

Senate Reform in New Zealand

Progressive Dominion will Make a Second Chamber Elective

In view of the very general opinion in Canada in favor of the reform or abolition of the Senate, it is interesting to know the experience and attitude of other British countries with regard to the same problem. The story of the fight of the British House of Commons against the House of Lords and the curbing of the power of the Upper Chamber is familiar to readers of The Guide. Below is an interesting account of the situation in New Zealand taken from The Round Table, for December, 1912. After dealing with the recent changes of government in the Dominion the article says:

The government lost no time in bringing forward one of the leading measures in their program, namely, a bill for the reform of the Legislative Council. Originally, the Upper House consisted of members nominated for life, and as care was taken in the selection, the Chamber, down to about the year 1891, was conspicuous for its independence, and the ability with which large public questions were discussed and dealt with. Among its ranks were found men of culture and experience with a high sense of public duty. The result was that students of politics who wished to know what was to be said on both sides of any great question got into the habit of studying debates in the Legislative Council rather than the discussion in the Lower House.

A wave of Liberal feeling, however, began to bring the principle of nomination into disfavor, and in 1883 a Conservative government—the Whitaker-Atkinson administration—submitted a bill providing for the election of a Council by the direct vote of the people in two electorates, each island being one, and the proportional system of voting being used. This was not accepted, and in 1885 Sir Frederick Whitaker introduced a bill providing for election by a joint session of members of the Council and of the House. This was carried by the Council, but rejected by the House of Representatives.

A Degenerating House

The Liberal-Labor administration under Mr. Ballance, which took office in 1891, introduced and successfully carried a bill providing that members of the Council should be nominated by the government for a period of seven years only, although there was nothing in the measure to prevent a member from being re-nominated at the end of his term, if the government thought fit. The rights of existing life members of the Council were conserved under the bill. This reform has proved a failure, and of the council as at present constituted it might almost be said "None so poor as to do it reverence." The plan of appointing members for a limited period was in itself almost sufficient to bring about the Council's decline, for it practically destroyed the independence of the Chamber. A member who wished to be re-appointed at the end of his term knew that he had to do what the government wished him to do, and it was sometimes said to be possible to tell when a councillor was approaching the end of his seven years by the increased alacrity with which he strove to carry out the Government's wishes. The mischief was intensified during Mr. Seddon's long reign by the fact that he used the Legislative Council as a means of rewarding his supporters, especially those who were unable to secure election to the Lower House. The result is now that all the thirty-nine members of which the Council is composed have been appointed by that party, with the exception of seven life members—all of them advanced in years—who still remain in the Chamber. Thus the Council has lost much of its old independence, and its influence on public opinion has greatly declined.

Proportional Representation

The bill framed by the Massey government for the reform of the Council, and introduced into that Chamber by the Hon. H. D. Bell, Minister for Internal Affairs, proposes to make the Council elective. New Zealand, geographically, is divided into the North and South Island—Stewart Island lying to

the south of the latter and bearing somewhat the same relation to it that the Isle of Wight does to England. It is proposed under the bill to make each of these geographical divisions an electorate, and to use the proportional system of voting adopted in the Transvaal Municipal Act. The total number of councillors to be ultimately elected is fixed at forty, twenty from each island. The elections will be held on the same day as those for the House of Representatives, and the franchise will be the same. Each elected councillor will hold his seat for the term of two Parliaments of the House of Representatives, one half the total number retiring at each election. The present nominated members will continue to hold their seats until their existing appointments have expired. The House of Representatives will continue to exercise full control over money bills, as at present. It is curious to recall the fact that when the Constitution was granted to New Zealand, Sir George Grey proposed to make the Council elective. The English government, at the instance, it is said, of Sir John Pakington, insisted on substituting the nominative for the elective principle.

Councillors Object

The debate on the second reading of the bill brought to light a strong opposition to it in the Council. Several members who admitted that public opinion was in favor of the substitution of election for nomination said they would vote for the second reading on that ground, but would require radical alterations in some of the details when the bill was in committee. The Hon. Mr. Samuel, leader of the Council under the Mackenzie ministry, urged in opposition that the government had no right to legislate piecemeal. This was an amendment of the Legislature act, and a bill should be brought down to deal with both Houses, instead of trying an experiment on the Council. If a change was necessary, as was suggested, he argued that the Council should be elected either by the House of Representatives or by both Houses, or that it should be abolished altogether, rather than that it should be elected on the popular franchise like the primary Chamber. "Why," he asked, "did the Council exist at all?" It existed to prevent party legislation, to moderate the speed of legislation, to revise,

amend, and improve rash legislation; or retard it until the constituencies could be made to understand what was being done. If the Council were elected, members would have to receive deputations and hundreds of letters from constituents, they would have to give pledges, not according to their beliefs, but according to what election necessities required. They would, in fact, be subject to all the disabilities of the Lower House, and would be useless for the purpose of a Revising Chamber. He also took exception to the system of proportional representation. It would mean, he said, that without regard to honesty, good character, or intelligence, the candidate's election would depend upon his ability to get his name on a ticket. A fraction only of the electors could have any real knowledge of their candidates, and the only safeguard which election on popular franchise provided would be removed.

Question Solved

Other members objected that a Council elected on the more scientific system of representation might claim to be a more correct exponent of the public than the Lower House. On the other hand, if both Houses were elected on the proportional system of representation, there would be two legislative bodies, each practically a duplicate of the other, which would not only be a waste of energy, but likely to prove in practice exceedingly fruitful of friction and conflict.

The second reading was carried by twenty-four votes to eight, but on motion to go into committee, the Hon. J. D. Ormond, one of the oldest of the life members, moved the following amendment:

That all the words after "that" be omitted, with a view of inserting the words "the Council is of opinion that, having affirmed that the constitution of the Council should be altered from nomination to election, it is not advisable to proceed further with the bill this session, in order that the electors of the Dominion may be given an opportunity of considering the proposals for giving effect to the bill."

The amendment was carried by twenty to thirteen. This meant, of course, that the bill was shelved. Mr. Massey, however, then gave notice in the Lower House of a series of resolutions embodying the main provisions of the Bill. If these are passed, it is thought that they will be sent to the Upper House. Mr. Massey has also given notice of a bill to reduce the term of appointment of Legislative Councillors to three

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years. It is inferred that if the resolutions are rejected by the Upper House, and the latter bill is carried, he will next advise His Excellency to call sufficient short-term councillors to pass the bill into law.

ANOTHER ONE ON SANDY

A canny Scot was sitting in the smoking compartment of a train, and, after filling his pipe, he turned to the man on his left and asked: "Hae ye a match?"

The man went through his pockets and said: "I am sorry, but I have not."

Turning to the man on his right, he asked the same question, and after a search this man also said: "I am very sorry, but I have used my last one."

"Ah, weel," said the Scot, with a sigh, as he reached into his own pocket, "I'll hae ta use one o' my ain."

HE DID

Tommy came out of a room where his father was tacking down a carpet. He was crying lustily.

"Why, Tommy, what's the matter?" asked his mother.

"P-p-p-papa hit his finger with the hammer," sobbed Tommy.

"Well, you needn't cry about a thing like that," comforted his mother. "Why didn't you laugh?"

"I did," sobbed Tommy.

Clothes Make The Man

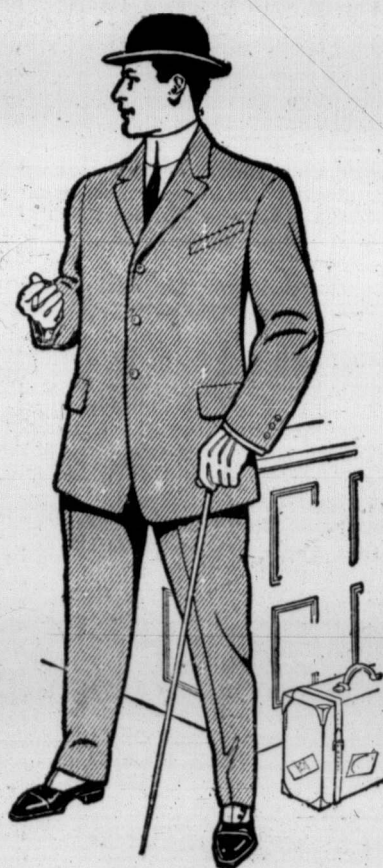
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