glentui Estate to the honourable member. I did not say that. What I said, I repeat. I was a member of the Assets Realisa- tion Board, and the honourable member asked the Board to sell him the pick of Glentui, at a price equalling £2 4s. per acre. I did not say all this last night, but I am repeating facts within my knowledge. I said I did not see my way clear to act dishonestly as a member of the Board, and make the honourable mem- ber a present equal to £6,000, and I will prove it. Mr. FISHER .- I rise to a point of order. I understand the honourable gentleman to be making a personal explanation. Is that so ? Mr. DEPUTY-SPEAKER .- No, the honour able member for Ashley has made a personal explanation, and the Premier is now giving us his version of the subject. Mr. FISHER .- And, in giving his version, is he entitled to rake up the whole of the Glentui matter, and to aggravate the offence of last night ? Mr. DEPUTY-SPEAKER .- The Premier is entitled, I think, to give the facts upon which he founded his assertion. If those facts are not correct the honourable member for Ashley, who, I may say, is the only other honourable member cognisant of the facts, will have an equal right to correct him. Mr. SEDDON .- It must be apparent to you, as ofttimes it must be apparent to the Chairman of Committee, that it is deemed quite the right thing to attack the Premier, but that when the Premier is endeavouring to defend himself he must suffer interruption from one member for Wellington City, or rather from two of the members for Wellington City. On this occasion I have been interrupted by Mr. Atkinson ; and now, again, on a point of order raised by the honourable member for Wellington City (Mr. Fisher) ; and you, Sir, very properly, as you have to do in ninety- nine cases out of a hundred, have

ruled the honourable member out of order. Why cannot I be allowed to proceed like other members ? It seems to me I am to be denied the courtesy and the privilege that is given other members. So far as I am concerned, I am well able to and am going to defend myself. These interrup- tions have taken me away from where I was, and I must revert back. I say, Sir, that the circumstances were as I have just previously mentioned. I may say this question came up in the House before, and at that time the mem- ber for Wakatipu defended the action of the

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Board, and sheeted home to the honourable gentleman the attempt made to get the land below its value, and he did not then attempt to deny it-he did not apply personal and offen- sive words to the honourable member for Waka- tipu. Here is Hansard, and what are the facts? The facts of the case are these :- "Mr. Meredith wrote suggesting the cutting- up of the Glentui Estate, there being a good demand and fair values ruling, also urging the risks of decline in value." Now, the honourable member wrote to the Board about that, and he spoke to me about it, though he has stated he did not speak to me about the selling of the Glentui Estate. Then, the next communication received-I quote an extract. He asked the Board to quote for five hundred to fifteen hundred acres of Glentui, part pastoral and part agricultural, adding,- "I am aware that at the close of last session of Parliament you signified your intention of having the property cut up and offered for sale by November of the present year. I therefore anticipate your subdivision by approaching your Board at the present time." The Board replied, and asked the honourable gentleman to name the exact portions he asked us to quote for. On the 12th May he wrote and described the land, which comprised pretty well the pick of Glentui. The Board advised him of their preference for offering the land for sale by public competition. On the 28th May the honourable gentleman, without any re- quest at all from us, and after we had told him we were going to submit the land to public competition, wrote, "I make a defi- nite offer of the Government valuation of the land, plus 5 per cent." This was equal to £2 4s. per acre, and the honourable member described the land which he wanted to pur- chase. We declined, thanking Mr. Meredith, and said the Board was not unmindful of his desire to offer it to the public, and had so decided. The representation made by him to the Board was that there was a general desire on the part of his constituents that this land should be put up to competition, and he came behind his constituents to put in an offer for fifteen hundred acres of the estate at a price equalling £2 4s. That is what he did ; that is how he served his constituents. Then, we put up this land for sale by auction, and the land he offered the Government valuation for, plus 5 per cent., and equal to £2 4s. per acre, brought over £6 per acre ; and some portions of the estate fetched $8 per acre. Now, if you take the difference on fifteen hundred acres as be- tween £2 4s. per acre and over £6 per acre, you will find there is a matter of £6,000. All I know is this : that from that time, when we refused that offer of the honourable mem- ber, that honourable gentleman's manner to- wards me in the House has been considerably changed-he became a candid friend ; and cer- tainly last night, when the honourable gentle- man made the reference he did, I took it for granted that that was still rankling. Then I come to this other question : If the honourable member thinks for a moment that he hurts my Mr. Seddon feelings, or any other member does in reference to what has been stated in the House, they make a very great mistake. I say that on the West Coast, or wherever I have been, my life has been a good one, and probably had the honourable member been placed under the same circumstances he would have been, figura- tively speaking, one of those who would have been found wallowing in the gutter. Mr. DEPUTY-SPEAKER .- I do not think that remark should be applied to any honour- able member. Mr. SEDDON .- Very well, Sir. The honour- able member evidently is not as considerate to me as I am to him, and I withdraw that remark. But you, Sir, and every other member in this House, who have known me for very many years are well able to judge between us. I do not require any one to become my sponsor. My position in the country is quite sufficient, and it is well known. I owe nothing to any one in this House for my position-I owe it to the people of the country and the people

among whom I have lived for nearly forty years, and they will find that my life has been circum- spect and good, that the callings I have fol- lowed have been honourable, and the world knows I have ever been a good member of society. I place the honourable member's remarks before the country for what they are worth. He went out of his way in resenting my remark. which was simply " We are not in a Sunday-school." An Hon. MEMBER .- No. You said he was not teaching in a Sunday-school. Mr. SEDDON .- I said, "We are not in a Sunday - school ; and the honourable member must not forget that he is not dealing with Sun- day-school children." The honourable mem- ber was lecturing me, and it was quite enough for me to fight several members without his interference. If the honourable member had left me alone he would not have been in the position he now is, and he has himself to blame for it. Mr. MEREDITH (Ashley) .- Sir, I desire to make a further personal explanation. The Premier has misrepresented me. The letters read by the Premier are mine, and they are absolutely correct, and I am delighted the Pre- mier read them to the House, and I hope the Press will take notice of them. Where the honourable gentleman misrepresented me is in the figures he quoted. I made no quotation in the shape of figures for the land, and I offered neither £2 4s. nor any other price. I made no offer in the shape of price. The Assets Board asked me to make an offer, and I made an offer. The offer was that I was prepared to give the land- tax valuation of the property, plus 5 per cent. At the time I did not know what the taxation valuation was ; but I knew the valuator, and I knew that he was a shrewd, capable man. The honourable gentleman has the correspondence there; and, in fairness to me, should place the truth and the whole truth before the House and country. I ask him to do this. My reputation is at stake as well as the honour- able gentleman's. I desire to cast no reflection

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but why should he cast a slur on my reputa- tion ? Mr. SEDDON (Premier) .- I say that the honourable member did state a price. Mr. MEREDITH .- Prove it. Mr. SEDDON .- I say he offered us the Go- vernment valuation, plus 5 per cent., which was equal to £2 4s. an acre. Mr. MEREDITH .- That is not correct. Mr. SEDDON .- I say that the Government valuation, plus 5 per cent., was £2 4s. per acre for that very piece of land he made the offer for, and which fetched over £6 per acre. The honourable member admits what the Govern- ment valuation was. An Hon. MEMBER .- No; he said he did not know it. Mr. SEDDON .- If the honourable member says he did not know the Government valuation -well, of course, he is a capable farmer, and should know- An Hon. MEMBER .- He says he knew the Go- vernment Valuator. Mr. SEDDON .- If the honourable member says he was not aware what the valuation was, I, of course, accept his statement ; but I must ask honourable members to bear this in mind : that when a man is offering to buy fifteen hundred acres of land, he would natu- rally ascertain how much he would require to provide in order to pay for it. As a matter of finance he certainly must make arrangements as to whether he is going to pay £1 an acre for fifteen hundred acres, and find £1,500, or, if it was worth and was to cost £8 per acre, he would have to find £12,000. The difference is only a sum of £10,500, so that honourable members must take the honourable gentleman's statement for what it is worth. 1 say, at all events, that the Board had their calculation made, and what this fifteen hundred acres would come to on the offer made by the honourable gentleman, which was the Government valua- tion plus 5 per cent., which came to £2 4s. an acre. The land fetched over £4 an acre more than offered by Mr. Meredith ; and if his offer had been accepted, £6,000 would have been lost Last session the honourable to the Board. member for Wakatipu said the same thing, and the honourable gentleman took no exception to it. Mr. MEREDITH .- I do not object to the Premier reading what the member for Waka- tipu said, but I hope I shall have the same right when replying. Mr. DEPUTY-SPEAKER .- If the Premier misrepresents you, you will have the same opportunity of explaining as the Premier. Mr. SEDDON .- The best way out of the difficulty, if the honourable member has no objection-I cannot, as a member of the Board, lay the papers on the table. The honour- able member himself brought the question before the House in the attack he

made upon the Board, after we had refused his offer. He kept back the main facts, and it was then replied to by the honourable member for Waka- Hansard of the member for Wakatipu, which the honourable member did not take exception to at the time. But, as the honourable mem- ber has no objection to the letters and com- munications of the manager being laid on the table of the House, that will be the easiest way to settle the question at issue between us. Has the honourable member any objection to that ? Mr. MEREDITH .- Not the slightest. Mr. SEDDON .- Well, then, if the honour- able member will write a letter to that effect to the Board requesting the same to be done, I will urge the Board to approve the letters being laid on the table of the House. I repeat that the Government valuation, plus 5 per cent., was more, and that £2 4s. per acre was the value of the offer made by the honourable gentle- man. Mr. J. ALLEN .- No, it was not. Mr. SEDDON .- That was the calculation made, and this was placed before the Board : that the honourable gentleman's offer only came to a little over £2 an acre. The result was, then, that we had previously decided to place the land on the market. It was placed in the market, and brought over £6 an acre, and if we had reserved one portion of it till the next sale it would probably have brought £8 per acre. While, Sir, I have been accused from time to time of bettering my friends in my position as trustee, I did not see my way of giving the honourable member the land he applied for. And, what is more than that, he was petition- ing for the land to be thrown open for the people, and then behind the backs of the people he put in an offer for fifteen hundred acres. This struck me as being smart business; in fact, it was exceptionally smart business. Mr. MEREDITH .- The honourable gentle- man has again misrepresented me ; he persists in his misrepresentation. He states I made application for the best block on Glentui. That is not correct, and I can refer honourable mem- bers to the member for Kaiapoi, who knows the country well. The block I applied for is situ- ated on the south side of the road, commencing at the Gorge Bridge, as you go towards the homestead, the greater portion of which is second-class grazing land. I am very glad the Premier has come down to my contention that I offered the land-tax valuation plus 5 per cent. This is more than the Government gives for land under the Land for Settlements Act. Mr. SEDDON .-- The honourable gentleman is wrong. The manager of the Assets Com- pany says, "Mr. Meredith describes the land, which comprised pretty well the pick of Glen- tui." There is no getting over the fact that the very land the honourable gentleman offered £2 6s. for-according to the member for Bruce -brought over £6, and some portions of it £8. It would have been making the honourable gentleman a present of £6,000, and I did not do it ; I was not prepared to give a Government supporter that which belonged to the share- holders of the bank and to the colony.

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MAORI LANDS ADMINISTRATION BILL. ADJOURNED DEBATE. Mr. HERRIES (Bay of Plenty) .- This is a sort of amending Bill of that of last session. When the Act of last session was brought down it was introduced with a great fanfare of trum- pets, as if it was going to make the Native lands administration the most perfect administration in the colony. What is the result ? We find, after passing that Act, that the land administra- tion is no further advanced than at the begin- ning of last session. It is true we had in His Excellency's Speech from the throne the follow- ing words put into his mouth-and I am sure he never tested their truth, or he would not have uttered them :- " I am pleased to inform you that the con- stitution of the Councils and Boards under the Maori Councils Act and Maori Lands Admin- istration Act has been proceeded with, and, with the exception of one part, the colony has been subdivided into districts. The outlook is very promising, and there is reasonable expecta- tion of waste lands owned by those of the Native race being thrown open ere long for settlement." And we in our Address, which I must confess I agreed to without looking at, say,- " We are pleased to hear that the Maori Coun- cils Act and the Maori Lands Administration Act of last session are working satisfactorily,. and that the outlook is very promising." I did not look at what I was agreeing to, but I certainly do not agree to the suggestion that the Maori Lands Administration Act is working satisfactorily, or has done so, because it has never worked at

all, so far as I know ; and this very Bill is a proof that the words put into His Excellency's mouth are not in accordance with fact, and that the Address we agreed to is en- tirely erroneous in its words as regards this question. I do not see how any one who knows anything about Native legislation as a whole, or who has studied last year's Bill, could come to any other conclusion than that it is utterly unworkable, and would have to be amended before it could be brought into working-order. Any one who is conversant with the Maoris would know that the Act is an experiment. I think nearly every member who spoke on the second reading of that Act expressed the opinion that it was crude and unworkable, and it is proved to be so from the fact that the Native Minister has to bring down an amending Bill to amend all the machinery ; and not only an amending Bill, but also a new policy Bill, be- cause in one section it takes us back to the 1894 Act, and reverses the policy of last year's Bill. I should like the Minister to explain -and I think he should have explained-why all the districts supposed to be constituted under that Act have not been so constituted. And why was it that, after some of the districts were constituted and gazetted, and after the elections were held under the provisions of last year's Act, that the Crown appointees were not appointed ; and why was the Act not put into working-order ? We have heard nothing from the honourable gentleman who has introduced this Bill, and who is now in charge of it, as to why this Act was not put in working-order ; but he told us that it needed remedying in certain small defects. He did not put it that they were very large ones, and that this Bill was introduced to cure them. But the defects must have been very large-they must have been enormous-when the districts constituted last year were not even attempted to be worked. The elections were held, the Natives were sum- moned from all parts, expenses were incurred, and yet here is the outcome-that nothing has been done. Not even Crown appointees have been appointed, and the consequence is, everything is hung up, and this Bill is brought in as the Deus ex machina to remedy everything. I doubt myself whether it will remedy anything. Next year we shall come to the same conclu- sion, and we shall find another amending Bill brought in. We shall find the districts are not in working-order, and that the whole thing is hung up again for twelve months. Now, I should like to make a few remarks with regard to the Bill of last session. The great crux of the whole Bill was clause 22, and honourable mem- bers know that that clause was repeatedly amended both in this House and in another place, and that Conferences were held in respect to it. When the Premier brought down the last amendment of the clause to which the Con- ference from both Houses had agreed, I think it was in the early hours of the morning, when we were going through our business at a very rapid speed, and at the end of the session, and my opinion is that he misquoted the effects of the amendment arrived at by the Conference, and that he put a different complexion on it from what it really was when it came to be printed, or else he would not have got it agreed to. Now, Sir, the great point of that clause 22 was whether the Maoris were to be allowed to alienate their land except by way of lease or not. It was pointed out by the honour- able member for Wellington City (Mr. Atkin- son), on the third reading of the Bill, that Mr. St. Clair, who had something to do with the drawing up of the Bill, had put in the Bill the words, " by way of lease," after the word " except," and that that was not in the Bill as brought down. The Premier said he would take a note of it, and that he would see that that was put in in the Upper House. I was opposed to that, because I had never been in favour of the land being exempted from sale. I will come to that presently, when I am deai- ing with the general policy of the measure. But the finally amended clause as it came down. clause 22, read as follows, and this is a quota- tion from Hansard, Volume 115, page 499 :- " A message was received from the Deputy Governor, transmitting certain amendments in this Bill. "Mr. SEDDON (Premier) said the amend- ments made no material alteration in the Bill, and moved, That they be agreed to. "Mr. HERRIES (Bay of Plenty) asked how clause 22 read as amended. "Mr. SEDDON said it was as follows :- "' Immediately upon the coming into ope- ration of this Act, Maori land shall not be

alienated by way of lease either to the Crown or to any other person except with the consent of the

Council first obtained, and in accordance with the provisions of this Act."" Then it goes on to deal with alienation by way of sale. Now, I say, the Premier-and I am going to prove it afterwards-misread or misunderstood his reading of the clause. My impression is that he read the clause that Maori land should not be alienated except by way of lease, and the proof of it is in the fol- lowing, which continues the quotation from Hansard. Mr. Atkinson, when speaking on the motion, said : "The effect of the clause as it now stood was, first, that land should not be alienated at all except by way of lease," et cetera. So the member for Wellington City had the impression that the Premier had read the clause to say that it should not be alienated except by way of lease. Then I will quote Mr. Seddon :- "Mr. SEDDON (Premier) said the remarks of the member for Palmerston were unkind to the member for Wellington City (Mr. Atkin- son). The member for Palmerston said credit should be given to the member for Wellington City for certain suggestions he had made. Well, he (Mr. Seddon) had adopted those amend- ments; and now the member for Wellington City said the clause was a bigger muddle than ever. The words 'by way of lease' were put after the word 'except,' which was just what the honourable member had suggested." Well, the Premier must have been either wrong in this, or he must have read the clause wrongly, because the words " by way of lease " were not put in after the word " except," as the Premier said they were. I believe, myself, the Premier misread the clause, and gave the House the impression that the clause was very dif- ferent from what it is now in order to get it through. I had that impression, and until I saw the Bill printed again I thought no Maori land could be alienated except by way of lease. In Committee, he took advantage of honour- able members in a way that he should not have taken. There is another clause which this Bill proposes to strike out, over which we had a mild stonewall from the mem- bers for Auckland City (Messrs. Fowlds and Napier). The proposal is to amend section 26 by repealing subclause (2), which reads,- " On receipt of such declaration the Council, if satisfied thereon, shall issue to the declarant a license permitting him to acquire such Maori lands." Now, we have had no explanation why this should be struck out. The original clause in the Act of last session read,- " On receipt of such declaration the Council, if satisfied thereon, may, if it thinks fit so to do, issue to the declarant a license permitting him to acquire such Maori land." The words "may, if it thinks fit so to do," were struck out in the Upper House, and the word "shall" inserted, in accord- ance with a promise given by the Native Minister to Messrs. Fowlds and Napier. Why is it now proposed to strike out this subclause ? No explanation has been offered by the honourable gentleman as to why that subclause should be struck out, and I hope when we go into Committee honourable mem- bers will not agree to have that subclause struck out. It leaves too much in the hands of the Maori Council if, after allowing the man to go through all the forms of applying and pro- ducing his declaration, they may afterwards say " We will not issue the license which he requires." Well, Sir, I would like now to say a few words with regard to the general policy of this new departure in Maori legislation. In the first place, I object very strongly to any new departure in Maori legislation which is not complete. I say it is an improper thing to bring forward Maori legislation making a new departure unless you first wipe out all the old Maori legislation. It is a ridiculous thing that we should have an Act dealing with Native lands in 1894, another in 1895, and further Acts in 1896, 1897, 1898, and 1900, to all of which any one having anything to do with Maori legislation has to refer. And now we are adding to the list by bringing in a fresh Bill for 1901. The consequence is that the Native land-law gets more confused and more intricate and more of a stumbling-block to any one who has anything to do with it. A statesmanlike course should have been pursued ; and I had hopes last session when Maori legislation was before the House, and when the Premier was Native Minister, he would have tackled the question in a proper way, and brought down a new measure, and sweep out all the old Acts, which are only misleading. That is what we expected from the Premier. In other matters, such as the land-laws, he has entirely swept out the old Acts and brought in the new. Now, there is an attempt to engraft the new ideas on to the old stock, and as a result we find it does not work. We find we have to bring down

amending Bills ; and any one who knows anything about the matter will be able to prophesy, with a perfect certainty of the prophesy being realised. that we shall have another amending Bill next year. We have a Maori Council under the Act, and in the Act the Council has certain jurisdiction over lands. We have the Native Land Court that has con- current jurisdiction over lands, and the con- sequence is that between the two there will be confusion and misleading, and, of course, expense to the Maoris. My idea of solving the Maori legislation is that there are only two methods. One is to take all the Maori land and put it into a trust under some suitable officers, and lease it to Europeans or Maoris, and apply the money gained in rents for the benefit of the owners of the land. The other way, and the way to which I am more inclined, is to individualise all the titles. I admit the survey, in order to individualise the titles, will cost money. Well, let the State pay for it, even if it cost a million. It would pay the State well to get the titles individualised. After you have individualised the titles, hand them over to the Maori owners and say " You can do what you like with them." Of course,

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bought up by the pakeha. If it is a question of policy, I am prepared to say that no one who has 640 acres of first-class land, or 2,000 acres of second-class land, can buy any of these sections. But to the Maori I would give a free hand. If he could find a purchaser let him sell. Why should the bogey be always held up of the landless Maori? Is the landless Maori any worse than the landless pakeha ? If we want to educate the Maori race, and bring the race up to the equal, as I believe they are, of the pakeha, why should we always tie him to the land? I do not see anything to be frightened of in the landless Maori. I do not profess to be well acquainted with the Maoris, though I have lived in a Maori district for many years, and perhaps have more Maoris in my electoral district than any other member of the House ; but any one travelling among the Maoris can- not but be struck with the disadvantages of the communal system under which they live. One sees the tangis and other proceedings that take place. A lot of Maoris will travel from one part of the district to another, living on their friends ; one party goes to one place, and an- other goes to another place. Any one who sees these things, then, must admit that this system of life cannot elevate the Maoris in the way of civilisation. In my opinion, there is nothing like every one having a piece of land, to " elevate their aspirations "-to use a phrase that is well known to the honourable mem- ber for Waitemata - and to improve their civilisation. There is nothing that would do the Maoris more good than to individualise their titles, thus giving them the idea that the piece of land they cultivate is their own, and that the crops they are putting in will not be reaped by one of their friends who may also have a claim on the land. Now, every one must know that civilised nations do not depend entirely on the cultivation of the land ; that the actual people who are engaged in the cultiva- tion of the land -pastoral people-do not always rank high in the list of nations; that mechani- cal arts and industries and commercial enter- prise are the highest type of civilisation. And why should not the Maoris enter into those arts and enterprises and industries as well as the Europeans? They are quite as well qualified. Any one who has seen Maori carving or Maori sculpture knows perfectly well they are as qualified in those arts as the Europeans. say, then, that as long as this system of bind- ing them to the land, and saying that they must cultivate the land, or that they must be farmers, or sheepowners, or shearers is con- tinued, the race does not have the same advan- tages as the pakehas have. I believe, myself, it would be an advantage to the Maoris if some of them were landless, and obliged to go to work like their pakeha brothers do. I do not wish in any way to deprive them of their land for their harm, nor would I say that a landless Maori would not be a bugbear if I thought the Maori would not work ; but I know per- fectly well the Maori can work as well, if not better, than the European, and is quite willing Mr. Herries that the landless Maori is a man to be politi- cally shunned. I only use this argument be- cause it is said that if you individualise the titles you will be confronted with an army of paupers. I do not believe you would; I be- lieve the Maori would be as capable of looking after himself if he had no land as his pakeha brother. To my mind, that is the logical conclu- sion to come to :

that in the end the only way to solve the Native question is to individualise the titles, and get the land cultivated either by the pakehas or by the Maoris. As long as we go tinkering as we are with our laws, first one way and then another, swinging the pendulum towards the Land Court and then towards the Maori Councils -swayed by expediency to placate either the Maoris or the pakehas-there will be no success. The political element has come in, and, as a consequence, the question has never been dealt with in the statesmanlike way it ought to have been dealt with. The question is always shunted over by one Government on to another. The law is passed to suit the moment, and no scheme of going right through with a Native policy has ever been in- troduced by any statesman in this colony. From the days of Sir Donald McLean, with his blanket policy, down to the Government, who are doing quite the opposite and robbing the Natives of their land, the system has been the same-a system of shifting from one Govern- ment to the other and living from hand to mouth. I should have thought the Native Minister, with his knowledge of the Native race-and we know he has the aspiration to be a statesman, and I believe he has the qualifications-would have brought forward, to mark his period as Native Minister, something better than the Bill we have before us. Now, Sir, I do not believe this system of Maori Councils will work. I know it has been the idea among several prominent Natives that the Maori Councils are the panacea for everything. Well, Sir, from what I know, I always find a 4.0. great distrust among one set of Maoris as to another set of Maoris. No people can be more suspicious, in my opinion, of each other. They may have reasons to be so, or may not ; I know nothing about that. I only know that any one having a knowledge of Maori character knows that every Maori is suspicious of what every other Maori is going to do. When you have that at the foundation, how can you pos- I sibly erect a superstructure which will stand the test of time, when the one thing that would be conducive to solidarity is mutual trust? If they have no trust in each other. how can the Maori Councils ever work ? They will stay, possibly, if the amending Act has the effect the Minister thinks it has-they will stay probably for a year or two; they will be to the Maoris as a sort of new toy, but after a bit it is inevitable that distrust will crop up, and then it will be found that the Maori Councils will be thrown aside. This attempt has been tried before and found wanting, and there is no reason to suppose that the Maori Councils under this Bill will not be found wanting just in the

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trust the amending Bill will have the effect the Native Minister says it will, because I should like to see anything tried which will benefit the Maoris. I only trust that the Ministers, when they are appointing those persons to the Coun- cils, whose appointments are in their hands, will select the best possible men they can get. That is the crux of the question. I trust they will appoint men who are upright and honourable, and not men who will be self-seeking and who will try to get the better of the Maoris. There are such upright men in the colony, I believe, and I trust the Government will find them out in the appointing. They must do that if they want the Bill to be made a success. I only hope it will be a success, but I am sorry to say I have my doubts about it. Any assistance that I can render, or that any other member can render, in the House I am sure will be given. We do not want to kill the Bill with criticism, but only to amend it so as to improve it in every . possible way; but I must say I think it is resting on a bad foundation, and that the policy is foredoomed to failure from the start. I only wish some one would rise up and take up this Maori question, sweeping away the present Acts, and passing something new in a straightforward and honourable way. I say distinctly that this blending of old and new ideas is bound to end in failure. As the Maori Minister stated, the cruz of the question will be the appointment of men to conduct the Council, and I only hope that those men will bs appointed soon and in a satisfactory way. Mr. J. W. THOMSON (Clutha) .- I do not pretend, Sir, to know a great deal about this Native question. I have never lived in a Native district, but I have always taken an interest in #cc-zero the Natives and I am sorry to see them coming to Wellington every year in great numbers strolling about the streets and looking very dissatisfied. No doubt the subject that is causing them so much concern is their land. This Bill refers to the disposal of

their land, and I am not going to criticize the points on which this Bill differs from the present law, because I am scarcely in a position to say what is best to be done; but there is one thing that is very evident to every person, and that is the way the lands are slipping away from the Natives. When the public works policy was initiated, now fully thirty years ago, the sum of $200.000 was put upon the estimates for the purchase of Native lands, and every session since that time there has been a large sum of money put upon the estimates for the same purpose. Even this session, I think, the sum of $30,000 is placed on the estimates for the purchase of Native lands. These lands have been passing away during the thirty years that have elapsed since the initiation of the public From the beginning of this works policy. policy up to the 31st March, 1900, the area of land that has slipped out of the hands of the Natives is no less than 7,582,000 acres, and for this the Natives have received just about two millions sterling. It follows from this that the Natives have during these twenty years been living to VOL. CXIX .- 62. their capital, and they are now poorer to the extent of 7,500,000 acres. Assuming that half the Native population have been interested in the land that has already been sold, it means that every man, woman, and child has received about £100, and what have they done with that? Why, it has gone largely to keep them in food and clothing. They have not been earning their own keep during the last thirty years. They have been living to a certain ex- tent upon the sale of their lands. Now, what is the area that is still in the hands of the Natives? The area still in the hands of the Natives is about five million acres-that is, a little less than one-sixth the area of this island. Assuming that these lands will continue to slip out of their fingers at the same rate as they have done during the last thirty years, in twenty years more the land will be all disposed of, and the Natives will be what is called "landless Natives." We have a return presented to us this session in which some 3,700 Natives are put down as landless. I do not agree with the honourable member for the Bay of Plenty with regard to landless Natives. He does not seem to have sufficient sympathy with Natives in that posi- tion. He says they might devote their atten- tion to art ; but art, such as painting, does not seem, at least for a Maori, a very good way of making a living. Mr. HERRIES. - Carpentering. Mr. J. W. THOMSON .- Yes, they make good enough mechanics when they set their minds to it, but I think the best way of doing for a Native is to have a piece of land. The Natives have been brought up on land. They are children of the soil, and I should like to see every one of them living on his own piece of land, and he might do other things to augment his income. I think it is a dreary prospect that the Natives have before them-that in twenty years, as things are going at present, they will be landless. What is best to be done to keep these people on the soil ? I think the first thing is to make large reserves for them. I should say that would come to a considerable area. As- suming that half the Native people is interested in the unsold Native lands, and allowing fifty acres to each individual, which would be about two hundred acres on the average to each family, this would be about a million acres, leaving four million acres to be disposed of, and the lands should be disposed of in the interests of the Natives. Let a trust be formed, and let the revenue accruing from these four million acres be devoted to the Natives. We have our Minister of Lands here (Mr. Duncan), who is a farming man, and who knows all about land. Let him take this matter in hand. Let him enter on it with zeal ; and in a few years this Native question would be a thing of the past. We should then be able to dispense with the Native Land Court, which costs us from £11,000 to $12,000 every year. I do not know what the gentlemen of the Native Land Court get to do, but, at any rate, they are well paid for apparently doing nothing. Mr. A. L. D. FRASER. - They are underpaid.
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able gentleman will show us how it happens they are underpaid. My opinion is that they are overpaid, and there are too many of them. Let the Native title be ascertained, and there should not be much difficulty in settling this question. Surely, it is very well known now who are the owners of this and that block of land. If this were ascertained, we should be able to dispense with the Native Land Court. Mr. WITHEFORD (Auckland City) .- I have listened with great interest to the speeches of the member for the Bay of Plenty

and others, but I think they are rather misrepresenting the state of things when they allude to the Natives of New Zealand as having been ill-treated, or having been robbed of the land. I consider the Natives of New Zealand are the happiest and most contented race on the face of the earth. Why, if New Zealand had been in the hands of any other nation except the English the whole of the Native lands would have been confiscated at the time of the war. I think we all have the kindliest feelings for the Natives, and I do not think that any Parliament would ever per- mit the Natives to be ill-treated or unjustly treated. It is a matter of administration, and I think the Government are doing all they possibly can. Certainly I think the ques- tions raised by the member for the Bay of Plenty are worthy of the consideration of the Government. There has been too much coddling of the Natives. They do not require it, and are able to take care of themselves. There are five millions of acres of Native land left, and that is one hundred acres for every Native man, woman, and child in New Zealand. How many Europeans are there that have got that ? The tendency is to make the Maori race the aristo- cracy of New Zealand, and in time to come they will be the real landlords of a large portion of the country. Look at the Maoris, and see what happy and smiling countenances they have got. And take the same number of Europeans that you meet, and see if they look so happy. I have seen the Natives of New Zealand in Sydney, and other places, and I can assure you that the people of Sydney and the aboriginals of Australia think the Natives of New Zealand are rich men-bloated aristo- crats-and they wish they were Natives of New Zealand to be so well treated. You may depend upon it that with such a man as the Hon. Mr. Carroll at the head of this depart- ment, the Natives are not going to be unjustly treated in any shape or form. The Natives should be put on the same basis as the Euro- peans, and a slight amount of taxation should be put on them, so that they may contribute something towards the construction of the roads and bridges. The Natives want to be put in the right direction to help themselves, and I think the Government should do all they can to bring about a better state of things than exists at present. I think sufficient land should be set aside to prevent the Natives being landless, and that the rest should be set aside for their benefit. I do not believe in the system of leasehold being carried to the extent is taken up on lease does not get the same solid improvements put on to it as freehold land does. In the case of land taken up on lease, when the term is near ended fences are not mended, and everything possible is taken out of the land, and nothing is done to keep it up to the reproductive point. While I do not believe for a moment in the statement that the Na- tives are being robbed, I think that some more businesslike methods should be introduced in regard to Maori administration ; and, instead of having these millions of acres unproductive, we should endeavour to make every acre of land in New Zealand productive, and by so doing we would enhance the wealth of the Natives as well as the Europeans. Mr. J. ALLEN (Bruce) .- The honourable member for Auckland City (Mr. Witheford), who has just sat down, is such a blind follower of the Government that, in his political view, they can do no wrong. He made the state- ment that the Natives have been well treated ; that they have nothing to complain of, have never been robbed, and are bloated aristocrats. I do not know whether that appeals to the Natives of New Zealand-whether they feel it to be true ; but I should imagine they feel that the honourable gentleman is entirely mis- representing them ; and, as I look through the returns of the purchase of their lands under the pre-emptive right, one cannot but wonder whether the Natives think they have been well treated. Cast your eye over the return of the purchase of Native lands by the Crown when nobody else could purchase; the Crown was the sole buyer, and therefore had the oppor- tunity of fixing for the Native the value of his land. At what have they fixed it ? 3s., 4s., 5s .- as low as 2s. an acre. It would take too long to read the whole return, but here are a few of the items: North of Auckland, 2s. per acre ; Taupo, 3s. ; Kawhia, 1s. 6d .; some por- tions of Waikato, 3s., 3s. 6d., and 5s. per acre. If I have learned anything during my experience of Parliament it has been this, from all sides of the House : that the very fact of the Govern- ment having the pre-emptive right has given the Government a position as regards purchase which has been abused, and the lands have been acquired from the Natives at half or

quarter their value. I wonder whether, under existing conditions, we shall ever have the Natives put on a fair footing in respect to their land ? I see no hope of it under existing conditions at all. I do not want to claim any special ability for the members of the South Island, but we have been so long trusting the North to put the Native question right that the time is now come when the South Island will have to have a "finger in the pie." My recollection takes me back to a time, not so very long ago, when a member of the South Island was a member of a Committee dealing with the West Coast Settle- ment Reserves. The Committee's report was drafted by this South Island member, and it was acknowledged on all sides to be the best solution of the difficulty - I refer to the late Mr. Fish, who drafted the report, which
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the difficulty connected with that question. I would suggest to the Native Minister that he should see if he could not find another South Island member who, as Chairman of another Committee, could settle the whole Native land -question. The question I refer to was a com- plicated one, and it was settled mainly through the instrumentality of the Chairman of the Committee. I would suggest the honourable gentleman should see whether he could not get another South Islander to come to the assistance of the Government, and settle the whole of this question. It is about time that it was done. Under the conditions that have been ruling we have seen that the Natives have not been dealt fairly with in respect to their land. An amendment was made last year, and .a different method was proposed of dealing with Native lands. Then, we find those well ac- quainted with the Natives and with the ques- tion, like the member for Napier, coming down and telling us it is an utter and complete failure. So far as one can judge from the opinions of those best able to form an opinion on the matter, this method is as big a failure as the pre-emptive right. What are we to do under these circumstances ? It seems to me we cannot go on any longer allowing the Natives to get into a state of poverty ; nor can we allow them to so dis- pose of their lands that they have no means of living, and are thrown on the State for an old- age pension. This is the condition of things the policy of Parliament has brought us to, and it needs reversing at the earliest possible mo- ment. I recollect an instance in which a Native had been offered for his land #30 an acre by .a private buyer, upon which land there were restrictions. When he applied to have them removed the Government refused to remove them ; and a little later on the Crown, having a restriction on the land, bought it at $7 or £9 .an acre. The Native therefore lost £21 per acre on his land. Is this the way the Government deals with the Natives fairly? Does the mem- ber for Auckland City mean to say this is fair dealing ? Mr. CARROLL. - Can you mention the name ? Mr. J. ALLEN .- I cannot; I was not given the name, but I feel certain what I say is cor- rect. Mr. A. L. D. FRASER. - I will give the honourable gentleman some equally bad cases, with the name. Mr. J. ALLEN .- I have no doubt the honour- able member for Napier and the honourable inember for Hawke's Bay could give case after case in which a Native would have realised, if allowed to do so, from a private buyer a con- siderable price for his land, but owing to re- strictions he could not sell, and the Government has come in and bought at half or a quarter the price. And this, says the member for Auckland City (Mr. Witheford), is fairly dealing with the Natives ! I regret to say we are not taking sufficient interest in this matter; it is time we .did. It is time we aroused ourselves to see that the Natives are fairly dealt with ; it is time we friends, and see if we cannot put them on & better footing, and provide that they shall not have to come upon the State for old-age pen- sions. It is a shame that such a state of things should exist as that the Natives should have to come and plead in forma pauperis for an old- age pension. The time has about come when this state of things should end. The Native Minister will have to admit that he cannot settle the question ; and, if he cannot do that, he should let some one else come in and attempt to do so. The time has come when he must admit he has failed, and let him make room for somebody else to come in and find a solution for the question. It is difficult for us who do not understand all the intricacies of Native land dealings and individualising titles to be able to suggest any plan for more satisfactory dealing with these lands. But I cannot understand

why it is not pos- 4.30. sible, even in cases where the land has not been individualised, for the Crown to come in and treat the lands as Crown lands, and lease them under the conditions of the Land Act in force in the colony, keeping the revenue derived from the land for the Native owners and dividing it as fixed by the Native Land Court, or by whatever Court has to deal with this question, so as to provide a revenue for those who are entitled. Some suggestion must be made to deal with this land question, so as to put it on a better footing than it has been on for years past. I am afraid this Bill is only perpetuating the evils that already exist. This Bill is admittedly a Bill that will be of no ser- vice to the Natives. The member for the Bay of Plenty has said he would help as far as he could in the administration of the Act, and to attempt to find out the best way to carry out its provisions. But, on the other hand, the honourable gentleman said the Bill is useless. What good, then, for him to try to find a way of administering an Act which is admittedly useless. Far better to remove it from the statute-book and find something in its place which would enable the Natives to dispose of their lands under the very best conditions, and not under the very worst, as they have been doing during a number of years past. I have been looking over this return here, and cannot understand why this state of things should have continued so long. What would a European have said if he had been placed under con- ditions similar to those we have imposed on the Natives with respect to his land? Ad- mittedly this Native land has been purchased by the Crown in nearly every instance at one-half or one-quarter of its real value. And then we are told by the honourable member for Auckland City that the Natives were being dealt with fairly. Well, Sir, I have the greatest sympathy for these Natives, who have been carrying on under a condition of things that has prevailed, at all events, for the last ten years, or perhaps longer, and I wish they were I more alive to their interests themselves. wish that some member knowing the condi- tion of the Native race, and all the troubles in
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House and solve this problem for us. There is one gentleman outside the House who I know is taking a great interest in his own race. refer to Mr. Ngata. I do not know whether he can come into this House and solve the problem for us, whether a European member could do it better, or whether Mr. Ngata could assist the European member to do it. But the time has come for something to be done, and I feel that the Southern members, during the next recess, should look up this Native land question, and let us see whether we cannot help to put the matter on a better footing than it is on now. Mr. WITHEFORD (Auckland City) .- I just wish, out of respect to the Native race, to say that my honourable friend the member for Bruce has misrepresented me. I did not call the Native race "bloated aristocrats." I merely said that, when we had fine, portly men of our Native race in Sydney at the time of the Com- monwealth celebrations, they were referred to by the Australians as big, plump, wealthy Na- tives, and as " bloated aristocrats." The Aus- tralian aboriginals whom we saw were very thin men-tall, but lean bodies. The Maoris were of high rank and distinguished appearance, and the Australians regarded their well-filled frames, and, as they stroked down their stomachs said : " Plenty stomach ; too much eat, not enough work." With regard to the statement that the Natives had not been fairly treated in this colony, I said there was no other nation which had treated their aboriginal tribes so well as we had treated the Maoris. But we should not treat them as children. They are a fine, manly, independent race, and quite able to take care of themselves; they hold their ground well either in fighting, in football, or in politics. I complimented the member for the Bay of Plenty on having made some excellent suggestions in the course of his speech. Mr. FOWLDS (Auckland City) .- Sir, the conditions surrounding the debate this after- noon are very significant indeed. More than once the bell has been rung to bring a quorum of members into the House, and at no time have more than six of the South Island mem- bers been present during the debate. Now I want to say this: The honourable member for Bruce, who has just spoken, blames the North Island members for the failure in solving the Native land question, and suggests that the southern members should begin to take an interest in it. I say the whole of the blame for the non-solution of the Native land

question in this country, apart from the Government-who are the only people that can originate any pro- posals in this House-the whole of the blame rests with the South Island members. Who is it that enables the Government to carry their Native land measures-the measures which are admittedly failures from top to bottom ? It is the South Island members of the House. Is that not so ? An Hon. MEMBER .- NO. Mr. FOWLDS .- The South Island mem- bers know very well that last year, when the Native Lands Administration Bill was Mr. J. Allen in spite of the protest made by Mr. Napier and myself, and carried by members from the South Island-members who had not heard I the discussion-coming into the House and voting against us. I say that the Native-land legislation for the last ten years has been car- ried by the Government only with the support of the South Island members, and, as far as I am concerned, I shall welcome the advent of the South Island members into this question to give it consideration, because they have, per- haps naturally, looked upon every proposal made by a North Island member with suspicion. In fact, I think that every member of this House representing any portion of New Zealand should take an interest in this question, and en- deavour to get it placed on a satisfactory footing. If I know anything of the case, nothing would be more satisfactory to the people of the North Island and to the people of the Auckland Pro- vincial District, where the bulk of the Natives live, than that a Commission should be set up consisting of South Island members to consider this Native land question during the recess. and bring down proposals to the House next session. I think this would be the means of doing justice to the proposals previously made by North Island members, and there would then be some chance of carrying rational legis- lation on the question. Mr. TANNER .- They would be disinterested, at any rate. Mr. FOWLDS. - They would be in exactly the same position as are many of the North Island members, who are entirely disinterested. I will undertake to say that my honourable friend the member for Waitemata (Mr. Monk) knows probably as much about the Native land question as any member of the House, and he has the interests of the Natives of this country as much at heart as any member of the House. But no matter what is proposed by the honourable member for Waitemata, or by the members for the Northern districts (Mr. Houston or Mr. R. Thompson) it is sure to meet with opposition, simply because it is proposed by some one living among the Maoris and having knowledge of the subject. The South Island members would say he is an in- terested person. I hail with delight the pro- posal that the South Island members should begin to take an interest in this question, because the present state of affairs in regard to the Native question is retarding the whole of the North Island. I admit that the honour- able member for Bruce is quite correct in his statement that the Natives have not received fair treatment in the land purchases that have been made ; but many of those who have not sold their lands, who have had no opportunity of selling, are in a worse position than those who have sold, even at the low prices mentioned, because the land has been of no use to them ; they cannot get any good from it while it is lying locked up and useless. This matter is standing in the way of the progress and prosperity of the colony in a manner that is a perfect disgrace to the legislators of

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New Zealand. I am not this afternoon going to make any proposal as to what should be done. I believe the amendments that are suggested in the Bill now before the House go in the direction of improving the Bill of last year. But I do not believe the Bill of last year is capable by any tinkering process of being made into a respectable measure. While I shall support the proposals embodied in this Bill as being something better than the botch of last year, I do not expect even under the proposed amending Bill that any great advance will be made towards the real settlement of the Native land question. I hope that, now the matter of South Island members interesting themselves in the subject has been mooted by the honourable member for Bruce, something will be done to rouse public opinion in the country, and so put a stop to the scandal that exists in relation to Native lands. I would like also to say this : that with respect to many of the purchases made in the last eight or ten years they have been made in response to a clamour in the

country that Native lands along the line of the Main Trunk Railway should be bought before the colony went to the expense of making that railway, putting the whole of the benefit into the hands of the Native The land along that route has largely owners. been acquired now, and something should be done to make it available for settlement. We must also see to it that the present Native owners of land are prevented from rendering themselves landless, and that they make use of the lands they hold, either by themselves or by leasing to some one else. I hope some- thing definite will result from the discussion this afternoon in getting an investigation by outsiders-by South-Islanders wholly, if you like-so that a settlement may be arrived at which will be just to the Natives and beneficial to the colony as a whole. Mr. LANG (Waikato) .- Sir, it is not my in- tention to take up much of the time of the House, because I recognise that a great deal that we have to do with this Bill can be done in Committee; but I wish to indorse the remarks that have just been made by the honourable member for Auckland City (Mr. Fowlds), in re- ference to the southern members and Native legislation. When the honourable member for Bruce was speaking, I also took a note of the number of South Island members who were present in the House at the time, and it was as he (Mr. Fowlds) said : only six of them were present. Mr. G. W. RUSSELL .- How many North Island members were present ? Mr. LANG .- I will deal with that question presently. I admit that there is a want of interest generally in the question, and the reason I mention the matter is, that when the honourable member for Bruce was speaking he said the matter should be left to the South Island members to deal with. I did not want to cast any reflection on the South Island members. Mr. G. J. SMITH .- We have been told over and over again to leave it to the North Island members. Mr. LANG. - Yes, that is so; and that is a point I wish to emphasize. They do not leave it to the North Island members, for when the vote comes on they vote with the Government. I challenge the honourable mem- ber to look at the division lists as far back as 1894, when the Native Land Court Bill first came before the House, and see if what I say is not the case. He will remember that when that Bill was before the Native Affairs Committee, which is composed for the most part of members who have much experience in Native affairs, the measure was altered in a certain direction against the wish of the Pre- mier. The Bill came down to the House, and the Premier boasted that he would then put the Bill back in its original state; and that was actually done by the votes of those members who stayed out in the lobby when the debate was going on, but came in when the division bell rang, and voted in the direction indicated by the Premier. The only thing I am complaining of is this : that if a member does not take the trouble to understand a question he should. at any rate, refrain from voting on it. Then, it has been mentioned that the North Island mem- bers are more or less personally interested in Native affairs, and are therefore not in such a good position to deal with the question as South Island members. Well, I venture to say there are a large number, at any rate, of the North Island members in this House who, as far as they are personally concerned, are not interested directly or indirectly in the acquisition of Native lands for their own use or benefit. I am aware also that, as far as Native legislation is concerned, there is not a great deal that is new that can be said ; but I do wish to protest again, as I have protested on other occasions, against the Government introducing important Native legislation at this period of the session. That is a thing they have been doing session after session and Parliament after Parliament. They have been tinkering with the Native legislation for the last eight or ten years, and, as far as we can see now, there is little hope of improve- ment in the future. This Native legislation is very disheartening to members of the House who take an interest in it, for during the de- bate there is generally only a bare quorum present ; it is also disheartening to Europeans outside who wish to obtain land for settlement ; and it is also disheartening to the Natives who wish to make some use of their land in the way of selling or leasing it, or otherwise deal- ing with it, instead of having to keep it locked up absolutely idle. It will be remembered that in 1894 the Premier, who was then the Native. Minister, said, with a great flourish of trumpets, that he was going to deal with the question and settle it straight away. But, he faced the question in the way he has faced the local

government question. Both matters were to be decided years and years ago, yet to-day we have got little further with either. As far as free- trade in Native land is concerned, it is a matter that has been so often discussed in the House that it is not my intention to go fully into the
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remarks that have been made by many members during the present debate, that at the present time, when the Government have the sole right of purchasing Native lands, the Natives are being treated very unfairly in respect to the value they get for their land. Instance after instance has been given in this House. Instances have been given by Mr. Kaihau and others, that the Natives have not received a quarter of the value that they would have received for their land if they had been allowed to deal with outside purchasers. My own opinion has been for years past that the legis- lation should go in the direction, as far as pos- sible, of making the same law for the Natives and the Europeans. If that had been started eight or ten years ago, and the Natives had since then been educated up to it, I do not see why they should not be existing to-day under almost the same laws as the Europeans. It has already been pointed out that this is a matter that all members of the House should be interested in, and I am sure the Native Minister himself will admit it is not a party question. Every mem- ber in the House should endeavour to do his best to improve the Native legislation, not only in the interests of the Natives, but also to encourage the settlement of the Europeans. I have no intention, Sir, to take up any more time, because, although there are certain matters I would like to deal with, they will come before us in Committee. I repeat that I regret the Bill was not brought down earlier in the session. As it is, it would appear that it is going to be forced through the House in a some- what hurried manner-the manner in which Native legislation is usually passed through the House. Mr. R. THOMPSON (Marsden) .- Sir, I have no intention to say much on this Bill. In fact, I had almost given up the idea of discussing these Native Bills, for the simple reason that I do not know what policy the Government have made up their mind to adopt in regard to Native land. Every session Bills are brought in dealing with Native land and are put on the statute-book, and that is all we know about them. I fail to see, then, why we should waste the time of the House in discussing questions of the kind. As a North Island member I feel sick at heart when I see how things are drift- ing : but if I say anything in the House, or if any other North Island member says anything on Native land questions, it is said we are in- terested, and all sorts of accusations are hurled at us. That is why members representing the North Island constituencies do not care to in- terfere in the matter. We have heard it sug- gested many times that the Government for years have been robbing the Natives ; that they have been buying the land for far less than its value. Well, I do not know of any such case. In the North they have paid full value for any blocks of land they have bought from the Na- tives, and I know of several instances in which they have lost money. When they come to road and survey the land, and to lay it out for settlement, they have had in some cases to pay Mr. Lang than the tenants have been able to pay to re- coup themselves for the purchases. If you look at the lump sum paid for a block of land it may appear to be small, but the fact of the matter is that if the Government buy a block of ten thousand acres of land there are, pro- bably, two or three thousand acres of the land which is almost worthless. When the Govern- ment cut up the land they find there is only a small portion which is fit to be offered to the public, and, of course, the rest is useless for all time. Speaking from my experience in the North, I say the Government have dealt very fairly with the Natives. Unfortunately, how- over, the Natives have only disposed of the worst of their land. In the North they hold very valuable estates, and, judging from present ap- pearance, they show no disposition to part with them. I do not now wish to raise the question of what the Government should do in this matter. Neither am I prepared to tender my advice. because I know it would not be accepted. I have got tired of tendering advice upon Native matters ; but in my opinion what should be done is that there should be a settled and definite policy. Years ago I heard the present Native Minister, when a private member, make very able speeches in this House, and fore- shadow a very sensible policy in dealing with

Native lands, but for some years back he has kept very silent-we very seldom hear from him. and he does not lay down any definite policy. The practice of the Government now seems to be to bring in Bills to humour the Natives, to please them, as if they were a lot of children, and that practice leads them to nothing. We find that the Natives are in a worse position now than they were years ago. I am not going to oppose the Bill, or take any interest whatever in it. for the simple reason that I do not think it matters very much whether it is passed or not : I do not expect to see any result from it. I believe. yet, that the Natives will see that it is better in their interests and in the interests of the colony that some well defined policy should be laid down, that some national policy should be worked out bearing upon the question of dealing with Native lands, and that that policy should be adhered to, no matter what changes of Go- vernment take place. A definite policy should be adopted, and we should adhere to that and place the Natives in a position of security. We should, as far as possible, encourage the Natives themselves to commence farming opera- tions, to utilise the land and to work it. If we do that I am certain it is the best thing we could do in their interests. I have no wish to say anything further on the Bill. I attach little value to it, and I am sorry to say that the whole of our Native-land legisla- tion has resulted in no benefit whatever either to the Native owners or to the colony. Mr. FIELD (Otaki) .- I wish to say a few words before the Bill goes to a second reading. I may say at the outset that I am in a position of some difficulty as to how to vote. If by voting against the Bill I should be voting for the repeal of the Act of last year I should cer-
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opposed that Bill on its second reading. By all accounts the Act of last year has not proved to have had any good effect up to the present time. This Bill, however, is certainly in the direction of improving it, and therefore pro- bably the best thing to do is to vote for the Bill and endeavour to make amendments in Committee which will make it an improvement upon its present form. With that view I have proposed certain amendments which appear on the Order Paper. The honourable member for Napier has suggested other amendments, and there are also amendments suggested by the Minister and by other members, all of which, it seems to me, have a tendency to improve it. If the Bill is passed with some of these amend- ments it will certainly improve matters; but it seems to me, and I say it again, that the Bill of last year, even when amended by the Bill of this year, will leave things in a worse state than before the Bill of last year was adopted. Under the Act of 1894 and its amendments. which constituted the law before the Bill of last year came into force, a fairly satisfactory condition of things ob- tained. There were Native Land Courts set up for the purpose of dealing with the question of the titles to Native lands. There was, under the Act of 1894, satisfactory restrictions upon alienation and provisions for incorporating the owners and dealing with large blocks of land and other beneficial provisions. Under the Act of 1895 there was provision safeguarding the alienation restrictions within proper limits, and under the Act of 1897 there was a very useful provision indeed, whereby the Natives were allowed to convey lands to a trustee, who had power to deal with them as specified in that Act, one of the principal objects being the power to mortgage to Government lending depart- ments, and I know of cases where that Act has proved very useful. Altogether, the existing law, before the Act of last session came into force, was very satisfactory so far' as it went, and it would have been better had we, in- stead of passing the Act of last year, grafted on the law, as it stood then, some provisions for the purpose of remedying the defects of the then existing law, and so enable the Natives to get full benefit from them. It seems to me that one of the greatest sources of com- plaint as to the law, as it stood before the Act of 1900 came into force, was the maladministration of that law. I know of very cruel cases indeed where Natives possessing tens of thousands of pounds' worth of land were prohibited from dealing with it, and these Natives were in some cases left in a state of destitution. I know of one exceedingly painful instance where a woman died in extreme poverty -a woman worth ten thousand pounds of in- alienable property which she was unable to make any use of. That, it seems to me, was the main defect in the law as it existed before the Act of last

year came into force. However, we have the Act of last year, and until it is repealed probably the best thing is to amend it so as to make it suit, as far as possible, the Native lands. But I would draw the attention of the House to the fact that under the Bill of last year nothing whatever has been done. The Act up to the present time has proved absolutely abortive. There have been no Councils under it dealing with Native lands. No Maori Land Councils, no Papatupu Block Committees, no Papakainga certificates; there has been literally nothing done ; the Act has proved unworkable, and the object of the present Bill is to render the first Bill workable. I fear, however, that whatever we do will prove a botch ; we shall have to alter it again next session, and then again, and so on until we shall get sick and tired of altering it, and finally we shall have to repeal the whole thing. Speak- ing for the Natives in my district, they were practically unanimous against the legislation of last session, and they have lodged petitions to have themselves absolved from the operation of the Act of 1900, and are quite prepared to go back to the old state of things. With regard to the suggestion of the honourable member for the Bay of Plenty-and it is a proposal which has always received the support of the honour- able member for Hawke's Bay, as to the indi- vidualisation of the titles-it seems to me that that is really the solution of the Native diffi- culty. But, if I understood the honourable member for the Bay of Plenty correctly, he did not consider it at all an undesirable thing that the Natives should be left in a landless con- dition. Mr. HERRIES .- I did not say that. Mr. FIELD .- I am glad to have misunder- stood the honourable gentleman, and to find that he did not say that ; because it seems to me that whatever happens, even if the lands of the Natives are individualised, we should take the greatest care to leave inalienable in the possession of each Native sufficient land to sup- port that Native and his family. One of the amendments which I propose to move to the present Bill is a clause which will render it quite certain that the beneficial Act of 1897 is still in force. As I have said, that Act 5.0. has had very beneficial results in many cases that have come under my notice, and, in any case, it seems to me that it should be made perfectly plain in this Bill whether that Act is or is not still in force. I bave been in- formed outside by competent authorities that if this Act comes into force, and if it is left to the Native Councils to borrow on the land, and there are no longer to be any trustees under the Act of 1897, no money will be lent on Native land which is being adminis- tered by Councils. At present the Govern- ment lending departments readily lend money on Native land, where there is a good margin of security to trustees, appointed under the Act of 1897. Regarding the statements that have been made as to the Government buying Native land too cheaply, I agree with those speakers who say that there are many flagrant cases of the Government buying Native land at a price far below what would be given by private in- dividuals-cases where the Government Land

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the Natives to sell the land at the department's own prices. This condition of things is most regrettable, and should not have existed ; it is a matter of which the Natives very justly com- plain. I do not know that the Bill before the House, and the amendments which have been suggested, even now make it quite clear what Acts are and what are not to remain in force. It is a matter of doubt how far the Native Land Act of 1894 and its amendments are in force, and, judging by an amendment which the Hon. the Native Minister has proposed to his own Bill-that is to say, the exclu- sion of the words "The Native Land Court Act, 1894," from clause 5 of the Bill - it seems likely that when the Bill was originally drafted he thought that that Act was in force, and that after mature consideration he came to the conclusion that the Act was not in force. There has been no opportunity for the Courts to decide how far the Act of 1900 affected the Act of 1894 and its amendments; but there have been many discussions on the subject, the result of which go to show that $10,000 might easily be spent in endeavouring to interpret the law as it at present stands, and, even then, not get a satisfactory solution. I propose to vote for the second reading of the Bill, but I shall support the amendments of the honour- able member for Napier so as to allow the Natives to choose for themselves what shall be the law governing their lands. The policy of the present Government

is to allow the Natives to elect for themselves how their lands are to be dealt with, and that being so, the amendments referred to should be carried. It seems to me to be useless to take up the time of the House at this stage, but I must conclude by entering my protest against bringing down an important Bill of this nature at this stage of the session. We should have had it earlier, when there was more time to consider it and when honourable members' minds were freer and were all not so intent on getting home. I cordially agree with the sug- gestion of the honourable member for Bruce that the South Island members should in future take a hand in dealing with measures affecting these Native land matters. The majority of them do not claim to have a knowledge of Native land matters ; but that very fact will enable them to tackle the question with a mind in an undistorted and unwarped state, and their assistance will for that reason be in one sense of all the greater value. I therefore trust that the South Island members will be in their places and take their turn in these discussions, take an intelligent part, and vote according to the judgment framed on the debates to which they may listen from time to time on this vitally important subject. Mr. A. L. D. FRASER (Napier) .- It is just as well, Sir, that we should discuss this matter entirely apart from party and entirely apart from racial feeling. This is a question that should be taken on non-party lines, and it has been pleasurable to me to see that on both sidas of the House we have honourable mem- the Natives. It reminds me, Sir, of an old Wir. Field question that undoubtedly is of the very greatest importance to the whole of the colony. Now, I hope when the division comes-and a division will be called for on the committal of this Bill-I trust that it will be non-party, and that every vote will be cast conscientiously and realising the responsibility of the position. The time has arrived when we should treat the Natives as one race with ourselves. The Hon. the Native Minister now in charge came into this House on the crest of the wave of European and native popularity, engender-d by his war-ery to throw aside racial differences and place the Natives on the same platform as the Europeans. One distinct note of ap- proval went from the North Cape to the Bluff, and that note was this: At last we have a statesman in the House who will deal with this question, and deal with it with the hand of experience and determination. We heard it ringing through the colony in 1887, but ever since he has been making a stronger line of demarcation between European and Native than before. I say we should consider this non-racially. The Natives are growing up with us and will be absorbed by the Europeans, and their blood, I hope, will long be flowing with ours ; but, at the same time, we must educate them to bring them into the fold-not the fold the present Government have taken them into, but a fold of consideration, fairness, and jus- tice-and let them walk along the path of prosperity, civilisation, and light, hand in hand with us. That is our duty, I say-to place aside all racial feeling and take them with us: and where we find their steps lag in the race of civilisation it is our sacred duty not to further retard those steps, but to encourage them on- wards. We can divide politically, but should be one racially. Dealing with this measure, I say that the greatest injustice Parliament can do is to perpetuate a wrong. In the legis- lation as introduced by the Minister last session, if I were allowed to use the words, I would say that it was degrading and contemp- tible, and, further, there was no initiative policy-there was nothing new. It was no ex- perimental legislation, it was perpetuating a wrong that had been attempted in 1858, and repeated year after year up to 1886. I refer to Boards or Committees dealing with Native lands. It is not the duty of Parliament to per- petuate wrongs, it is not the duty of Parliament -Rip Van Winkle-like- to rise from its sleep after twenty or forty years, it is not the duty of Parliament to disinter unworkable legislation. It is the duty of Parliament to launch experi- mental legislation ; but I say their greater duty is, to my mind, to destroy and sweep away exploded fallacies. Instead of that, we find the Hon. the Native Minister introducing legis- lation which-if he had his own way. if he was not the phonograph of the Premier-he would not touch with a pair of tongs. It is clearly opposed to anything he ever be- lieved, it is entirely opposed to the dictates of his heart and antagonistic to the interests of

last session -- an old Maori custom known to Maori authorities as chunga. When an illus- trious Native died he was buried. or wrapped up and placed in the branches of trees or some other place, and after many years, when the flesh had all decayed, they took the body down and scraped the bones, and once more buried him. Now we have the old Act, dead many years ago, brought up now for the chunga cere- mony - for the bones to be scraped. I sin- cerely hope the House will do with this Bill as with those bones-inter it once more, and for ever. Leaving this, I cannot help referring to the remarks of the member for the Bay of Plenty in quoting from the Speech from the Throne. I do not know who is responsible for the statement with regard to the Native-land legislation of last session ; but I do say this, without qualification and without reservation : that it was wilful and deliberate misrepresenta- tion. And I, with the honourable member for the Bay of Plenty, regret that I was not here, having been absent during a great part of the time when the debate was on, otherwise I must have drawn attention to it. "The outlook is promising ; the horizon is clear," we are told, and yet the House has been inundated with petitions, and before the House met the Natives began to assemble to protest against this legisla- tion. I do not know where it originated from, but we have a petition of thirteen hundred signatures from the Native Minister's own dis- trict against it. I have presented during the session one petition of 495 signatures, and in this building I have carpet-bags full of others, protesting against this legislation-which we are told has a "most promising outlook." We often hear, when fresh European legislation is proposed to be introduced, the question, " Who has asked for it ; has any class or section of the community asked for it ?" I request the Native Minister to say in his reply who has asked for this Bill? You will find who asked for it, I think, in a very interesting book called "Notes of Meetings between His Excellency the Governor (Lord Ranfurly), the Right Hon. R. J. Seddon, Hon. J. Carroll, and the Native Chiefs and People at each place as- sembled, in respect of the proposed Native Land Legislation during 1898 and 1899." I ask honourable gentlemen, if they have time, to glance through this book. They will see that it is not the Natives who have asked for it, but that it was forced down their throats by a member of the House, who knows as much about Native legislation-or less-as he does about the constellations, the Premier. He went. from kianga to kianga, and said, "This is the policy for you ; accept this; have your own Councils ; have everything entirely in your own hands." It will be, perhaps, just as well for me to quote. These are the Premier's own words :-- " But we do not intend to force these pro- posals upon you-they are purely voluntary ; if you appreciate the law we propose to pass, then you can do so; if twenty Natives raise objection to the law coming into force, then a poll is to shall decide whether the law shall apply to their district." This is only one of many instances. Follow- ing this promise I have proposed on a Supple- mentary Order Paper that it shall be left to a majority of the Natives in a district; but the Native Minister will not hear of it. The Premier continued to repeat in every place on this point, " It shall be left to you ; your's is the voice." He alluded to legislation that had been brought down years before by Mr. Bal. lance-the great true friend of the Natives -- in his Act of 1886, and "it was a bad day," Mr. Seddon said, "when that Act was repealed." He puts it this way : - "So far back as 1886 my late chief and friend, Mr. Ballance, placed upon the statute- book an Act of Parliament which, if carried out, and unrepealed, would, in my opinion, have saved the race and saved the land ; but the intention of the Legislature was frustrated by designing pakehas." It is very interesting to inquire who these pakehas were who killed the Bill. In 1887, the present Native Minister went practically through the North Island, and cursed, and finally damned the legislation, and when he was returned to Parliament, by determinedly attacking and consistent opposition to that Act it had to be eventually repealed. It was on similar lines to this. We are asked here to amend an Act that is in itself innately and inherently bad. You can never patch up legislation based on a wrong foundation ; if you pass all these amendments, no doubt there is remaining much that is bad ; but the under- lying principle of the legislation is that the Natives are to be treated once more as children, and are not to be allowed to deal with their lands in any way. As an illustration: take the honourable member for the Western Maori District

(Mr. Kaihau) ; he and a few others own a block and wish to lease, or sell, or mort- gage it. Mr. Kaihau and his co-owners have no power whatever to deal with the land ; but he was the Government nominee at the last election, and comes to this House and votes on the most difficult and important questions affecting the whole prosperity of the colony ; yet forsooth, he cannot lease his land ; trustees must be appointed ; he is not, the legislation says, capable of doing it for himself. This is a plain statement of the effect of the Act of last year. The whole of these lands are placed in the hands of irresponsible persons. We are asked to try the experiment. During the last quarter of an hour I was speaking to a member of the House. He said, " Let this go on ; it is only an experiment ; if it does not come off, repeal it." I can scarcely conceive that any member of the House-I can scarcely conceive a man who has had anything at all to do with the Natives saying "This is only an experi- ment ; let us try it." It has been tried since 1858 : in 1862, in 1863, in 1868, in 1873 --- Mr. CARROLL .- No. Mr. A. L. D. FRASER .- The Minister says "No." Well, I am not going to discuss the

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whether he knows anything about Native legis- lation ; that is my honest belief. I will prove to the hilt that this experiment of committees dealing with the land has been long tried ; first they had power to collect rents, then they had power to ascertain title, succession, alienate lands, et cetera, and it is now proposed in this Bill to give the same powers. The Government appointed a Commission, consisting of Mr. Hanson Turton, Sir John Gorst, and others, to go through the North Island and inquire how it was the Natives could not adapt themselves to the powers given. What was the report? That the administrative powers given were unsafe, as the Natives would be influenced by bribery, corruption, or relationship, and that any legislation of the kind would be unwork- able. The Act was repealed. Similar proposals were brought down again in 1882, and again in 1886, but not a single transaction is reported. Then, there was the Act of Mr. Ballance of 1886. I will trace each one of the measures, and it will be found that the principle of the Act of last session and of this Bill is exactly the same as has been attempted to be carried out for years past. It has been admitted that last session a lot of Natives were induced to come to Wellington in order to afford the Govern- ment some assistance in preparing their legis- lation. Yes, Natives imported from the wilds of the Waikato to assist in framing Native land legislation. What was it the Native Minister said to the Natives at Rotorua subsequent to the visit of their Royal Highnesses? He re- gretted that the legislation was unworkable, and that amendments would have to be made so as to make it operative. One old chief said to the Hon. Mr. Carroll, in reply to this state- ment of his : "I am glad you have to bring down more amendments, because I am an old woman and have not much longer to live. For nearly forty years I have been waiting for a law that will enable me to deal with my land, and each year a Bill has been brought down under which, we were told, our land was going to be administered finally for our benefit. But we are still waiting for the law that will do this, and now I am living only for more amend- Do bring down your amendments, I ments. cannot live much longer." An Hon. MEMBER .- Is she living still ? Mr. A. L. D. FRASER .- I believe the poor old lady died. Now, these Councils have taken the whole of the power out of the hands of the owners of the land. Why should not the Native owner be allowed to lease his own land ? Why should it be placed in the hands of irre- sponsible persons? The expense will be some- thing enormous. The honourable member for Clutha (Mr. J. W. Thomson) asked what the expense will be. He says we have cut down nearly £12,000 of expense by getting rid of the Native Land Court. Does he think that by the legislation that is now brought down the Native Land Court is done away with ? It still goes on ; because any one dissatisfied can appeal to the Court. Then, there are six districts created, each of which has a President, who Mr. A. L. D. Fraser district two Europeans are appointed by the Government and one is appointed by the Natives, and three Natives are elected by the Natives themselves. Now, the Government does not pay them ; it is the unfortunate land- owners, and I fail to see any justice in that. If I am a Maori, why should I have to pay seven people to administer my land for me when I can do it myself?

It simply means that the whole of the land will be tied up, or eventually pass into the pockets of the so-called administrators. I have seen the Natives going to the Native Minister's rooms last session and this session, and I have letters from them in my possession. They say, " For Heaven's sake let us lease or sell our land, in order that we may pay our debts. We are summoned in the Court, and we have not a sixpence in our pockets to pay liabilities we have incurred, and yet all the time we are worth, possibly, $20,000 in landed estate." Take the case of leases that have fallen-in during the last twelve months. A gentleman in Hawke's Bay was visiting the birthplace of the Native Minister a few weeks ago, and he informed me that he could not be- lieve that a certain piece of land which he saw there was the one that he had been acquainted with. The lease had fallen in by effluxion of time, the Natives could not lease it again, and it was now the home of sweetbriar and other noxious weeds. The Natives, instead of bless- ing their Minister, were actually cursing bim. I tell honourable members, Sir, that the un- rest of the Natives is so great over this legis- lation, that when they realise what their posi- tion is I do not think that even the Native Minister, if he stood for any Native district again, would be returned to Parliament. I have said the expense is going to be great. I need not say that the Natives are to pay for this and for every trivial matter that is going to be taken to the Board ; they are bound to go before it, and they have got to pay the inci- dental expense. What class of Europeans will you get for 10s. a day to deal with interests possibly of the value of $50,000 or €100.000? I ask honourable members, South Island or North Island, to look at this thing in a busi- ness way, in a just way-that we are going to place the ascertaining of the titles, the suc- cession to, the partitioning of, and the definition of Native interests in the hands of Europeans to be appointed by the Government at 10s. à day. And we are to have Natives appointed also at 10s. a day. What does it mean ? Give me £100 and I will square the whole lot of them. The Government themselves say, as regards the Native Assessors, they cannot trust one of them. Up till 1894 a Native Assessor had a voice in all decisions given by a Judge of the The Premier, when Native Land Court. he was Native Minister, learnt that these Native Assessors could not be trusted. What was the result ? He amended the law in the Act of 1894, and laid it down in section 18 that the concurrence of the Assessor in any judg- ment or order was not necessary ; and yet they are now proposing to put four Natives in their
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Urewera Commission, set up in 1896, composed of seven members, five of them Maoris. I chal- lenge the Government to go to Mr. Percy Smith, Judge Butler, and Mr. Scannell and ask what progress has been made since 1896 by that Com- mission. Why, the whole thing is a farce. If you had competent Judges or Assessors better work would be done. But this Commission has now been sitting for three years, and is no further ahead with its work, with these five Native Assessors. Mr. CARROLL .- They have got their title. Mr. A. L. D. FRASER .- They have got no title yet. Mr. CARROLL .- They have. Mr. A. L. D. FRASER .- When the honour- able member comes to reply he can show the title. That Commission is an absolute failure. Mr. G. W. RUSSELL .- What is your alter- native ? Mr. A. L. D. FRASER .- I will come to that. Now, in the few remaining moments 7.30. at my disposal I wish to reply to an interjection made by the Native Minister, when he asked me what Acts similar to the measure now under consideration had been passed in Parliaments of years gone by, and which had been repealed. I wish to place on record the Acts that come under that category. They are: "The Native Circuit Courts Act, 1858," " The Native Land Act, 1862," " The Native Land Act, 1865," " The Native Land Act, 1873," sec- tion 73, "The Native Committees Act, 1883," section 14, " The Native Land Administration Act, 1886," "The Native Land Court Act, 1894 " (corporations), and " The Native Land Laws Amendment . Act, 1897 " (corporations). And specially would I refer to the Act of 1894, for in that Act it was provided that, if the Natives wished to form a corporation in which they could deal with their land, they could do so under that measure. But, Sir, although that Act has been on the statute-book for the last seven years, only one case is re- corded in which the sections of the Act have been brought into operation. I wish also to reply to an interjection made by the honourable

member for Riccarton, who asked me, " What is your remedy for all this ? " and to that of the honourable member for the Northern Maori District, who said, "He has none." Honour- able members may take that retort for what it is worth; but I wish to say, without egotism, that I have fully explained my ideas on the Native question in the Wellington Evening Post, which newspaper did me the honour to give me three columns and three-quarters in the expression of my views upon the subject. The only point upon which there might have been a misapprehension-it was certainly not the fault of the newspaper-was that I was in favour of free-trade in Native lands. I am not in favour of free-trade; I am opposed to it ; and, though I do not advocate that the Govern- ment should wet-nurse the Natives, I say they should see that, outside any special alienation, the Native alienating has sufficient land for his maintenance. That is my remedy for the as much power to deal with their lands, as long as they have sufficient land for their main- tenance, as the Europeans have. As a body they should be allowed to lease their land in any area they choose, so long as we have the safeguard of the Trust Commissioner, who would make jealous inquiry as to the bona fides before granting confirmation. When that is done we have no reason to fear for the pro- sperity of the Natives. The Premier has said on several occasions that we have only five millions of acres of Native land left, and that it is barely enough for the remaining Natives in New Zealand-about forty thousand in number. Now, I ask the common-sense of the House, of what benefit those five million acres are to people who do not own it. That land belongs to the few who have not sold. Now, who has denuded the Natives of their land ? Isay-and I realise the seriousness of what I am saying- that up to 1894 there was not a landless Native in New Zealand unless his land had been con- fiscated by the Government. Mr. HEKE .- In the South Island the land was gone long before 1894. Mr. A. L. D. FRASER .- I am not speaking of the South Island. I say that up to 1894 every transaction with regard to alienation had to go before an authorised Commissioner. He was an officer appointed by the Government. He was responsible for his actions. He had to inquire jealously into all transactions ; but im- mediately the Act of 1894 came into force we found landless Natives. And now, go to the old-age pensions officers, and you see swarming in, day after day, poor broken-down derelict Natives. Broken down by whom? By the present Government, who made no inquiry as to whether or not a man was selling his last acre. They took the land and gave their own price for it. In 1893 they passed the Native Land Acquisition and Purchase Act, a most just provision, which provided for a competent tribunal settling the price of Native land proposed to be purchased by the Crown-similar, in fact, to the Land for Settlements Act ; but, would the House and the country believe it ! not a single acre has been bought under that Act. The Government have ignored it, and made their own price for the land they have bought by their powers of pre- emption under the Act of 1894. It is a fact that Natives were offered £2 or £3 an acre for land which the Government subsequently ac- I could quired from them at 10s. an acre. quote numerous cases. In one instance the Government gave the Natives from 6s. up to 10s. an acre, and subsequently when one of the non-sellers died, and probate of the will was ap- plied for, it was discovered the same Govern- ment put a value of $1 2s. 6d. an acre on the land for probate duty. I repeat with regret that the Natives have been most unjustly treated by the legislation and administration of the present Government. Mr. DEPUTY-SPEAKER .- The honourable member's time is up. Mr. KAIHAU (Western Maori) .- Sir, I de-

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proposals contained in the amending Bill now before us. Personally, I should like to see every member of the House in his place listen- ing to every word of the debate on this measure. I look on this Bill as one of the most important measures we have as yet had before us. It materially and individually affects every Maori in the North Island of New Zealand. I think every member of the House is aware that when the Natives were in the occupation and posses- sion of New Zealand-as they were for gene- rations before the arrival of the first Europeans -they lived without a single statute to govern them. The Act passed last year is a measure that oppresses very severely the Maoris in the North Island. I will endeavour to explain

what I mean. The Maori residents of this Island were justified in coming here and ask- ing that they should be given power by law to deal with their lands to the best advantage, and, at the time the Maori residents of this Island expressed that wish, it was the general wish of the whole of the North Island of New Zea- land-a wish emanating from the northern dis- triet, the western district, the eastern district, the central district, and the southern district. But, Sir, what they asked for, and what they hoped to get, was not what they actually did get under the Act passed last year. The Act passed last year did not receive our unanimous support. It was not thoroughly in accordance with all that we desired ; but what we hoped to gain under the Act was the establishment of the principle that we should have a Council to ad- minister our own affairs. Now that we have a Bill before us amending the Act of last year, I have to say that the Maoris throughout the district I represent will not have their burdens in the slightest degree relieved or lightened by it. And, Sir, I go further, and would like to point out that my district in particular will be oppressed by the provisions of this Bill-in fact, if it were not for my district and the land therein contained, this Bill and the Act of last year would have no effect at all. If I am not satisfied with the amendments contained in the Bill before us, why should I say I am satisfied with them ? Where is the land to which this Bill will be of any benefit ? I say that the only part of this North Island of New Zealand in which there is any considerable portion of Native land now remaining, where the Bill can possibly do any good-if it can do any good- is my district. My district, to which I specially refer, is, I may say, under all sorts of restric- tions and disabilities. The Maori residents there are unable to lease their lands or to deal with them in any way so as to derive any practical benefit from them whatsoever. That is the direct result of the legislation passed by this House from year to year. However, Sir. I am not going to directly accuse the Hon. the Native Minister of having been the immediate cause of the legislation against which I complain. I say the blame lies upon the members of this House, because it was this House that passed each and every one of these Acts that so un- justly oppress the Maori people. And, Sir, Mr. Kaihau the general wish of the European members of this House. Therefore I feel that I cannot lay the blame solely at the door of the Native Minister. But I can certainly say this: that the evils the Maoris have been called upon to bear as the result of the Government land-pur- chase system are solely due to the Government. The blame for that is to be laid solely at the door of the Government. We have a printed record of the transactions of the Government Land Purchase Department, and we find that Maori lands have been purchased at so low a sum as 2s. per acre, and 10s. per acre is about the extreme limit the Government has ever paid for Maori lands. Now, I would ask honourable members to tell me, whether they really consider that 2s. an acre is a fair price for any class of land, no matter where it may be situated. It seems to me it would be a poor price for a fowl, or, say, for a dozen eggs. That being the fact, the Government being solely responsible for this reprehensible practice, I say I am justly entitled in accusing them of being solely and alone blamable for the manner in which they have treated us in the matter of land-purchase. Now, I ask, as I have asked before, Why should not the Maori population of this country be given, as they have asked again and again, special power to administer their own affairs? I say that we, the Maori people of this colony, are not children ; that we know entirely what we want, and that we know how to manage our own affairs just as well as do the European inbabi- tants of the country. If the Maoris are to be debarred from exercising any right of ad- ministering their own affairs, how, then, are they to learn to farm their own lands to advantage, or to do anything else ? If they are not allowed to administer their own affairs, to lease their own lands, and so forth, how are they to find the means of dealing with their properties in such a way as to derive any benefit or support from them? I say there should not be any restriction put upon Maori lands, but the Natives should be given the sole control and disposal of their lands. They are entirely competent to administer their own affairs in connection with leases, whether they lease for one hundred years or for twenty years. We, the Maori inhabitants, and the European inhabitants of this Island have lived side by side for a very long time now, and dur- ing the whole of this period that we have been living together what

have the Europeans been doing but taking advantage of us Maoris. I say that the most grievous injustice which the Maoris have been called upon to bear is the fact that the Europeans will not allow them the control and disposal of their own lands, coupled with the Government land-purchase system, which has deprived them of their lands for a mere nothing. That, Sir, as I have endeavoured to explain, being the position, I consider I am justified in telling the House that we do not look with any favour upon the amendments proposed in the measure now before the House. I say that the Maoris' wrongs
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The Act of last year provides that the lands are to go into the hands of the Council, and the Council is to administer them. Now, I ask honourable members this question : Would any one of them, who happened to be the possessor of a hundred acres of land in his own right, be willing to hand over that land to the sole control of trustees ? I can answer the question myself : he would not be willing. That being so, I say we are justified in strenuously opposing this Bill. Those, Sir, are not the only objections that are to be brought against this Bill. What about the survey charges that will be placed against the lands ? Another exceedingly evil provision that I have noticed in this Bill is, that if ten of the owners of any given block of land decide to hand such land over to the administration of the Council, the land will be handed over to the administration of the Coun- cil, irrespective of the wishes of the large majority of the owners. Supposing there are a hundred owners of a block of land, and ten of them decide to hand it over to the Council, what is to become of the desires and wishes of the other ninety owners? I say that this Bill cannot fail to do untold evil, especially in my district, which will be chiefly affected by it. Now, I will tell the House this : there is a certain Maori in the Waikato who is the representative head of all the tribes and hapus resident there, and he is the person, above all others, who has tried to prevent the persons under his influence sub- mitting a block of their land to the management of the Council. This man is the man who was selected by the Waikato tribes to be their head and representative man in all their trans. actions affecting them and their lands. His name is Mahuta. He is called the Maori king, and I say that this House should not resent his being called by that name. If the name of His Majesty King Edward is mentioned in this House, no one dares to say a word against it. When I mention the name of King Ma- huta I do not do so with any desire to set up a king antagonistic to King Edward. What I desire to impress upon the House is this : that this man comes from the ancestor Mania- poto. He belongs also to the Ngatimania- poto Tribe, and that is where the bulk of the Maori lands now remaining are to be found. Now, Sir, the honourable member for the Northern Maori District (Mr. Heke) has told this House on a previous occasion that this man Mahuta, whom I call the Maori king, was not selected and was not acknowledged by the Maoris throughout the island as their king. Now, Sir, the honourable member is but a young man. I have no desire to say that the Maori tribes throughout this Island have no chiefs of their own, for I know that they are all descendants of the tribes who came over in the seven canoes. But the tribes that those seven canoes brought over had each its distinctive head, and the descendants of those seven chiefs are the heads of the Maori tribes throughout New Zealand at the present time. The descend- ants of those seven canoes of voyagers selected of these seven principal ancestors to be the repre- sentative head of the Maori race throughout the whole Island. If I only had the time at my dis- posal I could convince the House that I am correct in what I am saying. I could show the House that Mahuta is genealogically descended from those men, and that he is the proper person to be placed in the position of king of the Maoris. One of those seven canoes was called "Taki- tumu," and the head chief of that canoe was called Ruawharo. I have in my hand the written genealogy, but as time is short I do not intend to read it. I will, however, say this: that I can trace the present King Mahuta from that ancestor through twenty-two generations. Now, coming to the next canoe, "Te Arawa," the chief man of which was Tamatekapua. From that canoe many chief men of rank - many residents on the East Coast at the present time-are descended, and from the chief of the Arawa canoe through eighteen generations I can trace Mahuta. Then, the third canoe was

called " Aotea." The principal chief on that canoe was Turi, the ancestor of all the tribes on the west coast of this Island-Tara- naki, and the district all round about there. I can trace Mahuta through twenty 8.0. generations to this ancestor. I can submit these genealogies to members, and let them see for themselves that it is as I say. Now I come to the canoe called " Matatua." The representative chief of this canoe was Turoa, and I have sixteen generations from that ancestor to Mahuta. Then, there is an- other canoe, "Tokomaru," the chief on which was Rakeiroa. I have nineteen generations from the principal man in that canoe, Rakeiroa to Mahuta. Now I come to another canoe, called "Kurahaupo," and there are eighteen genera- tions from the principal man in that canoe, Apa to Mahuta. Then, there is the canoe called "Tainui," of which Hoturoa was the chief, which brought to New Zealand the an- cestors of the whole of the Waikato, including also those of the member for the Northern Maori District, who says he does not acknow- ledge Mahuta. From that canoe I have twenty- four generations to Mahuta; and this time Mahuta comes through the very ancestors of the honourable member for the Northern Maori District. Therefore, I tell him he is a mere child. If he knew the descent from the an- cestors, he would not say what he does. When the King movement was first set on foot, all the tribes throughout the Island came forward and supported it. I have here a list of all the tribes and various hapus which supported I also have to say that the the movement. idea of the Maoris in instituting this move- ment was not that they had any intention of departing from the rule of the late Queen, but I may say that the early European missionaries in this country supported the movement for establishing a king, and I will tell the House why they did so. They had the authority of Church doctrine, and the Churches of the Old Country were under the authority of the Queen. I will refer the House to a Scriptural quotation

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xvii. 15, you will find these words :- "Thou shalt in any wise set him king over thee, whom the Lord thy God shall choose : one from among thy brethren shalt thou set king over thee : thou mayest not set a stranger over thee, which is not thy brother." When we have direct Scriptural authority for what we have done how can we be said to be un- justified in our action. I will now give the House another genealogy-a direct line of descent from Jehovah. The being known to the Jews by the name of Jehovah was known to the Maoris by the name of Io. The names of some of the principal sacred ancestors of the Maori were Io, Rangi, Papa, Teema, Tahuhunuiorangi. should only weary the House were I to trace the descent down through the long roll of inter. vening generations down to Mahuta, but I can furnish the House with a tabulated genealogy showing the descent if it so desires. If I had time I could trace to the satisfaction of the House from these distinguished ancestors our own direct descent Mr. DEPUTY-SPEAKER .- Time is up. Mr. FISHER (Wellington City) .- I rise to a point of order. Under our Standing Orders each member of the House is limited to half an hour in speaking on a Bill. The member for the Western Maori District, speaking through an interpreter, is really limited to fifteen minutes. I ask you whether it is not within your prero- gative to say whether he, speaking in Maori, ought not to be allowed to speak for an hour. Mr. A. L. D. FRASER (Napier) .- I think there are occasions when the Speaker should be allowed to interpret the Standing Orders with some amount of elasticity, and when we have a question before the House dealing entirely with the Native race I think we should have the views of the Maori members set forth at length. . I would point out to you, Sir, that on this particular occasion an injustice is being done to the honourable member, not only individually, but also to the whole of the Native race in New Zealand. Owing to his speech having to be interpreted, he cannot express his views within the shortened limits allowed him. No doubt many of the members of this House would be guided by his views, and I sincerely hope you will resolve to use your prerogative and allow the honourable member for the Wes- torn Maori District to speak for half an hour longer. Mr. DEPUTY-SPEAKER .- However much I may be inclined to allow latitude to the honourable member in concluding his speech by taking up another half-hour, I must be governed by rules and precedents, and the rule is very strict that no member is entitled to speak more

than half an hour. However he occupies his half-hour, whether with the assist- ance of an interpreter or relying on himself, I cannot alter the rule and enlarge the limit. I, therefore, must rule against the point of order. Mr. FISHER. - In accordance with your ruling, Sir, given on the occasion of the San Francisco mail-service debate, I move the ad- Mr. Kaihau this Bill to to-morrow in order that the honour- able member for the Western Maori District may continue his speech. Mr. DEPUTY-SPEAKER. - Who seconds the motion ? Mr. HUTCHESON .- I do. Mr. KAIHAU (Western Maori District) .- Sir, as it has been moved that this debate be postponed, I understand I am now at liberty to complete my remarks. Mr. CARROLL (Native Minister) .- I do not want to interrupt the honourable member, or say anything at all, but I ask your ruling. The honourable gentleman, although he now I has another half-hour in which to express himself, must confine his remarks, I submit, to giving reasons. An Hon. MEMBER .- What about the San Francisco mail-service ? Mr. DEPUTY-SPEAKER .- The motion is not to adjourn the debate. It is a substantive motion to get rid of the committal for to-day, and to commit the Bill to-morrow. Mr. KAIHAU. - As this opportunity has been accorded to me, I will proceed to explain to the House what further I desire to say. The posi- tion, Sir, is this : When the movement com- monly known as the King movement was first initiated, certain people went throughout the length and breadth of the North Island, search- ing through the main lines of descent from our ancestors of old times for a suitable person to be their representative head or king. Now, Sir, there was a chief in former days known as Hongi Hika, who was a leading chief of the Ngapuhi Tribe ; and, Sir, I should like the honourable member for the Northern Maon District-the young man named Heke-to li". ten to what I have to say on this head. Hong Hika, Sir, went to England, and he there sough: an interview with the then King of England. and endeavoured to persuade him to establish him (Hongi) as king of the Maoris of New Zealand. When he came back from England. and returned to his people, he found it was nei in their power to establish him as king. They had not the numerical strength nor individual prowess to enable them to enforce his desire. Then the people towards the southern end of this Island took up a similar idea, and the son of the famous chief Te Rauparaha - by name Tamihana te Rauparaha-went to Eug- land to endeavour there to obtain means by which he might be enabled to establish s king over the Maoris. He came back after concluding his visit to England, and he said to his father, Te Rauparaha, " You shall be king over the Maoris of New Zealand." Now. these words were given expression to in the year 1846. Te Rauparaha turned to his son and replied, " No, my son, take that proposs. to select a king back to Waikato. Te Whers whero is the principal chief of that place: it was he who saved my life, and he is the most suitable man." Now, there was a pro- verb or saying in connection with the Wai- kato Tribe which was widely known at that time ; it alluded to the Waikato River, which is

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turns and bends, and at every single one of these bends in this long Waikato River there was a recognised chief, which is the origin of the saying, "He piko he taniwha, he piko he taniwha," meaning that at every bend there is a taniwha ; a taniwha meaning in this applica- tion a chief. Subsequent to this, Matene te Whiwhi went right through the island to select a suitable chief as king. The first chief he visited, and upon whom he proposed that the kingship should be conferred, was Turoa, of the Wanganui Tribes. And, Sir, when the proposal was taken there, and they looked into the matter, they found that the fish of that dis- trict were only toitoi and kakahi-small fish, and of very little value. Therefore the chiefs of that district were not suitable men from whom to select a king. Then, after that, Sir, they went with this offer of the kingship to Tongariro in the centre of this island. One of the principal chiefs of New Zealand lived there ; his name was Te Heuheu. There was a widely known saying in regard to this chief : " Ko Taupo te moana, ko Tongariro te maunga, ko Te Heuheu te tangata "-"Taupo is the sea (or lake), Tongariro is the mountain, Te Heuheu is the man "; and the people who knew all about these matters, and had a desire to set up a king, went to Te Heuheu and pro- posed that he should accept the position. They found that the

only fish in that lake were kokopu and koaro. They therefore decided that, for that reason, even the chief Te Heuheu was not a suitable person. They next went to the east-to Rotorua. They went to the chief Te Amohau, and offered the position to him, and afterwards to Te Kani a Takirau. But they found that the fish produced by the Rotorua lake were only koura and kakahi ; and their final resolution, after having gone round and person- ally carefully examined into the position in each place they visited, was that there was no one in any of those tribes suitable to be made king. They then brought the proposal back to Wai- kato, and eventually Potatau te Wherowhero was made king. However, I say that before he was publicly set up as king he was actually the king by right. Previous to that time the people knew he was entitled to the kingship through his direct descent from Jehovah, or Io. That being so, if the members of this House de- cide that this man is no longer to be called by the name of " king," that will not take away from him the kingship he holds by hereditary right of descent. If the House objects to the name of "king," let us go back to the Deity himself and urge their objection there, and if they suc- ceed in establishing an objection against the Deity himself, then the objection to Mahuta being called by that name might be allowed. The Native Minister himself denies the right of that man to be called by this name Sir, I thought the Native Minister was one of the few people who really did possess a comprehensive knowledge of the ancient history of the Maori tribes of this country, and, in my opinion, he ought to tell all members of the House what is the true position in regard to the question. may, perhaps, be quite new to them, but I can assure them that the Native race is fully aware of the correctness of what I say. It may be that the Native Minister is of opinion that the Maoris throughout the Island are ignorant of the course they should pursue in order to obtain the accomplishment of the object they desire. Sir, that is all I propose to say under that head. If the House so desires, I could lay before it a genealogical tree of the various tribes throughout the Island, traced from the source I have named. Now, to come back to the Bill, I wish to say that, generally speaking, its provisions will not affect the honourable member for the Southern Maori District, as the Maori lands in the South Island are in quite a different position from the lands in the North Island. Neither will the Bill directly affect the honourable member for the Eastern Maori District, as there is only a very small balance of available land in the honourable member's electorate that is not already either under lease or under some other system of management that precludes it from being operated upon by this Bill. With regard to the honourable member for the Northern Maori District, the same remark in a sense applies to him, because there is only a small available area of land in his electorate that might be brought under the provisions of the Bill. I should say I am probably beyond the mark in estimating that about 400,000 acres is the total of the available land there. But, Sir, when we come to deal with my district- with the Waikato-we find that vast areas of land were taken from the Maoris there by conquest. There is also, however, a large balance of Maori land yet remaining in my electorate. I say this, Sir : That being the posi- tion, this Bill most directly and most particu- larly affects the Maoris throughout the district I represent-the people who have sent me to this House-and I therefore say that I will use every endeavour I can to frustrate the passing of the Bill unless certain amendments I shall move when the Bill is in Committee are agreed to. Sir, to-day I received a telegram from con- stituents of mine, as follows :- " Otorohanga. " We have received the copies of amendments you intend to move. They are most clear and satisfactory to us. Use your best efforts to ob- tain their inclusion. Kia ora. "ORMSBY, and PEPENE." These two gentlemen were in Wellington as delegates representing a large section of my electorate last month. Sir, I now call on the Native Minister and request him to meet me as fully as he can in accepting the amendments 1 shall propose, and which I believe to be in the best interests of my people. I claim that this Government ought to specially consider my people and myself, and for this reason : Since I came into this House, in the year 1897, I myself, personally, have kept the Government in office. If I had not had my seat in this House they would not have kept theirs here. I refer the House to the division-lists of that

time. Division after division on important sub- jects will be found recorded where my single vote, and sometimes, perhaps, one other, may be claimed to have kept the Government in office. I know that the Opposition side of the House will bear me out in what I say. And I go further, and say that it was because of con- tinued promises made and held out to me by the Government, to the effect that if I would support them they would do something for my people to put them on a proper footing, that I was so consistent in my support. It is not that I want them to do anything for myself person- ally ; but, Sir, I desire to redress the wrongs that oppress the people who elected and sent me here to be their representative. And I have not the slightest fear in voicing my opinions in this House, and in saying whatever I believe to be necessary, because it was not the Govern- ment who put me into this House; though since I have been in this House I have faith- fully supported the Government, and continu- ally during my period of membership I have besought and importuned the Government to do something for my people. The original Maori Council Bill was considered by the Pre- mier and the Ministers and myself for a long time. It was gone into most exhaustively, and most carefully weighed and considered. I felt very much in love with that Bill, and I thought the Government were also in love with it. Sir, this Bill was as a mutual sweetheart of ours ; but, Sir, when we married this cherished mutual sweetheart instead of her giving birth to the child we expected, when her child was born, Sir, it was piebald. And we are in this position now that what was expected to be a child of the Maori people is not of the colour anticipated ; it is neither black nor red-it is, in fact, Sir, so peculiar in aspect and appear- ance that we hesitate even to touch it with our hands. Sir, in conclusion, I desire to thank the House for the consideration extended to me in allowing me extra time in which to express my views on this measure. I feel that it is a compliment that has been paid to me, and as there are, no doubt, many other mem- bers who desire to speak I will not take up more time. Mr. HEKE (Northern Maori). - Sir, the member for the Western Maori District has apparently been directed by his people and also by Mahuta to take an occasion during this session for replying to a speech that I formerly made in the House this session. By way of passing, he went on to explain to the House the reason why his people up in the Waikato had the right of appointing one of their number as king over them, and he goes on to quote two verses in Deuteronomy ; but it is a most pecu- liar thing that the following two verses throw a further light on the subject. One of them reads in this way : " But he shall not multiply horses to himself, nor cause the people to return to Egypt, to the end that he should multiply horses : forasmuch as the Lord hath said unto you, Ye shall henceforth return no more that way." Then, the next verse goes on to mention a condition that the king chosen Mr. Kaihau by the honourable member's people has violated, for it reads in this way : "Neither shall he multiply wives to himself." Now, that is a condition that was violated by Tawhiao. Sir, it is not my intention to go fully into the question which the honourable member for the Western Maori District has devoted so much of his attention to this evening-tha: is, to combating a speech of mine which I made in this House-because that would only bring about one result: it would create ill-feeling among the tribes and revive tribal jealousy, à feature I sincerely wish to avoid, believing, as I do, in the good principle of cementing the love of the people rather than causing friction. I can only say this in reference to the whole of his speech : that the northern people have never countenanced the making of this king- that, in fact, the idea was repugnant. So far as the condition of the Native chiefs throughout the colony is concerned, we all recognise this among our customs: that each tribe has its own head, and that there are chiefs who are on a par with one another, but that no one can claim to be more than another except where strength of arms comes in, and by the supe- riority of arms they loom higher than others. But that is not a question to be discussed, fc: it simply raises a lot of tribal jealousy. I desire to devote the whole of my time to the discussion of the Maori Lands Adminis- tration Act of last session and the amending Bill now brought before us. The honourable member for Napier made a lengthy speech, full of words. He harangued the House durin the whole time ; but what does the speech of the honourable member amount to ? Did it go to show anything in condemnation of the Act of last year or the

Bill now before us. Cer- tainly not. What did he refer to ? He traversed into the back ages from 1858 up to the present time ; but he showed nothing condemnatory of the Act of last year. He simply condenined the system the Government had adopted by lens- lation-that is, he condemned the Crown's right of pre-emption over Native land. There was nothing at all to explain that he had a scheme which would solve the Native difficulty. He called the attention of members to an inter- view which the Evening Post gave. What was in that interview ? Nothing ; simply a repeti- tion of speeches and statements he had already made over and over again in reference to the action taken by the Native Minister during the early years. Now, when the honourable mem- ber says that the principle which is laid down under the Act of last year and in this Bill bas been tried before he is entirely wrong. He went on to say that under the Act of 1858- passed by Sir George Grey- this system was tried. Nothing of the kind. Mr. A. L. D. FRASER .- What was in the Bill ? Mr. HEKE .- The honourable member did not go any distance to explain the provisions of the Bill. He simply made a statement that the system was tried in 1858. The 1858 Act was a civil Act, and allowed the people to appoint Magistrates ; but, as far as any conditions in
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tion of Maori lands, the Act of 1858 did nothing of the kind. Then he came on to the Act of 1883, which gave power to the Natives to elect a Committee to inquire into disputes affecting Native lands ; but this Act of 1883 is nothing at all compared with the Act of last year. It never gave the Maoris any power : it simply armed them to make an investiga- tion, and make a report to the Chief Judge of the Native Land Court. And when he speaks of the failure of the Native Committees in collecting and distributing moneys he refers to the Native Land Act of 1873. There was really no power whatsoever there for solving the Native difficulty. Therefore his comparisons fall to the ground. The system under the Act of last year and under this Bill is an entirely new principle. I do say this : that the only and first real attempt made by Parliament to solve the Native question was made by the late Mr. Ballance in 1886, when he passed the Act which was repealed a year or two afterwards. That Act had not a chance at all to be tested ; and I believe if it had a chance of being tested in its entirety great good would have emanated from it. But what was the cause of the repeal of that Act ? It was entirely brought about by Native agents and people trafficking in Native lands. Mr. A. L. D. FRASER .- You are rather severe on the Native Minister. Mr. HEKE. - I am only expressing the opinion that if the Act of 1886 had been given a chance great good would have resulted. The honourable member for Napier went on to say that the Act of last year was too cumbersome and expensive ; but the most serious point he referred to was that this Council was composed of Maoris, and that Maoris were open to be bribed, and he said that if he had £100 he could buy the whole of the Maori Councils out. You must remember the Councils are also to be composed of Europeans. If we look into this statement of the member for Napier what does it call forth ? It calls forth this : that he must have had previous experience of this kind. Has he been in the habit of going about with sums of money bribing Natives ? Of course, I know that the honourable gentle- man has been employed by Europeans for the purpose of negotiating sales and leases of Native lands; and I also know that the honourable gentleman is entirely employed in acting as agent before the Native Land Courts for Maori clients who have Euro- peans at their back. Under these circum- stances, can the honourable gentleman's speech have any weight with honourable members? Certainly not. Then, the honourable member made another remark with regard to the Act of last year, and it was the only other remark he made regarding it. He said, "Supposing this Maori Council decides to deal with the question of appointing successors to deceased owners and partitioning Native lands, just imagine the ex- pense to the Maori owners." Well, the honour- able gentleman really ought to be fair. He ought to give the House to understand the VOL. CXIX .- 63. to draw the attention of members to this : that the whole power to vest judicial power in the Maori Council is solely and entirely in the hands of the Chief Judge of the Native Land Court. We all know that the Chief Judge knows perfectly well that it is not in the interests of the

Maoris to vest this power in the hands of the Maori Councils at present. The Maoris themselves really do not want to exercise this power ; they fully realise the burdens that would be imposed on them if they called for this power to be exercised by the Councils. The whole duty of the Councils, as wished for by the Maoris, is not in the direction to do judicial work, except in one instance-that is, by pana- tupu committees- but solely for the purpose of enabling them to transfer large tracts of land which they are not able to use for their benefit to the Councils, so that they may be able to have them cut up into sections and have them put up to auction for lease. The Native Land Court still goes on and does its proper work- namely, to deal with the judicial work in re- ference to the Maori lands. The honourable gentleman also made this statement : that the Maori cannot lease under the Act of last year. Mr. A. L. D. FRASER. - Except through the Councils. Mr. HEKE. - Apparently the honourable gentleman has no desire to explain to honour- able members the provisions by which Maoris can lease their lands not through the Councils at all. Under section 5 of this Bill, and under a clause of the Act of last year, it is provided that the Natives may make application to the Council, and by the Council to the Governor in Council, praying that their lands may be exempted from the operation of the Act of last year, and they should be enabled to lease to private persons. Mr. A. L. D. FRASER .-- Which section are you quoting ? Mr. HEKE .- Clause 5 of the present Bill ; it repeals the original section of the Act of last year. Read clause 5 of the Bill and you will find it. In the clause now before the House it says the Governor in Council can act on his own responsibility. And if by the removal of such restrictions the land is set free, the Maori owner has the absolute right of dealing directly with private persons to sell, mortgage, or lease. Now let me come back to some of the state- ments made by the member for the Western District. Both he and the member for Napier told the House that a great cry had been raised by the Natives against the Act of last year. This is entirely wrong. I will tell you where the objection comes from. It comes from in- terested persons, who make it their business to deal with Maori lands and the timber on Maori lands, and to act before the Native Land Court. That is where the objections are coming from. So far as the true Native is concerned, their desire is that legislation should be brought down in the shape of adopting a system by which they can lease their own lands through a.

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petitions have come to some members of this House, and they have been taken round all the settlements by interested persons; but the method of getting signatures, what is it ? Are the signatures of the Natives which are at- tached to the petitions signed by the indi- viduals ? Certainly not. They misrepresent things to the Natives by saying that the Act i■ most detrimental-that it will do this, and do that, with the result that they do get some un- thinking Maori signatures; but the signatures are not written by the individuals, but by the people who take the petitions round, and are not worth the paper they are written on. I raised a question on a petition presented by the member for the Western District last year, on which there were hundreds of names in the handwriting of one individual. Now let me refer to a statement made by previous speakers. They have asked what has been the cause of so many Acts affecting the Native lands. There is only one answer : it has been entirely owing to private persons who deal in Native land, who send their representatives to canvas amongst mem- bers, and when they find that legislation does not give effect or make valid any of their trans- actions they bring pressure on different Go- vernments, and that is the cause of the number of Acts which are passed in this House. It is simply axe-grinding. Let me devote my atten- tion to this question : Can we solve the Native difficulty ? I say, according to my experience in the House, there is no chance at all of solving it if party question is brought into the matter. You cannot do it. But if members act indi- vidually on this question, and on the reason- able merits of it, there is a hope of having some legislation which will go far towards solving the difficulty. But the idea of a solution of the whole question is entirely out of the region of practical politics. There is far too much axe-grinding going on. There is this in reference to the Act of last year : It lays down one of the only

foundations by which we can solve the Maori question. The effect of Acts ought, to my mind, to be directed in this way: I think the balance of the Maori lands 9.0. at the present time ought to be retained and reserved for the remnant of the Maori people, so as to settle the future of the Maoris. Now in dealing with legislation to bring that about we ought also to provide means by which the Maoris can have their lands leased by the Board, and the Act of last year supplies that ; and the material defect in the Act of last year is as to the number of members of the Board. I have always contended that the number ought to be reduced from seven or five to three. Then you would have a workable Board, and one that will be more inexpensive. Now, I also de- sire to place this before the members of the House : that I really think the Government and honourable members ought to assist in improving the legislation of last year in a material way. That is, moneys ought to be voted by the State for the purpose of enabling the Act of last year to be administered, and I will give reasons. I think the Maoris are fully Mr. Heke The Crown, through its right of pre-emption over Maori lands, has benefited largely by it. Take such illustrations as those supplied by the honourable member for Bruce, where he quotes the price offered by a private person being £30 an acre, and the Crown offered and obtained the land for £9. By the Act of last year we have changed the system altogether. We have gone so far as to say that the further purchase of Maori lands shall cease. In this respect we do away with the further borrowing of moneys for the purpose of acquiring lands. But we go further, and say that the surplus land, where desired by the Maoris, shall be trans ferred to the Councils, and by the Native Councils it is cut up and thrown on the mar- ket. We therefore afford the opportunity to Europeans who desire to become settlers to acquire leases under our Act. In doing that we benefit the local authorities and also the Government ; and these are reasons, I think. that ought to be considered by the Government and members of the House as showing that we are entitled, in some extent, to some monetary assistance during the first two years of the ad- ministration of these Councils. Now, there is also this view to be always borne in one's mind in dealing with the Native question : that we have such things as charitable aid ; and we also have an Old-age Pensions Fund. And we should retain for the Maoris the balance of their Native lands, to avoid the necessity of depending upon charitable aid or falling upon the Old-age Pen- sions Fund. While we leave them a sufficiency of their lands, we ought to provide them with the means of enabling the Maoris to improve their lands themselves; and I think this House ought to go further, and apply to them the system we now have in the Advances to Settlers Act, by supplying the Maoris, where they are able to do so, with the means by which they may improve their lands. We have large numbers of Maoris who can improve their properties. But this is the only stumbling. block so far as that point is concerned. For these reasons I think the Bill goes a long way towards satisfying the minds of the Natives in a material way. All this talk about the Natives objecting to the Act of last session is entirely fallacious. Allow me also to say, as to the talk that the Act is not good : why, we have not tried the Act, and the only reasonable objection that can be urged against the Act of last year is that it was not set in motion. I like to hear the honourable member for Napier. In the course of his speech on this Bill he never made an explanation in reference to the Act of last year, nor did he concern himself with the Bill that is now before the House. He took an excursion away back to 1858 ; he travelled thence up to 1873, and up to the present time. What ex- planation was this ? What relevancy had bis speech to the Act of last year and the Bill now under consideration ? Nothing at all. His speech was simply all words, and nothing but words. Mr. DEPUTY-SPEAKER .- Time is up. Mr. G. W. RUSSELL (Riccarton). - Mr.
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debate, various regrets were expressed that the members from the South Island had not hitherto taken any interest in matters relating to the Native lands of the colony. When I came into this House, in 1894, it appeared to me there was a kind of unwritten law that members representing South Island constituencies should not discuss Maori questions, and I have studiously refrained from speaking on matters relating specially to the Maoris. But it appears to me this question of legislation for and administration of

Maori lands has now come to that point that it is the duty of mem- bers of the House, from whatever part of New Zealand they come, to take a deep and searching interest in connection with them, because we are face to face with this problem : There are some four or five million acres of land owned by the Natives, and the question Parliament has to settle is, What relation is the future of these lands to bear to the revenues and pro- sperity of the colony ? That is, it appears to me, one of the questions that makes it a neces- sity that the members of this House from all parts of New Zealand should take a real live interest in connection with the matter. It is evident from, the discussions in this House, there are only two members of the Ministry who regard themselves as competent to express an opinion regarding Maori matters. They are the Native Minister and the Premier. All the other members of the Ministry maintain absolute silence with regard to these matters. I do not know, therefore, whether the Bills presented to this House represent the combined efforts of the Ministry as a whole or simply of the two members whom I have named. But it becomes, therefore, all the more necessary that Parliament as a whole should discuss and seek to understand these questions. Now, Sir, there are some very large and important problems, as I have hinted, underlying this question of deal- ing with the Maori lands. I believe it is the sentiment of the entire colony that there should not be any return to the policy of free-trade in Maori lands. In 1886 the Hon. Mr. Ballance put on the statute-book a law which, I think, if it had had a fair opportunity of being tried, would have proved to be a solution of the Native difficulty. It abolished free-trade, set up committees, and provided a Commissioner. But in 1887 there was a general election. The Atkinson Government then returned to power, and the first Native Act they passed in 1888 was to repeal the Ballance Act of 1886 and return to the policy of free-trade. Then, in 1894, the present Government brought down their Native Land Court Act, by which the colony returned again to the policy of pre-emption of the Crown in connection with Maori land. Now let me deal for a moment with the pre-emption of the Government. We are con- stantly hearing references from the Maori mem- bers to the Treaty of Waitangi. It is perhaps desirable that I should place on record at this point what the Treaty of Waitangi really said in connection with pre-emption. Article 2 of the Treaty of Waitangi says,- firms and guarantees to the chiefs and tribes of New Zealand, and to the respective families and individuals thereof, the full, exclusive, and undisturbed possession of their lands and estates, forests, fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in possession ; but the chiefs of the united tribes and the individual chiefs yield to Her Majesty the exclusive right of pre- emption over such lands as the proprietors thereof may be disposed to alienate, at such prices as may be agreed upon between the respective proprietors and persons appointed by Her Majesty to treat with them in that behalf." Thus the Treaty of Waitangi laid down the principle that the pre-emptive right of purchase was to be with the Government, the presump- tion of that treaty being that the colony was to go on colonising and settling these lands as part of its policy. There is another point in connection with last year's Act, to which I desire to refer-namely, the definition of the word " Maori" :- "'Maori ' means an aboriginal native of New Zealand, and includes half-castes and their descendants by Maoris." That is a change of policy as compared with what has obtained in previous days, and I think it is a very mistaken one. The idea of that clause appears to be to create a Maori caste in connection with this colony, and to give an inducement to the half-castes of New Zealand to marry back into the Maori blood, and not to marry into the European blood. Now, I think the history of all contact of civilised races with uncivilised shows that the greatest benefit has been secured by the uncivilised race having every inducement to absorption by the higher race. My Maori friends will not deny that English civilisation, which is the result of probably some fifteen hundred years of evolu- tion, has reached a higher stage than that they have attained to in connection with their race ; and I believe it is a retrograde step for the colony to say that the intermarriage of half- castes and Maoris shall be encouraged to the detriment of those half-castes who marry into the European blood. I observe that both the member for the Southern Maori

District and the member for Napier have proposals on the Order Paper to eliminate from the Act the words " by Maoris." That will then leave the definition of the clause to mean the aboriginal natives of New Zealand, including half-castes and their descendants ; and I think one reason why it is desirable that alteration should be made is that up to the present time the Maoris have been, and probably are, a diminishing race. Therefore, as generations go on, if the whole of those five millions of acres of land are locked up in the possession of a decreasing number of Maoris, there will be a tendency to create a land-owning caste in the colony, and that will be undesirable. On the other hand, by treating as Maoris for the purpose of the land-laws those half-castes who
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marry Europeans and their descendants, there will go on a steady distribution of the Maori lands, and the two races will become fused in one, and thus the Maoris will be finally absorbed. It must be admitted, I think. that the legislation of this colony in connection with Maori mat- ters has been halting, changeable, and ineffec- tive. What is our position now ? There is a Bill before this House at the present time called the Native Land Claims Adjustment and Laws Amendment Bill. I am not going to refer to the proposals in that Bill. I merely cite it as one of the results of our legislation in this respect. That Bill contains proposals to upset decisions of various Courts of the colony by giving legal effect to recommendations of the Native Affairs Committee and in cer- tain other ways ; and, I ask, what can be the position of Maori matters in the colony when the result of all our legislation has been that in the year 1901 we are dealing with a Bill altering the decisions of various tribunals that have been set up by the colony for the purpose of dealing with these Maori lands ? No greater proof can be given of the statement I make that our legislation on these matters has been halting, weak, and ineffective. Mr. HOUSTON .- The Government do the same with regard to Europeans. Mr. G. W. RUSSELL .- No ; there is no such Bill with regard to Europeans. I deny the honourable gentleman's assertion. Mr. HOUSTON. . The " washing-up " Bill. Mr. G. W. RUSSELL .- It does not deal with such cases as there are in the Bill I have referred to. Mr. HOUSTON .- It is on a par with it. Mr. G. W. RUSSELL .- No, it is not on a par with it. It is quite a different thing, be- cause what we call the European " washing-up" Bill generally deals with small matters relating to reserves, local bodies, and so on, but does not undo the decisions of legal tribunals that have been set up for the purpose of deciding questions at law. There is another matter I should like to refer to. It has been said throughout the debate-it was mentioned by the honourable member for the Waikato -that there should be the same law for the Natives as for the Europeans. Now, Sir, that is right with regard to laws in general ; but can the honourable gentleman point to any similar case where there are numbers of Europeans situated in exactly the same way as the Maoris are situated in connection with these lands ? It is quite right that what I call a general law should apply equally to both Maori and Euro- pean. That I am entirely in favour of with all matters that are applicable to the two races. But, to give force to the honourable gentle. man's argument, it is necessary he should prove there are large numbers of Euro- peans holding blocks of land communally, having interests in many cases that have not been separated ; that these lands are not settled upon, and are blocking the progress of the colony ; and that there was a parity of in- terests, so far as the Europeans were concerned, similar to the case of the Maoris themselves. Mr. G. W. Russell That position, however, cannot be maintained or proved. We are dealing now with a special set of circumstances, which require special treatment at the hands of Parliament and the country. Still, I am prepared to admit, what we all know, that there are individual cases of Maoris who are as astute and clever as any European ; but these are isolated cases, and do not represent the general body of the Maoris, who in many cases live in the back part of the colony, and have not had that experience of business that is necessary to enable them to meet the exceedingly keen-witted gentlemen who represent those classes of investors who want to become owners or lessors of Maori lands. There is, however, a party springing up in New Zealand which I am glad to see- namely, what is now known as the " Young

Maori party." I believe that a party like that will tend to draw to itself the ablest of the rising generation of the Maoris, who will combine with a patriotic love of their own race that intellectual training which our universities and colleges are able to give them. By that means we shall draw into public life, in its various phases, the ablest of the young men of the Maori race. Now, Sir, with regard to the Bill of last year, let me briefly summarise the principal provisions of that Act. There was, first of all, the election of Councils, on which the colony and the Maoris owning land in the dis- tricts were to be represented. Secondly, there was the transference of the powers of the Native Land Courts to those Councils, as to the ascer- tainment of ownership, partition, succession, the definition of relative interest, and the appointment of trustees for Native owners. Thirdly, there was the maintenance of the Chief Judge of the Native Land Court and the Appel- late Court as a tribunal of appeal from the deci- sions of the Councils themselves. And fourthly, in the absence of an appeal, there was a recording order by the Council as an order for dealing with the Native lands interested. Then, again, subsidiary to these Councils, which dealt with the larger interests in Maori lands, there were the Papatupu Block Committees, having power to deal with land the title to which has not been investigated and determined. These committees were also to be elected from persons claiming to be the owners. Now, here I come to this point : In connection with both the Councils and the committees the principle of election was maintained, and who can deny the excellent results that would follow from intro- ducing this principle of election amongst the Maoris themselves. First of all, it gave them a direct interest, a personal interest, in connec- tion with the management of their land: secondly, it would develop amongst them the spirit of self-government ; and, thirdly, I believe it would have the effect of bringing the ablest Maoris to the front in connection with the management of their own affairs; and that, I believe, is one very important part of the whole thing. And now, what do we find ? Before the Act containing those im- portant provisions has had a chance to get on its legs, before the Government has had

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have honourable members like the member for Napier, Mr. Fraser, coming forward and de- nouncing the whole measure-that is, before it has had a chance of showing what there was in it. Now, I am not of that opinion. I have seen measures such as the Land for Settlements Act, where, having established a principle, there has been a steady evolution, a building-up, of the measure; and I believe the proposals of the Go- vernment go in that direction with regard to Maori lands What, then, is the weakness of the Act of last year as it is on the statute-book ? I say that the weakness of the whole measure can be expressed in one sentence, and that is, that there is no assured finance behind the Act of last year for the purpose of providing money for the development of these Maori lands. Take, for example, the blocks of land that are to be administered by the committees to which I have referred. Why, Sir, what powers, what finance, what money have the committees got for carrying out the provisions of the Act in providing for the survey, and deter- mining with regard to the allotment of the lands ? I can find no provisions in the Act by which they can provide money for those purposes. That I believe to be the blot in connection with the law, and it certainly ought to be altered. It is exactly the same with the Councils. The Councils are not sufficiently provided with an assured finance for the pur- pose of handling these blocks of territory and bringing them into a state in which they will be suitable for occupation by Europeans or Maoris, as the case may be. I do not propose to review fully the provisions of last year's Act. There is the Act on the statute-book for what it is worth; but I should like to say very briefly what, in my opinion, should be the direction in which our legislation should go in regard to this four or five million acres of Maori land. I believe, as I have said already, that the House and the country are opposed to anything like a return to free-trade in or general alienation of Maori lands. Last year's measure is clear and effective in so far as it insists upon inalien- able reserves being set aside for every Maori, and I believe that vital principle is likely to be supported continually by the country. But then comes this larger question : Assuming that you have set aside these

reserves, and that the members of the Maori race are provided for so far as their occupation of farm lands is con- cerned, are the Maoris then able to handle and develop the lands that remain, so that those lands may bear their fair share of taxation and contribute to the prosperity of the colony ? I say they are not; and therefore it becomes necessary to provide means to develop these lands. We should utilise the Councils and committees as Boards of advice. There should also be, in my opinion, another and larger Board set up, invested with extended powers, so that on the recommendation of the Councils this Board I am proposing may deal with the Maori lands. I am not forgetting that under last year's Act there is power in clause 31 by which the Councils may act as a kind of Crown these lands. I am endeavouring to show that unless these lands are prepared for occupation you are wasting your time in attempting to deal with them. The Maoris have no money to develop them; yet to be profitably occupied they must be surveyed, roaded, in some cases drained, and otherwise improved. I would therefore suggest to the Government that there should be a Board, consisting of the Minister of Lands, the Native Minister, the Surveyor-General, the Commissioner of Taxes, and two elected representatives of the Maori race, and that this Board should be provided with, say, a million of money, which should be placed at its disposal for the purpose of develop- ing these Maori lands and preparing them for settlement. This money should be available not only for the waste lands, but for the papa- kainga and papatupu blocks also, so that these blocks may be brought into a state to be occu- pied profitably by the owners, or could be let on lease, assistance being given to the Maori owners to live on and work their own lands, or that they themselves may become tenants if they so choose. And then, having thus brought these lands into that state of returning a value and increasing the products of the colony, the colony has a right to say these lands must bear their fair share of taxation, both as regards local rating and the land-tax. Of course, the lands would pay, first of all, interest and cost of ad- ministration. It would be quite possible, if a policy like that were laid down, to establish in connection with the Maori race agricultural colleges and schools, so that the fine young men of that race, instead of having their at- tention largely taken up with horse-racing and gambling and other questionable forms of amuse- ment-which, unfortunately, they have learnt from us-should as a race have their minds occupied in learning how to farm their lands. They should be taught how to breed the best classes of stock, and would thus learn to rise in the scale of civilisation. I do not wish to detain the House much further in connection with the matter, but I have ven- tured upon this occasion to make these remarks in the hope that perhaps they may help slightly in suggesting to honourable members in what direction our legislation in connection with Maori matters should go. Of course, there are difficulties in connection with this matter. The progress of such a scheme as I have suggested might be slow, but in it lies the only method of dealing with these lands apart from free-trade with its attendant evils. I think the honour- able member for the Northern Maori District, Mr. Heke, put his finger very plainly upon the position when he said that the want of finality in our legislation regarding Maori matters was because there were many different vested in- terests represented upon the floor of this House and in the influence brought to bear upon the Government. I say that what we want more than anything else in connection with the legislation on Maori matters is finality, and that you will only get that when you bring in a scheme that is broad and comprehensive,

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time to time as circumstances arise ; and when you bring in a scheme like that, that is broad, self-contained, and comprehensive, you will have no difficulty in meeting minor con. ditions and difficulties as they arise. Under such a scheme the first thing that 9.30. should be done would be to provide the means by which there would be a definite, direct, and immediate settlement of every in- terest in connection with Maori lands. All existing negotiations should be closed up within a fixed period, and only a certain time should be given for the completion of transactions as yet uncompleted. When that was done we could start with a clean sheet, and the Board which I have suggested would have a free hand in

dealing with these matters. There is only one other point to which I wish to refer. A good deal of complaint has been made by the Maoris in connection with the prices paid by the Govern- ment for their land, and with this complaint I have every sympathy. I do not think for one moment that we as a race should, first of all, say that the Government should be the only buyer of Maori lands, and then buy it at prices that are ridiculously under the true value. At the same time it is absolutely necessary that there should be some profit. in connection with the handling of these lands to enable the Govern- ment to pay the expenses of administration ; and it should not be forgotten by the Maoris that these lands are not subject to taxation in the same way that European lands are. I think at the same time it would be right that some tribunal should be set up to which the Government would be amenable-just as Euro- peans buying land from Maoris are, as to price, amenable to the Land Court-which would arbitrate between the Maori owners and the Government Commissioner as to the price which was to be given. Some means surely can be adopted by the Government of this colony which will prove to the Maoris that, while making reasonable profit out of these lands, the Government does not desire to be unjust. An Hon. MEMBER .- Valuation. Mr. G. W. RUSSELL .- It might be possible, as suggested by the honourable member, that the basis of purchase should be by valuation. It is with some diffidence I have ventured to place these remarks before the House on this subject, but my excuse has been the complaint that has been brought against South Island members not taking any interest in connection with Native affairs. I trust that from this time forward we of the South Island will take as keen an interest in this problem as our brethren from the North, and that the Maoris will be able to feel that when legislation affect- ing them comes on to the floor of the House it will not be left altogether in the hands of the northern members, but that the Parliament of New Zealand will devote its whole and united intellect for the purpose of doing justice to them, and helping what I believe is their destiny - namely, that they shall not be a diminishing race, but that they shall grow to be a power in New Zealand, rising higher Mr. G. W. Russell they stand on a level with their European brethren in every way. Mr. MONK (Waitemata). - I only wish to make a very few remarks on this Bill, and I think it is necessary to do so in order to in- dicate my feeling in regard to what I believe is a very important measure indeed. My concep- tions in favour of the Bill are nil. I do not believe in it. I believe it will bring no good, but harm, to the Natives. In continuation of the statements which on previous occasions I have made on the floor of this House, I believe it will be the worst of the bad Native legislation that we have had from time to time in this House, and it will have the effect of placing the Natives in a worse position than they ever were. I do not agree with the honourable member who said that the Native legislation of this Chamber had been at the instance of members themselves. I believe that it has taken place almost entirely at the instance of the Govern- ment, moved perhaps to some extent by outside influence, and that influence has not always been of a disinterested character. Now, I was very much impressed at several of the speeches already made on this Bill, as showing how necessary it is that one should have an in- timate knowledge of a subject like this, or, rather, the knowledge of lengthened experience. and I shall confine my remarks on this subject to views of which I have personal knowledge. Now, the honourable member who sits behind me, the member for Clutha-a gentleman on whose judgment I have always felt reliance -- made a speech this afternoon, and, so far as 1 know, he never made a bad speech until this afternoon. I think, as perhaps do also those who know most about the subject, that he was somewhat astray simply because of his want of practical knowledge of the subject. In legis- lating for the Natives it is necessary to know all about their character, just the same as when legislating for ourselves regard must be had to the idiosyncracies of our race. What would be a gospel of help for the ryots of India or the fellarheen of Egypt would be altogether un- suitable for the British people, and in legis- lating for the Natives we are legislating for a people with a strong sense of possession and its rights. They have a great love of property. though they may be careless of it when they get it; but they have as strong desires for possession and acquisition as ourselves. And are you going to keep a race such as this for ever in the

position of minors ? I know that one honourable member, Mr. Heke, the mem- ber for the Northern Maori District, who sits behind me, and who knows a great deal about the Maoris, seems to have large ideas of the benefits that will arise from this Bill ; but I would like to have him alone and catechise him and ask how far on the average you can trust & Maori in the manipulation of money and in the administration of positions of trust. Should the honourable member himself be trusted in the administration of a Maori Lands Bill by Natives? Is not my experience, and has not the experience of the honourable member him-
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themselves; and yet we propose to make a special Board of Maoris to administer Native affairs, a Board amenable to the pressure of those influences that most tempt them to go astray. I say, most of the worst faults and mistakes in the decisions made by Native Land Court Judges has been where the Judges have been influenced by Native Assessors. Now, with regard to a remark made by the honourable member for Riccarton, Mr. G. W. Russell, as to the Treaty of Waitangi. I believe in the Treaty of Waitangi, and I believe it is one of the most beneficent and generous measures that a dominant power could give the Natives, and, if anything more than another redounds to the credit of the British people, it is that when they were negotiating with the Natives for the sovereignty of this country, knowing at the same time that if the sovereignty was not handed over to them it would be all the worse for the Natives, and these Islands would have fallen under the control of other Powers who would not have given to the Natives that con- sideration which it has been the effort of the British Government to award to the Maoris. As far as the Government have administered the Treaty of Waitangi in using the pre- emptive power which it gave to the Govern- ment they were right; and had they acted with prudence and statesmanship, and had there been that sympathy between the Ad- ministration in the Old Country and those placed in power in New Zealand, the first thing that would have been done would have been to determine the boundaries of the dif- erent tribes, subdividing with the boundaries of the hapus, and to have granted a sufficient sum of money to have purchased from the Natives all the surplus lands they possessed, leaving them still in possession of ample for their maintenance. But what did our Govern- ment do subsequently ? They abandoned the Treaty of Waitangi; they surrendered the pre- emptive right, and introduced free-trade in Native lands; and if then they had only limited the area which the European could obtain from the Natives, subject to something of the same control as now applies to us in dealing with Crown lands, the measure would have resulted in nothing but benefit to the colony, and the Natives would not in any case have suffered harm. It is said, "They would have picked out the eyes of the land," but if the House would reflect on the condition of things at the time they would feel that it would be only right that the best land should be obtained by those who were doing the first pioneering work in New Zealand. But in obtaining moderate holdings of the land for small homesteads they would have given the Natives the highest market value, and there would not be the op- portunities for practising the chicanery which might take place. While the Government were obtaining 10 per cent. on all land acquired from the Natives by private purchase, they were receiving ample remuneration. But having once surrendered the pre-emptive right, given under the Treaty of Waitangi, they had emptive right without giving compensation for it ; and I charge the Government-whatever Government did it-with having perpetrated an outrage on the proprietary rights of the Natives. They had no right to do it, and if such an outrage had been perpetrated on a European he would have taken it to the Privy Council, and the Coun- cil would have upheld him. Honourable mem- bers can understand : if you receive a gift from any person-whether from the Government or a private individual-that gift has the same value as if you had paid for it in cash. But the Government took away the privileges from the Natives, and gave them no compensation for it. From that time the Governments have systematically been wronging the Natives. Un- der the free-trade system, at any rate, no Na- tives were made landless -the Trust Commis- sioner took care of that-but under the present regime the Land Purchase Agents have bought the last acre without word or question. I know that, within the last few

years, the present Government have been buying land from the Natives, through their agents, in places where the value of land has risen, and have not given them compensation with any regard to the increased value which the settlement around it has supplied. But there is one thing I wish to call the attention of the House to. I do not think that this applies to the rough Native land which has been bought from the Natives ; for now, when the Government undertake to put settlers on bush lands, it takes £1 an acre, and in some instances more, for the cost of surveys and roading ; and this is a difficulty with which the Boards and Councils, which under this Bill are proposed to be set up, will be confronted. Are the Natives going to find the money ? No. I would be content to support the Bill heartily if the Government would con- sent to the insertion of a clause forbidding the Government from spending any public money in any of the operations of this Bill. But the honourable member for the Northern District wants a sum put on the estimates; he wants the taxpayer of New Zealand to vote a sum of money for these Councils to road the lands, and fatten them in their billets-and it is only what the Act provides shall be done ; and for what purpose ? In order to set up a Maori landlordism-to make the Natives landlords. Mr. HEKE .- They are entitled to it. Mr. MONK .- How are they entitled to it ? The honourable member knows nothing of the benefits conferred by the advent of the Euro- pean, because of his youth, which has been alluded to by his colleague in the Western District. He does not realise the privileges which the Natives have obtained in the settle- ment of the land by white people. I am speak- ing to-day as a Native; but these are just the sentiments which I have heard expressed by his forefathers, of which he knows nothing, but who were conscious of the privileges they got from the teachings of missionaries and settlers. He does not remember the old men who would tell of the time when they never moved without the spear at hand, or the mere slung on the

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defence of their lives, and who held their lives on the precarious tenure of being able to defend it at an instant's notice against the foe- man who might strive to snatch it from them. In estimating the prices that were paid to the Natives in the early purchases thought must be given to the conditions existing then and now. It is the scientific discoveries which have made the products of New Zealand available for Old. World markets, and raised the value of land. Does he forget that only twenty years ago the lands of New Zealand had so receded in value as to be a drug. I could mention hun- dreds of cases in his own district where the land was utterly unsaleable, because it seemed as if we had reached that point at which the products of New Zealand were going to be un- saleable-that is, what we had in excess of our own consumption. But there is a change to- day, and the right way to deal with the Natives is to recognise their right to the higher values now going, and to deal with them as minors, but only to this extent : that I would set aside certain blocks of land which should be called papakainga-inalienable and exempt from taxa- tion ; and I would not have them too large. We do not want to make settlement-obstructive landlords of the Natives, or cultivate in them a spirit of laziness. Leave them in idleness, and with no incentive to industrious effort, and it would be their decline morally and physically. I know Natives who have little or no land who are the most industrious, and are the finest among their race. But I do not wish to see them landless. I would dedicate to them land sufficient to live on, and capable of producing enough for their subsistence. They can do what they like with the remainder : cut it up into small pieces and individualise it, lease or sell it to one another or to Europeans; but they should be restricted, so that the area which they dispose of to any European shall be subject to the limits which now apply to Crown lands. This would prevent the aggregation of large estates. I would not allow any European within thirty years, or as long as the House chooses, to possess more than one subdivision of Native land ; this would effectually prevent the aggregation of large estates, which some say would result from the Natives having free- trade in their lands. Then, as an inducement, I should treat the Natives as I know they desire to be treated - as being capable of appreciating the self-reliance that will be accorded to them. They will not be treated as

incapables, but will have control of all the land not included in rapakainga; but at the expiration of three years it shall pay the same taxes and be subject to the same conditions as now apply to Euro- pean lands. This will at once stimulate the Maoris, and I want to stimulate them. Does the honourable member tell me they are not to administer their lands ? Will he tell me that the member for the Western District has not shown capacity for dealing with his own land ? And if we can only tell the Natives they would be responsible for the careful use of their land, and that they would have to make the best of Mr. Monk they deserved, I say it would at once give them an incentive they would not overlook, and if they failed to take advantage of their oppor- tunities, or prove thriftless or worthless in the management of their sections, there would be their papakainga for them to go on, and they could cultivate enough to live on ; they will not get pauperised, they will be forced to seek employment like Europeans, and will be in a better position than seven-tenths of our Euro- pean citizens are in to day. Is not this equi- table ? I want to be fair to the Natives, but if the process proposed in this Bill is followed it will be the decline of the Natives. If I wished to involve the Natives in trouble-if I wished to submerge them in expense, and insidiously alienate them by undermining liability-it would be by doing as the honourable member suggests, by a system under which a vote would be taken out of the Treasury in order to be spent on Native lands, to build up a class of Native landlords : that each of them would receive a sum of money out of the Treasury to enable them to cultivate their land, as proposed by Mr. Heke. Why, the Natives already know how to cultivate their land. I know Natives who are very high in the art of cultivation. Their only fault is their laziness and disinclination to persistent in- dustry, and the fact that they have not individualised their land. Their communism is the strong detrimental influence under which they suffer-that is, those who want to improve their circumstances-for, if they want to save money or to put away money, all their relatives feel that they have a right, so to speak, to share in it; and the Native sense of the rites of hospi- tality is so strong in the Maori that he cannot readily refuse the assiduous applications of his relatives to divide with them. I want to break down that aboriginal quality. I know many Natives feel that it is a detriment to their wel- fare, but they feel a difficulty in breaking through their ancient usages, and make up their minds to put up with conditions under which they are pressed down by their Native relatives. and, while living in communism, they feel it is no use struggling against the downward pres- sure. That is the crux, and the Native Minis- ter knows it just as well as I do, and that more than anything else has kept down the Natives from rising. I want to cut that away from them. That will be done by individualising their land. Mr. CARROLL .- This will do it. Mr. MONK. - It will not do it. It is helping to do too much. The native land will increase in value. They will sell on the borders of settlement, and, as it advances, the price gradually rises, and they will be able to dispose of it. Will the honourable member tell me that the value of the native land in its wild condition is anything like the large value which it will have when they will be able to demand the expenditure of public money on it, by which means they will make it specially valuable? Are you going to spend money for the purpose of making these Natives landlords ?

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one ? I may assume that he has no reason. except to see them subdividing their lands and seeing them become landlords at the expense of the taxpayer. But I do not see that there is any special advantage in dividing up the lands and making each Native, so to speak, a free- holder. There is an advantage in cutting up a piece of land and putting Europeans on it, or the Native, if he likes to go in for the culti- vation of the land or build a house, and as- siduously improve his land and make a home- stead for himself where he may be sustained for the remainder of his days. Then, again, are we going, so to speak, for a mere experiment to build up a system of administration of the Native lands of the colony at the expense of the whole of the taxpayers of the colony. I speak with some knowledge of the Natives, and I have no personal interest to serve. I am not in- terested in Native land transactions. I have conversed in their own tongue with some of the important Natives, and I know how they fear this Bill. They know that once it is

put into operation there will be a con- tinuous expense. They know that as soon as the machinery is set in motion there will be a lot of selfish scheming, that Natives, and Euro- peans also probably, are going to make use of it for their own selfish purposes, in order to enjoy positions of emolument at the expense of the Public Treasury. Now, if the honourable mem- ber had tried this fifty years ago, when the old Natives were here, he might have some chance of doing it without bringing about the trouble that is sure to arise to-day. Even when they sell, are they as unselfish or as responsive to the old traditions for the benefit and advantage of their tribes as they were then ? Of course not. I remember when some of the first Native land transactions took place on the Northern Wairoa, a piece of land was sold to Europeans for a con- siderable sum, and the Native chiefs gathered in a ring, and the purchase-money was placed in front of the principal man, and the principal man handed it over to the next one in rank, and he handed it on to the next to him, and so on, until it came round again to the principal chief of the tribe who was selling the land ; and what happened then ? He divided it into por- tions, and put a portion in front of each chief and left none for himself. That was the sentiment in those days. But now, I am sorry to say, I can furnish abundant proofs of Native chiefs, where they have had the opportunity of acquiring large tracts of land, who have become most disloyal to their own people and lost to all the feelings that characterized the old leaders. One case which came before the Native Com- mittee related to a large tract of land which was intended for the use of a certain tribe, but they placed such trust in him that although he was intended to be trustee it was omitted to be expressly stated that he was a trustee, and when he died he conveyed the land to relatives ; and as to the tribe, he ignored them altogether and left them nothing. They took it to the Privy Council in the Old Country, which our Government ought never to have allowed them ! its judgment on the words of the agreement ; but our Government knew very well that originally that land was given to the Native chief to hold in trust for the tribe. I will con- clude, Sir, by saying that I am opposed to this Bill. I feel it will not work satisfactorily. I am sure it will give an opportunity for a posse of schemers. It is far better to let things rest as they are, or to bring down, perhaps, such a system as I propose. But, above all things, let me warn the Government not to take the re- sponsibility proposed in this Bill. They should know by this time that it is not wise to take money from the Treasury and use it on behalf of the Native lands, because the Natives will not give them credit for it. They will take ad- vantage of the system of expenditure and make the State no return. If the Government want to help the Natives, the Native Minister should know very well what ought to be done. He is to place it at the disposal of the Natives, and allow them to use their surveyors, who will mark out the boundary-lines of their papakainga, their tribes, and their hapus, and then throw the re- sponsibility on the Natives to manage the rest of their land. They will make it into small sec- tions for themselves if they like to throw off their lazy moods. If they will not do that they will have to pay taxation the same as Europeans do, excepting those blocks that are set on one side, where they will have ample room to cultivate sufficient for their livelihood, and where they will be able to participate in the labour their European neighbours will afford to them. They are well able to live under such con- ditions. I have been in the districts where Natives work, and they work as well as the Europeans do, and the Europeans are glad to have their services. There is one thing the Natives require, and this Bill will not do it: they require to be made assiduously industrious. As soon as they work for a week or for a month they want to go to their kainga and have a "loaf." If you want to help the Maori race you must make them feel that they must learn trades, and practise industry, and cultivate those habits by which prosperity is secured. As for this large residue of land, let it be given to the young people, if they desire, for their homesteads, and let them work it as the Europeans work land. If they do not like to do that let them sell it, and, as a consequence, suffer, as we have to suffer for doing that which is wrong ; but they will have this advantage : they will still have this papakainga to which they can go, and they will therefore be lifted and sustained above the condition of mere paupers. Mr. HEKE .- Sir, I wish to make a personal explanation. I wish to correct a misstatement made by the honourable member for Waitemata in

reference to my remark that the claim of the Natives for monetary assistance is entitled to receive some consideration by the House. The reason that statement was made through me is that- Mr. DEPUTY-SPEAKER .- In making a personal explanation the honourable member
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If the honourable member has been misrepre- sented, let him state what the misrepresenta- tion is. Mr. HEKE .- I will put it in this way : The system under the Crown right of pre-emption to purchase Native land has materially bene- fited the State. This alone is a direct and . strong reason for the Natives appealing to this House for monetary assistance. Mr. DEPUTY-SPEAKER .- That is not a personal explanation. The honourable mem- ber is now giving arguments in support 10.30. of his assertion, and such a course is not permissible. Mr. PERE (Eastern Maori District) .- Sir, I propose to deal with the remarks that have fallen from previous speakers in this debate. It seems to me that up to the present we have had a very difficult matter to deal with. Now, this is the first time you have had a man who has arrived at mature years stand up to speak on the question, and the sign of maturity is this : I ask honourable members to look at me, and they will see that I have no hair left on my head now. Sir, I felt very much ashamed at the remarks that fell from the member for the Western Maori District with regard to Mahuta. Mahuta is away at his own place ; the honourable member is here speaking, pro- fessedly, on Mahuta's behalf. Sir, that, to my mind, is a reason for feeling ashamed ; and the Maoris throughout the Island will no doubt see a report of the honourable member's remarks. With regard to one statement he made I wish to say this : He spoke of Te Kani-a-Takirau as belonging to Rotorua; but the fact is that man never belonged to Rotorua. Te Kani-a-Takirau was an East Coast chief, hailing from the district about Gisborne, Tolago Bay, Waiapu, Te Wairoa, and the neigh- bourhood, including the Te Whanau-a-Apunui Tribe. When it was first proposed to establish a king the person who originated the idea was Matene te Whiwhi. He proposed to set up as king over the Maoris either the chief Te Heuheu or the chief Potatau te Wherowhero; but, when Potatau and Te Heuheu discussed the matter together, Potatau said to Te Heubeu, " The tribes throughout the country will not listen to what you or I may have to say, for the reason that both you and I are men whose hands are soiled with human blood." Then Potatau proposed that Te Kani-a-Takirau was the proper person to be made king, as his hands were unsoiled. Te Heuheu then sent his own brother to Te Kani personally to ask him to agree that he should be king. This gentleman came to the East Coast district, saw him, and laid before him this proposal that he should be king. Te Kani-a-Takirau replied, "No, I will not agree to be made king"; and went on to say, " My chieftainship is hereditary ; it is handed down to me from my ancestors ; but if I agree to allow myself to be made king I shall then put myself in this position : that I have allowed myself to be called a rangatira huahou, or new creation. My proposal is this : Go back to Te Heuheu and say to him, Friend, Mr. Deputy-Speaker the result will be bloodshed." That, Sir, was why the tribes of the East Coast refused to sanction the setting-up of Potatau as king. If Te Kani-a-Takirau had agreed to the proposal when it was put to him, then his tribes under him would have supported him ; but he said that he was sure that if this new idea was per- sisted in trouble and fighting would result, and subsequent events proved him to be right in that prognostication. What do we see now? The Maori people, as the result of this move- ment, were slaughtered, and their lands taken away from them ; and I say, Sir, that this new idea was the direct cause of the trouble which subsequently befel the Maori race and their land. I say that that movement did more than that ; the movement was the immediate cause of the legislation which oppressed the Maori people and their land. I say, if the movement had never taken place, the affairs of this coun- try would have been administered under the provisions of the Treaty of Waitangi. I say that this House of Parliament belonged to the Maoris under the Treaty of Waitangi; but through this movement this House has be- come a European House, - the European people represent the majority of the mem- bers in the House,-and you see us with a small minority of only four Maori members. Sir, I have been very much astonished at members of this House. There has never been a single Bill

brought down dealing with ques tions affecting the Native lands that has been duly considered by the House. Whenever 3 measure has been brought down dealing with Maori matters, Maori lands, and Maori affair. the European members of this House have ever made it their business to obstruct it. Now, the honourable member, Mr. Kaibat, quoted Scripture. I also will quote Scripture to establish my argument. Sir, the position. with regard to the Maoris and their land is this-it is borne out by the Scripture, which says : " Wheresoever the carcase is, there will the vultures be gathered together." Therefore. I say, do not let members for a moment suppe» that the Maoris throughout the country are ignorant of the effect of the measure that 's now before this Assembly. I say that the desire of the majority of the Maori residents is that the measure now before the House shall be passed. I heard some members cf the House, during the course of the de- bate to-night, say that it had been distinctly found that the Act of last year was a bad one; otherwise where was the necessity of bringing down an amending measure this session. The honourable member further stated that, in his opinion, it would be better that :ba! should be repealed. Now, that is a most el. traordinary proposal to my mind. Because a !: Act does not turn out to be altogether satis factory, must it therefore be repealed ? As i understand the position of European Acis passed by this House, should it subsequentis transpire that any part or portion require amendment an amending measure is suiee quently brought down. Now, when the Act of

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of the Maoris then was to obtain the founda- tion of a structure upon which subsequent developments could be built ; and the Maoris then knew, and were prepared and contem- plated, that during this session, if there was any part of that Bill requiring adjust- ing or amending, an amending Bill would be introduced to give effect to that. I would have been oppressing us for years ; and I ask ask, Sir, who are the children in mind among honourable members who oppose it to-night, the members of this House ? Perhaps they Is it within their power to suggest anything are my friends Mr. Heke and Mr. Kaihau, that will relieve the pressure? Can Mr. who come down with these strange proposals. If what they propose were given effect to, if papakaingas were cut off from the support of very strong underneath the nose. " What is the present generation of Maoris, that would the use of coming to this House and saying be the first step towards the eventual destruc- tion of the Maori people. The honourable tinually raised ? Simply because they feel member for Waitemata expressed the opinion that under this new proposal the industrious section of the Maori community would be here this same mouth, which is situated just exploited and their efforts frustrated by the rising generation, who know a little more than ourselves. I do not think he can have looked wrongs." into the Bill and its provisions. The Council that is to be constituted under the Act of last way he must be leaning towards representations made to him by Europeans, through whom he year is to have European members, specially selected for their fitness to be members. hopes to receive some personal benefit by-and- Others are to be Maoris, and are to be by. I have only discovered to-night why it was that my friend Mr. Kaihau is opposed to this selected for the qualifications which they Bill, and I found that out by listening to his possess. And the division of money which will be derived from the lands is to be based speech. It was, as he said himself, because the Government had not upheld his Bill. That Bill upon the individual right of each owner, be he industrious or otherwise. The money is not to proposed to constitute Mahuta administrator be taken in a lump and handed over in one of the Maori lands in this Island. I ask him, sum to those young people whom the member Would it be right that he should put his king to for Waitemata fears merely desire to do the be his servant ? I should be ashamed to seek best for themselves out of their brethren, and to put my king in such a position. He called the Government Bill a picbald Bill to-night. I are careless as to what may become of them so say the first and most shockingly piebald Bill long as their own welfare is secured. I say that if a measure was passed giving the Maoris was his own. That Bill proposed twenty mem- bers of the King's Council to be elected by the the sole control and disposal of their lands, and absolutely barring Europeans taking any part Government, twenty

by Mahuta, and I suppose another twenty by the Maori people of New in these transactions, we would not hear any of these extraordinary expressions of opinion Zealand generally. Now, supposing the twenty nominated by the Government combined with that we have heard to-night. Supposing we did constitute a Council, whose members were those nominated by Mahuta, what was to Maoris only, does any one mean to say to me become of the desire of the twenty nominated that the Europeans in this country would give by the people? I say it is right to call that Bill a reptile, which would have done nothing them money to carry on the administration of their affairs? They would not, Sir. Or, but destroy and devour the Maori people. It if we did find any European willing to ad- proposed to levy taxation on everything on vance money to the Maoris, he would want which taxation could be levied-cattle, sheep, 10 per cent. interest, and if this interest horses, dogs, fowls, goats, dead people, bodies was not duly paid and all the other condi- that are exhumed, marriages, and births. All tions complied with they would seize and sell the European legislation passed in regard the land on which the money had been to the Maoris never imposed taxation of the advanced. Now, Sir, mention has been made kind proposed by this Bill. The only tax to-night of a certain petition, said to have imposed by the House on the Maoris was a been signed by over a thousand Natives. The halfpenny in the pound. The first tax was 10 per cent .; that only related to the land. history of that petition is this: It was taken There was no tax levied on the dogs of round by one individual, who misrepresented and misled a lot of ignorant people, whose sig- the old men and the old women. The Maori natures he obtained to that petition. There is people throughout my district are in support of the Bill, and also Wanganui and Patea. at present an old man in Wellington sent down by the people who signed the petition, and who Their only desire is that the Act of last year said to him, "Go to Wellington, and if you may be amended through this Bill. The only find there is an amending measure being con- provision in this Bill to which the honourable sidered do not allow that petition to proceed." member for the Western District took excep- number of Maoris, and they are all here in support of this Bill, and not of the arguments that have been made use of by the honourable member for Napier, and those who argue on the same lines as he does. If this Bill is not proceeded with we shall have to fall back under the operations of the old Acts which Kaihau relieve our burden ? There is an old Maori saying to this effect : "The mouth is " Afford us redress"? Why is that cry con- their own personal incapacity to redress their own wrongs. And yet when they come down below the nose, says, " Strike out this Bill, which is for the purpose of redressing our I must say that, in my opinion, when the honourable member argues in that

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He desired the lands of the Waikato Maoris to be thrown open for sale-that is to say, all lands held under Crown grant by one or two individuals. I felt suspicious when I heard this, for this reason : The land referred to by the honourable member had been given by the Crown to those persons, and if the restrictions now upon the land were removed what would be the result ? The present owners would sell them, and, having denuded themselves of land, would come back and cry to the Government to be given more. Therefore I ask members to give their support to the Bill. Mr. KAIHAU (Western Maori District) .- Sir, I wish to make a personal explanation. The honourable member for the Eastern Maori District commenced by telling the House that he was an old man ; but, although he is, he does not seem to have understood the true position from my point of view. It has been said by him that the East Coast Maoris did not support the King movement. How does the honourable member get away from the fact that the places in his district where this movement was supported were "Titi-o-kura " and "Tawhiti-a Pawa." Those were the places at which all these people did support the King movement. There were also other places, and Ngatiporou was the main tribe that lived in that neighbourhood. Then, there was " To. hangaparaoa " and "Te Whanau-a-Apanui," two of the other main tribes in the honour- able member's district, who also supported the movement, and the same was the case right up to the Urewera country. Every single one of these tribes-the honourable member appears to be personally ignorant of the fact that they did so-did

support this movement. I told the House if I had only time at my disposal I could prove what I say, and give the name of each place throughout the country where the Maori people signified their support to the movement. Now, the honourable member said that Potatau, when the position was first offered to him, said he was not a suitable man because his hands were soiled with blood. But, Sir, I say that is the very reason he was made king. Mr. DEPUTY-SPEAKER .- The honourable member is arguing the matter. He is giving his reasons against Mr. Wi Pere's contention ; but that is not permissible. Mr. PERE .- There is only one thing I should like to say. If I had been given the time for which I asked, I would have put the House in possession of the true facts of the case. These people who went up the East Coast to support the King movement were every one killed there, and those who came back we killed them. Mr. SYMES (Egmont) .- Sir, I have very little to say on this Bill. Much as I dislike the Bill, so far as I can see it is only rectifying the errors of last year. The amendment, to my mind, does not make the Bill of last year a Bill that we had a right to have expected. But it is marvellous, after all the years of tinkering with Maori legislation, that we have never yet been able to get away from the Native agents or the pakeha-Maoris, who, from the very Mr. Pere Bill, so far as I can see, will be a good Bill for the lawyers and the Native agents, and the Maori will be, as he always has been, the sufferer. Now, one honourable gentleman referred to the legislation of 1858. What on earth is the use of going back to 1858, because, no matter what the legislation of 1858 was, it is absolutely inapplicable to the present day, because in 1858 there were no landless Natives in the colony of New Zealand ; and I regret to say we have numbers of them to day, to our disgrace. I say it is a standing disgrace to New Zealand that there should be a landless Native. We have them often appealing for charitable aid and the old-age pension. Who is to blame for it ? The pakeha. I say it is a disgrace to our legislation that we have the Maori applying either for charitable aid or for the old-age pension. Tinkering with legisla- tion year after year in this way is not in the interests of the Natives or a credit to Parlia- ment. I thought we had a Native Minister who was in sympathy with the race, and who understood their wants and their necessi- ties. He certainly has the ability if he will only apply it, and the only reason I can assign for the introduction of a Bill of this sort is that the Native Minister is overworked, and I would appeal to his colleagues to relieve him of some of the work of the other departments, so that he can devote the whole of his energies, attention, and abilities to the Native affairs of this colony, and I feel certain we shall then have legislation that will meet the demands and requirements of the Natives. He certainly should be able to give us something better than this if he is afforded the opportunity. So far, the only pakeha that has ever made an honest attempt to grapple with the Native land-legislation difficulty was the late Hon. Mr. Ballance, and, had his legislation been given a fair trial, I feel certain it would have proved advantageous 'to the Natives and a benefit to the colony. Some honourable gentle- man suggested that the lands of the Natives were bought by the Government at a lower rate than they ought to have been. I think so too; because when we take lands under the Land for Settlements Act, they are carefully valued and the full market price given, but not so with Native lands. It is all very well to say that we have put all the value on Native land. We must admit that the first ship- ment of Europeans who came to the colony put the only value on the Native land that it had at that time; but since then the Natives have helped in building up this country, and they have spent most of their money on dutiable goods, thus adding to the colonial revenue. The Customs having bene- fited largely by the expenditure of their money, surely the Natives are entitled to some con- sideration for having performed their part in building up this colony. Then, I say, give them justice. They only ask to be treated the same as the pakeha. If we take the land under the Land for Settlements Act from the pakeha he is paid full value. Then why not

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their land is taken up for settlement purposes they should be treated in exactly the same way as the pakeha is. Now, the honourable member for Riccarton waxed very eloquent about the South Island

members-that they were looked upon as knowing nothing about Native affairs or legislation. Does the honour- able gentleman ever understand any subject he speaks about? I do not think so. He is going back to the same old one sermon and the three texts. His knowledge of Native affairs is just about in keeping with that. If he does not know that a number of the South Island members are on the Native Affairs Com- mittee, then his knowledge of Committees is as limited as it is of Native affairs. If he knew anything about the business of this House, he would know that a number of South Island members, being on the Native Affairs Committee, must take some interest and have some knowledge of Native affairs. He talked about the Treaty of Waitangi as though it had never been heard in this House before. Why, Sir, we have heard the Treaty of Waitangi trotted out so often that it is as well known as the Lord's Prayer. It has been dished up ad nauseam in this House. He also spoke of finality of legislation in connection with the Native difficulty. Well, is it possible to have finality on any subject ? Are we not always amending the pakeha legislation ? Then, why ask for finality in connection with the Maori laws : why should they be treated differently from the pakeha ? At any rate, much as I dis- like the Bill, I must say that, so far as I can see, it is only rectifying errors of last year, and cannot make that legislation any worse, but might improve it. I would like either to have the Act of last year repealed, or amended in such a way that it will be of some practical use. At present it is a dead-letter. I do not like the measure before us to-night, but I intend to support it, reserving to myself the right when in Committee to support amend- ments which I consider necessary to meet some of the requirements in connection with Native legislation. Mr. WILLIS (Wanganui) .- Sir, I purpose saying a few words on this Bill, because I con- sider it involves matters that are as important to the Europeans as they are to the Natives. I believe the Bill is an honest endeavour to get over the difficulties that have existed in the past in the way of making use of Native lands. If the Bill passes the House, not only will the Natives themselves get a benefit from the rents that will be derived from the leases, but an opportunity will be given of settling the people upon enormous areas of land at present lying perfectly useless. I know that throughout my district the Natives are taking the greatest interest in the question. On various occasions the leading chiefs have waited on me, urging me to do my best to facilitate the passing of this measure. For many years Wanganui has been almost landlocked owing to the enormous quantity of Native land surrounding it. Sir, up to the present time we have no inland road of the country, and the only means at present at our disposal is by way of the Wanganui River. For the last twenty years the Wanga- nui people have been endeavouring to see if something could not be done in the direction of a road to the interior, but we have always been blocked by the reply from the Government that the whole of the lands in the neighbour- bourhood are Native lands, and that until they can be dealt with it is impossible to spend money making roads. I consider, Sir, the wishes of the Natives should be given effect to. The wiser of them say the time has gone by when the remaining portion of their lands should be parted with, and that opportunity should be given to them to lease their holdings, not only for their own benefit, but for the benefit of those who come after them. Certain parties have strong objection to land being leased in this fashion, but I consider the step would be a good one. Sir, the measure we are now considering is brought forward largely to meet the difficulties that exist in my district. The Ohutu Block consists of about ninety thousand acres of land, all of which is now lying useless, besides other large areas of Na- tive land. It is excellent land for settle- ment, and if it could be dealt with under the Bill, not only would the Natives derive a benefit, but land settlement would be promoted to a large extent, and the much-needed roads into the interior would be proceeded with. I listened to-night with a great deal of pleasure to the speech of the honourable member for the Northern Maori district (Mr. Hone Heke). I consider the speech he delivered was eminently a practical and logical one. He knows the difficulties the Natives labour under, and he showed in the most conclusive way that he had & grasp of the subject, and that the Bill is one that should have a trial. If blemishes are found in it we can remedy them later on. Last year, when the Native Lands Administra- tion Bill was brought down, a good deal of

interest was taken in it, and there was a sincere desire that the Bill should pass; but we find now, that when an amending Bill is brought down to remedy certain defects in last year's Bill, there is bitter opposition expressed to it, and I will leave the House to judge why that opposition is expressed. Sir, I hope the House will not lose this opportunity of passing a Bill that will do good to all sections of the commu- nity. If anything happens to this Bill we go back to the old state of affairs. The land will be locked up, the Natives will have a feel- ing that they are being badly treated, and to avoid that we should make an endeavour to do something for them. It has been said to-night that the southern members have not taken the interest in the measure they should take. Well, perhaps we may understand why that is so. In the South they are not interested in Native matters as we are in the North, but at the same time I believe they wish to see fair play, and if they have not taken an active part in the debate it is still their desire that the Native lands shall be open for settlement. I consider,

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Ballance for the attempts he made by legislation to throw open the Native lands by giving the Natives the opportunity of leasing them, and which measure was afterwards repealed by the Atkinson Government soon after they came into power. I only wish to add, Sir, that I trust the House will consider the position and pass this measure into law. Captain RUSSELL (Hawke's Bay) .- Sir, I have listened with intense interest to the speech of the honourable member for Wanga- nui. He has discovered that he is the only person in the House who really has a Native- land policy. It may. be summarised in a desire that the Ohuta Block of 70,000 acres may be acquired, so that it may provide funds that roads may be made into Wanganui as soon as possible, and when that is completed all his interests in Native land is to cease, and there is to be no more Maori land purchased, possibly because there is little left near Wanganui. Probably of all towns in the North Island the progress of Wanganui for the last few years has been the most phenomenal, and 11.30. I am credibly informed that that is largely due to the perpetual sitting of the Native Land Court in Wanganui, and to the spending of money in connection with it derived from sales of Maori land. Sir, as I have said, the honourable gentleman has a distinct Native policy. Is he to be congratulated upon it ? I may be asked why should I speak in endeavour to make converts on Maori-land legislation. Is it possible that any person can be so foolish as to hope now to turn a vote in connection with this Bill? I admit that I do not for a moment imagine I shall be so success- ful as to induce anybody to change a vote that has already been determined on. But, Sir, it is necessary, if people have distinct opinions in connection with any subject, that they should endeavour, in season and out of season, to try and place them before the public, so that though a vote may not be turned on the particular Bill under discussion, in the future, probably in one or two sessions at the outside, it may be that members from the South who are supposed-I believe incorrectly -not to take so much interest in Native-land legislation as members from the North, may be able to form more distinct opinions upon the subject. I hope that honourable members who represent constituencies in the South Island will take an interest in Native-land legislation. I can conceive no reason why, because a man chances to live north of Cook Strait, he should have any greater opportunities for understand- ing Maori questions than those who live in that very favoured part of the colony known as the South Island. A great many members who represent constituences in the North Island know no more about Native-land questions than persons who live in the South. They dwell in towns, or apart from the Native districts, and meet them only as mere strangers. An Hon. MEMBER .- Some know too much. Captain RUSSELL .- Some may know too much, though I believe it is difficult to know Mr. Willis terest to the two races, and more particularly to the Native race. Now, there are two classes of opinion in Parliament, and in the country also, in connection with the Native question. I do not intend to take long in putting my own views before the House. I have done so on previous occasions. There is one party who wish still to treat the Maori as a child, and who think that he should not be allowed to run alone, that he should be bound in swad- dling clothes, and be kept cramped

up in every possible way, instead of being allowed by the healthy development of his intellect to grow in mental strength. They endeavour to so shield him that he will live only as a ricketty child and become senile before arriving at maturity. On the other hand, there are per- sons who, like myself, believe the Native is fully capable of high cultivation, and that under proper but temporary restrictions he can be trusted to take care of his land, and become a healthy, helpful member of society, instead of degenerating, as he inevitably must, for in this world there is no standing still. An individual or a people must either grow to maturity or become effete, worn-out, and absolutely useless. I maintain that our Native legislation for years and years past has been of a character that has tended to arrest development, to dwarf the Maori intellectually, and to cramp him in his endea- vours to expansion. Why should we imagine him not capable? We have illustrations in law, physic, and divinity of the capacity of the Maoris : Native clergymen, Native lawyers, and Native doctors, and they do credit to the professions, each in his particular branch. Sir. we have Natives in our Legislature, and every. body will admit that they are fairly-no, not fairly, but quite-capable of taking part in de- bate, that they are full of humour, pertinacity, and logic, and keen appreciators of human con- duct. These gentlemen are evidence in various branches of intellectual pursuits that the Maori people are capable of education. Sir, in the part of the country in which I live is a Native College called Te Aute, and the youths of that college take a satisfactory place in all the sub- jects to which their attention is directed and in which they are instructed, proving that they are capable of high education. How long. then, will the Legislature endeavour to prevent the Native people from being responsible for their own progress. There is continual tals about a great number of men in the North Island being land-sharks. Sir, that is all non- sense. There is very little land-sharking. Mr. WILLIS. - There would be many if they had opportunities. Captain RUSSELL .- That is exactly one of the kind of remarks which are made by unthink- ing persons. Why, Sir, as I have listened to the speeches this evening it appears to me that the only land-sharking person is the honourable gentleman himself. Mr. WILLIS. - In the interests of settle- ment. Captain RUSSELL. - In the interests of European settlement, so as to bring roads into

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Native people. Mr. WILLIS .- And give an income to the Natives. Captain RUSSELL .- That is an after-thought. The honourable gentleman, when speaking, only spoke of the acquisition of seventy thousand acres of the Ohutu Block, so as to make roads into Wanganui. He may have had ulterior views, but certainly he did not enunciate them. He seemed to me to give an illustration of the land-sharking proclivities which I recognise that some persons from the North Island have, but I believe they are few. But really this cry about the land-shark is pure nonsense - the law prevents it. Everybody knows that it is just a political cry-a cry that has been shrieked for years past. Everybody is extremely anxious, who has any interest in the Native people, to prevent the undue alienation of their lands. All are anxious that the Natives should retain in their own hands enough land to main- tain themselves and families in comfort. We are not only anxious to prevent the extinction of the Maori people, but are anxious also that they should not become dependent upon the charity of the country. There is no reason why they should. We are told there are only five million acres of land left to the Native people. Sir, there is land enough, if regulations were made with sufficient care, to grant ample farms for every Native family in New Zealand, and the first duty that ought to be imposed upon the Legislature, in connection with the Native lands, is to insure that every Native is provided with land, and that they are compelled in some way or other to occupy that land for their own benefit and to the benefit of the country. What is all this fear about free-trade in Native land ? That is but another Logey put up to frighten unthinking people. Everybody realises that, whatever the policy may have been in the past, the policy of the country now is very distinct : that there is to be no acquisition of large estates, and that every- thing approaching free-trade in land can only be under conditions of restricted alienation. The Natives should not be allowed to dispossess themselves

widely of their possessions, but should occupy inalienably certain areas of land ; and, being secured in ample lands, why should they not obtain from the remainder capital for the development of that land ? Surely such a policy cannot be called an injurious policy for the Natives. Undoubtedly it would be beneficial to settlement. Well, now, there are, as I have said, Maori gentlemen educated as lawyers, and doing credit to their profession .. There is a remarkable instance in the Health Officer, a distinguished Native gentleman devoting him- self to the health of his brethren. Then, in the North Island we have known Maori clergy who have been doing good work for years and years past-men who have risen by their own exertions, not by adventitious circumstances. Is it possible that honourable members can think that we can keep such men as they stand at the present time, or that we can retain the Maori in his present dependent position, ' I, at any rate, advocate that we should treat the Maori as a man, and endeavour to elevate him. I know he is capable. I have instanced the professions; but go into the humbler walks of life; go into the fields and see his harvesting machinery. It is as well driven as that of Europeans. Look at his stacks when he has gathered in his crops, and you will find that they are better built than those of most Euro- pcans. The Native is capable of cultivating potatoes, wheat, maize, and other crops as successfully as his European brother. Then, take the Maori in the shearing-shed, and I say that you cannot find better workers than the Maoris are. Surely, then, it is necessary to give the Maori the opportunity to improve his position by managing his own farm. In- stances have come under my notice of the wastefulness of Maoris when living in common. Whenever they want to do honour to a visiting guest they will sell much of their possessions so as to have piles of food and blankets to dis- tribute to their visitors, sometimes with bank notes attached to them. Mr. A. L. D. FRASER .- And free railway passes too. Captain RUSSELL .- And free passes on the railways too. But I have known this also: I have known lands which the Natives have been compelled to alienate for less than the value to meet the cost of these tribal orgies, and not unwillingly ; but the Native, when he becomes an individual owner like the pakeha owner, is prepared to fence his land, put up decent houses on it, get machinery and work it as well as the pakeha can, and never even dream of selling it. That is the policy we must instil into them - to educate themselves as men and responsible beings. Sir, there is much talk about the Native fusing with the European. In process of time we must become one people. We who have lived in this colony for many years can remember the Native of the old days with his chivalry and courtesy to the Europeans, and we are anxious that their race should not be destroyed. But so long as we keep them living in a state of communisim, and from getting the benefits of civilisation, so long will we be pushing them to- wards the downward grade. We can only save them by impressing on them that only by their own endeavour and desire to rise to a higher life will they acquire power ; and that can only be done by self-reliance and the individualisation of the titles of their property. I have been told that it is impossible to individualise. I admit there is lots of land which is of a poor descrip- tion, which might not pay to divide into indi- vidual farms, though the title ought to be ascer- tained. But that does not affect the principle. The principle is that there ought to be compul sory individualisation of title of all lands of sufficiently fertile description to bear the ex- pense. The State owes a great duty to the Native people. True, we have brought them civilisation, and given them roads and railroads, education in schools, and many of the advan- tages of civilisation ; but the State has their land. Without their good-will we could never have

them a debt of gratitude for their loyalty to us in all our endeavours. But, when I say we owe them a debt of gratitude, I do not think we are paying that debt by keeping them in leading-strings. If the country owes a debt to the Native people, we can only pay it by encouraging them in their individual efforts by placing them on their land and leading them to a higher life, and we should not be afraid of the expense of doing so. I do not say that it is proper, out of the finances of the colony, to open up roads through purely Native lands. I think the land ought to pay for its own roading ; but I realise this : the ascertainment of title is the

preliminary step to further progress, and that cannot be done for the Natives unless there is money at our disposal in some manner or another for that purpose. Why, then, should not the State set aside a certain sum annually for the express purpose of defraying the ex- penses of discovering the title of every portion of Native land ? And that must be done on a system. Instead of the present system of peri- patetic Native Court Judges, who start their Court, wo will suppose, first, at Wairarapa, say, in November, then move on to Wanganui in December, and pass on to Hawke's Bay in January, and so on unceasingly from one part of the colony to another, spending half of their time in travelling and delays, and wasting half of their energies in hearing about titles in that part of the country which they forthwith are going to leave, the Judges of the Native Land Court ought to be located in definite centres, and those Judges should be instructed to ascertain- and this should not interfere with the ordinary Native Land Court Judges ascer- taining the titles in other parts of the country where transactions are already in progress -- but there should be fixed Courts with centres, as for example at Wairarapa, Hastings, and Wanganui, and others at Gisborne, Hawera, et cetera. Then let the Judges proceed to inquire into the title of the nearest piece of land adja- cent to the place where the Court sits. Now, in many instances that will be land situated right in the heart of European settlement -- a piece of land over which the Maori title has not been extinguished. From each centre the exami- nation into titles should be worked in concentric rings, taking first the piece of land nearest to the Court, and then passing on to the piece of land next in proximity, and ever outwards, so that they would extend gradually, week by week and month by month, abolishing the Native com- munal title, and establishing those who are the rightful owners of the land. And in ascertain- ing the titles to the land from each centre, the Judge would gradually be acquiring knowledge of the ownership of the other adjacent Native lands in the district. A Judge who is acquiring infor- mation regarding a piece of land in Wairarapa is no doubt acquiring, almost unconsciously, much information connected with many pieces of land adjacent to the place where he sits ; but all the knowledge is at present lost, because the Court may immediately be ordered to Poverty Bay, or somewhere else, where all the conditions Captain Russell rapa, and consequently all the information of value towards the extinguishment of title in the Wairarapa is wasted, because some other Court comes and takes up the inquiry three months after. The advantage of this scheme that I suggest is that it would not be a dis- turbance to the Natives in the remote parts of the country, where they are unprepared for the Land Courts. They would not be disturbed ;. but, year after year-it would take several years to extinguish the title-but year after year the zone of settlement would be extend- ing outwards, and gradually the Native titles throughout the colony would be extinguished, and individual holdings would be universal .. The first thing after ascertaining the title is to make sure that a sufficient amount of land is set aside for each hapu, and that it should be rendered absolutely inalienable, so that what- ever should happen that hapu will be prevented from coming to want. There should be sufficient land reserved for each person on which to produce pork, and grow corn, wheat, and other crops. It is true there are many whose holdings would be small, and many whose holdings would be extremely large, and those who have large holdings should be en- couraged to part with a certain portion, either to individuals or to the Crown, so that they may have sufficient capital to improve their remaining estate. I have no objection to a Maori aristocracy; the word aristocracy is frequently used, but there is no meaning at- taching to it ; we are all equals in New Zealand. The ultimate result of any land-law will be, not that the Natives would have too large estates, but too small. In the cases where the Natives have no land at all it is the duty of the Govern- ment, by some means, to provide them with it. They ought not to be allowed to starve. But they should be made self-reliant, intelligent men, rather than reduce them to the con- dition of having to apply to the Charitable Aid Board, or be the recipients of old-age pen- sions. We all of us know, all through life, when three or four men enter into a co- partnership, one does all the work, and the whole of the others are sleeping partners. That will be the position of the Natives under such a scheme as is proposed in the Bill ; three or four will do the actual

business, and the remainder of the beneficiaries will be reduced to the position of idle recipients of small rents. Is a system of making Maoris trustees likely to work well for the administration of Native lands? When I was listening to the honour- able member for the Eastern Maori District talking about trustees, and so forth, I could not help remembering what one hears constantly about the honourable gentleman, and I could not help recalling the fact that an application had been made to remove him from such a position. Then, let us go a little further back. In the inception of the Native Land Court system in 1862 or 1865, under the original Native Land Courts Act, only ten grantees were allowed to be named in any Crown grant-of course, to act as trustees for the

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affairs much in the same way as the Maori Councils are to administer under this Bill. I recognise the machinery is not the same, but the ten grantees were to administer the estate. And what did they do? Did they administer for the benefit of the tribe? Not a bit of it. Everybody knows that, far from that, they sold the lands and put the money into their own pockets in almost every instance, and under this Bill exactly the same thing would happen. Then, again, I have been amused to hear one or two honourable gentlemen- it does not much matter who-but the member for Egmont says, "Can we not have finality ? " I say, No, we have amendments year after year. I wonder does the honourable gentleman realiso what finality is, and what is amending from year to year. If any one will take Curnin's Index of the Statutes he will find there have been many attempts at finality, as the vast number of Acts about Native lands, all of which have become obsolete and have been taken off the statute-book, will show. There are fifty-five of them. We want finality, and it can be obtained. We do not want empiricism, but common-sense, and finality can be secured only by placing the Natives under the same con- ditions as Europeans in connection with their land-tenure, except that we must guard them against the possibility of denuding them- selves of all their property. There is nothing wonderful about it-nothing whatever. The mere fact of impressing upon the Native that he must be an individual man, not a mere fragment of a tribe, and that he must depend upon himself-that he has a duty to himself and his children, is the basis on which all pro- gress must be based-the superstructure will #cc-zero build itself in time. Think of the Natives in the South Island ; you will find lots of them in the occupation of their own farms. I know instances where they are doing good work as farmers and contractors. Are not we in the North Island equally capable as our brothers in the South Island ? Undoubtedly we are. One sees the Natives in possession of good machi- nery-I am sorry to admit it is often neglected when the harvest is over ; but they are capable of administering their affairs in every way. Then, let us aim at placing them in this position. If we do this, in a very short time, within the next few years, the Natives will be firmly established on their own lands and rising in the scale of civi- lisation. There is one other remark I should like to allude to, and that is, "Give this Act a trial." It was given a trial last year, as we know, and the result is absolutely futile. "Give it a trial again this year." I predict the result would be futile. And why do I arrive at that conclusion ? Because in 1886-and here I would say, as regards the honourable gentle- man's eulogy of Mr. Ballance, against whose memory I would not say a single unkind word -his Native policy was, to my mind, based on his desire, first, to acquire funds for the Trea- sury, and subsequently to assist his schemes of land nationalisation. Mr. Ballance passed the Native Lands Administration Act in 1886, VOL. CXIX,-64. which had taken place under it, the return re- ferring to the present Act was, " Proceedings nil." The Native, like the European, if he is to be self-respecting, must manage his own affairs, and if we can only impress on him that he is capable of doing so, and we give him proper facilities, he will rise in the social scale, and, as a race, never be dependent on our charity. Mr. HOGG (Masterton). - I do not know whether I am correct in my interpretation of the speech of the honourable gentleman ; but, if I understood him correctly, he proposes to set apart sufficient land for the maintenance of the Natives, and to allow them, when their titles are settled, to dispose of their surplus land in any way they think fit. Captain RUSSELL .- No, that is

not cor- rect. Mr. HOGG. - That I understood to be the scheme he has suggested. I do not think that the honourable gentleman intended 12.0. that the Natives should be prevented from disposing of their lands either by lease or by sale. And if he does not intend to pre- vent them disposing of their land by the sell- ing of their property, then I say he was pro- posing a scheme under which every Native in New Zealand would be able to sacrifice the little bit of land which he has now to depend upon. An Hon. MEMBER .- Nonsense. Mr. HOGG .- Who says " Nonsense "? I do not pretend for a moment, and never have pre- tended to know, a great deal about the subtleties of this Native-land question. What I know is this, that in the past the Natives, by ingenious and often reprehensible devices, have been robbed of their lands, and very little of that fine heritage now remains in their possession. The old methods, by which many Natives have been rendered landless, I believe the Govern- ment are now endeavouring to put an end to. They wish to retain for the Natives the full ad- vantage of the little residue of Native land that is left, and I, for one, would be very sorry to see the Natives of New Zealand deprived of their heritage in the same way as the Europeans in New Zealand have been largely deprived of theirs. The honourable member has paid a very high, but by no means undeserved, compliment to the Natives. He considers they are susceptible of a high education. He has referred to their chivalry, to their courtesy, to their excellent qualities, and he has specified various fine characteristics which undoubtedly the Natives possess. He maintains that, on account of these qualities, they ought to have the oppor- tunity of doing what they think proper with their own property. But, Sir, while it may be argued that the Natives can take very good care of themselves, and I have heard that assertion made again and again, I want to know this : Whether honourable members will contend for a moment that, alongside the European land - grabber and land - shark, the Maori of New Zealand is able to hold his own. I do not think that can be maintained for a
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interests, but I want to know whether they are able to take their own part with the more astute and more highly educated Europeans. We know what has happened in the past. We have not to look back over many years. We know what has taken place within the last ten or twelve years. Can it be denied that within recent years, even here in the Wellington Dis- drict, a few Europeans have obtained for a mere trifle from the Native owners very con- siderable tracts of valuable land ? An Hon. MEMBER .- The same thing would occur to-morrow if you gave them the chance. Mr. HOGG .- There is not the slightest doubt . that, if we gave the Natives the opportunity of dealing in the same way as Europeans with their own land, nearly the whole of that land would quickly disappear. Possibly each Native owner might be left with thirty or forty acres on which to starve if he liked, unless he was pre- pared to work very hard. They would be left in the possession of small fragments of land, and all the rest would pass chiefly into the hands of those who have already acquired more than their share of the public estate. Mr. A. L. D. FRASER .- Read the law. Mr. HOGG .- I do not want to read the law. The honourable member has made a study of the law, and he has the advantage over me with regard to that, just in the same way as he would probably have the advantage of the great majority of the Natives for whom he occasion- ally acts. Mr. A. L. D. FRASER .- In the same way as you do on the Land Board. Mr. HOGG .- I do what I can to protect the Europeans on the Land Board, and I would like to see the Natives protected in the same way. Sir, it is all very well to speak of any _ reference to land-sharks as " mere balderdash." The honourable member for Hawke's Bay says it is pure balderdash. Will any one acquainted with the splendid areas of land held in huge estates in the Hawke's Bay District, which the honourable member represents, deny the exist- ence of the land-shark ? Can it be denied that some of the finest land held there and in the Forty-mile Bush is owned by men who have already a great deal more than they ought to possess ? That is anything but balderdash ; it is quite the contrary. Now, Sir, there are other interests besides those of the Natives to be protected. There are the interests of the landiess Europeans. If we allow such a thing as free-trade in Native land-because that is really what the honourable gentleman is advo- cating-I am satisfied that the

little that re- mains would soon pass into the hands of the large landowners. The honourable member for Hawke's Bay advocated that in dealing with the land not required for their maintenance there should be no interference with the Na- tives. Under the pretence of dealing generously with the Natives he would reserve for them a few small plots to live upon. Then, with high- sounding phrases about their splendid traits and manly qualities, he would give them un- Mr Hogg way they think proper of the balance of the five million acres that still remain to them. He claims for the Natives the right to get rid of their land, not through the medium of the Government, or of the Native Land Board, or of the ordinary Land Board, but to dispose of it outright through the medium of agents and interpreters and men that would facilitate again, and have facilitated in the past, the operations of the land-sharking gentry. Mem- bers of Land Boards have always, I believe, kept their hands fairly clean. I can speak, at all events, for myself. Such a thing as inter- fering with the land of Europeans is a thing I have carefully abstained from. But, Sir, there are other interests at stake besides the interests of the Natives. I refer to the interests of the Europeans. If the lands of the Natives are to be either sold or leased, we must see that they are so administered that our European fellow men and women who are prepared to improve them with their labour are neither blocked nor victimised by the monopolist or the specula- tor. We must take care that we do not hand over what should be the property of the many to the custody of a few. Speaking for my own dis . trict, I say it is absolutely necessary that we should consider the interests of both Natives and Europeans. We should not regard the interests of the Natives alone or of the Euro- peans alone, but we should consider the interests of the whole body, because that is what is at stake. There are many blocks of Native land ready to be taken up and utilised, and it is in the interests of the whole colony that this land should be made reproductive. There are people in the Wairarapa anxious to settle on these blocks and turn them to productive uses, and I say, if this Bill will enable them to achieve that object, it will confer not only a benefit on the Natives, but a great benefit on the Europeans as well. Well, Sir, for the very simple reason that I believe this Bill will be the means of placing valuable areas of land in the hands of people who will be able to use it to the best advantage, and for the reason that I believe it will widen the field of labour and increase the general prosperity of opening up blocks that are now closed against settlement, I intend to vote for it, and I trust the great majority of this House will accompany me into the lobby in support of this measure. Mr. PARATA (Southern Maori District) .- Sir, I consider it my right to say a few words with regard to this Bill. It is a measure that aims at amending the Maori Lands Administra- tion Act of last year - an Act that cannot be brought into operation successfully unless it is altered in the direction in which it is proposed to amend it in the measure now before the House. The Maori people desire to have that measure so amended. My opinion on the ques- tion differs somewhat from that of other mem- bers of the House. The honourable member for the Western Maori District, in his speech to-night, said the Bill would not affect South Island Maori lands, because I last year obtained

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Island Maori lands ; the Maori lands in the South Island being in an entirely different posi- tion to Maori lands in the North Island. Sir, at one time the Maori lands in the South Island were in an exactly similar position to the Maori lands in the North Island; but when I was elected to represent the Southern Maori Dis- trict I brought before the House & pro- posal to pass legislation to subdivide and allocate the individual interests of the Maori owners in the South Island lands. That pro- posal was adopted, and experience has proved that it was a proper one, for at the present time there is absolutely no trouble whatever in connection with Maori lands in the South Island. Each individual or family now holds an area of land under a separate Crown grant ; therefore it is that we in the South Island would derive no benefit from the measure now before the House. Sir, I should like to see the Maori members representing the Maori con- stituencies in the North Island bring about a similar state of things in this Island. I believe it is not impossible to accomplish that object ; but the difficulties that would have to be sur- mounted are, I

admit, greater than those we in the South had to overcome. My own opinion is that the only solution of the Maori problem in this Island is to individualise all the titles. Three years ago I made a proposal to this House. I gave my views as to the way in which the Maoris of this Island should direct their efforts. Briefly, my views were these : In the case of mountainous lands, where Maori owners were in a position to place stock upon them they should be allowed to retain such lands; and in cases where they were not in a position to do so the land should be leased for the benefit of the Maori owners. Sir, with regard to the effect of the Bill now before the House, I wish to say that the Maori population of this country is not a people who have the command of money to enable them to develop the re- sources of their land as the Europeans can do. There are many restrictions, the result of legis- lation passed by the House, which prohibit them from administering their lands to the best advantage. Sir, we have had Act after Act passed during successive Parliaments and by successive Governments, and we have been told that each succeeding Act would solve the Maori difficulty once and for all. Well, it has not been solved yet, and we are still endeavour- ing to find out some means whereby it may be solved. I feel that I am in rather a delicate and difficult position in speaking with regard to the desires of the Maori people of this Island, for I find they are not themselves of one mind respecting what is necessary for their advance- ment. Sir, when I look back to the time when I was first returned to this House, I find that I have been waiting ever since and asking myself this question : When will the various sections of the Maori inhabitants of the North Island arrive at a mutual understanding as to the direction in which legislation should be framed to meet the wishes of the Maori down of a comprehensive measure that would meet the necessities of the various districts is that the Maoris themselves are not of one mind as to the way in which that legislation should be framed. I find that the people on the west coast of the Island have their own ideas of what is necessary ; that those on the east coast have desires in a contrary direction ; and that those in the Northern district have views that differ from either as to the course of policy that should be pursued. As a Maori re- presentative of the South Island, together with the European representatives of that Island, I feel that we are placed in an entirely false posi- tion. We really do not know what we ought to support, because there is a lack of combination between the inhabitants of different parts of the North Island as to the manner in which Native legislation should be framed. We do not need to go further back than to-night for confirmation of what I have said. We had the speech of the member for the Western Maori District; then we had the speech from the member of the Eastern Maori District ex- pressing entirely opposite views; and the views of the member for the Northern Maori District differed to a certain extent from each, although I fancy the general drift of his argument rather went towards the views of the member for the Eastern Maori District. I should like to see this Parliament, or some succeeding Parlia- ment, frame some legislation that would, gene- rally speaking, meet the desires of the Maori inhabitants of this Island. Sir, last session the honourable member for the Western Maori electorate continually approached me and solicited my support for the Bill then before the House, and which was passed into law last year; but this year we find the honourable member comes and speaks entirely in opposition to the measure and to the views he expressed himself last year. It seems to me that you will require to bring in special legislation for each Maori district. I would like to draw the attention of members of the House to this feature of the debate: It has struck me that many members have spoken against the Bill and have said that it should not pass, that it is a bad Bill, and have advanced various argu- ments against it ; but not a single one of those members has proposed any other line of proce- dure in substitution of that they condemn. Now, I say the only members of the House who have given any other line of policy have been the member for Hawke's Bay, Captain Russell, and the member for Riccarton, Mr. G. W. Rus- sell, and they have said that the titles to the land should be individualised. To my thinking, that would result in an entire solution of the difficulty. The reasons advanced and the argu- ments given by those gentlemen seem to me to more nearly approach my own view than the views that have been expressed by any other members who have

spoken to-night. With regard to remonstrances that 12.30. have emanated from Maoris who do not desire this Bill to pass, I may say that I
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persons who do not want it to pass. Some of the objectors to the measure come from the Eastern Maori electorate and some from the Western Maori electorate, and I ask the House this : How am I, as a member from the South Island, to discriminate and decide to my own satisfaction whose wishes I should support ? I feel myself put in a false position. I do not desire, Sir, to give my support to any measure which may result in misfortune to the Maori inhabitants of these Islands. Personally, I should feel satisfied if I could feel certain that this Bill would insure the welfare of the Maoris. But, Sir, I cannot but feel this : that I am justified in anticipating that the ultimate outcome of this legislation, or any other legislation, must result in the same thing -that we will find it is necessary in the long- run that the land will have to be individual- ised. We find that the rising generation is learning more and more of European habits and ways of looking at things, and the results which 1 prophesy must come about. I have no desire to delay the House further on this debate, but, in conclusion, I must say, with re- gard to the history of the canoes as given to us by the member for the Western Maori District, Mr. Kaihau, that I do not think this was the proper occasion to treat us to a dissertation on the history of the canoes. That might be ap- propriate in a Maori meeting, but it has no- thing to do with the Bill, and I do not think it should have been brought into the debate on the Bill to-night. Mr. A. L. D. FRASER (Napier) .- The honourable member for Masterton seemed to be dealing with this subject as he deals with many others which are entirely foreign to him. On several occasions last session, and on several occasions this, he has risen up in his wrath, and, with that far from musical voice, maligned a class of persons in this country whom he designates "land-sharks." There can be no such thing in the colony under the present Native Land Court Act. Land-sharks may have been in existence when the honourable gentleman himself was dabbling in Native lands, but it has been done away with ever since-every Native transaction has to go before a Government officer and be confirmed. It is absolutely futile for those members who know nothing about the subject to speak about Europeans mopping up the land. Since 1894 one could not purchase from the Natives more than 640 acres of first-class land, 2,000 acres of second-class land, or 5,000 acres of third-class land, and where does the land shark come in ? Yet the honourable member for Masterton, in his wisdom, says, "If the Act passed last session is not upheld, and the proposed amend- ments, we shall have once more the land-sharks." I think that honourable members will agree with me, when I say that when the honourable member for Masterton speaks on this question he does not understand the legislation now on the statute-book. Sir, leaving the honourable member for Masterton, I have only just one word in passing for the Mr. Parata ever we may differ from him on many political questions, he has been entirely consistent, and I have carefully followed him for many years, on the Native question ; and I venture to suggest that if he had been Native Minister for the last ten years the Natives would have been better off to-day, and so would the Europeans, and so would the colony. I suppose there are no greater friends to the Natives than the honour- able member for Hawke's Bay and myself, and I say the only duty of the Government is to conserve to the Natives land sufficient to main- tain them, and beyond that they should be able to eliminate their lands in restricted areas, by sale if you like, but let them lease them as the Europeans or any other member of society would do. Now, when the honourable member for Hawke's Bay was speaking, the Native Minister interjected that there are only five million acres of Native land left, and not enough to go round, or very little to go round. I cannot conceive how the Native Minister, with a logical mind, with an educated mind, can possibly say such a thing. Mr. CARROLL said he had not said any- thing about five million acres. Mr. A. L. D. FRASER. - Well, the honour- able gentleman said there was not too much to go round. There are forty thousand Natives and only five million acres of land. But does this five million acres belong to the forty thousand ? It does not. It belongs, possibly, to twenty thousand

of them ; and what have the remainder got to do with it? It is the absolute duty of the Government, having pauperised the Natives, to provide land for them. Supposing I owned fifty acres, can the Government call on me to supply a landless Native with an acre ? Certainly not. The five million acres belong to about half of the Maori population. The Government has' to look after the interests of the landless Natives; the colony is responsible for it, and the Parliament, because it is this Government that have made so many landless Natives. They are the party in power, and we are responsible for it, so we must find land for those left destitute. If the Govern- ment had purchased the land under the Act of 1893 we should have had no landless Natives ; but they ignored it, and went on their own way, and now it becomes their duty to find land for them. Now, coming to the honourable member for Wanganui : He is on all occasions amusing; he tickles the ears of honourable members ; he pleases himself, and I hope he pleases his constituents. But I venture to say that, if he stands at the next election, and the Europeans realise what he has done for the dis- trict by voting for this legislation, we shall not have the pleasure of seeing him here again. Mr. WILLIS .- You are not a good prophet. Mr. A. L. D. FRASER. - I should like to know what "profit" the honourable gentle- man has had from the Natives owing to the pre-emptive right. The honourable member for Hawke's Bay lightly touched upon Wanganui. To my knowledge-I speak from the first time I visited it with the Native Minister in 1886-

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tives alienating their land to Europeans, but more especially to the Government. What encouragement did the Government give the Natives to come from Pipiriki and other inland places to live in Wanganui? Tents were too cold for them, so a humane Minister actually built residences for them opposite the Native Office, so that when the land was put through the Court, the Government agent was con- venient to take signatures handing the land over to the Crown. Mr. WILLIS .- It was nothing of the kind ; the office was not there at the time. Mr. A. L. D. FRASER .- I think the House has the weight of the honourable gentleman's opinions on all subjects. I am stating an abso- lute fact. I tell honourable members that the buildings were put up for the Natives to live in when the Court was sitting, and when the land passed through the Court the Land Pur- chase Officer took the signatures, and the money was paid over and spent in Wanganui. What did we find? Petitions coming --- when it was suggested that the Court should go to Pipiriki- signed by every shopkeeper in Wanganui, " For heaven's sake don't take it away ; you will ruin us." The Government are buying land there now at 5s. an acre, land the owners were pestered by Europeans to sell for £1 to £1 10s. And this simply to enrich the coffers of the honourable member for Wanganui and his con- stituents. The Land Court is there now. advise him to study the legislation of last session, and study the amendments, and if he has the interests of the Natives at heart he will vote and speak against such injustice. There is only one matter the member for Egmont dealt with : he said the whole curse of the Native legislation had been Native agents. I would say this, without speaking of myself : There are Native agents who have been the greatest assistance to and the truest friends the Natives have had. I admit some may not have been white flowers of a blameless life ; but it must not be forgotten that in all walks of life you find black sheep. The Native Minister was a Native agent for many years, and I venture to say, in all his transactions, no one can put his finger on a single transaction to his discredit. I have been practising for ten years, though I have had nothing to do with purchasing Native lands. I defy any one to say anything against my character as a professional man in the Native Land Court. Native agents have been friends to the Natives on many occasions. The work is extremely intricate. It was asked why Native agents are required in the Court at all, and asserted that they receive excessive fees. Does it ever occur to these critics that Native agents deal with larger cases than any lawyer - however extensive his practice-can possibly have in European Courts? I have been en- gaged in cases where a quarter or half a million has been involved, while my fee was $50 or £60. If such a case was in the Supreme Court there would be a retaining fee alone of a thousand or more, with many refreshers. I recollect one case of

two hundred and fifty thou- dividualising the title, partition, surveying, et cetera-the proceedings in the case lasting for over eight months-was 5}d. an acre on the whole. Yet they speak of Native land agents being the curse of the Native Land Courts. Ask any Judge of the Native Land Court of the valuable assistance given by the Native agent. Members may not be aware that no one can practise in the Native Land Court unless he has a license issued by the Chief Judge, who has first to be satisfied as to the applicant's character and ability. An Hon. MEMBER .- That has only come about lately. Mr. A. L. D. FRASER .- No ; years ago. I was going to deal with the honourable member for the Eastern Maori District-I am sorry ho is not here. He to advocate trustees being appointed ! He has not been a huge success as a trustee of Native lands. Ask the residents of the East Coast, Native and European, and they will tell you that the honourable member's career as a trustee has been one of masterly inactivity and neglect, greatly to the detriment of that part of the colony, by the closing of thousands of acres of land from settlement. He is one of those who has disposed of most of his land, and they are the individuals that are now advocating this Board system. Now, we come to the member for the Northern Maori District, and he is, I venture to suggest, one of I the strongest arguments in support of my con- tention that special Maori representation should be done away with. Nothing so strongly con- vinces me of the soundness of my opinion as the speech made by the honourable member. He was told by the honourable member for the Western Maori District, Mr. Kaihau, that he was a child. I might use a proverb that is well known to many honourable members : that he is not such a fool as he is something else-I will not mention what. Mr. CARROLL .- I rise to a point of order. I think it is quite manifest that no honourable member has a right to make such an insinua- tion as that. Mr. DEPUTY-SPEAKER .- The honourable member must withdraw it. Mr. HEKE .- The honourable gentleman is entirely excused. Mr. A. L. D. FRASER .- If the honourable member for the Northern Maori District- Mr. DEPUTY-SPEAKER. - Did I under- stand that the honourable member complied with my request to withdraw the words he used ? Mr. A. L. D. FRASER .- Yes, Sir, I with- draw them, and apologize for using them. The honourable member, Mr. Heke, is pleased to denounce my views on Native matters. It was not always thus. What was it the honourable member did in 1894 when the Government brought down the legislation of that year ? He wrote and asked me to publicly express my views. I sent them down in a letter, in order that they might be published in the Wellington papers; and what did the honourable gentleman do with that letter? He put it into Hansard
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as his own speech. Here it is, on page 231 of Hansard for that year. He even had not the ability to alter the wording of it, because I find that on page 231 he says,- "Sir, a few days ago I observed, among the parliamentary items in one of our newspapers, a short paragraph stating that the Native mem- bers were strenuously opposing and stonewalling, before the Native Affairs Committee, the Native Bill wherein the Government propose to resume to themselves the pre-emptive right over Maori lands. With your permission, Sir, I desire to say something on this question-a question, I venture to say, too lightly treated, and a ques- tion that is not approached with the considera- tion and seriousness it is entitled to-for there is no subject before our legislators of greater importance, influencing as it does the two races, and with them the whole colony. But, first, allow me to preface my remarks with a little -- I hope, pardonable-egotism. Firstly, I have never had, nor do I expect to have in the future, any connection with Native-land transactions ; secondly, I am far from an opponent of the present Government, and but for abusing the secrecy of the ballot I could say more ; and, thirdly, I do not believe the expressions of opinion I am about to give you because I write them, but I write them because I believe them." And so on for many pages of Hansard he gives word for word the views I had written and claims them as his own ; and yet now he has the temerity to flout my opinion. An Hon. MEMBER .- Did he not put it in as a quotation ? Mr. HEKE .- It is not as a quotation at all. Mr. A. L. D. FRASER .- I have the proof of it. I leave honourable members to decide whether this is the speech of the honourable member, or whether it is a

letter he is read- ing :- "I do not believe the expressions of opinion I am about to give you because I write them, but I write them because I believe them." Now, will any honourable member listen to this, and, remembering that Mr. Heke was then on the Opposition benches, have any doubt that what I say is correct ? "Firstly, I have never had, nor do I expect to have in the future, any connection with Native-land transactions ; secondly, I am far from an opponent of the present Government. and but for abusing the secrecy of the ballot 1 could say more." This is the speech of the honourable member, reading my letter that was to have been pub- lished in the Wellington papers against Govern- ment legislation. Mr. WILLIS .- What volume are you quoting from ? Mr. A. L. D. FRASER .- Volume 86, page 231, 1894 ; and then he goes on to quote from news- papers that existed only in name at the time, but were preserved in my scrap-book. He quotes from the speech of the Hon. Mr. Carroll in 1887 against the pre-emptive right, and then he quotes from the same gentleman at Gis- borne, and again from his report to the Royal Mr. A. L. D. Fraser Commission ; and this is the honourable gentle- man that to-night comes in and disputes and questions my views upon the Native-land ques- tion. 1 ask honourable members what his opinions were. Let us see the somersaults he has turned. There is one thing that may be said about my views on the Native question, and that is that they have never altered, and my most excellent schoolmaster was the present Native Minister. Well, in 1894 the honourable gentleman, Mr. Heke, was on the Opposition benches, and now he is sitting on a rail -that is, if he is anywhere; but what the honourable member said in those days is to be found on page 977, Volume 86 :- "He contended that the Natives, where they had their title established to them in severalty, ought to be allowed to deal in the same way as Europeans. They were liable to suffer in many respects under Acts passed by the House-such as the Rating Act and other Acts which im- posed taxation on them-and he thought it was only fair that Natives holding their title in severalty should have an opportunity of dealing with them in the way Europeans were allowed to deal. They had a provision in the Bill that any Native could apply to the Land Board ; but he contended that it cost too much for any individual to apply to the Board to have his land disposed of, and the only way in which any individual would be able to dispose of this burden placed upon his property under the Acts he had mentioned was to allow them to deal with their lands as Europeans." Now, there is Mr. Heke in 1894, when he was sitting on the Opposition benches. You have heard him to-night when sitting on the rail. Absolute inconsistency! The honour- able member also suggested that I had a per- sonal interest in this matter, and he said that my profession prompted me to fight in the way I have. If Mr. Heke credited me with that, I hope and sincerely trust there is not another honourable member who supports him. What has the honourable gentleman been doing himself? Why, to my own knowledge, for the last eighteen months he has been touting for retainers to appear in the Native Land Court. He lived in my district for five months, and the Natives would have nothing to do with him, and yet he says I am opposing this legislation because I happen to be a Native agent. I would warn him not to go too far, because I have such cards to play that he might regret the hour he attempted to malign or misrepresent me. Now. we have also heard that the petitions presented to Parliament, which the honourable member asserts were signed by the same hand- Mr. COLLINS (Christchurch City) .- I rise to a point of order. I wish to ask, Are honour- able gentlemen entitled to use expressions cal- culated to intimidate another honourable mem- ber by suggesting that the honourable member had better be careful, because he has a certain number of cards to play which he could play ? Mr. DEPUTY-SPEAKER. - I do 1.0. not think there is any intimidation in that remark. Mr. A. L. D. FRASER .- I will explain to the

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House what I mean : it is simply that I have not time to quote from Hansard, but if I had time I could quote to the House what he has said on previous occasions when dealing with Native legislation. The honourable member said that he knew how the petitions had been worked up, and that one person had signed a large number of the signatures. Well, the first petition I presented to the House was brought

down to Wellington by the rangatiras of the Manawatu district. They met me in the building here and asked me to present it. These leading chiefs had waited on the Premier, who was much impressed with the view they had expressed, and promised to keep their re- quest " steadily in view." He kept it " steadily in view " for a few weeks ; and the Natives then growing suspicious, asked me to present the petition to the House. I have not seen the petition referred to in the Press, signed by 1,300 persons, but I may say I could bring into the House petition after petition on the same lines. I have not done so, because when I brought one before the Native Affairs Com- mittee the Minister properly explained that, as it touched a question of policy, no report could be made. In that I believe he was quite right. Now, I wish to say that the petition I pre- sented was signed by parties to whom the Colonial Secretary granted a totalisator permit, which also authorised them to manage and administer a race-meeting. I refer to the Otaki Racing Club, the officials of which waited on me to say they would not have this Act in operation in their district. Surely, if they can be trusted to manage a public institution, they can be trusted to manage their own affairs. Now, if the Native Minister will do as the Premier promised when shadowing forth this legislation at Native gatherings, and say that it shall be for the majority of the Natives in each district to decide whether the Act shall come into operation or not, I shall be satisfied. The Premier said the Natives would have that privilege. I desire now to place on record some statements with regard to Native legislation as laid down by members of the Government-I refer to the views of the Native Minister and the Right Hon. the Premier. We will take the case of Mr. Carroll in 1894. An Hon. MEMBER. - He may have changed his mind. Mr. A. L. D. FRASER .- Wise men cannot change their minds on this point: that the Natives were and are capable of looking after their own affairs, with minor safeguards. If the Native Minister expressed that view four- teen years ago, logically it should surely be his opinion now, when the Natives have had better opportunities of associating with the Europeans and better opportunities of education. The Government, from the initiation of the Native policy, have-unintentionally, possibly-done what they could to pauperise and demoralise the Natives as a body, and it is astonishing to find the member for the Northern Maori District supporting the Government now when he so bitterly opposed their legislation in 1894. The Hon. Mr. Carroll in 1894 said the special duty of the Government was to act honestly with the Native race. It would be as well if I put that speech of his on record. On many occasions he has given expression to views that, if supported by his colleagues-and I do not be- lieve that he has been supported by them-would have led to satisfactory legislation and results. Here are the honourable member's views : - "But let the principle of honesty be the first consideration in our efforts to bring about a happy solution of the question. Let us be fair and straightforward with all parties." What did we find immediately after that speech was made? The Right Hon. the Premier said, "We have come to finality at last ; we have evolved light from the chaos of the past "; and, hand-in-hand with the Native Minister, he was going to lead the Natives on to better things. Then, we learn that, though there had been passed in 1893 an Act under which the Natives could have a voice in the management of their land, and set up a tribunal to ascertain and decide a fair price when selling to the Crown, the Native Minister, who preached, "Let honesty be our guiding star," and the Premier, who said, " You are my children, and it is my duty to look after you," proceeded to send their myrmidons round the whole of the North Island, and filch from the Natives their birthright at a price fixed and dictated by themselves under a subsequent Act. That is why I say the whole legislation of the present Government has been inimical to the interests of the Natives; and it makes every one of us in this House, if we realise our duty to the colony, our duty to ourselves, and our duty to the Maoris, watch most jealously any legislation that is brought down dealing with the Native race. When we find this legislation is but an echo of many years past-no originality, an ex- ploded fallacy-we are justified in dictating to the Government the nature of the legislation they should submit to the House, and not that the Government should say what legislation they will bring down. Why should the Natives themselves, with the safeguards I have spoken of, not be allowed to walk on the same footpath of prosperity and civilisation as we do? No;

" the powers that be " will not have it. They are still going to wet-nurse them and keep them as children. I sincerely hope that when the division is called for honourable members will realise that, though we may not have said very distinctly what line we should follow in the future, we have demonstrated that the legislation as it stands now and the proposed amendments are injurious, and are a retrograde step as far as the colony is concerned. Honourable members should say, "We will send this back to the Government for consideration," and they can do that by voting against the Bill. I shall call for a division on the committal, and, if honour- able members will support me, an indication will be given to the Government that this House and the colony do not approve of their Native policy. I have the permission of the two Maori members of the Upper House to state that they entirely disapprove of this legis- lation.
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Mr. HEKE (Northern Maori District) .- The honourable member for Napier has mis- represented me in the quotations which he has made. He tried to make members believe that I departed from the course I took up in 1894. He also misrepresented me in reference to my statement on the petitions which he also referred to. What I did say was, and what I still maintain, is that they were not signed by each individual petitioner. Mr. A. L. D. FRASER .- How do you know? Mr. HEKE .- I have got information to that effect. The position I have taken up to-night was in entire accordance with the course I have always taken in the past. If the honourable member had been fair he would have explained the cause of my opposition to the Government legislation from 1894 to 1899. What were the causes of that ? The policy of the Government then was the limitation of the right to acquire Native land to itself, which inflicted a great wrong on the Natives; but since 1900 the Go- vernment have done away with that policy, and have fallen in to a great extent with the desires of the Maori people as urged by me ever since I have been in the House. That is the cause of my support given to Government Native- land measures. It is well known that the honourable member never rises to speak in this House unless he insinuates something against others, a form of argument which he thinks good, but others not so. Mr. DEPUTY-SPEAKER said the honour- able member was exceeding the limits of a per- sonal explanation. Mr. WITHEFORD (Auckland City) .- Since my honourable friend the member for Napier quoted the remarks of the Chairman of the Native Affairs Committee I have seen the Chairman of the Committee, and he explains the remarks made by the member for Napier. The Chairman of the Committee stated that this was an experiment made at the wish of the Natives, and, such being the case, he con- sidered that it would be just as well that we should pass the measure into law. The mem- ber for Bruce was very satirical, and expressed the opinion that, as the North Island members had not shown a capacity to handle the subject of Native legislation, therefore the South Island members should take that legislation in hand. I think that was an ungracious remark to make of the northern members, especially when we consider the number of Maoris residing in the districts represented by those members. When the member for Hawke's Bay was speaking I took down the names of the following members who were present, and in the districts of some of those members large numbers of Maoris re- side : Messrs. Lang, Monk, Lethbridge, Cap- tain Russell, Messrs. Hutcheson, Atkinson, and Herries. That being the case, I feel we must rely upon members on this side of the House to assist the Minister of Native Affairs in this matter. I shall accordingly support the mea- sure as brought forward by the Native Minis- ter. The House divided on the question, " That the words proposed to be omitted stand part of the question.' AYES, 31. Allen, E. G. Hall Pere Russell, G. W. Hall-Jones Arnold Barclay Heke Stevens Steward Bennet Lawry Buddo McGowan Symes Mckenzie, R. Carncross Thompson, R. Carroll Meredith Ward. Field Millar Flatman Mills Tellers. Fowlds O'Meara Hogg Palmer Willis. Graham NOES, 19. Atkinson Lethbridge Tanner Massey Collins Wilford Ell Witheford. McNab Monk Fisher Hutcheson Pirani Tellers. Fraser, A. L. D. Rhodes Kaihau Smith, G. J. Herries. Lang PAIRS. For. Against. Mackenzie, T. Colvin Hardy Duncan Houston Russell, W. R. Parata. Allen, J. Majority for, 12. Amendment negatived, and words retained. Mr. PIRANI (Palmerston) .- Sir, one of the most suspicious things in

connection with any important measure in this House is the fact that it is brought down in the dying hours of the session ; and it is an extraordinary fact that every Native measure the Government have brought before the House has been rushed through during the last few days of the session. The defects which are said to exist in the pre- sent law, and which are to be remedied by the Bill before the House, could never have existed but for the fact that, after the House had been sitting all night last session, this measure was brought on for consideration at eight o'clock in the morning; and how any sane person could imagine that one of the most important policy measures could be carried into law in a decent shape at that hour of the morning I cannot understand. But it seems to me there is always a fear on the part of the Ministry, in connection with the Government proposals in regard to Native lands, that somebody might find out serious flaws in the measure which might persuade the majority to vote against those proposals. Under the circumstances it is only natural that many members who do not understand the proposals contained in Biils of this sort should oppose them merely from that point of view; and it is rather surprising to many of us to find two Maori members in the House,-and the two most intelligent Maori members, the Maori members who cannot be accused of ever having had anything to do with the maladministration of Native lands- the member for the Southern Maori District, Mr. Parata, and the member for the Western
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to the principle of this Bill. Now, if I were asked which of the four Maori members I should place my confidence in in regard to Maori land administration I should give my preference to the members I have named. There has been no more successful representative of the Maori race in this House than the member for the Southern Maori District, Mr Parata. And I think he has accomplished, during the time he has been in Parliament, more for the Maoris of the Southern Maori District than has ever been done by the Maori representatives of the North Island. But there was one phase of the discussion that rather amused me as coming from the Maori members. All the Maori mem- bers complained of the inattention of the majority of the pakeha members of the House to Maori legislation, and pointed to the small attendance of members in the Chamber when they were speaking on this very vital question. Now, it struck me there are no members of the House who vote on questions that they take no pains to listen to the discussion of more than the Maori members. It is very seldom that they are in their place during the discus- sions in this House, but they are always here when it comes to a vote, and they nearly always vote with the Government; and if they do meet with similar treatment from members of the House in connection with measures that concern them they have no right to complain. I have consistently opposed the Native legisla- tion of the Government since I have been in Parliament, and not because I can conceive anything better than the Government propose, but because the Government have already on the statute-book the finest law that has ever been passed in this colony dealing with Maori land administration -a law we never have any serious amendments proposed in-a law which has stood the test of nine years' experience in the colony, and is giving more satisfaction every day that it is on the statute-book. I refer to the West Coast Settlement Reserves Acts. Speaking to one of the most prominent sup- porters of the Bill before the House, I asked him what objection there was to legislation affecting the rest of the Maori lands being passed on the same lines as that Act. First, he merely said it was objectionable ; but the only objection he could name was the cost of adminis- tration-that 74 per cent. was charged against the revenues derived from the land. Well, if the Maori Committees, Maori Council, or Maori trustees ever administer the Native lands at a maximum cost of 73 per cent. to the Maoris, I think there would be very much greater satisfaction with those tribunals than there ever has been in this colony. It seems to me a very great pity the Government cannot model their legislation on the lines of the West Coast Settlement Reserves Acts. They would have saved a very great deal of heartburning ; they would have saved the alienation of a very large amount of Native land ; they would have brought land into profitable occupation, and would have roaded it and settled it in a satis- factory manner without any cost

to the State, and to those who occupied the land. Under these circumstances I cannot understand this continual fishing for a different sort of legisla- tion, this continual experimenting on lines which have proved to a very large extent not to be a success. I guarantee that no member in this House can point out to me any Maori land administration, except when the titles have been individualised, that has resulted in anything but disaster to the Maoris them- selves and to those who have acquired the lands from them. Reference has been made in the course of the debate to land- sharks, but the greatest sinners against the Maoris in depriving them of their lands have been the present Government. No Go- vernment has to anything like the same extent deprived the Maoris of their land at such a small price as the present Government has done. If there is to be any discussion on these lines, the present Government would have to defend themselves from these charges, and not private individuals. I quite agree with the honourable member for the Southern Maori District that the views of the honourable mem- ber for Hawke's Bay in regard to the individual- isation of Maori titles is the most satisfactory method of disposing of the question that the Maoris are likely to be deprived of their land so as to reduce them to a state of ponury. If Maori titles are properly individualised under the system suggested by the member for Hawke's Bay, and if those individual titles were made incapable of alienation, I feel certain that it would result in very much greater satisfac- tion to the Maoris than administration by any committee or Council of management, or any hybrid organization such as is proposed under this Bill. You will get no result, no satisfac- tion, but, as occurred in the case of the Maori trustees and committees, heavy expense, with a good deal of waste and a good deal of humbug. At the same time I must admit that I think the whole of the objections to this measure are objections to the main Act, and that the logical conclusion from the rejection of this Bill ought to be the repeal of the principal Act. Unfortu- nately, I do not think it possible that that can be effected, and therefore there is some reason in the arguments of those who urged that it is necessary to amend the Act, and that the amend- ments proposed in the present measure should be embodied in the law that is on our statute- book. I do not pretend to say whether that course is advisable, but I sincerely regret that no attempt is being made on the part of the Govern- ment to deal properly and sensibly with this old question of land administration. The system pursued in regard to the West Coast Native Land Settlement Reserves, of allowing Maoris to take out any portions of landsand lease those lands themselves, with an individual title, is, I think, a very satisfactory method of settling the question of landless Natives. And it would do away to a very great extent with the argu- ment that, while there are forty thousand Natives in the North Island, twenty thousand of them own the principal part of the five million

How are you to provide for the rest of the Natives ? I say, if this system of allowing the Na- tives to take up portions of the Maori lands that are suitable on lease with individual titles, that would get rid of the difficulty, and, instead of the Government of the colony having to pro- vide from the Crown lands land for the settle- ment of these Natives, provision could easily be made out of the five million acres of land. The present system of holding Maori lands in com- mon is detrimental to the Natives, both from a physical and financial point of view. Only the other day, when I was up the Wanganui River, a Native pointed out to me that he had cleared a portion of the common holding and had sown a crop on it, but he reaped no benefit from it, because the other Natives, who held the lands in common, simply turned their horses on the holding that he had spent so much time and trouble on, and he had no right even to deny them the privilege of destroying the fruits of his labour ; and that sort of thing obtains almost everywhere. It is only the natural result of this holding of land under common title, and I am very sorry that no better attempt at individualisation without allowing alienation has been made. I fear that the main measure, even with the amendments, will prove a very clumsy substitution for the provision embodied in the statute of 1892 in regard to the West Coast lands, and I regret very much that the extensive and expensive experiments

proposed at the present time should be embodied in the law. I was unable last year, unfortunately, to take part in the discussion and consideration of the main law, and I feel certain if I had been here it would not have been on the statute- book now. I feel certain that, with the assist- ance I could have rendered to those members who were opposing this measure, the Govern- ment would have abandoned the measure, and we would not be troubled this session with any amendment of it. I regret the opportunity of doing that has passed ; but if I can do any- thing in Committee it will be in lending assist- ance to utterly destroy the measure of last session, which I conceive is bad in principle and bound to be bad in practice. I do not think it is a measure that will be of any advan- tage either to the Natives or Europeans. Mr. ATKINSON (Wellington City) .- I should confine my remarks almost entirely to a single clause of the Bill. I do not propose to traverse the whole scope of Native-land legislation, as has been done by some honourable members. It was remarked, I think, by the honourable member for Auckland City (Mr. Witheford), or some other speaker, early in the debate, that the success of the policy outlined in a Bill of this description must be very largely dependent upon the administration. Of course, there is a great deal of truth in that remark. The very best legislation could not be made a success of unless the administration was to match. I have a remarkable illustration of the manner in which the Government approaches the administration of these Native measures in their appointments of what I think are called Mr. Pirani Act, which, honourable members may remem- ber, we put through along with the Maori Lands Administration Act last year, between eight and half-past eight in the morning, after having sat continuously about twelve hours on the two Bills. One of the func- tions that we imposed upon Maori Councillors under the Maori Councils Act-in the vast number of miscellaneous and extraordinary duties we imposed upon them-was the pre- vention of drunkenness and sly-grog selling : and I have it on the very best authority- and I would invite the attention of the Native Minister to the point-that one of the persons appointed in Kahiti No. 59, of the 24th July last, as the Advisory Counsellor of the Mania- poto Maori Council, has been several times con- victed for the offence of sly-grog selling. That member has been appointed a member of a Council, one of whose functions is declared by section 16, subsection (4), to be " the prevention of drunkenness and sly-grog selling." Now, I do not know what other qualifications that gentleman may have for the position. The Native Minister may be able to inform us ; but I am quite satisfied that he will not be able to disprove the assertion that one of that gentle- man's qualifications is repeated convictions for sly-grog selling, which it is one of his duties to assist in suppressing. Now, the honourable member for Auckland City (Mr. Witheford), who has poured that diffusive benevolence of his over the Native Land Department, as he does over most other departments of the Go- vernment, even he will find it difficult, I think, to reconcile that benevolence with a just view of the Administration who are tolerating such an iniquity as that. I would put it to the honour- able member that if he took a burglar who has just served a term of penal servitude, and made him straight away Inspector of Police, it would be just as rational and as proper an appoint- ment as to appoint a convicted sly-grog seller to be an Advisory Counsellor for the purpose of preventing sly-grog selling under the Maori Councils Act. There are many chiefs among the Maniopotos of high rank, and if they have not got this other qualification of sly-grog sell- ing I would suggest they might be given a show. I have not mentioned the name of the Counsellor, but I should be glad to supply it to the Minister, with such other information as] have. Now, the clause in the Bill of last ses- sion about which there was most contention was the clause which finally went into the Act as section 22. That is the section which is proposed to be amended by clause 4 of the Bill before us. The history of the evolution of that clause was a marvellous story of bungle upon bungle, with just a suspicion here and there of something intentional which would be en- titled to a harsher name. But there was no question about it but that the clause as we finally passed it was a clause which no draftsman and no Committee of sane men would deliberately have adopted. It was the result of patchwork-one amendment made by the Native Affairs Committee, one or two

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ment made in the Legislative Council, and, finally, a further amendment after the passing of the Bill through Parliament suggested by ·Governor's message. It is perfectly clear, look- ing at section 22 as it is set out in section 4 of this Bill, that nobody sitting down deliberately to draft a clause on the subject of alienation would make such a mess of it as we have done in this clause. Yet it was a pardonable thing for the Legislature, passing through the various stages to which I have already referred, arriving at a result that was not exactly shipshape ; but why this clause, which was one of the most signal examples of our bungling last session, should be repeated verbally and deliberately by the Minister in his Bill now I fail altogether to perceive. Honourable members may remember that the origin of the trouble was a misprint, which neither of the two Ministers in charge of the Bill last session nor their draftsman seemed to have perceived. The misprint was that the clause as originally drawn was intended to pre- vent alienation of Maori land under this Act altogether, except through the Maori Council. In the original Bills of both 1899 and 1900 the essential part of the clause ran, " Maori land shall not be alienated, either to the Crown or to any other person, except with the consent of the Council," the object of the Bill being to place absolute prohibition on the alienation of Native land except with the consent of the Council. Then, the second thought was that the alienation of the freehold should be pro- hibited altogether, and it was determined to insert the words " by way of lease," permitting alienation by way of lease only, even with the consent of the Maori Council. The clause was then to read, " Maori land shall not be alien- ated, either to the Crown or to any other person, except by way of lease with the consent of the Council." But by a clerical or printer's error the words "by way of lease " were put in before "except," instead of after it, thus having a directly opposite effect to that in- tended-enlarging instead of limiting. The clause, as it came before us last session from the Native Affairs Committee, accordingly read, " Maori land shall not be alienated by way of lease, either to the Crown or to any other person, except with the consent of the Coun- cil." The effect of this was to impose restric- tion on Native lands by way of lease ; but, so far as this clause went, there was no restriction in dealing with the freehold. Following up the change effected by this mis- print, the Native Affairs Committee proceeded to engraft a proviso dealing with the freehold. On the clause so amended there was a great struggle in Committee on the Bill last year, the general assumption being that the effect of the clause was incidentally and by implication to permit the alienation of the freehold. It was not until the Bill passed through Committee that it was discovered that the origin of the whole trouble was a misprint. The Legislative . Council were apprised of the fact, and pro- ceeded to amend it. They did so by altering the position of the words " by way of lease"; meaning of the clause identically the same as it was before, the words being still left before "except," instead of after it. When the Bill came down to this House attention was called to the fact that the words were still in the wrong place, and the following was a part of our reasons for disagreeing with the amendments made in the Legislative Council : "That the words ' by way of lease,' in line 42, are put in the wrong place ; the same should be placed after the word 'except,' in line 43." It was rather comical that we should have given that reason for disagreeing, seeing that the error was our own, and the Council had merely failed to correct it. The final stage was that, the House having failed to correct it and the Legislative Council having failed to correct it, we received, at the last sitting of the session, a message from the Deputy Go- vernor transmitting certain amendments in the Bill. The Premier, in explaining the effect of the message, stated that its object and effect was to put the words "by way of lease " in the right place. I will just make it clear by citing from the statement of the Pre- mier in reply, where he says (page 500),- " He (Mr. Seddon) had adopted those amend- ments, and now the member for Wellington City said the clause was a bigger muddle than ever. The words 'by way of lease' were put after the word 'except,' which was just what the honourable member suggested." So that the Premier told us that by the Governor's message he was then putting the words " by way of lease " in their right place after the word " except." Now, when anybody asks me a question about a Bill like this,

and reminds me that I know all about it because I was in the House, I usually say, " It was about eight o'clock when we were putting it through, and I have a strong impression as to what it looked like then, but I will not guarantee my recollection of it, and will look at the statute- book." Certainly, I was never more surprised in my life than when I looked at this clause on the statute-book and found that the Deputy Governor's message had not altered this clause in the very least-that thewords " by way of lease " still remained before the word "except "; so that while the Premier was telling us-those who objected to the very dangerous form in which the clause stood-that he was, through the Deputy Governor's message, giving way to us and putting everything right, we had only his version of it, and it was absolutely incorrect. The result is that the words stand, after all the negotiations between the two Houses, and after our agreement with the Legislative Council that the words are in the wrong place, and after the Duputy Governor's message to put the words in the right place, and after the Premier's statement with regard to it assuring us they were in the right place, we find they still remain in the wrong place-that they now remain in the statute in the wrong place. Well, the final point is this : It was admitted that the section was the result of obvious bungling, and it was rushed through in the

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talk at the finish about consulting the Law Officers and making any amendments subse- quently found necessary. Well, the Law Draftsman has had twelve months to look into it, and this original clause is to be re- enacted in the original form in which it passed last session, with every botch untouched, with every single imperfection on its head. I am reading now from clause 4 of the Bill now before us :- shall not be alienated " Maori land by way of lease, either to the Crown or to any other person, except with the consent of the Council first obtained." This is a verbatim repetition of section 22 of the principal Act, which, according to the Pre- mier's version of the Deputy Governor's mes- sage, should now read :- "Maori land shall not be alienated . either to the Crown or to any other person except by way of lease with the consent of the Council." Now, I ask the Minister in charge of the Bill - who was not in charge of the Bill last year- to look into the matter and give effect to the undertaking then given. But, of course, the point is one of much more importance than the mere effect of the clause as it stands. The point is that the House was entirely misled into passing the clause by having the Deputy Go- vernor's message misread to it. Thus a clause was put on the statute-book in a form which we had unanimously decided to reject. And now we are asked, twelve months afterwards, de- liberately to repeat an error that was then de- liberately made, not by the House but by the Premier. Mr. CARROLL (Native Minister) .- At this late hour of the night-or rather of the morn- ing-I shall not attempt to follow the many arguments that have been adduced by honour- able members in discussing this Bill. It is strange that, among so many who have spoken condemnatory of our Native policy, no two can agree on an alternative. Some desire free- trade in Native lands. Others profess that there is no other way but to set apart for the Maoris inalienable reserves, and allow the re- sidue of the land to be treated by the owners in any way they liked. Some think that there should only be leasing allowed, and others say that the Government should take over all the Maori lands and administer for them. It is singular that, where they are all together in con- demnation, they are not together in any definite policy to take the place of the one they condemn. Now, the honourable member for the Bay of Plenty said there were only two ways of dealing with the question, according to his idea, and that was individualisation of title, or else the whole of the Native lands to be put into one big trust. Sir, taking the trust theory, as many speakers have referred to it, it panned out very well with re- gard to the West Coast reserves, but in regard to other lands the difficulty will be to get the Natives to acquiesce. We were able to do it with the West Coast lands, because the land was in the hands of the Crown, and not of the Mr. Atkinson are dealing with lands which are in the hands of the Natives. They will not agree to join in one large trust similar to that which affects the West Coast settlement reserves. With re- gard to individualisation of title, that is possible at any time, whether under last year's Act or whether under

previous Acts. Individualisa- tion has been going on all the time during the many years the Native Land Court has been in existence. This Bill does not stop that. Any Native can, and always could, apply to have his share individualised. There is nothing to prevent them doing that except the question of expense. That being so, I think every one is in agreement that in- dividualisation, where the quality of the land will permit it being done with any profit to the owner, is the right thing. Sir, this Bill is no bar in the road, but will offer every facility. . The question before us is not one 2.30. merely of devising a scheme by which the best advantages should accrue to the individual, but one in which we must consider how it affects the wider interests of the people, of the tribe, and the country. In- volved in that consideration is not only the question of individualisation, but a host of others-the encouragement to be given to the Maoris to farm their lands, the settle- ment of their waste lands by putting Euro- pean settlers upon them, and the great ques- tion of rendering productive and profitable as soon as possible all the waste Native lands throughout the colony. Now, how can you deal with their waste lands in order to get them settled ? You cannot deal with them by the slow process of individualisation. You cannot wait for years while you compel every Maori to individualise before his land can be settled upon. In the first place, such a system would cost the country hundreds of thousands of pounds. Mr. HERRIES .- Why not do it ? Mr. CARROLL .- I say you cannot, owing to the expense. Mr. HERRIES .- It would be well worth it. Mr. CARROLL .- You would have to wait until every acre was individualised before you could put people on to the large areas at present lying idle. What principle did we adopt in the Act of last year ? We said the waste lands of the Natives should be immediately put into use ; and how ? By offering facilities for people to go upon them, not by locking them up as you would do if you insisted on nothing being done until the interest of every Native was made a separate holding, but by giving the Natives a system of Land Boards to administer their large areas on lines akin to the system upon which the waste lands of the Crown are dealt with. At the present time we administer the waste lands of the Crown through the Crown Land Boards, and surely if the principle is good in regard to the waste lands of the Crown, it should be as good with respect to the waste lands of the Natives. Mr. PIRANI .- The principle of Land Boards is not good.
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are defects in the system. I presume it can merely be in the incapacity of those who ad- minister the law ; the principle is right. Very well ; I contend if the Boards are properly con- stituted-every care must be taken as to their constitution-I see no reason whatever why, under the Act of last year, the waste lands of the Maoris should not be administered with success, and with advantage to the country and to the owners. But under the Act of last year which has been so much denounced-and let me say here that all the objections raised to-night were really objections to the Act of last year-we had every safeguard, so far as we could conceive at the time, and every provision as far as we could go, to encourage industrial habits among the Native owners, because immediately the land is transferred to the Land Board to operate on the first duty of the Board is to ascertain the wishes of the owners as to what they desire should be done with the land. In the first place, a sufficiency of land must be set apart for the use and maintenance of the owners under papakainga reserves ; then, areas set apart for them to farm ; and then the balance cut up and offered to the public by way of lease on easy terms. All these considera- tions were provided for in the Act of last year, and when you come to look into the speeches of to-night and hear members say what ought or ought not to be done in the interests of the Natives, you are impelled to tell them that they have been already anticipated by the Act of last year. The theory of the honourable member for Waitemata was this: First of all make papakaingas for the individual Natives- that is, inalienable reserves " but not too large," he said. He did not believe in large holdings ; in fact, to use his own phrase, he would leave the Natives "not entirely landless " ! That was his idea. But what did he say about what remained of the land ? He said it should be free to the Maoris to do what they liked with. Sir, what does that spell but free-trade ? And free-trade is distinctly not the wish of the country at the present

moment ; therefore, the honourable member is not in accord with public opinion. As for the honourable mem- ber for Hawke's Bay, I must give him credit for being always consistent in his theory as to the administration of Native lands, and, no doubt, there are certain parts of the policy he advocates that are very commend- able. He makes the individualisation of titles the chief point of his policy. No one objected to that. I say that, wherever it is possible, you should individualise the titles. But when we come to the question of administering the waste lands of the Natives, then the honourable gentleman fails entirely. He says it is only a question of time when we will reach the solu- tion, and that the whole thing will be brought about by individual enterprise. Well, the country will want something moving on in the interim surely-pending the completion of the individu- alisation scheme, the country will demand the early settlement of waste lands; and here we are blamed for trying to make the necessary pro- it is all very well for honourable members to denounce. It is very easy to pull down, but it is not so easy to construct; and honourable members as a rule, when they criticize any Native measure, whether submitted by this or any other Government, are often too much influenced by their experience of individual cases. Very few members, I notice, take the wider flight, and bring within their comprehension the great question of the future of the Maoris and the method of bringing their lands within easy cultivation and profitable settlement. We see constantly in operation the selfish faculties which certainly go to preserve the interests of the individual ; but, Sir, one prefers to see the higher aspira- tions which have for their aim the promotion of the interests of the family, the tribe, and the nation. In this Native question we are not free from what should be our duty in giving fair consideration to the education of the rising generation of Natives, and in studying the future. The only attempt to-night to sketch a broad scheme dealing with the Natives and their lands was that made by the member for Riccarton. I doubt very much whether the House as constituted at present would look at such a scheme for one moment, fearing it would be too large, too extensive, and too expensive for this House to deal with it. I am sure, if the House would provide the necessary finance, that the policy suggested by the honourable gentle- man would be the correct one in every shape and form. I must compliment the honourable member on the breadth of views on this ques- tion. It was on those same lines-though on a smaller scale-that we attempted to grapple with the question when we framed the Bill of last year. The honourable member for Napier did not to-night do us the scant courtesy of treating seriously the policy embodied in the Act of last year, though the Act itself he has so vehemently denounced. I think the honour- able member will agree with me that his objec- tion to the Act of last year cannot be met by the amendments he proposes to this Bill. I would ask the honourable gentleman to con- sider this fact : that we are not repealing the Act of last year, nor are we bring- ing in more than a machinery Bill; there- fore his criticism misses the mark. If the honourable gentleman wishes to repeal the main Act he should bring in a Bill to do so, and not storm away about everything except this Bill. By this Bill we are simply amending the machinery of last year's Act. This is purely a machinery Bill, with the exception of clauses 4 and 5. I am quite willing to drop out those clauses if it is the wish of the majority of the House ; but I do ask that we should give a fair trial to the Act of last year by passing this measure. I am quite certain that if the honourable member has patience enough to wait until the Act, as we propose to amend it, is in full operation, he will acknowledge the successful results with satisfaction, and that his views will change in respect to the prin- ciple which is now under challenge. The

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ments of the past, and said the principle of Committees and Land Boards had been tried and found wanting. The honourable member would lead the House to suppose that it was really the case as he had declared ; but he knows as well as I do that in last year's Act the Land Board was constituted for the first time as a real live experiment, and we have yet to wait results to judge thereby. All the tribunals the honourable member re- ferred to had no power whatever; they just had the mention, and no more. They

had no administrative power, and no judicial power. This is the first time in the history of this country that we have armed a Native Land Board with administrative power, and judicial power only when the Chief Judge of the Native Land Court so directs. That is clear and simple, and the honourable member, if he had been frank, would have explained that to the House. Now, he and the honourable member for Hawke's Bay, when referring to the Maori member for the East Coast, did that honourable member a serious injustice. First of all, the honourable member for Napier stated that the honourable member for the East Coast had no land whatever, and that he was only waiting to have this Bill passed so that he could have a cut into the lands of others. Sir, I must give an emphatic denial to that statement. The Maori member for the East Coast is far above any possible conduct of the kind. He is honest and straightforward in this matter, and well would it be if others had less cause to defend them- selves. The honourable member for Hawke's Bay said that the trustee system had been tried over and over again, and had proved to be a failure, and he went back to the Act of 1865, when the law only allowed ten owners in a block of land, to demonstrate his case. They were not trustees at all, but absolute owners of the land. At any rate, to compare that system with the system we have now under the Act of last year, with all its safeguards, is absolutely absurd. Now, in support of the trustee system, let me give one or two instances under the Act of 1897, which goes to show the fallacy of the honour- able member's argument. Under that Act we gave power to the Native owners not only to incorporate, but to appoint trustees. I may here mention two blocks of land that has been dealt with to show how successful the result of that law was. The Opuatia Block was ad- ministered under that Act under the trustee system, and this is how it has panned out in respect to the portions cut up and let to Euro- peans :- Opuatia No. 4 .- 4,500 acres, 1s. per acre. 1,975 9d. 6,475 Opuatia No. 5A .- 2,500 1s. 8,975 The above was cut up into allotments, which are now held by thirty-nine settlers, in areas of from sixty to 260 acres, on lease for twenty-one years, with right of renewal every twenty-one Mr. Carroll Settlers paid cost of subdivisional survey and survey of roads, cost of leases, Native duties (7) per cent. on rent), and are forming the roads through their Road Board. Previous to 1897 nothing could be done with that land. The Public Trustee collects the rents, which are all paid up to the 1st December next, and deducts 74 per cent. and train fare of Mr. War- ren to Tuakau to distribute. The only com- plaint is in the long delay in distributing rents, which are not paid out at regular intervals. Now, I will take another block of land situate in Gisborne, called the Mangatu No. 1 Block. Under the Act of 1897 trustees were appointed with power to lease, raise money on the land, and do other things set out in the deed of trust ap- pointing them. Now, the position is as follows: Mangatu No. 1: Area, 80,226 acres, of which area 26,597 acres are leased to eight lessees, average 3,324 acres ; present annual revenue, £1,059 6s. 9d., being two-thirds of yearly rent in accordance with conditions of leases and payable for seven years ; second period of seven years at full rent of £1,412 9s. annually ; third period of seven years at full rent plus one-third. or #1,765 11s. 3d. annually; average rent per acre, 9&d. ; cost of administration about $2.3. now practically borne by lessees, to which add cost of survey. Now, these are large blocks of land, having a large number of owners, dealt with under the trustee system, and I challenge honourable members to say whether they could have been as effectively dealt with under any other system-free-trade especially. Mr. A. L. D. FRASER .- What is the neces- sity of the present Act? Mr. CARROLL .- It makes it general. Those are individual cases that I have taken, and I say, when you can prove conclusively that the principle has been successful in blocks of land brought under the administration of the Act of 1897, who is to say it is not going to be successful under the larger scheme we have under the Act of last year, with its wider and more elaborate machinery ? We owe a duty to the country and to the Natives, and it is our place to treat the Native land question on a broad basis, and see that their lands are pro- perly utilised-first of all for their own use and maintenance; secondly, for their own farming: and thirdly, for leasing to the general public. through a Board, on the same lines as Crown lands are leased to-day. What objection can there be to that, except individual objections. and

what are individual objections except 3 proof that they are being raised to suit private interests? But so far as doing good to the Natives as a whole, and contributing to the welfare of the colony, you must adopt the principle we have embodied in the Act of last year, and which we propose now to improve by this Bill. The House divided on the question, "That the Bill be now committed." AYES, 25. Allen, E. G. Ell Carroll Carneross Hall-Jones Collins
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Russell, G. W. Witheford. Lang Lawry Seddon McGowan Tellers. Stevens Mills Steward Field O'Meara Symes Hall. NOES, 7. Fraser, W. Tellers. Massey Hutcheson Atkinson Pirani. Kaihau Fraser, A. L. D. PAIRS. For. Against. Arnold Tanner Bennet Monk Mackenzie, T. Colvin Duncan Hardy Flatman McNab Houston Russell, W. R. Mckenzie, R. Herries Millar Smith, G. J. Parata. Allen, J. Majority for, 18. Motion agreed to. IN COMMITTEE. Clause 3 .- "Nothing in the last-mentioned section shall be deemed to impede or bar, or to have impeded or barred, the operation of the principal Act in any district proclaimed since the passing of that Act, notwithstanding that in the meantime less than six districts may have been so proclaimed." Mr. CARROLL (Native Minister) moved to strike out the words "the last-mentioned section," with the view of inserting " section five of the principal Act." Words struck out. #cc-zero The Committee divided on the question, " That the words proposed to be inserted be so inserted." AYES, 25. Allen, E. G. Seddon Herries Atkinson Lang Symes Carncross Ward Lawry Carroll McGowan Willis Witheford. Collins Mills O'Meara Ell Hall Palmer Tellers. Hall-Jones Pere Field Russell, G. W. Stevens. Heke NOES, 3. Kaihau. Tellers. Fraser, A. L. D. Pirani. PAIRS. For. Against. Arnold Tanner Bennet Monk Colvin Mackenzie, T. Duncan Hardy Flatman McNab Houston Russell, W. R. Mckenzie, R. Massey Majority for, 22. Words inserted. Progress reported. COMMITTEES. Mr. SEDDON (Premier) moved, That all Committees except the Native Affairs Com- mittee be directed not to sit this day. The House divided. AYES, 22. Allen, E. G. Heke Stevens Atkinson Kaihau Steward Carroll Ward Lang Collins Witheford. McGowan Ell Mills Tellers. Field Parata Fraser, A. L. D. Pere Barclay Hall-Jones Russell, G. W. Seddon NOES, 9. Carncross Palmer Tellers. Pirani Hall O'Meara Herries Willis. Symes. Lawry Majority for, 13. Motion agreed to. The House adjourned at twenty-five minutes past four o'clock a.m. (Friday).