

The Council meets at 2.30 p.m.

ORDER PAPER.

LEGISLATIVE COUNCIL.

Wednesday, the 7th Day of October, 1896.

NOTICES OF MOTION.

1. Hon. Mr. Rigg to move, That this Council recommends the Government to set up a Royal Commission to inquire into and report upon the following matters: (1) The seaworthiness or otherwise of intercolonial and other steamships trading in New Zealand; (2) whether such steamships are sufficiently manned, as regards engineers, firemen, greasers, and seamen, to insure the safety of life and property carried by them; (3) as to the accommodation provided for all persons employed on such steamers; and (4) any matters affecting the relations between the owners of those steamers and their employés that may be submitted to the Commission.
2. Hon. Mr. Rigg to move, That the Return of actions under the Employers' Liability Acts heard in the Supreme Court, and laid on the table of the Council on the 29th September, 1896, be printed.

ORDERS OF THE DAY.

1. Factories Act Amendment Bill—third reading. (Hon. Mr. W. C. Walker.)
2. St. Albans Borough Council Special Loan Enabling Bill—third reading. (Hon. Mr. Peacock.)
3. Mataura Reserve Vesting Bill—third reading. (Hon. Mr. MacGregor.)
4. Oamaru Harbour Board Leasing Bill—second reading. (Hon. Mr. Jones.)
5. Tobacco Act Amendment Bill—second reading. (Hon. Mr. W. C. Walker.)
6. Shipping and Seamen's Act Amendment Bill—consideration of the reasons of the House of Representatives for disagreeing with the amendments of the Legislative Council.

REASONS FOR DISAGREEING WITH AMENDMENTS MADE BY THE LEGISLATIVE COUNCIL IN THE SHIPPING AND SEAMEN'S ACT AMENDMENT BILL.

Section 3: Because the chief engineer is the person most qualified to certify to a fireman's character.

Section 4: Necessary for engineers to keep log-books for engine-room department, as it is impossible for master of vessel to keep a full record of engine-room work.

Section 7: New proviso is not sufficiently stringent, as university degree without practical knowledge does not sufficiently protect life and property.

Section 9: This knowledge is absolutely necessary for a third engineer.

New clause, section 11A: This section as worded would exempt every colonial vessel, if trading, say, to India, and in warm climates. The provisions of previous clause are most necessary.

Schedule: The increase of mileage, in striking out the word "terminal" practically means that, as every portion of New Zealand comes within the altered limits, the number of engineers to be carried would not be sufficient for the safety of ship and passengers.

Sections 5, 7, 11, 13, 15, and 21: Amendments in these sections do not materially improve the Bill, and are unnecessary.

7. Land for Settlements Act Amendment Bill—consideration of the reasons of the House of Representatives for disagreeing with the amendments of the Legislative Council.

REASONS FOR DISAGREEING WITH THE AMENDMENTS MADE BY THE LEGISLATIVE COUNCIL IN THE LAND FOR SETTLEMENTS ACT AMENDMENT BILL.

The Committee appointed by the House of Representatives to draw up reasons for disagreeing with the amendments made by the Legislative Council in the Land for Settlements Act Amendment Bill have the honour to report as follows:—

New clause 2, subsection (6): The last sentence is unnecessary, as there could be no ballot in the case of there being only one applicant for any allotment.

Clause 8, subsection (3): Unless this clause is retained the Minister will be unable to develop or assist in developing the coal, lime, or valuable stone which is known to exist upon lands acquired under the Act. It may be necessary to sink shafts or to open quarries to ascertain whether stone or lime can be obtained in payable quantities. It may also be necessary to construct sidings from the railway, and to sell the coal, lime, and stone so developed.

Clauses 12 and 13: It has been found in practice that land very suitable for workmen's homes can be obtained in the neighbourhood of Christchurch, but the estates to which the land belongs are large and not suitable for other kind of occupation under the Act, for the reason that they are too valuable or otherwise unsuitable. It is absolutely necessary that some of the level land around Christchurch should be obtained for workmen's homes, to which small areas for cultivation as gardens might be attached. As the Bill now stands, the Land Purchase Board could proceed to purchase, but would at once be met with, very probably, by the demand from the owner to take the whole of his property at a valuation. The property might include a homestead or mansion entirely unsuitable for a workman's home or for a small farm.

NOTE.—The operation of the Bill might be restricted so as not to take away from the property any land which was necessarily attached to a mansion-house.

Clause 16: Valuable estates which have or may be acquired under the Land for Settlements Act have frequently been purchased from the Crown down to the river's margin; and to now reserve one chain would unduly increase the rent which must be paid for the remainder of the estate.

Section 7 of "The Mining Act Amendment Act, 1893," authorises mining upon lands disposed of by the Crown after the date of that Act. The lands acquired under the Land for Settlements Act are valuable, and it is not considered expedient to have them subject to promiscuous mining or prospecting for gold.

8. Shops and Shop-assistants Act Amendment Bill—consideration of the reasons of the House of Representatives for disagreeing with the amendments of the Legislative Council.

SHOPS AND SHOP-ASSISTANTS AMENDMENT BILL.

THE Managers appointed have the honour to bring up the following reasons for disagreeing with the amendments made by the Legislative Council in the Shops and Shop-assistants Act Amendment Bill:—

1. Section 6: This should be retained, as it is found in practice that the intention of the Legislature, as expressed in section 18 of the principal Act—viz., that the balancing of the books of cashiers and ledger-keepers could be performed after hours—is made a pretext for working other employes not so engaged for unconscionable hours at all times of the year; and the amendment simply limits the overtime to six days each month, in addition to four weeks at each balancing period. Further, bank employes will have from three o'clock to five o'clock each day for balancing their books.

2. Section 7 should be retained, as without right of entry it is impossible to obtain evidence to secure a conviction in cases of breaches of the Act in regard to banks and offices.

3. New clause, section 9A: This would be likely to open the door to breaches of the Act, and it is therefore not desirable to agree to such a provision.

4. Section 10 should be retained, as, in regard to delivery of goods by carriers under contract with the Railway Department, it has been held that the carters employed by the contractors come under the provisions of the principal Act, and it is desirable from every point of view that they should be specially exempted.

9. Chattels Transfer Act Amendment Bill—to be further considered in Committee.

10. Mining Companies Act Amendment Bill—to be further considered in Committee. (Hon. Mr. W. C. Walker.)

Contingent Notice of Motion.

Hon. Mr. W. C. WALKER, in Committee, to move the following new clause, to follow clause 8:—

D. (1.) Notwithstanding anything to the contrary contained in the principal Act, it is hereby declared that, in the case of the winding-up of a company under that Act, the Liquidator, being a Deputy Official Assignee, shall be entitled to receive such remuneration as the Governor in Council from time to time directs, and such remuneration shall be payable out of moneys to be appropriated by Parliament.

(2.) This section shall take effect as from the date of the coming into operation of the principal Act.