

The Council meets at 2.30 p.m.

ORDER PAPER.

LEGISLATIVE COUNCIL.

Friday, the 18th Day of September, 1891.

ORDERS OF THE DAY.

1. Electoral Bill—consideration of reasons assigned by the House of Representatives for disagreeing with amendments of the Legislative Council so far as regards clauses 6, 8, 15, 29, 46, 63, and 71 :—

REASONS.

Clause 6, subsection (1). Because, on the principle of the present law that one man shall have only one vote, the freehold or leasehold qualification is unnecessary.

Subsection (2). A resident for twelve months in the colony should have the privilege of voting wherever he may be at the time of registration. One month's residence in that place is sufficient to qualify him for his vote. The words erased in the subsection directly contravene the above-mentioned principle of one man one vote, which was directly enacted by both Houses of the Legislature in 1889; and the effect of the amendment is that in bye-elections the votes of outsiders would swamp the votes of the resident electors of the district.

Clause 8. It is not advisable that a person should be deprived of his rights of citizenship by reason only of misfortune or illness having caused him to become an inmate of any benevolent institution or hospital.

Clause 15. Since the earliest electoral law in the colony it has been competent for an elector of the district to witness a form of application for registration, and, as it facilitates the proceeding, there is not sufficient reason why it should be altered.

Clause 29. As the time for issue of writs after dissolution is fixed at not later than fourteen days after dissolution, and in a bye-election at as early a date as the Speaker can be communicated with, there is no reason shown why persons should not be able to register up to the time of issuing the writs.

Clause 46. The same reason as is stated in respect to the amendment made in clause 29 applies to this amendment.

Clause 63, subsection (1). Fourteen days is too limited a period in the case of seamen, who may be on the eve of a voyage.

Subsection (3) restricts the facility of voting by seamen.

Clause 71. Unless the polling-day is declared a public holiday many persons will be precluded from exercising their franchise by reason of their not being able or willing to leave their occupation, whereas a public holiday would afford such persons special facilities for recording their votes.

Clause 108A. The amendment made in this clause is unobjectionable, and the House agrees to the same.

2. Land Bill—consideration of reasons assigned by the House of Representatives for disagreeing with the amendments of the Legislative Council :—

REASONS.

Clause 31. The amendments made by the Legislative Council are unnecessary.

Clause 32 is insisted on, as it is in many cases impossible for a married woman taking up land to comply with the residential clauses of the Act if she is living with her husband. Moreover, if the clause is struck out, a wealthy individual will be enabled to acquire a double area of land, *i.e.*, double the area allowed by law to one individual.

The last paragraph of the clause should be retained, even if the first paragraph is removed, so that if the clause were struck out it would have to be amended and replaced to comply with other portions of the Act.

Clause 84. By striking out the words "or of any Act or enactment repealed hereby," in the second paragraph, any inquiry into illegal transactions of the past would be prevented, and would thus enable any person having already committed a breach of the law to escape the consequences.

In the latter portion of the same paragraph the insertion of the word "one" in place of "two" would provide too short a period of imprisonment for so serious a breach of the law.

The new proviso allowing any person to take up one thousand acres each for three of his children would give too great a power to the wealthy classes, and would tend to creation of large estates. The power to take up land in trust for children has been very seriously abused in the past.

Clause 86. The amendment providing for a fine of £200 would also be entirely in the interests of the wealthy man, as he would be enabled to pay this penalty, while a poor man would have to go to gaol. The reduced term of imprisonment also in the same clause, from two years to one year, would inflict too light a punishment for so serious an offence as that of making a false declaration.

Clause 88. This is merely a verbal alteration.

Clause 89. Verbal alteration also.

Clause 102. It is most important that this clause should be retained, as being the only means whereby settlement can be ensured on the lands mentioned in the clause. The experience shown by past dealings with lands in this district under the law which this clause repeals has been that the lands have gone into the hands of large holders, notwithstanding the fact that it was surveyed into small sections. Undoubtedly this was due to there being no limit to the area that one man could purchase.

Clause 121. This is merely a correction of a mistake made when transmitting the Bill to the Legislative Council.

Clause 131, subsection (1). It is most important that the Minister should have the power to notify land, as provided in this clause; such power to be used only in extraordinary cases, and especially in dealing with auriferous lands and lands adjacent to large properties where cash sales would be likely to increase an already large property. The clause will go a long way to prevent the possibility of dummyism.

Clause 132, subsection (2). The addition made to this clause would provide for land being taken up for children and lying unoccupied for years, as there would be no power to enforce settlement conditions.

Clause 134, subsection (1). The amendment is unnecessary.

Clause 134, subsection (3). The words struck out should be retained, as it is most important that the Minister should have the power of supervision, as provided.

Clause 136. The amendment is a duplication, and is quite unnecessary.

Clauses 138 and 139. It is very important that these clauses should be retained, as being the only means whereby the Crown can insist upon a profitable occupation of the land. Without these clauses, there is nothing to prevent speculation in land to any extent.

Clause 148. The amendment is unnecessary.

Clause 149. The addition to the clause would amount to this: that there should no longer be a perpetual-lease system, and the granting of the freehold at any time after certain improvements made on the land would encourage the very practice which this Act has been introduced to prevent, viz., the introduction of dummies by wealthy people to take up land, make the required improvements, and in as short a time as possible get their Crown grants, and transfer the sections to their employers. To pass this would be a great encouragement to dummyism and fraud of every description, and would to a great extent retard settlement and *bona fide* occupation of the land.

Clause 165. It is very important that this clause should be retained, so as to afford an opportunity of testing the value of co-operation principles in settling the land. Applications to acquire blocks in this manner have already been received by the Lands Department, but cannot be granted if this clause is struck out.

Clause 168. The amendments are unnecessary.

Clause 192. To strike out "twelve months" and insert "two years" would have a very injurious effect when land is taken for settlement purposes. All pastoral leases that may be resumed contain this proviso, and no objection has been made to it in the past. No hardship can possible accrue by retaining the words "twelve months."

Clause 193. To strike out the words erased by the Legislative Council would be most disastrous, as there is in the colony a very large area of land which will never be used for anything else but pastoral purposes; and if this country is to be made the most of, and occupied to the benefit of the people of the colony, some check must be placed upon the acquisition of extremely large holdings by companies as at present. Under every other system of disposal of lands in the colony—namely, deferred payment, perpetual lease, cash sales, and small grazing runs—there is a limit provided by law, and it is of equal importance that the pastoral country capable of being held by one company or individual should also be curtailed.

Clause 203. It is necessary to retain this clause, as one of the great evils in dealing with pastoral country in the past has been the power given to a mortgagee to retain for an unlimited time pastoral country over which he holds a mortgage.

Clause 206 must be insisted upon; otherwise it would be possible for a runholder to transfer his run to a "man of straw," so as to be rid of all liability, and the Crown would have no remedy. The Crown has always retained this power, as it should, to refuse to accept a tenant if he is thought undesirable or unable to pay his rents—in other words, to decline to accept a "man of straw" in place of a solvent tenant.

Clause 220 should be retained, as it is a necessary provision to prevent any person claiming compensation for alterations made in the law hereafter.

Clause 222. It is most convenient that this clause should be retained, so that a runholder may be better able to ascertain the law relating to his run. In looking over the provisions under which he holds his run he would naturally see what power he holds in this respect. It is questionable whether the Sheep Act would apply in the same way unless some provision were made in the conditions of a lease.

Clause 243. The provisions herein must be retained, as Land Boards have already disposed of large areas of land under this portion of the Act, which has been in existence for several years. To give effect to the amendments of the Legislative Council much more extensive alterations would be required.

Part X. It would be necessary to retain this clause intact if the clauses in the Act relating to Lake Ellesmere lands are retained.

Clause 257 is not necessary. This should be very carefully considered.

In the Schedules there are consequential amendments on account of amendments made in the body of the Act.

3. Municipal Corporations Act Amendment Bill—third reading. (Hon. Mr. Buckley.)

Contingent Notice of Motion.

The Honourable Mr. PEACOCK to move, That the order for the third reading be discharged, and that the Bill be recommitted with a view to consider the following new clause:—

Section two hundred and ninety-eight of the principal Act is hereby amended by adding at the end of line ten the following words: Provided such rate shall only be levied upon such properties as have a house or houses erected thereon. And the said section is further amended by the addition of the following words: The Council shall have power to compel householders to pay the cost of removal of nightsoil and rubbish when a contract has been made by the Corporation for the purpose where no rate is levied.

4. Birds Nuisance Bill—third reading.
 5. School Committees Election Bill—third reading. (Hon. Dr. Pollen.)
 6. Water Supply Bill—third reading. (Hon. Mr. Buckley.)
 7. Light from Crown Lands Restriction Bill—third reading. (Hon. Mr. Buckley.)
 8. Wanganui River Trust Bill—to be committed. (Hon. Dr. Pollen.)
 9. Coal-mines Bill—second reading. (Hon. Dr. Pollen.)
 10. Rabbit Nuisance Bill—to be further considered in Committee. (Hon. Mr. Buckley.)

Contingent Notice of Motion.

The Honourable Mr. ORMOND, in Committee, to move the following amendments:—

Clause 2. Line 18, after “feet,” insert “six inches.” At the end of line 21 insert, “provided that on the recommendation of the Rabbit Board, or, in the absence of a Rabbit Board, the local Stock Inspector, the Governor may approve of galvanized-wire netting three feet wide being substituted.” Line 26, after “feet,” insert “six inches;” and after line 32 insert “provided that on the recommendation of the Rabbit Board, or, in the absence of a Rabbit Board, the local Stock Inspector, the Governor may approve of galvanized-wire netting three feet wide being substituted.”

Clause 3. After subsection (3) insert, “provided that on the recommendation of the Rabbit Board of any district, or on the recommendation of the local Inspector, the Governor may bring section 4 of the said Act into effect;” and in line 19, after “petition,” insert “or recommendation.”

Clause 4. Line 23, after “petition,” insert “or recommendation;” and in line 26, after “petition,” insert “or recommendation.”

11. Land for Settlement Bill—second reading. (Hon. Mr. Buckley.)
 12. Counties Act Amendment Bill—second reading. (Hon. Mr. Buckley.)

PETITIONS, PAPERS, AND REPORTS.

THURSDAY, 17TH SEPTEMBER, 1891.

REPORTS.

69. Of the Live-stock and Rabbits Committee, on the Rabbit Nuisance Act 1890 Amendment Bill. (Hon. Mr. Ormond.)
 70. Of the Live Stock and Rabbits Committee, upon the Birds Nuisance Bill. (Hon. Mr. Ormond.)
 71. Of the Conference upon the Selectors' Lands Revaluation and Continuance Act 1890 Amendment Bill. (Hon. Sir G. S. Whitmore, K.C.M.G.)

SELECT COMMITTEES.

For Friday, the 18th day of September, 1891.

House, at 11 a.m., in Joint room.

Waste Lands, at 11 a.m., in No. 1 Committee room. Bill for consideration: Naval and Military Settlers' and Volunteers' Land Bill.

Conference on the Dentists Act Amendment Bill, at 12 noon, in Joint Committee room.