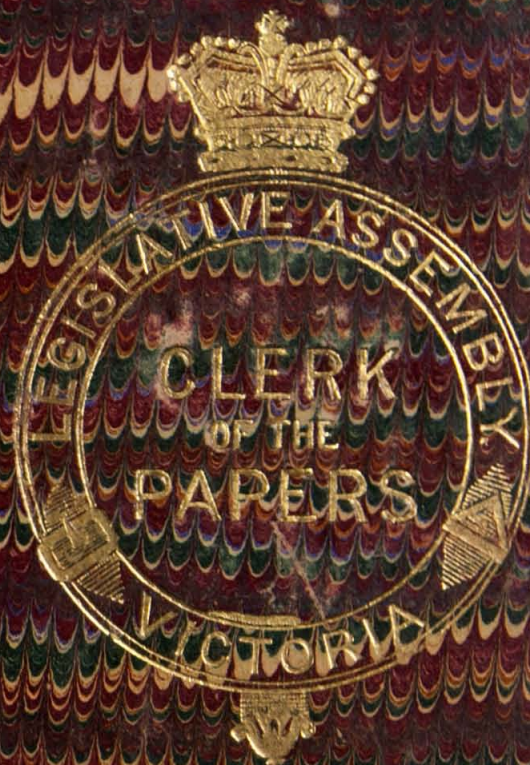




VICTORIA.
PARLIAMENTARY
DEBATES.

2ND SESSION 1897,
VOL. 87.

CLERK OF THE PAPERS



VICTORIA.

PARLIAMENTARY DEBATES.

SECOND SESSION, 1897.

Legislative Council and Legislative Assembly.

VOL. LXXXVII.

MELBOURNE: ROBT. S. BRAIN. GOVERNMENT PRINTER

1898

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List of Members of Parliament.

SECOND SESSION, 1897.

LEGISLATIVE COUNCIL.

NAME.	PROVINCE.	NAME.	PROVINCE.
Abbott, J. H. ...	Northern.	Melville, Donald ...	Southern.
Austin, Sidney ...	South-Western.	Miller, Edward ...	South Yarra.
Balfour, James ...	South-Eastern.	Morey, Edward ...	Wellington.
Bell, James ...	North-Western.	Osmand, W. H. S. ...	Nelson.
Brown, Frederick ...	North-Eastern.	Pearson, William ...	Gippsland.
Brunton, Thomas ...	Southern.	Phillips, Pharez ...	North-Western.
Buchanan, James ...	South-Eastern.	Pitt, William ...	North Yarra.
Campbell, J. C. ...	South-Eastern.	Pratt, J. M. ...	North-Western.
Clarke, Sir R. T. H., Bart.	Southern.	Reid, Robert ...	Melbourne.
Comrie, Thomas ...	North-Western.	Sachse, A. O. ...	North-Eastern.
Connor, J. H. ...	South-Western.	Sargeant, Charles ...	Gippsland.
Cooke, S. W. ...	Western.	Sargood, Sir F. T. ...	South Yarra.
Crooke, E. J. ...	Gippsland.	Service, James ...	Melbourne.
Cuthbert, Sir Henry ...	Wellington.	Simmie, George ...	Northern.
Dowling, Thomas ...	Nelson.	Snowden, Sir Arthur ...	Melbourne.
Embling, W. H. ...	North Central.	Sternberg, Joseph ...	Northern.
FitzGerald, Nicholas ...	North Central.	Thornley, Nathan ...	Western.
Fraser, Simon ...	South Yarra.	Wallace, J. A. ...	North-Eastern.
Godfrey, George ...	South Yarra.	Wanliss, T. D. ...	Wellington.
Grimwade, F. S. ...	North Yarra.	Williamson, Samuel ...	Nelson.
Ham, C. J. ...	Melbourne.	Winter-Irving, W. I. ...	Northern.
Ham, David ...	Wellington.	Wrixon, Sir H. J. ...	South-Western.
Levi, Nathaniel ...	North Yarra.	Wynne, Agar ...	Western.
McCulloch, William ...	Gippsland.	Zeal, Sir W. A. ...	North Central.

PRESIDENT: THE HON. SIR W. A. ZEAL, K.C.M.G.

CHAIRMAN OF COMMITTEES: THE HON. FREDERICK BROWN.

LEGISLATIVE ASSEMBLY.

NAME.	DISTRICT.
Anderson, John	... Melbourne East.
Anderson, William	... Windermere.
Austin, E. H.	... Ripon and Hampden.
Bailes, A. S.	... Sandhurst.
Beazley, W. D.	... Collingwood.
Bennett, G. H.	... Richmond.
Best, R. W.	... Fitzroy.
Bowser, John	... Wangaratta and Rutherglen.
Brake, J. H.	... Horsham.
Bromley, F. H.	... Carlton.
Brown, J. T.	... Shepparton and Euroa.
Burton, J. B.	... Stawell.
Cameron, E. H.	... Evelyn.
Carter, G. D.	... Melbourne.
Chirnside, J. P.	... Grant.
Cook, J. N. H. H.	... East Bourke Boroughs.
Craven, A. W.	... Benambra.
Deakin, Alfred	... Essendon and Flemington.
Downward, Alfred	... Mornington.
Duffy, J. G.	... Kilmore, Dalhousie, and Lancefield.
Duggan, D. J.	... Dunolly.
Dyer, J. H.	... Borung.
Fink, Theodore	... Jolimont and West Richmond.
Forrest, C. L.	... Polwarth.
Foster, Henry	... Gippsland East.
Gair, M. J. S.	... Bourke East.
Gillies, Duncan	... Toorak.
Graham, George	... Numurkah and Nathalia.
Graves, J. H.	... Delatite.
Gray, F. C.	... Prahran.
Grose, W. B. ...	... Creswick.
Gurr, William	... Geelong.
Hamilton, W. A.	... Sandhurst.
Hancock, John	... Footscray.
Harris, Albert	... Gippsland Central.
Harris, Joseph	... South Yarra.
Higgins, H. B.	... Geelong.
Irvine, W. H.	... Lowan.
Isaacs, I. A.	... Bogong.
Isaacs, J. A.	... Ovens.
Kennedy, Thomas	... Benalla and Yarrawonga.
Keys, John	... Dandenong and Berwick.
Kirton, J. W.	... Ballarat West.
Langdon, Thomas	... Korong.
Levion, J. F.	... Barwon.
McArthur, J. N.	... Villiers and Heytesbury.
McBride, Peter	... Kara Kara.

NAME.	DISTRICT.
McCay, J. W.	... Castlemaine.
McColl, J. H.	... Gunbower.
McGregor, Robert	... Ballarat East.
McIntyre, Sir John	... Maldon.
McKenzie, M. K.	... Anglesey.
McLean, Allan	... Gippsland North.
McLeod, D. N.	... Portland.
Madden, Frank	... Eastern Suburbs.
Maloney, William	... Melbourne West.
Mason, F. C.	... Gippsland South.
Mason, J. W.	... Rodney.
Methven, David	... East Bourke Boroughs.
Moloney, James	... Carlton South.
Morrissey, John	... Rodney.
Moule, W. H.	... Brighton.
Murphy, Edward	... Warrenheip.
Murray, John	... Warrnambool.
O'Loghlen, Sir Bryan, Port Fairy. Bart.	
O'Neill, Richard	... Mandurang.
Outtrim, A. R.	... Maryborough.
Peacock, A. J.	... Clunes and Allandale.
Rawson, Hugh	... Kyneton.
Russell, George	... Grenville.
Salmon, C. C.	... Talbot and Avoca.
Sangster, George	... Port Melbourne.
Shiels, William	... Normanby.
Smith, R. Murray, Hawthorn. C.M.G.	
Smith, Thomas	... Emerald Hill.
Stapleton, Michael	... Grenville.
Staughton, S. T.	... Bourke West.
Sterry, D. C.	... Sandhurst South.
Styles, James	... Williamstown.
Taverner, J. W.	... Donald and Swan Hill.
Thomson, John	... Dundas.
Toutcher, R. F.	... Ararat.
Trenwith, W. A.	... Richmond.
Tucker, A. L.	... Fitzroy.
Tucker, J. B.	... Melbourne South.
Turner, Sir George	... St. Kilda.
Turner, G. J.	... Gippsland West.
Vale, R. T.	... Ballarat West.
Watt, W. A.	... Melbourne North.
Wheeler, J. H.	... Daylesford.
White, J. S.	... Albert Park.
Wilkins, Edgar	... Collingwood.
Williams, E. D.	... Castlemaine.
Williams, H. R.	... Eaglehawk.
Zox, E. L. ...	... Melbourne East.

SPEAKER: MR. F. C. MASON.

CHAIRMAN OF COMMITTEES: MR. W. D. BEAZLEY.

The Cabinet.

PREMIER AND TREASURER	...	...	THE	RIGHT HON. SIR GEORGE TURNER, P.C., K.C.M.G.
ATTORNEY-GENERAL	...	...	THE	HON. I. A. ISAACS.
MINISTER OF DEFENCE AND A VICE-PRESIDENT OF THE BOARD OF LAND AND WORKS	...	...	}	" WILLIAM McCULLOCH, M.L.C.
CHIEF SECRETARY AND MINISTER OF PUBLIC INSTRUCTION	...	...	}	" A. J. PEACOCK.
POSTMASTER-GENERAL	...	...	}	" J. GAVAN DUFFY.
PRESIDENT OF THE BOARD OF LAND AND WORKS AND COMMISSIONER OF CROWN LANDS AND SURVEY, AND COMMISSIONER OF TRADE AND CUSTOMS	...	...	}	" R. W. BEST.
SOLICITOR-GENERAL	...	...	{	" SIR HENRY CUTHBERT, K.C.M.G., M.L.C.
MINISTER OF RAILWAYS AND MINISTER OF HEALTH	...	...	}	" H. R. WILLIAMS.
MINISTER OF MINES AND MINISTER OF WATER SUPPLY	...	...	}	" HENRY FOSTER.
COMMISSIONER OF PUBLIC WORKS AND A VICE-PRESIDENT OF THE BOARD OF LAND AND WORKS, AND MINISTER OF AGRICULTURE	...	...	}	" J. W. TAVERNER.
MINISTERS WITHOUT OFFICE	...	...	{	" SAMUEL WILLIAMSON, M.L.C. " ALLAN McLEAN, M.L.A.

VICTORIA.

PARLIAMENTARY DEBATES.

First Session of the Seventeenth Parliament.

LEGISLATIVE COUNCIL.

Monday, October 25, 1897.

Opening of Parliament by Commission—Adjournment.

The Seventeenth Victorian Parliament was opened this day by Commission. The Commissioners appointed by His Excellency the Governor for the purpose were Their Honours the Chief Justice (Sir John Madden) and Mr. Justice Hood.

At three minutes to five o'clock p.m., the Clerk of the Parliaments (Mr. G. H. Jenkins, C.M.G.) read the following

PROCLAMATION

“By His Excellency the Right Honorable Thomas, Baron Brassey, Knight Commander of the Most Honorable Order of the Bath; Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c.

“WHEREAS by the Constitution Act it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria, and, subject to the limitation therein contained, such times for holding the first and every other session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he should deem it expedient: And whereas the said Council

and Assembly are called ‘The Parliament of Victoria,’ and it is expedient to fix the time for holding the next session thereof: Now therefore I, the Governor of Victoria, in exercise of the power conferred by the said Act, do by this my Proclamation fix Monday, the twenty-fifth day of October, 1897, as the time for the commencement and holding of the next session of the said Council and Assembly, called ‘The Parliament of Victoria,’ for the despatch of business, at twelve of the clock at noon, in the Parliament Houses, situate in Parliament-place, Spring-street, in the city of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

“Given under my hand and the seal of the colony, at Melbourne, this fifteenth day of October, in the year of our Lord One thousand eight hundred and ninety-seven, and in the sixty-first year of Her Majesty’s reign.

“BRASSEY.

“By His Excellency’s command,

“GEORGE TURNER.”

“GOD SAVE THE QUEEN!”

The Clerk of the Parliaments also read a further proclamation by His Excellency the Governor, altering the hour for the attendance of members from twelve o'clock noon to five o'clock p.m.

The Commissioners immediately afterwards entered the chamber, and directed that the attendance of the members of the Legislative Assembly should be requested.

The members of the Assembly having appeared at the bar,

The CHIEF JUSTICE said—Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly, His Excellency the Governor, not thinking fit to be present in person this day, has been pleased to cause letters patent to issue, under the seal of the colony, constituting us his Commissioners, to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the letters patent which will now be read by the Clerk of the Parliaments.

The letters patent having been read by the Clerk,

The CHIEF JUSTICE said—Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly, we have it in command from His Excellency to inform you that on a future day, of which due notice will be given, His Excellency will declare to you in person in this place the causes of his summoning this Parliament; and, Gentlemen of the Legislative Assembly, as it is necessary before you proceed to the despatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that you will proceed to the choice of a proper person, in your chamber, to be Speaker.

The members of the Legislative Assembly then withdrew.

At eight minutes past five o'clock the PRESIDENT took the chair, and read the prayer.

Sir HENRY CUTHBERT moved that the House, at its rising, adjourn until two o'clock on the following day. He said that His Excellency the Governor would attend on the following day for the purpose of stating his reasons for calling Parliament together.

The motion was agreed to.

The House adjourned at ten minutes past five o'clock, until the following day.

LEGISLATIVE ASSEMBLY.

Monday, October 25, 1897.

Swearing of Members—Representation of Carlton South—
Election of Speaker.

Proceedings commenced at five o'clock p.m., by the Clerk of the Assembly (Mr.

W. V. Robinson, C.M.G.) reading the Governor's proclamation convoking Parliament for Monday, October 25, at twelve o'clock noon. The Clerk also read a further proclamation by His Excellency the Governor, altering the hour for the attendance of members to five o'clock p.m.

The Usher of the Legislative Council then appeared at the bar, and intimated that the Commissioners appointed by the Governor to open Parliament requested the attendance of members of the Legislative Assembly in the chamber of the Legislative Council.

The members present, accompanied by the chief officers of the House, at once proceeded thither. On their return the Commissioners—Their Honours the Chief Justice (Sir John Madden) and Mr. Justice Hood—were introduced, the former taking his seat in the Speaker's chair.

The letters patent appointing the Chief Justice to administer the oath of allegiance were then read.

The CLERK intimated that he had received 83 writs issued by His Excellency the Administrator of the Government for the election of members to serve in the Legislative Assembly for the several electoral districts of the colony, with the names of the members elected duly indorsed thereon.

The members present were then sworn in the following order:—

Albert Park	...	J. S. White
Anglesey	...	M. K. McKenzie
Ararat	...	R. F. Toutcher
Ballarat East	...	Robert McGregor
Ballarat West	...	{ J. W. Kirton
		{ R. T. Vale
Barwon	...	J. F. Levien
Benalla and Yarra-		{ Thomas Kennedy
wonga	...	
Benambra	...	A. W. Craven
Bogong	...	I. A. Isaacs
Borong	...	J. H. Dyer
Bourke East	...	M. J. S. Gair
Bourke West	...	S. T. Staughton
Brighton	...	W. H. Moule
Carlton	...	F. H. Bromley
Castlemaine	...	{ J. W. McCay
		{ E. D. Williams
Clunes and Allan-		{ A. J. Peacock
dale	...	
Collingwood	...	{ Edgar Wilkins
		{ W. D. Beazley
Creswick	...	W. B. Grose
Dandenong	and	{ John Keys
Berwick	...	

Daylesford ...	J. H. Wheeler
Delatite ...	J. H. Graves
Donald and Swan Hill ...	J. W. Taverner
Dundas ...	John Thomson
Dunolly ...	D. J. Duggan
Eaglehawk ...	H. R. Williams
East Bourke Boroughs ...	J. N. H. H. Cook
Eastern Suburbs ...	David Methven
Emerald Hill ...	Frank Madden
Essendon and Flemington ...	Thomas Smith
Evelyn ...	Alfred Deakin
Fitzroy ...	E. H. Cameron
Footscray ...	R. W. Best
Geelong ...	A. L. Tucker
Gippsland Central ...	John Hancock
Gippsland East ...	William Gurr
Gippsland North ...	H. B. Higgins
Gippsland South ...	Albert Harris
Gippsland West ...	Henry Foster
Grant ...	Allan McLean
Grenville ...	F. C. Mason
Gunbower ...	G. J. Turner
Hawthorn ...	J. P. Chirnside
Horsham ...	George Russell
Jolimout and West Richmond ...	Michael Stapleton
Kara Kara ...	J. H. McColl
Kilmore, Dalhousie, and Lancefield ...	J. H. McColl
Korong ...	R. Murray Smith
Kyneton ...	J. H. Brake
Lowan ...	Theodore Fink
Maldon ...	Peter McBride
Mandurang ...	J. G. Duffy
Maryborough ...	Thomas Langdon
Melbourne ...	Hugh Rawson
Melbourne East ...	W. H. Irvine
Melbourne North ...	John McIntyre
Melbourne South ...	Richard O'Neill
Melbourne West ...	A. R. Outtrim
Mornington ...	G. D. Carter
Normanby ...	E. L. Zox
Numurkah and Nathalia ...	John Anderson
Ovens ...	W. A. Watt
Polwarth ...	J. B. Tucker
Port Fairy ...	William Maloney
Port Melbourne ...	Alfred Downward
Portland ...	William Shiels
Prahran ...	George Graham
Richmond ...	J. A. Isaacs
Ripon and Hampden ...	C. L. Forrest
	Bryan O'Loughlen
	George Sangster
	D. N. McLeod
	F. C. Gray
	G. H. Bennett
	W. A. Trenwith
	E. H. Austin

Rodney ...	John Morrissey
Sandhurst ...	J. W. Mason
Sandhurst South ...	W. A. Hamilton
Shepparton and Euroa ...	D. C. Sterry
South Yarra ...	J. T. Brown
St. Kilda ...	Joseph Harris
Stawell ...	George Turner
Talbot and Avoca ...	J. B. Burton
Toorak ...	C. C. Salmon
Villiers and Heytesbury ...	Duncan Gillies
Wangaratta and Rutherglen ...	J. N. McArthur
Warrenheip ...	John Bowser
Warrnambool ...	Edward Murphy
Williamstown ...	John Murray
Windermere ...	James Styles
	William Anderson

The CLERK intimated that he had also received the following letter from the returning officer's substitute for the electoral district of Carlton South:—

"Rathdown-street, North Carlton,
"25th October, 1897.

"The Clerk of the Legislative Assembly of Victoria.

"Sir,—I understand that the writ referring to the Carlton South election is reported as missing. Mr. Charles Leach, the returning officer for that electorate, is now out of the colony, and cannot be communicated with, either by letter or telegram.

"As his acting substitute, I hereby declare that Mr. James Moloney was duly elected as a member of the Legislative Assembly of Victoria for the electorate of Carlton South.

"I enclose herewith cuttings from the *Argus* and *Age* newspapers of 18th inst., referring to such election, which were inserted by the returning officer, Mr. Charles Leach, prior to his departure from the colony.

"I am, sir, your obedient servant,

"ALEX. KEMP,
"Substitute for Chas. Leach,
Returning Officer.

"ELECTORAL DISTRICT OF CARLTON SOUTH.

"I hereby give notice that, at an election held before me this day for one member to serve in the Legislative Assembly for the district of Carlton South, the following votes were recorded:—

James G. Barrett ...	774
James Moloney ...	907

"I therefore declare James Moloney to be duly elected as a member of the Legislative Assembly for the electoral district of Carlton South.

"Dated at Carlton South this 14th day of October, 1897.

"CHARLES LEACH,
"Returning Officer for the Electoral
District of Carlton South.

"—*Argus*, 18th October.

“ELECTORAL DISTRICT OF CARLTON SOUTH.

“I hereby give notice that, at an election held before me this day for one member to serve in the Legislative Assembly for the district of Carlton South, the following votes were recorded:—

James G. Barrett	...	774
James Moloney	...	907

“I therefore declare James Moloney to be duly elected as a member of the Legislative Assembly for the electoral district of Carlton South.

“Dated at Carlton South this 14th day of October, 1897.

“CHARLES LEACH,

“Returning Officer for the Electoral District of Carlton South.

“—Age, 18th October.”

Mr. James Moloney was then sworn.

On the completion of the ceremony of swearing members, the Commissioners retired.

ELECTION OF SPEAKER.

Mr. SHIELS rose, and, addressing the Clerk of the Assembly, said—Mr. Robinson, a very pleasing function has been assigned to me to perform, which I shall do with great brevity. I have to offer, to what I believe will be the unanimous acceptance of the House, the name of Mr. Francis Conway Mason, as a fit and proper person to take the chair as Speaker. In Mr. Mason we have a gentleman of tried experience, who, as Chairman of the House through two Parliaments, has borne the heat and burden of the day. He has passed through a trying ordeal, with the approval and appreciation of those who were subject to his jurisdiction. He has slowly climbed up the rungs of the ladder till he is now, by the grace of the House, within reach of its topmost rung, and the House's highest gift. I am sure that every honorable member will unite with me in saying that Mr. Mason deserves the highest praise for his performance of the duties of Chairman, and will join with me in the hope that hereafter that praise may be as freely and graciously given to him for his discharge of the duties of Speaker.

Mr. MURRAY.—Mr. Robinson, it would ill become me to attempt in many words to support the nomination of Mr. Mason, which has been proposed in such felicitous terms, as he alone can use, by my friend the honorable member for Normanby. I, therefore, without any additional words of mine, which are quite unnecessary, beg to second that nomination.

Mr. F. C. MASON.—Mr. Robinson, I beg most respectfully to submit myself to the

pleasure of the House, and I have only to assure honorable members that if I have the great honour of being elected to the high position of Speaker of the Legislative Assembly, I will endeavour, as far as I am able, to discharge the duties of the office in a manner which I trust will give satisfaction to the House.

There being no other nomination, Mr. Mason was then conducted by his proposer and seconder to the chair, on reaching which,

The SPEAKER said—I have to express my most grateful thanks to my honorable and learned friend who has so nicely proposed me as Speaker of this House, to the seconder of the motion, my friend the honorable member for Warrnambool, and to honorable members of this House for having done me the honour of electing me unanimously to this position. I know I can depend on the leaders of the House, on both sides, and also on the able and assiduous officers at the table, to help me in the discharge of the duties appertaining to the office of Speaker of this House. Honorable members may rely upon it that my first principle will be to endeavour to discharge those duties in a manner befitting the position, and in a way which, I trust, will be wholly impartial and give satisfaction to the House and the colony.

Sir GEORGE TURNER.—Mr. Speaker, I desire to congratulate you upon the fact that the choice of the House has fallen unanimously upon you to preside over us during this present Parliament, and I think I may go a step further, and congratulate the House upon having in the chair a gentleman of whom experience in a somewhat lower position has proved conclusively to us that he is well fitted and well capable of occupying the chair. I am perfectly satisfied that you, sir, will fill that position with satisfaction to us and with credit to yourself, and that the words you have just spoken are absolutely true. I have no doubt that whatever rulings you may be called upon to give, or whatever decisions may fall to your lot, will be given impartially, and I am satisfied also, sir, that at the end of this Parliament, if you are spared, as we all hope you will be, to occupy the position during that length of time, we will be able to heartily congratulate you on the manner in which you have discharged your duties when you have finished your labours as far as this Parliament is concerned. I believe we all join in wishing you every success in the

high position you now occupy, and that we all agree that you will do credit to the position.

Sir JOHN McINTYRE.—Mr. Speaker, I have very great pleasure indeed in rising to add my congratulations to you, on behalf of the opposition side of the House, on your election to the very high and distinguished position you now occupy. It is customary that such congratulations should come from this as well as from the other side of the chamber, I think more to show that, in the discharge of his important duties, the Speaker may rely on as much support from honorable members sitting in opposition as from honorable members sitting behind the Ministry. I can assure you, sir, that you may rely on as much support from honorable members on this side of the House as from the phalanx now sitting on the Ministerial side of the chamber. These phalanxes are sometimes very troublesome, and above all to the Chair; but I trust that, as far as you are concerned, there will be no such trouble from the present phalanx of Government supporters. On the contrary, from the way the Premier has expressed his congratulations to you, I believe you will get as much support from the Ministerial side of the House as you are sure to get from the Opposition. You are now elevated to the highest position to which your fellow members can raise you, and I trust you will discharge the duties of that position with satisfaction not only to yourself, but to the whole colony. Personally, I believe you will do so. Your long experience in this House, your knowledge of parliamentary procedure, and the way in which you have conducted yourself in the position of Chairman of Committees, as well as the satisfactory manner in which your decisions have been received in the last two Parliaments, warrant me in saying that we have now in the chair of this House a gentleman who will perform the duties of Speaker in a way that will give satisfaction all round. I trust that we will all be friendly throughout this Parliament. Of course you may, at times, have to exercise your powers in a way which will not give satisfaction to every one, but I am certain that your duties will be discharged and your decisions given in a thoroughly impartial manner. On my part, I promise you every support in the high position you now occupy.

Sir GEORGE TURNER moved that the House, at its rising, adjourn until two

o'clock the following day. He said he was not in a position to state the exact hour at which His Excellency the Governor would receive the Speaker and such members as chose to accompany him, next day, but he would endeavour to ascertain it that evening, and would give publicity to it, so that honorable members might know the time.

The motion was agreed to.

The House adjourned at six o'clock, until two o'clock the following day.

LEGISLATIVE COUNCIL.

Tuesday, October 26, 1897.

State Opening of Parliament: The Governor's Speech—Public Contracts Bill—Sessional Arrangements—Standing Committees—Railways Standing Committee—Election of Chairman of Committees—Address in Reply to the Governor's Speech.

The PRESIDENT (Sir William Zeal, K.C.M.G.) took the chair at five minutes to two o'clock p.m.

STATE OPENING OF PARLIAMENT.

The Usher announced the approach of His Excellency the Governor, and immediately afterwards the Governor entered the chamber, attended by his suite.

The members of the Legislative Assembly having been summoned,

His EXCELLENCY addressed the following speech to both Houses of Parliament:—

“MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

“MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

“I have called you together as soon as practicable after the return of the writs for the general election of the Legislative Assembly, in order that I might avail myself of your advice and assistance at the earliest possible moment.

“I am rejoiced to meet you at a time when we have a favorable prospect of an abundant harvest, and every reason to believe that Victoria is once more entering upon a period of prosperity in production, trade, and commerce.

“Since I last convoked Parliament the fact of Her Most Gracious Majesty having reigned longer than any of Her predecessors has been celebrated by the whole

of the Empire with unbounded loyalty and enthusiasm. It is deeply gratifying that the people of Victoria took due part in the celebration that marked this auspicious epoch, and manifested in fitting manner their devotion to the throne and person of their beloved Sovereign, and that the Premier of Victoria, present at the capital of the Empire, was able personally to testify to the loyalty and good-will of the people of the colony. The magnificent reception accorded to him, and extended to the citizen-soldiers of Victoria who took part in the celebration, give the undoubted assurance that these feelings were understood and appreciated, not alone by our Sovereign but also by all classes of our fellow citizens.

"Owing to the period of the year at which the last session of Parliament closed, and to the sitting of the Federal Convention which is to be held in Melbourne in January next, my advisers intend to place before you during the present session only such urgent measures of public importance as are immediately necessary, and such other matters as may be speedily and easily dealt with.

"The adjourned session of the Federal Convention is to be held in Melbourne, when it is to be hoped that the great and noble work committed to its charge will be accomplished, and that the patriotism, ability, and moderation of the representatives of the Australian people will enable them to overcome the numerous and serious difficulties of their task, to frame an Australian Constitution which will prove acceptable to the people of all the colonies, and consummate the union so long and ardently desired.

"MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

"Provision for the service of the year has already been made in such a manner as to meet the public requirements with due liberality but without extravagance.

"The Trust Funds now amount to a very large sum, and, as it is deemed advisable

to place the same under more efficient control, my advisers have prepared and will submit for the consideration of Parliament a measure for that purpose.

"MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

"MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

"The first measure that my Government will lay before you will be a Bill to regulate public charities.

"The unsystematic manner in which the public charities of Victoria have been administered, and the insufficiency of the present law to provide for deserving cases of distress, have long been a reproach. The proposals to be placed before you are intended to provide an efficient remedy and to place the public charities on a satisfactory footing and sound financial basis, giving them certain means of revenue, and affording effective local control.

"No classification of the public service having taken place since 1884, many anomalies have arisen which, in the interests of the service and of the colony, should be removed, and a Bill designed to accomplish this end will be submitted for your approval.

"A conference has been held on the subject of the supervision of the slaughtering of animals and the sale of meat for human food, and the result of its labours has been embodied in a Bill which will be laid before you, and which will, it is believed, have the effect of improving the food supply and averting serious danger to human health.

"Unfortunately, the measure dealing with the supervision of exported products placed before you last session failed to become law. You will be asked to again consider the question, and it is to be earnestly hoped that a satisfactory result will be arrived at.

"The Merchant Shipping Act 1894 passed by the Imperial Parliament having been found to work satisfactorily, you will

be asked to pass into law a Bill adapting that Act to local requirements.

"Numerous difficulties and disputes having arisen in respect to the drainage of land in various municipalities, my advisers have prepared and will place before you a Bill dealing with this important matter.

"The Post Office Bill, which passed the Legislative Assembly, but failed to become law, will be again presented to you.

"You will be also asked to deal with Bills relating to the administration of estates of deceased persons; preventing the fraudulent sale of Railway tickets; and with various other measures which will be submitted to you as the exigencies of public business permit.

"I now leave you to your deliberations, which, I trust, by the blessing of Divine Providence, will result in the advancement of the public welfare and the continued and increased prosperity of the people whom you represent, and in whose interest I have called you together."

Copies of the speech were handed by the Governor's private secretary to the President and to the Speaker.

The members of the Legislative Assembly then withdrew, and His Excellency and suite also left the chamber.

The PRESIDENT took the chair at twenty minutes to five o'clock, and read the prayer.

PUBLIC CONTRACTS BILL.

Sir HENRY CUTHBERT moved for leave to introduce a Bill relating to certain public contracts.

The motion was agreed to.

The Bill was then brought in, and read a first time.

SESSIONAL ARRANGEMENTS.

Sir HENRY CUTHBERT remarked that it was not very long since the previous session of Parliament was opened, and he moved the usual motions with regard to sessional arrangements and the appointment of Standing Committees. They were now entering upon a new session, and it was desirable that they should, as far as possible, economize the time at their

disposal, because he trusted that the session would not be a protracted one. He hoped that within the next three or four weeks the important measures that the Government were desirous of placing on the statute-book would receive the sanction of both Houses. Under the circumstances, if it was agreeable to honorable members, he would move the motions with regard to sessional arrangements and to the appointment of the Standing Committees without the usual notice. He begged now to move—

"That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for despatch of business during the present session, and that half-past four o'clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business; and that on Wednesday in each week private members' business shall take precedence of Government business."

The motion was agreed to.

STANDING COMMITTEES.

On the motion of Sir HENRY CUTHBERT, the Standing Committees for the session were constituted as under:—

STANDING ORDERS COMMITTEE.—The Honorables the President, S. Austin, J. Balfour, J. Bell, S. W. Cooke, Sir Henry Cuthbert, J. Service, Sir Arthur Snowden, Sir H. J. Wrixon, and A. Wynne.

PARLIAMENT BUILDINGS COMMITTEE (JOINT).—The Honorables the President, J. H. Abbott, T. Dowling, S. Fraser, and W. Pitt.

LIBRARY COMMITTEE (JOINT).—The Honorables the President, Sir Henry Cuthbert, C. J. Ham, D. Melville, and A. O. Sachse.

REFRESHMENT-ROOMS COMMITTEE (JOINT).—The Honorables E. J. Crooke, W. H. Embling, E. Morey, J. M. Pratt, and J. A. Wallace.

PRINTING COMMITTEE.—The Honorables the President, T. Brunton, J. Buchanan, Sir R. T. H. Clarke, J. H. Connor, G. Godfrey, D. Ham, C. Sargeant, J. Sternberg, and T. D. Wamliss.

RAILWAYS STANDING COMMITTEE.

Sir HENRY CUTHBERT said that he had now to ask the House to appoint certain honorable members to represent the Legislative Council on a very important committee. He referred to the Railways Standing Committee. During the present session, short as it would be, the

Government would probably desire, if they could, to introduce some measures for the construction of lines of railway. Honorable members had no reason to be dissatisfied with the manner in which the members who had previously been chosen to represent the Chamber on the Railways Standing Committee had discharged their duties. They had done their work efficiently and well, and they had gained a vast amount of experience, not only from their travels through different parts of the country, but also from personal observation and from the evidence that had been taken. It would, therefore, be a great pity indeed to make any alteration in the representation of the Council on the committee. There was no gentleman who would have been more desirous, if it had been in his power, to give his best attention to the performance of the duties of this office than Mr. Buchanan, but he had been to some extent prevented from doing so by illness. Mr. Buchanan was a man who was universally respected by the House, and he (Sir Henry Cuthbert) felt confident that had it not been for his illness he would, as he had done previously, have given the most unremitting attention to the work of the Railways Standing Committee. He was glad, and he was sure that honorable members generally were glad, to see Mr. Buchanan back again in his place. The honorable member was very much improved in health, and he hoped that he would be spared for many years to give the House the assistance of his great practical knowledge and experience. He begged to move—

“That the following members of this House be appointed members of the Parliamentary Standing Committee on Railways, namely:—The Honorables J. Buchanan, D. Melville, and E. Morey.”

The Hon. J. BELL observed that he called the attention of the Solicitor-General, some few months ago, to the fact that the sum given for the expenses of the members of the Railways Standing Committee was not equally distributed. He thought it well now to remind the honorable gentleman of the promise he made at that time that he would consult the Cabinet and see if some better method of distribution could not be adopted. It was not fair that men who were residing in Melbourne, and who were called away from their business pursuits to attend the meetings of the committee, should receive

nothing, whilst others who resided 20 miles from the metropolis were paid their expenses.

Sir HENRY CUTHBERT remarked that the members of the Railways Standing Committee had not been adequately recompensed for the services that they had rendered to the country generally. He did not understand why gentlemen should be asked to devote their time and attention to such important work without being paid their expenses, nor did he understand why a member who resided at a distance of 20 miles from Melbourne should for that reason alone receive consideration that was not extended to others. He would be very glad to see some measure introduced which would give these gentlemen some reward for the services they rendered to the country. It might be said that all the members of the committee should not be treated on the same terms; but in his opinion no difference should be made whether a gentleman resided 4 miles or 20 miles from Melbourne. All the members of the committee should be treated alike. If time permitted, and his views were shared by others, it would be quite possible to make the necessary amendment of the law during the present session.

The PRESIDENT.—Before putting the motion I would like, as a member of the first Railways Standing Committee, to say that I think the Solicitor-General should press upon the Cabinet the desirability of giving effect to the wishes of this House. The sum of money that is asked for is a very trifling one. Probably it would not amount to more than £200 or £300 a year. It is not a serious matter, and it would not embarrass the Government in any way. All that we desire is that justice shall be done to those members of the Railways Standing Committee who reside in Melbourne. They are as much entitled to payment as the members who reside out of Melbourne, particularly as the larger proportion of the business is done by the members who reside in Melbourne. I think the Solicitor-General should, if he can, give the House an undertaking that the Government will consider this matter fairly.

The motion was agreed to.

The Hon. J. BUCHANAN said he desired to thank the Solicitor-General for the kind remarks he had made, and the House for having again elected him a member of the Railways Standing Committee. He

had, unfortunately, been prevented by ill-health from giving that full attention which was required to the work of the Railways Standing Committee. Under the circumstances, he determined to resign his position, and he wrote to the committee to that effect. The committee urged him to withdraw his resignation, and expressed the hope that he would be able to take his place among them again. He was thankful to say that he was now so far recovered that he could attend to the duties of the office. He was grateful to the House for the consideration that had been shown to him during his illness. He would give his closest attention to the work of the Railways Standing Committee, but he would perhaps not be able to accompany the committee in its travels about the country. Honorable members had no idea of the hardship and inconvenience which the members of the committee had to undergo in travelling. This did not suit an old man like himself. He had consulted the members of the committee, and they desired that he should remain with them. It was for this reason that he had accepted the appointment, and he would do his best to efficiently discharge his duties.

The Hon. E. MOREY stated that he desired to thank the House for having again elected him a member of the Railways Standing Committee. The position was an honorable one, and one which any honorable member might be proud to occupy. It had been the endeavour of the committee to do the best it could in the interests of the colony, by only recommending such lines of railway as they believed would be remunerative. The work done had been quite an education to the members of the committee, and it would be an advantage to every Member of Parliament if he could undergo the same experience, as his knowledge of the colony would in that way be considerably enlarged. He was proud to have held the position of a member of the committee, and he had gained a great deal of information by acting in that position which he would not otherwise have received. The committee had done very good work, and sometimes it worked so hard that the members were knocked up in their efforts to do their best for the country. He hoped that in the session now beginning some of this overwork would be avoided. The members of the committee received only £1 a day for travelling expenses, and the work was thus

really a labour of love, because so small an amount of remuneration could not be regarded as any inducement. Country members belonging to the committee often had to come to town and remain two days in connexion with their duties, and then return home, so that they were really out of pocket. However, they did not complain, because they accepted the office out of love for the work. The committee had done very valuable work in the past, and he was sure that it would continue to do so in the future. By advocating the making of lines to settle the people on the lands, and objecting to those which could not bring in any revenue, it performed most important functions, and saved a vast amount of expenditure to the colony. He thanked the Council for the honour which it had conferred upon him.

The Hon. D. MELVILLE stated that he also desired to thank the House for having again intrusted him with the duty of representing it on the Railways Standing Committee, while he likewise thanked honorable members for having indorsed the remarks which had been made in regard to the appointment. He hoped that committees of the kind would be extended, so that they might look into many matters affecting the interests of the country deeply. The House frequently had to vote large sums of money without any proper investigation having been made into the subject. He believed that the Railways Standing Committee had done fair work for the country. Whether the members of it were paid their expenses or not was a small matter. It was the duty of every member of the House to devote himself loyally to the service of the House and of the country, and if he were not willing to do that he ought not to be a Member of Parliament. He naturally felt proud of being intrusted with the performance of a share of the work of the committee, and he would continue to discharge his duties to the utmost of his ability.

CHAIRMAN OF COMMITTEES.

Sir HENRY CUTHBERT moved that the Honorable Frederick Brown be Chairman of Committees of the Council. He said that Mr. Brown, who had held a position in the House second only in importance to that of the President, had performed his duties admirably during the time in which he had acted as Chairman of Committees. It was a great pleasure to him (Sir Henry Cuthbert) to say, as the representative of

the Government, that they were perfectly satisfied with the honorable and efficient manner in which that gentleman had discharged the duties of his high office.

The Hon. A. WYNNE seconded the motion. He remarked that Mr. Brown was esteemed by every member of the House. Though when first appointed Chairman of Committees he followed a gentleman who had had great experience in the position, he had given entire satisfaction. He (Mr. Wynne) was satisfied that every member of the House was delighted with the way in which Mr. Brown had performed his duties, and especially with the assistance he had always given to young members. When the House was in committee, and honorable members were inclined to talk a great deal, the Chairman had a difficult task to perform. Mr. Brown, however, had ruled gently but firmly. He (Mr. Wynne) was sure that honorable members would be delighted to see him re-elected.

The motion was agreed to.

The Hon. F. BROWN said he had to thank the Solicitor-General for the very kind manner in which he had moved the motion, and also Mr. Wynne for the way in which he had spoken. His (Mr. Brown's) feelings rather overcame him, and he could hardly express himself as he could wish. However, as honorable members appeared to agree that his duties had been performed satisfactorily in the past, he would endeavour in the future to discharge them with the same impartiality. He must thank honorable members for the kind manner in which they had always supported him in the chair, and whenever it had been necessary for him to call "Order." Honorable members had never opposed him, but had always shown the utmost kindness in falling in with his view. He hoped in the session now entered upon to be able to give the same satisfaction which he gave during the last session.

THE GOVERNOR'S SPEECH.

ADDRESS IN REPLY.

The House proceeded to the consideration of the speech delivered by His Excellency the Governor to both Houses of Parliament.

The Hon. T. COMRIE moved—

"That a committee be appointed to prepare an address to His Excellency the Governor, in reply to His Excellency's opening speech, such committee to consist of the Honorables J. Bell, Sir R. T. H. Clarke, S. W. Cooke, W. H. Embling, E. Miller, E. Morey, and the mover.

Sir RUPERT CLARKE seconded the motion, which was agreed to.

The committee retired, and were absent some time.

On their return, they brought up the following address in reply:—

"To His Excellency the Right Honorable Thomas, Baron Brassey, Knight Commander of the Most Honorable Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Victoria and its Dependencies, &c., &c., &c

"MAY IT PLEASE YOUR EXCELLENCY—

"We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious speech which you have been pleased to address to Parliament."

The Hon. T. COMRIE moved the adoption of the address in reply. He said—Mr. President, I have much pleasure in moving that the Council agree to the address in reply. In undertaking the honour conferred upon me this day, I do so fully realizing the compliment paid me by the Government, and I fear that my apologies will have to be made for the imperfect manner in which I feel I shall fill the position. However, unlike those honorable members of this Chamber who have for years past performed the duty I am now attempting, I am convinced that mine is a more pleasurable undertaking. I shall not to-day have to refer to ever-accruing deficits, nor entertain a fear as far as the producers of this colony are concerned. We are made aware of the fact that for the first time for years the Treasurer of the day has been able to show a surplus on the year's transactions. The national ledger has been balanced; I must compliment the Government upon this achievement, and I feel that they deserve every praise from the people of this country. That the Government has the fullest confidence of the country, I am sure, goes without saying. If evidence of that were needed, the result of the recent general elections fully furnishes it. The position of our agriculturists and producers generally is almost assured, and there is every indication of a most bountiful harvest, although our producers have suffered a most severe shock. Still, I feel that with a good harvest or two, and the absence of any further taxation, they will overtake their difficulties. Our farmers have received exceptional assistance from the Government by the passage of the *Crédit Foncier Act*, the *Mallee Act*, and by

the bonuses provided in connexion with products exported. Much still remains to be done for this deserving class of our population. The land laws generally are to be amended and consolidated. The Exported Products Bill is to be re-introduced, and I trust it will become law with such amendments as may commend themselves to this House. Water conservation will be provided for, and the liabilities in connexion with water trust loans relating to the past will be materially modified. Railways are promised for the mallee country and Gippsland, for all of which the Government cannot be too highly commended. In our Railways Commissioner, in the person of Mr. Mathison, we undoubtedly have the right man in the right place. He is an able man, and one who does his duty without fear or favour in running our railways on a commercial basis. With regard to our mallee lands, which comprise one-third of our fair Victoria, and which were only a few years ago a howling wilderness, infested with rabbits and wild dogs, we may now note a change. Our lion-hearted settlers are quickly turning this howling wilderness into something like the Land of Canaan, which we are told flowed with milk and honey. Our mallee lands will, we trust, this year, flow with milk, honey, wheat, and oats. That the country is grateful for the placing on the statute-book of such remedial measures as the Companies, Insolvency, and Mines Acts is very evident. I feel that the Government has been very sincere in its endeavours in the past. Some of its measures, no doubt, like every piece of new machinery, will need amendment, and probably this is to be expected. I agree with the Government that just at present fresh or further taxation is unnecessary and is not demanded. Could there be better watch-words than those adopted by the Government—"Economy, peace, progress, and prosperity"? I feel that if this policy is carried into effect political rest and political progress must be followed by commercial peace and prosperity. The colony having now turned the corner, I am satisfied that if a policy of judicious economy be pursued everything else will follow. We are now on the up grade. We have got over a great deal of our commercial trouble, we have an abundant harvest in prospect, a good gold yield, and a rise in the price of wool, so that I am sure we shall go on prosperously. I am

extremely hopeful of the result of federation. I am satisfied that the outcome of the next meeting of the Convention in Melbourne, in January next, will clear the political atmosphere, and that soon afterwards a Bill will be submitted to the people of Australia which will meet with their full approval and consent. A policy of reproductive public works is promised by the Government, and I have every confidence that in advancing such a policy the Government will have the fullest assistance of this House. I am very pleased indeed to learn that it is the intention of the Government to finally arrange all matters appertaining to the public service and railway employes by the appointment of an expert board, which will deal with this vexed question as a whole. Let us hope that this board will suggest a means of removing the existing anomalies and grievances. The income tax is to be reduced, and this concession will tell most favorably in the interests of Victoria, by retaining within it a large amount of money which since the passing of our Income Tax Act (which is the highest in the world) has been otherwise bestowed. It would also be a great advantage if we floated our loans locally. I hope to see perfected some scheme by which our aged poor may be better cared for, and I learn with pleasure that the Government propose to take this question in hand at the earliest possible moment. I am pleased to be able to congratulate His Excellency and Her Majesty's Ministers in Victoria upon the hopeful sentiments and expressions contained in His Excellency's speech. I am glad that no proposal of an extreme radical nature has been hinted at; and that the aims, objects, and ambitions of the Government are peace and progress. That the legislation promised in the future is calculated to produce those effects cannot be gainsaid. I am sure that every member of this House will assist to his utmost in aiding the Government in the laudable stand it has taken, and no matter how far they may have disagreed with it in matters of detail in reference to legislation in the past, every credit must be given the Government for sincerity and honesty. For that which it has achieved every acknowledgment and thanks should be forthcoming, and for what is promised in the future I have to express the hope that it may be realized. I note with great pleasure the reference made in His Excellency's speech to the

Queen's Jubilee, and the grand reception given to the Governors and the citizen soldiers of the colonies. That the loyalty of the colonies is appreciated in our home land is clearly shown, and I am sure that we will not be found wanting should our help be required to uphold British rights and British liberty. We may well say that under the British flag we can sit under our vine and fig tree, none daring to make us afraid, and that our lines have fallen in pleasant places, while we have a goodly heritage. Reference is also made in His Excellency's address to the slaughtering of animals used for human food. I think a Bill dealing with the subject should be prepared and submitted to the local boards of health throughout the colony for their approval, and made law. Then proper supervision would be exercised all over the colony; this is urgently required. I have probably gone a little beyond what has been mentioned in His Excellency's speech, but I thought it would not be out of place to refer to matters that are of some interest to the country. I have to thank honorable members for the very kind consideration they have accorded me while moving the adoption of this address in reply.

Sir RUPERT CLARKE.—Mr. President, it is with very great feelings of gratitude to the Government for having afforded me the opportunity of seconding the address in reply to His Excellency's speech that I now beg to do so. I feel very deeply the honour which the Government have done me, being not only the youngest member in the House, but also, I think, the youngest member who has ever sat in this Chamber. I am very glad to observe the statement in His Excellency's speech that we are now coming to a very prosperous era, and I may say that I think that statement is perfectly true. Our harvest, our crops, and our greatest industry—the butter industry—are undoubtedly flourishing. It must be patent to every one that we have prospects of very large financial success this year, not only as regards our crops but also as regards our wool. Some of the northern parts of the country suffered considerably from drought, but, fortunately, on the whole, we got off very lightly in this colony. I am also very glad to notice that the Government programme for the session is a very moderate, fair, and useful one. We have all, I think, great confidence in the present Government;

at all events, the country has great confidence in it, as it showed at the recent general election by the great number of Government supporters which it returned. We have received many past favours from the present Ministry, and we are in hopes of favours to come. I think that in the Premier we have a very level-headed man—a man to whom all Australians owe a very great debt of gratitude for the manner in which he represented this colony at the Queen's Diamond Jubilee. Sir George Turner showed in England that we have statesmen here. He carried his position not only with very great credit to himself but also with great honour to us. I think every colonial native must be proud of the manner in which the Premier represented them in the old country, showing that, though we are the British lion's cubs, we have learned a little and are worthy of our motherland. The federation movement, I am very glad to see, is proceeding in the right direction. If we could be united under one great flag by a federation of the colonies, retaining the silken bond which binds us to the mother country, England might well point with pride to her great empire in the southern seas, instead of having as now to deal with us as separate colonies. With a United Australia, defended by her citizen soldiers, we should then occupy a very high position. Citizen soldier, I think, is the highest term of honour which any irregular can hold, and the citizen soldiers in England and in other parts of the world have many times borne the brunt of the hardest-fought battles. Of course we cannot expect to turn out men so smart in uniform and drill as the regulars at home, but when the fighting comes—if it ever does—I think our citizen soldiers will be found to bear themselves just as bravely as any standing army. I am also glad to notice the statement in the speech that provision for the year has been made in such a manner as to meet the public requirements with due liberality, but without extravagance. We have turned the corner of prosperity again, but still we do not want to rush into extravagance, and I think the present Government may be relied upon to look after the pennies for us, and if that is done the pounds will take care of themselves. His Excellency's speech also states that the charities of the colony are to be put on a more satisfactory basis. No doubt in the past we have done our best to support our

charities, but of course that is no reason why we should not be able to do better. It is rather unsatisfactory for a charity not to know exactly what income it will get in the year, and there have also been cases where, for the want of proper supervision, some slight scandals have occurred. It is therefore desirable that the matter should receive the attention of the Government and Parliament, so as to take care that no such mistakes, even though they have been unwittingly made in the past, shall crop up again in the future. The classification of the public service is also referred to, and that, I think, is a very necessary work. The public service was last classified in 1884, which is a good while ago, and no doubt it now requires to be again classified, so as to correct the anomalies which have occurred in the interval. Although we hear whisperings of the unsatisfactory state of some portions of the service, I think that, as a whole, the public servants are fairly well satisfied; but if the Government can place them on a still more satisfactory basis, of course it will be a very good thing, and the Ministry will deserve great credit for their action. Reference is made to the supervision of the slaughtering of animals and the sale of meat for human food. In the metropolis the supervision is fairly good, but in some of the country districts it is almost nil. It is very wrong—indeed, a lasting disgrace—for any country not to look after the health of its population, because our rising population are the most valuable assets of our country, and therefore too much supervision cannot be given to the food supply of the colony. The speech states that, owing to difficulties and disputes arising in respect to the drainage of lands in various municipalities, a Bill is to be brought forward dealing with the matter. I am aware that in some of the shires such a measure is wanted very badly, because in many places the sewage is allowed to run down the rivers, and, in fact, anywhere and everywhere. I am sorry to say, also, that it is among the poorer classes of the community that this great and lasting wrong is allowed to exist, and I trust that the state of things will soon be altered, because it is extremely discreditable to any country to allow its rivers to be polluted by sewage, especially where there is a population in the neighbourhood who must suffer intensely through the want of proper

measures being taken. I also notice that the Exported Products Bill is to be again introduced. Well, I hope that measure will come up again to this House, and I think that in a certain form many of us will be willing to support it heartily. Of course there are some items on which we cannot all agree; but I trust that the Government will propose a reasonable compromise, because we shall be only too glad to assist them in what I believe they really desire, namely, to develop and maintain the great and growing exports of this country. Of course, I know it is a very difficult task for the Government to try and please the various sections interested, but in this House our wish always has been to do our utmost to help the Government to frame a good serviceable working Bill, giving power to see that our great export of butter especially should not be ruined by a few men who try to make a personal profit out of it. I notice, further, that it is intended to copy the Imperial Merchant Shipping Act of 1894, with some modifications suitable to this colony. I think that if the adaptation is made so as to suit our somewhat different circumstances the passage of such a measure will be a very good thing. The present Act has been in operation for a very long time, and it is desirable that we should take advantage of the knowledge and experience of the old country to render our shipping law as perfect as possible. The speech states that the Post Office Bill is to be again sent up to us. I have already heard of certain reforms in the Post-office, but, of course, if we can thoroughly reform that establishment, so much the better.

Sir HENRY CUTHBERT.—We have made reforms. We have saved £5,000 a year.

Sir RUPERT CLARKE.—I am very glad to hear it.

The Hon. F. S. GRIMWADE.—What about the penny postage?

Sir HENRY CUTHBERT.—We do not want fresh taxation.

Sir RUPERT CLARKE.—Certainly not; and I think this Government are showing that they are carrying out everything on purely commercial lines. They are not lowering the postage when they find they cannot carry letters at the lower price. Indeed, I think the Government deserve the greatest credit for the fact that in each measure they have brought forward they have looked at the commercial side of the matter, and that is

really what we want at present. I also notice that a Bill is to be introduced relating to the administration of estates of deceased persons. Of course, anything we can do to cut down law expenses—I do not know whether I am right in saying this with so many lawyers about—will be acceptable to the public, because anything we keep out of the lawyers' pockets we keep in our own, and there are very few things that men grumble at so much as a lawyer's bill. In conclusion, I may say that I think the Government have had very fair support in this House. We have all tried to help them along, and they have brought forward very fair measures. They have also treated us with very great consideration, and I think, in return, the Government have received consideration from us.

The Hon. G. GODFREY.—Sir, I should not have risen but for the fact that there is one paragraph in the speech put into the mouth of His Excellency the Governor to which I, as representing one of the most important public charities, being treasurer of the Melbourne Hospital, feel bound to take exception. That paragraph states that "the unsystematic manner in which the public charities of Victoria have been administered, and the insufficiency of the present law to provide for deserving cases of distress, have long been a reproach." I desire to say that I am quite sure that this House is not of opinion that the public charities of this city have been administered in an "unsystematic manner," because such statements would be a reproach to men who have devoted years and years of public labour without any remuneration to the administration of the public charities of the metropolis. I think it was not the intention of the Government in this paragraph to cast a reproach of that kind; and I believe the House will agree that the great public charities in Melbourne have, up to the present time, been administered in a manner which reflects the greatest credit on those who have had charge of them, and not in an unsystematic manner. While it is necessary that there should be legislation to provide for deserving cases of distress, which cannot be properly dealt with under the present law, I am sure the House will not in any way, by inference, cast a reproach on men, many of whom have passed away after devoting a whole life-time, without receiving any pay, to the public charities of this city.

The Hon. S. W. COOKE.—Mr. President, I just wish to remark only on one paragraph of His Excellency's speech, and that is the paragraph with reference to the Exported Products Bill. It will be in the recollection of the Minister in charge of that Bill last session that very great opposition was made to it in this House, and finally the Bill was lost. Personally, I do not think that Bill was a good Bill. It had one special defect, and that was that it contained too many subjects. It seems to me to be very much better, in dealing with questions of this kind, to have a Bill referring to one subject only. The subject which we discussed last session more particularly was the export of butter, but in that Bill there were other subjects dealt with, such as the export of meat and the export of fruit. Now, I think it would be very much better if there was a separate Bill for each of those matters—one Bill dealing with the export of dairy products, another with the export of meat, and a third with the export of fruit. We have a good example in this respect in Queensland and New Zealand. In Queensland the Meat Export Act is confined to meat only, and in New Zealand they have an Act dealing solely with the export of dairy products. I do not say that we should, in our Dairy Products Bill, follow the New Zealand Act exactly, but we should imitate the example of New Zealand by confining the Bill to that one subject, dealing with the other questions in separate measures. In that way we could have a much better discussion, because it will be remembered that last session members, while speaking on the export of butter, were continually being drawn away from the subject to speak also of the export of meat and fruit. With regard to what has fallen from Mr. Godfrey, with reference to the charities, I think that perhaps the wording of the paragraph he alluded to has misled him. I do not think the Government meant in that paragraph that the charities had been unsystematically administered by particular committees, but that the charitable vote of £110,000 had been given to charities in a very haphazard manner. The Government had also in their minds, I think, the fact that people have had to be sent to gaol who ought to have been sent to a benevolent asylum. This, however, has nothing whatever to do with the administration of the charities, and the defect arises from our system of helping people,

from the state of the law as it stands at present. I do not think the Government intended in any way to reflect on the management of the various institutions.

The Hon. J. H. ABBOTT.—Sir, I think the remark in His Excellency's speech with reference to the unsystematic manner in which the charities have been administered is certainly a mistake. There has been no maladministration of the charities so far as I am aware of. I have been connected with a hospital in my district since 1854, and I have never yet heard any charge made of maladministration. We have, however, all regretted to notice cases in which poor men have had to be sent to gaol because there was no other provision for them. That was not maladministration, but merely carrying out the law. I would draw the attention of the House and of the Solicitor-General to the fact that at the present time there is an Old-age Pensions Committee sitting, who have not yet reported. I would ask whether we are to wait for the report of those gentlemen, who have spent so much time on the subject, before we legislate upon it, or whether we are to legislate without waiting for the result of their inquiries? The matter is one in which the whole country is very deeply interested, and I think the question of old-age pensions should be part and parcel of any new arrangements that might be made for assisting persons requiring charitable aid in the future. My own opinion is that we should wait until we get the report of the commission. It certainly seems an extraordinary thing to appoint a commission to inquire into a subject, and then to legislate upon it without waiting for their report. To do so would, I think, be to cast a slur on the commission.

The Hon. D. MELVILLE.—Mr. President, I think the Government may be fairly congratulated on having arrived at last at the decision that when no measures are wanted they are not going to bring in any. What the country has suffered from mainly in the past has been from the attempt to hustle through Parliament an immense number of things that were really theoretical, and which caused an interference with business and trade. The Government now tell us that this is to be a very short session, and that they are only going to bring forward those measures which are urgently necessary. That statement, I think, will be accepted by the country as one of the best things the

Government have ever said, and I believe that they have arrived at a reasonable decision on this point. The first matter with which they propose to deal is the charities, and a measure on this subject, I think, is urgently necessary. Would it have been right for the Government—in the face of the fact that men and women are frequently being sent to gaol for three or four months solely on account of their poverty, and to give them a home—to have delayed dealing with this question? That state of things has been a disgrace to the colony, and we have all felt it to be so. In the paragraph relating to the subject, I believe the Government had no intention of reflecting on the management of the charitable institutions; but certainly something has been wrong with our system, when a fellow creature found on a doorstep has had to be brought up before a police court, and sent to gaol, merely because he was destitute and homeless. We have often during the last ten or twelve years resolved that this state of things would not last many months, but until now nothing has been done. The Government, however, I am glad to see, intend to take action at last, and I must congratulate them upon their announcement on the subject. The speech contains a kind of half-reflection on this House for not having passed the Post Office Bill, but, if I remember rightly, we have passed some Post Office Bills.

Sir HENRY CUTHBERT.—You made amendments.

The Hon. D. MELVILLE.—And are we not entitled to make amendments in Post Office Bills as well as in other Bills? If we have made amendments in the Bill referred to, I hope that when the Solicitor-General again introduces the Bill it will embody those amendments, because I have no doubt that they were wise ones. In connexion with the Yarra Junction Railway Bill which we amended last session, we find the Commissioner of Railways stating the other day that, after all, there is no justification whatever for breaking the gauge at all, and is that statement not a justification of the amendment which was made by this House? I will defy the Solicitor-General to point to a single amendment we have made in any Bill which could be called anything but a wise and proper amendment. When the celebrated Exported Products Bill was before the House last session the real difficulty was that neither the Solicitor-General nor Mr.

McCulloch, who had charge of the Bill, knew anything about what they were doing. The Solicitor-General was pulling one way, and Mr. McCulloch the other. How, indeed, could it be otherwise when they did not know the subject that they were dealing with? Under those circumstances, was it not a wise proceeding for this House to afford Ministers a fair and reasonable opportunity of considering the subject further, so as to bring forward a measure in a business-like way? If there is anything wanted in connexion with the export of products, let it be dealt with in a wisely-considered measure, which will tend to increase and develop our trade. That is very different, however, from bringing forward a measure which only sought to meddle and tamper with things unnecessarily. The apple business in that Bill was one of those ridiculous proposals into which Governments sometimes fall. I remember that a Government once brought in a Bill in which they proposed to imprison a man if the locusts were not driven away from his land. The locusts, I believe, were given their Latin name in the Bill, so that I suppose the Government were not at first aware that the proposal for imprisonment was because a man had failed to extinguish the locusts on his property.

Sir HENRY CUTHBERT.—Was that long ago?

The Hon. D. MELVILLE.—Not so long ago; it was during the régime of this Government. There is no doubt whatever that the House properly rejected the Exported Products Bill, so as to enable the Government to have a few months to further consider it. Something may be wanted for the proper protection of the export of butter, but any measure passed should only afford proper and reasonable protection; and if the Government on this occasion bring up a Bill grading butter in three qualities, they will find that it will be no more welcome than their last Bill was. That kind of thing seems to be universally condemned. I am certainly with the Government in the brevity of the programme which they have submitted for the session. They have withdrawn all the theoretical things, and that is satisfactory; but it must be borne in mind, also, that never has there sat in the Legislative Assembly a Government with such powerful support. For that reason never has there been a Government with so much responsibility, for apparently they will be

able to carry anything they please. My advice to them would be to take advantage of their opportunity and their power so as to pass measures worthy of the position they occupy, and the power they wield. The next Government in office may not have the same power. The present Ministry have an immense following in another place; they have a favorable Chamber here, which is ready and willing to help them to render the country prosperous, if Parliament can make it prosperous; and I trust that they will act in a manner commensurate with their great opportunities.

The Hon. E. MOREY.—Mr. President, in the Governor's speech reference is made to the intention of the Government to introduce a Bill dealing with the charities. In the past the charities have been to a considerable extent supported by voluntary effort, and large numbers of people have willingly given not only their time but also their money to the work. It is now recognised that some different system must be adopted. It seems to me that there will have to be a tax to supply the funds necessary. There are large numbers of persons who do not at present contribute anything to the charities, and an effort should be made to reach them. How is this to be done? A rate must, I suppose, be levied. In this country, where the sun is always shining, the young men particularly take a very great interest in sport, and I think that a tax should be levied on all sports on behalf of the charities. The tax might be either local or national. There appears to be a falling-off in the amount of assistance given to the charitable institutions. At present those who like can give, and, as I have said, there are large numbers of persons who do not contribute anything at all. A revenue should, in my opinion, be obtained from sports on behalf of the charities. The Ministry have, no doubt, given their careful attention to the subject, and will be in a position to submit to us a well-considered scheme. I think that every person in the colony who earns money should contribute something towards the maintenance of the charities. If he will not do so voluntarily he should be compelled to do so. At present poor people are being sent to gaol simply because there is no other accommodation for them. In the interests of humanity alone, we should not permit the continuance of such a scheme. Some proper provision

should be made for our poor, and we should not make criminals of them by sending them to gaol. If every person earning money is compelled to contribute to the maintenance of the charities the difficulty can easily be overcome. With regard to sports, I might mention racing. We know that gambling is associated with horse-racing. It is a custom of all nations, and we cannot prevent it; but why should we not have the totalizator run by the Government, and apply the proceeds to the charities? Some people say that such a thing would be a disgrace; but I do not take that view. At the same time, if people can afford to gamble upon the race-course, they can well afford to contribute to the charities. The Government have taken the subject in hand, and they have only one object in view, and that is to do the best they can to place the charitable institutions of the colony on a sound basis. Of course we all object to a poor rate, but something will have to be done, because the charities are not receiving the support that ought to be given to them.

The Hon. T. DOWLING.—Sir, I rise to congratulate the mover, and especially the seconder, of the address in reply to His Excellency's speech on the clear and lucid manner in which they placed their views before the House. There is nothing in the Governor's speech that calls for criticism. We may very well wait until the measures that are promised are placed before us. I shall have a great deal to say on the Charities Bill, and also on the Exported Products Bill. The Government are to be congratulated on the large following that they have in another place, but they are not entitled to all the eulogiums that have been passed upon them. I say this advisedly, because I feel, even now, that the Premier has drawn out for himself a policy that must be detrimental to the interests of the country. This policy does not appear in the Governor's speech, but I would remind the House that the Premier has told the people that if he wants more money he will endeavour to obtain it by means of a tax on unimproved land values. That alone, I think, condemns the Government. The people of the country would never, in my opinion, agree to such a tax, and, in addition to that, its introduction would be diametrically opposed to what the Premier said on the hustings three years ago.

The motion for the adoption of the address in reply was agreed to.

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The Hon. T. COMRIE moved that the address be presented to His Excellency the Governor by the President of the Council, and such members as might desire to accompany him.

Sir RUPERT CLARKE seconded the motion, which was agreed to.

ADJOURNMENT.

Sir HENRY CUTHBERT said that there was not much business before the House. He had that day introduced only one measure. He had no desire whatever to request the attendance of honorable members unless there was work for them to do, and he did not think that there would be work of any very great importance until the 10th of November. The 9th of November was the Prince of Wales' Birthday, and would be a public holiday. He begged to move that the House, at its rising, adjourn until Wednesday, November 10.

The motion was agreed to.

The House adjourned at ten minutes past six o'clock, until Wednesday, November 10.

LEGISLATIVE ASSEMBLY.

Tuesday, October 26, 1897.

State Opening of Parliament—Presentation of the Speaker to the Governor—Swearing of Members—Carlton South Election—Drainage Bill—Governor's Speech: Address in Reply.

STATE OPENING OF PARLIAMENT.

The SPEAKER took the chair at two o'clock p.m.

Immediately afterwards the Usher of the Legislative Council brought a message from His Excellency the Governor, requesting the attendance of honorable members in the chamber of the Legislative Council.

The members present, headed by the Speaker, and attended by the Clerk, the Clerks-Assistant, and the Serjeant-at-Arms, proceeded to the chamber of the Legislative Council.

Business was afterwards suspended until half-past four o'clock, when the Speaker again took the chair.

ELECTION OF SPEAKER.

The SPEAKER.—I have to report to the House that I this day proceeded to

Government House, and presented myself to His Excellency the Governor as the choice of the Legislative Assembly, and that His Excellency was pleased to address me in the following terms:—

“Mr. Speaker, I have much pleasure in congratulating you upon the high and honorable position to which the confidence of the House of Assembly has raised you. I doubt not that your long service in the House, and your experience as Chairman of Committees—a duty which you have always discharged to the satisfaction of members—will prove of benefit in the deliberations of the Assembly; and I rest assured that you will fulfil the duties of the position in a worthy and dignified manner.”

SWEARING OF MEMBERS.

The SPEAKER informed the House that he had received a commission from His Excellency the Governor authorizing him to administer the oath of allegiance from time to time to such members of the Legislative Assembly as had not already taken and subscribed the same in the present Parliament.

Mr. A. S. Bailes was then sworn as one of the members for the electoral district of Sandhurst.

CARLTON SOUTH ELECTION.

The CLERK intimated to the House that the writ issued by the Administrator of the Government for the election of a member for Carlton South had been sent to him, that day, and from the return indorsed thereon it appeared that Mr. James Moloney was duly elected.

DRAINAGE BILL.

Mr. I. A. ISAACS stated that, in accordance with the invariable custom, in order to assert the privileges of the House, he begged to move for leave to introduce a Bill to provide for the drainage of lands.

The motion was agreed to.

The Bill was then brought in, and read a first time.

THE GOVERNOR'S SPEECH.

ADDRESS IN REPLY.

The SPEAKER informed the House that, pursuant to the summons of the Governor, the members of the Assembly attended in the chamber of the Legislative Council that afternoon, when His Excellency delivered his speech on opening the session.

Mr. MORRISSEY (who was received with cheers) moved—

“That the following address, in reply to His Excellency the Governor's speech to both

Houses of Parliament, be agreed to by this House:—

“MAY IT PLEASE YOUR EXCELLENCY—

“We, the Legislative Assembly of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious speech which you have been pleased to address to Parliament.”

He said—Mr. Speaker, I beg to thank honorable members for the encouraging reception I have received at their hands this evening; and in moving the adoption of the address in reply I am deeply sensible of the honour conferred on me by the Premier and his colleagues in choosing me for the performance of such an important duty. I take it that my selection for this duty reflects as great credit on the very large and important constituency for which I have been recently elected a member of this House as it does on myself. The Governor's speech contains many very valuable measures, which, if placed on the statute-book, will be a decided advance in the legislation of this colony. The Government intend to introduce a Bill to deal more efficiently with the trust funds, which now amount to a very large sum. At the present juncture those funds are not under efficient control, or, at any rate, under control sufficiently efficient to place them beyond the reach of any impecunious Treasurer who might be inconsiderate enough to make an injudicious use of them. It is intended to place them under better control. As the Premier has now no necessity to have recourse to the trust funds, he wishes them to be put beyond temptation. This is a step in the right direction. It indicates a healthy line of financial action on the part of our administrators, with the view in future to make ends meet from the means that we have in hand to carry on the government of the country. We have under our control, or well within our means, ample power to make ends meet, provided we have in office administrators who are sensible enough to use that power judiciously, and who are prepared to give legislative effect to any measure desired by the people for the advancement of the interests of the colony. A Bill for dealing with the public charities is also about to be introduced. No nobler duty can be intrusted to our administrators than that of providing the means of subsistence for those who are not able to provide for themselves. At the present time the vote

for charities is not as judiciously used as it might be. It is to be hoped that from this forward the sum set aside by Parliament for that purpose will reach the object for which it is intended in a much more efficient manner than it does now. At the same time, it is also to be hoped that the Bill in question will not promote mendicancy—that it will not cause those who are reckless, indifferent, and extravagant in early life, although possessed of physical power to make reasonable provision for their declining years, to consider that the State is going to adopt the rôle of foster-parent, but that the provisions of the measure will be framed on such a scientific basis that its operation will rather have the effect of minimizing than of increasing the poverty of the colony. There is no denying the fact that the information acquired by the Aged Poor Commission clearly shows that a very great deal of poverty exists amongst the people of Victoria, and it is a duty that devolves upon us to immediately give the present state of affairs in that respect our fullest consideration. When our assistance is asked in dealing with this measure, I sincerely hope we will take care that a proper scheme is framed, and that wealth is compelled to contribute its due proportion of the means that are necessary to alleviate poverty and distress in this country. The reclassification of the public service is also to be taken into consideration by this House. We are to be asked to pass a Bill designed to remove many anomalies which have arisen since the classification of the public service in 1884, and such a measure is absolutely needed in the interests of the equitable treatment of the employés engaged by the State in administering its affairs on our behalf. I trust that the legitimate grievances of our public servants will be redressed by the State in such a satisfactory manner as to set at rest for all time the differences between the various departments that are in conflict in relation to this matter. We are likewise promised a Bill for the better supervision of our meat supply. That is one of the most necessary measures that the House can address itself to. The food supply and the health of the community are inseparably connected, and with a view of improving the general health of the people it is the duty of the Government to see that the food supply is thoroughly supervised by competent inspectors, so as to prevent

anything going into consumption that might menace the health of the people. No effort should be spared to make the nature of our food supply satisfactory to all concerned, and of such a kind as will reflect credit on those who are responsible for its proper inspection. It is true that the health reports with regard to the live stock of this colony bear very favorable comparison with those relating to the flocks and herds in the other colonies of the Australasian group, but it would be well to “make assurance double sure”; and to accomplish that object satisfactorily it is necessary that a keener supervision should be exercised on our behalf by those in whose hands we have placed this duty, with the view of securing a sounder and better quality of food going into consumption than there is at the present time. From personal knowledge, I can confidently say that a very large quantity of the present food supply of the people should never be allowed to go into consumption, and that desirable result can only be secured by bringing the whole of the food supplies of the colony under the careful supervision of those officers who are appointed to inspect them on behalf of the State. In many cases in which beasts that are slaughtered for human consumption may not be diseased, there are other objections that could be, and should be, raised against the sale of the meat for human food, and I believe that if the grounds of those objections were only known to the general public, the people would declare it to be simply revolting that they should have to use food of the kind that is now continually going into consumption. Another matter which, if not the most important, is, I consider, one of the most important subjects for State legislation, and which the Government now intend to submit, is the measure dealing with the supervision of exported products. The mandate of the country is—“Develop the resources of the colony.” We are aware of the fact of the immense possibilities of our production, which completely overshadow the possibilities of our consumption. Our present consumption bears no comparison at all to what we are now able to produce, and the possibilities of increasing the production of the colony are simply illimitable. Now, if we wish to increase our production, we can only accomplish that object by securing to our producers the fullest and most sympathetic assistance of the Government of

the day. One way in which our administrators can help our producers is by finding profitable outlets for their products. What the Government requires to do is to exploit the markets of the world, and thereby give an assurance to our producers that every possible source of outlet for their productions at paying prices will be discovered. I venture to say that if that policy is carried out the production of this colony will increase enormously. Sir John Barnard Byles tells us that "a nation, whether it consume its own productions, or with them purchase from abroad, can have no more to send than it produces; therefore, the supreme policy of every nation is to develop its own producing forces," and that quotation has a special application to the condition of the producers of Victoria at the present time, because of the unbounded possibilities we possess, and the illimitable means of increasing our production that we have under control. If a progressive policy is pursued, I believe that before long we can double our present production. The total products of Victoria in 1894 represent a value of about £23,000,000. Of that amount £7,750,000 is represented in the output of our manufacturing industries, and the balance, about £15,250,000, by the agricultural, pastoral, and mining industries. Now, if the State wishes to discharge its duty efficiently, it can only accomplish its desire by obtaining a thorough knowledge of the duties it has to discharge, and doing as private individuals do in managing their private affairs, namely, paying special attention to that part of their business concerns from which they derive the larger share of their income. In like manner the State ought to pay special attention to that part of the production of the colony from which the larger returns are obtained. The great producing element—agricultural, pastoral, and mining—is that to which special attention should be given, with a view to the utmost possible development. When we consider the very small amount of wealth produced in this colony in comparison with what is raised by other large producing countries of the world, we will be bound to admit that we have barely scratched the surface of the possibilities of our productive life. Right throughout Australia the total production of wealth in 1894 amounted to only £70,000,000, and in the same year France, with an area

Mr. Morrissey.

insignificant as compared with the area of all Australia, raised over £400,000,000, and Germany £500,000,000. In the face of the fact that such an enormous amount of wealth can be raised in countries within such contracted limits of territory as compared with Australia, it surely must be patent to every one of us that we have in this country vast and unbounded means within our grasp, if we will only make use of them, to increase our wealth to an untold extent. But that can only be accomplished by the State giving sensible and healthy assistance to the development of those departments of life from which this wealth is to be obtained. As furnishing an evidence of our possibilities of development, I may remind honorable members that a few years back our exported dairy products represented a very trifling sum, but the State undertook to assist the dairymen of the colony by giving a small bonus to those who were interested in the production of butter and cheese, with the result that in a very short time the dairying industry advanced by leaps and bounds. We know that as a rule the capitalist is not desirous of exploiting or exploring the country to discover undeveloped resources. That pioneering work generally devolves on the labourer—the hardy enterprising individual who takes his life into his hands when he goes into the wilderness with barely sufficient to sustain himself while he endeavours to ascertain where undeveloped sources of wealth exist. Immediately those resources are discovered and pointed out the capitalist comes forward, money flows in freely, wealth and labour enter into combination, and the outcome of their united efforts results in benefits of untold extent to the State. For instance, prior to the recent discoveries of gold in Western Australia very little was done by capitalists to exploit the auriferous resources of that colony, but when those resources were made known, capital flowed in from all parts of the world. But the State must take the initiative, and then capital will follow on and develop the resources of the colony; and instead of having large sums of money lying idle and valueless, as regards production, in the vaults of our various financial institutions, capital will then find profitable investment, and labour profitable employment, in developing our natural resources and advancing the prosperity of the country. The wine industry of the colony, for example, is at present in a languishing

condition, and that industry can only be developed by the State giving it the same help as it has already given to the butter industry. If the same assistance be given to the wine industry as has already been extended to the dairying industry, similar gratifying results will undoubtedly accrue, even to a greater extent. I believe that the time will come when we will be able to absolutely dispossess the Dane of his hold on the British market as regards dairy products. We have natural advantages and facilities here which are not possessed by the people in Northern Europe, and when those facilities and advantages are used to the fullest extent, instead of a return of something less than £1,000,000 a year, it will probably be £4,000,000 or £5,000,000. As the grain-growers of Australasia, America, and other grain-producing countries have shut down the British agriculturist who sought to raise grain for his own countrymen, so, I believe, Australian dairymen will close up the Dane, and prevent him from successfully producing butter for the British consumers. To give full effect to the accomplishment of this desirable object, it only requires the assistance that it is in the power of the State to confer—and if the State readily confers that assistance, it will obviously result to the general advantage of all and sundry who are engaged in the dairying industry in Victoria. The mining industry can also be developed to a much greater degree than it is at present. Some people seem to think that the mineral treasures of Victoria have been fully exploited, but that is not the case. I have recently passed over a portion of the colony—the country between Heathcote and Rushworth—where there are many hundred square miles of auriferous land into which, comparatively speaking, the pick of the miner has not yet been driven, and which is simply awaiting the advent of capital to develop and make manifest its wealthy resources. Some time back the State endeavoured to assist the mining industry there by sending a diamond drill into the district, but it was only allowed to remain there a very short time, and nothing like a fair test was made of the resources of that part of the colony. The wealth of the mining, agricultural, and pastoral resources of Victoria can only be developed to their fullest extent by means of State aid. It is necessary that sufficient sums of money

should be set aside for the purpose of making available the natural wealth of the country. Immediately after that is done, capital will be forthcoming, and the wealth now in the earth will be brought to light. The future policy of the Government, as foreshadowed in the Premier's speech at St. Kilda, has been described as a policy of peace and progress. It is to be hoped that this House will insure to the Premier and his colleagues that peace which is necessary to give effect to the progress predicted in the Premier's speech. The settlement of the mallee country and land settlement throughout the colony is made a very prominent factor in the policy of the Government. So far the Lands department have exhibited very commendable promptitude in settling people on the land, but not one moment too soon, because other colonies are offering facilities to induce the agriculturists of this colony to go there and effect developments that should be effected here. At the same time, I would give one word of warning to our Lands department. In their anxiety to resume areas of land in the mallee country, they may make grievous mistakes. They should only resume areas of a most fertile character—land that will give ample returns to the settlers, and in convenient locations. The mallee country has a very treacherous climate to contend against, and a lot of the land is quite unfit for cultivation. The Patterson Government resumed large areas of mallee land which is still in the possession of the State, being unsuitable for agriculture. It would have been far better to have left that land in possession of the leaseholders, as a revenue was being derived from it, whereas now it is in possession of the State, yielding no income and being of no use to settlers. Henceforward there should be a most careful scrutiny of the land offered for resumption, and the Lands department should be perfectly satisfied that the land is of a fertile nature, and suitable for people to settle upon, before paying a high price to resume it from the present leaseholders. We are told that railway management is to receive the full consideration of the State. Our railway administration has been one of the most disturbing influences in the political life of the colony. The railways have been a source of continual trouble, but that is because the administration of the railways has been unsound. In saying this I am not reflecting

on the Ministry now in office. What I mean to convey is that the view we take of our administration of the railways is wrong. If the railways of this colony had been managed from their inception by a company or a syndicate, their capital value would have been written down to the value they are to us at the present time. We should at once recognise the loss we have made in constructing the existing lines, and write down their capital value by that amount. Then we should insist on the administration showing a fair return on the reduced capital value. If we adopted this mode of procedure, we should then know what loss we have actually made. That amount could be placed to a suspense account, and from the profits of the Railway department a sufficient sum should be set aside to provide a sinking fund, so that in succeeding generations that loss would be wiped off. If that course were adopted, we would no longer have the yearly deficits of more or less amount, which have been with us so continuously that we have become apathetic as to whether the loss is greater or less one year than another. One year we are told the loss is £350,000, and another £400,000. Once for all, the Railway department should tell us what our loss is on the railways. That loss should be written off, and henceforward we should insist that the managers of our railways must show a satisfactory return on the reduced capital value. There are also large sums invested in irrigation schemes in various parts of the colony, which should be treated in the same fashion. Irrigation in Victoria has been entered upon fully a generation before its time, so far as the scale of operations is concerned, but, nevertheless, it is one of the safest projects the State has ever undertaken. On the present basis of valuation the cost of irrigation is too much for the people to successfully cope with; and with a view of assisting those who are now associated with irrigation enterprise, and to induce them to remain where they are now settled, the Government should, I think, be prepared to recognise those works at the present value they are to the people whom they benefit. That being done, the Government should insist upon a prompt payment of the interest due. In this way I believe people would be prevented from leaving those parts of the country where the taxation payable on account of irrigation works is more than can be borne,

Mr. Morrissey.

and where the uncertainty as to the amount of taxation they will be subjected to is inducing many to desire to remove to other parts. With regard to the necessity for finding work for the surplus labour of the colony, the Government have already made strenuous efforts, and I am pleased that they have been particularly successful; but henceforth it is to be hoped that any works to be undertaken on behalf of the unemployed will be of an absolutely reproductive character. When labour begins to agitate for State assistance it often happens that particular individuals who may be interested in the construction of works in particular localities league themselves with labour for the purpose of joining in the hue and cry that may be raised, and advocate the construction of works in places where they may have property or be otherwise interested. No consideration whatever should be given to such proposals. When labour agitates to be assisted by the State, let the assistance be provided in the form of works carried out in portions of the colony where reproduction will ultimately ensue. At the present time we have vast undeveloped territories awaiting the construction of railways into them. These are the areas to which the State should address itself with a view of development, because the money so laid out will be reproductive. We have had sufficient experience in the past to enable us in the future to avoid the pitfalls we have fallen into. It is also intended by the State to appoint conciliation boards, with a view to better effecting a reconciliation of the difficulties which frequently arise between capital and labour. That is "a consummation devoutly to be wished" by all of us. The estrangement that exists now—the breach between capital and labour—is becoming continually wider, and only by State intervention can we be likely to bring about a reconciliation. I am in full sympathy with the labourer at the present day who views his position from a somewhat hopeless stand-point. He is coming to find his inalienable rights—or what should be his inalienable rights—alienated. I do not wish to speak in a sentimental sense. I speak merely of the sense in which I should view the situation were I in the labourer's position. Through the accident of circumstances, and through being unfortunate enough to come into life a generation later than we have, the labourer who is born into this country to-day finds that the same opportunities

that would have been open to him formerly are not forthcoming now. He finds that that which would have been his heritage has been taken away from him, and that his only hope is to labour for a wage that is not remunerative, and not work enough available even at that. We also find that by improved machinery, which is coming into use in all industries, the path of the labourer is still further beset with difficulties, and all these things in combination make his position really hopeless, and make him more distrustful in the view he takes of capital. Capital, on the other hand, is distrustful of the labourer's position in regard to itself, and the breach is becoming widened instead of being lessened. It should be our endeavour to join the hands of these two great elements in a country's greatness, with a view to the one being used for the benefit of the other. A true combination of forces will then have been obtained, and greater prosperity will be the result to the whole people. In conclusion, I may be permitted to express the earnest hope that the deliberations of this Parliament will be conducted by honorable members with a single-minded desire to framing laws and passing measures necessary for the advancement of the colony—measures unwarped by prejudice and unbiased by faction—measures leavened with justice, with liberality, and with progressiveness. It is only in the pursuance of that course that we can hope to obtain and retain the confidence of the people; and at the same time, in doing that, we shall add to the dignity and act up to the traditions of our legislative institutions, and thereby shed a lustre on the personnel of this House, and confer a long tenure of stability and prosperity upon our people.

Mr. TOUTCHER (who was also received with cheers) said—Sir, in rising to second the address so ably and so eloquently moved by the honorable member for Rodney (Mr. Morrissey), I do so with a considerable amount of diffidence. That diffidence, however, is lessened to some extent by the very encouraging cheers which have greeted me on rising, and which indicate the ever kind indulgence extended to new members, or—because, strictly speaking, we are all new members of this Parliament—extended by older and more experienced politicians to a new-comer amongst them, and especially to one who is endeavouring to

contribute his maiden effort to the deliberations of this House. Like my honorable friend who has just sat down, I recognise the great compliment which has been paid to myself, and also to the constituency which I have the honour to represent, by the Premier and his colleagues, in my being asked to-day to second the address in reply to the Governor's speech. But while one has natural timidity, still I am glad that I have to-day the duty of seconding the address, in order that I may warmly congratulate the Government upon the excellence of its work. I think the Government has the satisfaction of feeling that the country has acknowledged its financial ability, its judicious economy, and its wise administration; and the volume of the expression of the country's appreciation is seen in a moment by one glance around the Ministerial benches which are occupied by honorable members on this side of the House. I am glad, sir, to find that allusion has been made in the Governor's speech to the visit of the Premier to England. There he did noble duty, not only with credit to himself, but with honour to our people. I believe, indeed I feel sure, that that Jubilee, that great gathering, must have impressed the whole of the people of Great Britain, and the people of the world, with an idea of the greatness and unity of Britain; and that it will and must convey to our kith and kin across the seas that our hearts beat in unison with theirs, and that we are inspired with all that noble and stimulating appreciation of the past which forms the glory and greatness and grandeur of Britain, which we are proud to claim as our country. Now, sir, the appeal has, so to speak, been made to Cæsar, with the result that the Government meets this House with the consciousness of a renewal of the trust and confidence so long entertained by the people of Victoria in the present Ministry. Their return with an increased majority is a recognition by the people that they have done great work, and that they have loyally obeyed the mandate of the country in squaring the State ledger, which is a very gratifying piece of work indeed. I am very pleased to find that not only have they succeeded in that particular work, but they have succeeded also in enabling the Treasurer to show at the end of the financial year a small but creditable surplus. I do trust that the Government will still pursue the lines they have laid down for their future guidance—that is to

say, a judicious economy in regard to the expenditure of public money. In regard to the Tariff, I am very glad to find that the country has indorsed the wise determination of the Government to have no further interference with it at present. The free-traders, in regard to that issue, have said "Let there be peace;" the protectionists have replied "There is peace;" and the country has now with no uncertain voice said "There must be peace." I trust, sir, that the next revision of the Tariff will be by a Federal Parliament for Federated Australia. I was also very glad to hear a very eloquent reference made to the great agricultural, mining, and viticultural interests by my honorable friend the member for Rodney, and I trust that the Government will manifest the same intelligent interest in regard to the fuller development of our natural products and our mineral areas in the future as they have done in the past. The great addition to our national wealth which may be brought about by a system of proper encouragement has been fully dwelt upon by my honorable friend who has preceded me, who believes, as I do, that the Government which I have the honour to sit behind recognise this necessity. Indeed, I do not think that there should be any difference of opinion amongst honorable members sitting on this side of the House and those sitting opposite in regard to the necessity for doing all that can be done for the development of our natural products. I do not think it is necessary for me to make any further reference to this matter, with the exception of saying that I trust the Government will give some assistance to the vigneron in the direction, perhaps, of establishing a central wine cellar, or by some other practical means, in order that these people may be encouraged to remain upon the land as producers of our national wealth. I am also pleased to find in the Governor's speech that reference has been made to the necessity for some measure to deal with the public service. It is a fact, sir, that to-day much discontent and dissatisfaction prevail in the public service among a great number of the employés. It is essential at all times, as much for the State as for a private employer, to expect from his servants the best return for the money paid to them; and if men feel that they are unjustly treated, and are working under hardships, it is hardly possible for the State to get

Mr. Toutcher.

from them that good and loyal service which should be got, and which they would desire to render. If the Government wishes to see the State departments efficiently administered, it is their duty to make a thorough investigation into the whole service, and, if there be any cause for discontent, to remove it, and to place the service on a proper footing. If there is a board to be appointed, I trust that the personnel of that board will be such as to inspire all public servants with the fullest confidence as to the ability, integrity, and the impartiality of the men who are going to undertake that important work, in the interests not only of the service but of the State. I would also like to say in this connexion that I trust that due regard will be paid to the claims of the railway men, in order that they, being State servants, may have a proper recognition made of their position in the service. I trust that they will be recognised as public servants, and be no longer treated in an unfair manner in comparison with other members of the public service. I am very glad also to observe that the first measure which the Government intend to bring under the consideration of this House is a measure to deal with the public charities. As the honorable member who has preceded me has said, this is a most important matter. To my mind, it is one of the most important matters awaiting the consideration of this House. It is a well-known fact that the present system is decidedly incomplete and unsatisfactory. The revenue of these charitable institutions is at present an unknown and uncertain quantity, and it must be apparent that a better system of dealing with the charities and of raising revenue can and should be brought into being. I trust that it will be brought about in the direction of touching those people who always close their purses to charity's appeal, and that it will be also a system which will have the effect of compelling well-to-do people to take care of their destitute relatives. That old philosopher, Samuel Johnson, has said that a proper provision for the poor is the truest test of a nation's civilization. If that be so, I fear that if the test were applied to us at the present time we should ill sustain it, because, unfortunately, poverty has been regarded as a crime amongst us for a considerable time past, and we find that our aged destitute are sent to gaols, there to live amongst criminals, simply because they are poor. Now,

this is a shocking state of things, and something must be done to remedy it. Some credit is undoubtedly due to this Government for having partially tried to remove the state of things to which I have referred by making provision for aged and destitute people at the Bendigo Benevolent Asylum. But a new and efficient system will have to be adopted if we are to treat these people in a fitting and considerate manner. We often say, especially those of us who are Australian natives, how much we are indebted to the pioneers who have built up this great country; and I do say that it is the duty of every Australian native in this House to spare no effort in bringing about a measure that will recognise the great work these men and women have done, many of whom to-day are, through no fault of their own, fallen upon times of adversity and misfortune. A great question which I am also glad to observe—and I think every honorable member is pleased to observe—in the Governor's speech, is a reference to Australian federation. I am very glad indeed to have this opportunity, speaking as a public man, of thanking the Government, and of thanking Parliament, for the great work they have done in connexion with this subject. This Government, in common with the other Australian Governments, have made the question a people's question. As the result of that popular movement all the unifying and solidifying forces are at work, and to-day, before our very eyes, a nation is being gradually but surely brought into being. When we consider that our local Parliaments are jealous of their rights and privileges—and properly so—and that they have in a measure abdicated their functions in favour of a National Parliament, charged with the consideration of this great measure in all its bearings, we are brought face to face with the momentum of an Australian patriotism behind the federal cause; and no hand, save the interposition of a mightier hand than a human one, can stop the onward march to Australian unity. In March last the Federal Convention met at Adelaide. There, I regret to say—speaking as an Australian native—that the federal spirit was not too conspicuous. But whether it was owing to the visit of the Premiers to England or not, I think that there was a marked contrast between the meeting held in Sydney and that held in Adelaide. There was a much stronger manifestation

of this federal spirit in Sydney, and I trust that when the Convention re-assembles in Melbourne, in January next, Victoria will be able to crown the work commenced at Adelaide, and continued in Sydney. It is not for me to enter into any consideration of details, but I earnestly trust that when the Convention meets in Melbourne the delegates will act in that spirit of compromise which alone can bring about the union we all desire. I trust that they will recognise that the large and the small states have their rights, which are equally entitled to consideration, and that it will be recognised also that the large states of to-day may be the small states of to-morrow. When the Constitution which the Convention has to frame is presented to the people it will, of course, be impossible for every elector to find perfect agreement upon every point of his political faith; but so long as essential principles are recognised and conserved in the interests of the people, I have the fullest confidence in those statesmen who are going to frame the Constitution, or rather are going to put the finishing touches upon the Constitution; and I trust that during the existence of this present Government they will be able to put the coping stone on the national edifice, reared upon foundations so well and truly laid. Sir, I thank honorable members for the attention with which they have listened to me.

Mr. HANCOCK moved the adjournment of the debate.

Mr. HAMILTON seconded the motion, which was agreed to.

Sir GEORGE TURNER moved that the House, at its rising, adjourn until the following day at three o'clock.

Sir JOHN MCINTYRE stated that he trusted that the Premier would agree to the House meeting at half-past four o'clock on the following day. He hoped that they would not begin again in this Parliament the system of breaking into the day by meeting at half-past three. He would also remind the right honorable gentleman that on the following day honorable members desired to accept the invitation which had been offered to them to visit the Zoological-gardens, and therefore half-past three o'clock would be an inconvenient time.

Sir GEORGE TURNER said that he had overlooked for the moment the fact that honorable members had been invited to visit the Zoological-gardens on the following day. He did not desire to debar

honorable members from seeing their "friends"; but, while he would consent to the House meeting at half-past four on the following day, he desired to intimate that he intended to move subsequently that the time of meeting on Wednesdays and Thursdays be half-past three o'clock. He begged to move that the House, at its rising, adjourn until the following day at half-past four.

The motion was agreed to.

The House adjourned at twenty-five minutes past five o'clock, until half-past four o'clock p.m. next day.

LEGISLATIVE ASSEMBLY.

Wednesday, October 27, 1897.

Joseph Hall—Land Board at Birchip—Residence Areas—32nd Section Holdings—Horse and Forage Allowance to Foresters—Elections and Qualifications Committee—Governor's Speech: Address in Reply—Bills read a First Time—Adjournment.

The SPEAKER took the chair at half-past four o'clock p.m.

JOSEPH HALL.

Mr. STYLES asked the Minister of Railways if he would lay on the table of the Library all papers and documents relating to the case of Joseph Hall?

Mr. H. R. WILLIAMS.—The documents referred to are original documents, and it is very inadvisable, I think, to place them on the table of the Library.

Mr. MURRAY.—Could you not place copies on the Library table?

Mr. H. R. WILLIAMS.—The papers are very voluminous, and it would require a considerable amount of time to copy them. The honorable member for Williamstown, however, can have full access to the documents if he comes to the department. I have them in my own room, and he can see them there.

Mr. STYLES.—I suppose other members can also see them?

Mr. H. R. WILLIAMS.—Yes, any member who wishes can see the documents at any time.

LAND BOARD AT BIRCHIP.

Mr. GRAHAM asked the Minister of Lands the following questions:—

"1. If his attention has been called to the fact that a number of farmers and other intending selectors were summoned by the Lands

department to attend a land board at Birchip last month, and that, after having travelled some hundreds of miles at great expense to get a chance in the ballot, they were refused the opportunity?

"2. Why were these men not told by letter they were not eligible to compete for the land?

"3. Will he reimburse their actual expenses of the journey and refund the application fee?"

He remarked that at the recent land board at Birchip a very large number of farmers from different parts of the colony were very badly treated. They were invited by notice in the *Government Gazette* and by advertisements in the local newspapers to apply for land. They applied in the usual way, and on the application forms they stated whether they were already owners or occupiers of land, so that the department knew exactly what land every applicant held. Instead, however, of the department notifying existing land-holders not to come to the board it invited them to appear, and then they were told that because they had already selected their applications would not be entertained. They were turned adrift, and the land given to others. He thought that these applicants ought at least to have received notice by letter not to attend the board, because others were considered to have a preferential claim. In his opinion, the Minister should see that the applicants got at least the expenses they incurred in being called before the board.

Mr. LANGDON stated that during his election tour his attention was called to this matter three or four times. He had addressed a letter on the subject to the Minister of Lands, and if the Minister could answer the statements in that letter when replying to the question of the honorable member for Numurkah the whole matter would be made clear.

Mr. BEST.—I think that some of the comments which have been made with reference to the Birchip Land Board have hardly been fair. It is only to be supposed, when there are only 140 allotments, and some 900 applicants for those allotments, that there will be a number of dissatisfied applicants. Now, in the first place, I took great care in regard to this matter. I sent the Secretary for Lands himself and three other experienced officers up to Birchip for the purpose of dealing with the matter, because I was aware that there were a very large number of applications. I may point out that those who have previously selected are not ineligible; on the contrary, they have the right, under

ordinary circumstances, to make a selection in the mallee quite irrespective of other holdings. But what my honorable friends have failed to remember is that out of the 900 applicants there may have been 700 or 800 who really were most eligible applicants, and the 318 who were ultimately sent to the ballot had all the merits of those who were not sent to the ballot, together with—

Mr. GRAHAM.—That is not correct. I can give plenty of cases in which that statement is incorrect.

Mr. BEST.—The honorable member says that what I have stated is not correct. Fortunately, we had the evidence taken in writing, and that evidence is open to the honorable member's perusal. What I was about to explain was, that we had some 700 eligible applicants whose applications were carefully examined, and the merits of those who were sent to the ballot were equal to the merits of those who were not sent to the ballot, with this additional merit or qualification—that they had not previously selected. The officers, in the exercise, as I believe, of a wise discretion, thought that the merits being equal those who had not previously selected should be granted the preference. The honorable member for Korong has also referred to certain cases which he is informed have occurred. He was told that those who were working under the share system were declared to be ineligible. Now, that is totally incorrect. Men who were working under the share system were considered by the officers who had charge of the matter to be highly eligible, and a number of those men amongst others had their applications inserted in the ballot-box.

Mr. GRAHAM.—Why were the men who were refused not told by letter that they were not eligible to compete for the land instead of being dragged before the land board?

Mr. BEST.—It was quite impossible to follow the course the honorable member suggests. It is true that those applicants appeared on their applications as following certain occupations; but it is only by careful personal examination of men with regard to their experience as farmers, and as to their means and other qualifications, that the officers of the department are able to come to a reasonable decision. It would have been very unfair to have written such letters as the honorable member has suggested, because it was not really

known until the men were actually before the board that those who had previously selected land would not be sent to the ballot.

Mr. AUSTIN.—Why were papers sent to them telling them that if they were successful at the ballot they would be allowed to select? Such letters were sent to my constituents.

Mr. BEST.—I have already explained that men who have made previous selections are entitled to send in applications, and have a right to be considered and dealt with, as these men actually were.

Mr. AUSTIN.—They were not considered at all, because they were told at once to stand aside.

The SPEAKER.—I am afraid the Minister of Lands is more lengthy in his reply than is necessary.

Mr. BEST.—The question is a very important one, and I was asked to give an explanation on the subject. My reply is that those who had previously selected land were not disqualified, and it was only when they came on the ground that the board were able to come to a determination on the matter. Under the circumstances, it is quite impossible to hold out any hope that there will be either a return of the application fees or a reimbursement of the expenses incurred by any applicants.

Mr. AUSTIN.—It is receiving money under false pretences by the department.

RESIDENCE AREAS.

Mr. BAILES asked the Minister of Lands the following questions:—

"1. Is he aware that the Lands department is refusing to allow holders of residence areas who have purchased such areas from persons who have been registered for such areas for more than two and a half years to purchase such areas under section 36 of the Mines Act 1890?"

"2. Is he also aware that clause 19 of section 9 of the Sandhurst Mining By-laws, which have been certified to as not being contrary to law by the Attorney-General and Solicitor-General, distinctly sets forth—'Any person acquiring a residence area by transfer and desirous of purchasing the same from the Crown in accordance with section 36 of the Mines Act 1890 shall be entitled to all the privileges of the transferor, so far as the title of the latter was continuous and without a lapse'?"

"3. Will he take the necessary steps to have the practice that has hitherto been observed in accordance with the by-law reverted to?"

He observed that until very recently it was the practice of the department to regard the holder of a residence area as

having a right to purchase, even though he had not been in occupation himself for two and a half years, providing that the man from whom he had purchased the residence area had been in occupation for that time. This practice, however, had now been upset.

Mr. BEST.—In this matter the Lands department is acting on the advice of the Crown Law department. As to the second question, I have forwarded the by-law referred to to the Crown Law department, and asked them to fully consider it. On the receipt of the opinion of the Crown Law department I shall be happy to reconsider the question.

32ND SECTION HOLDINGS.

Mr. CRAVEN asked the Minister of Lands if he would give some indication of what he purposed to do with regard to 32nd section holdings in the proposed Land Bill, as the holders of these blocks were suffering considerable loss, being kept in a state of suspense, as they did not know whether to stock their holdings or improve them? He said he would be glad if the Minister could see his way to give some definite reply to this question, because the holders of 32nd section blocks throughout the north-eastern portion of the colony were very anxious to know whether they were likely to be allowed to continue in future as holders of the same blocks. One year's extension of the leases had been granted, and they were now in a state of suspense. They were afraid to expend more labour or money in improving their blocks, and they were also afraid to stock up, as they did not know what might be done at the end of the period of extension.

Mr. BEST.—In order to relieve the urgency of dealing with this matter I agreed to an extension of these leases for twelve months. I can also give the honorable member an assurance that a Land Bill will be one of the first measures introduced next session, but until then it will be quite impossible to come to any determination on the subject.

HORSE AND FORAGE ALLOWANCE TO FORESTERS.

Mr. McCOLL asked the Minister of Lands if the horse and forage allowance to the foresters, reinstatement of which was promised about four months since, had been paid?

Mr. BEST.—The Public Service Board have not seen their way yet to grant the necessary certificate to enable this money to be paid. The board desire further information on the subject, but I can assure the honorable member that the matter is not being overlooked, and as soon as the board issue a certificate the money will be paid.

ELECTIONS AND QUALIFICATIONS COMMITTEE.

The SPEAKER laid on the table his warrant appointing Mr. Beazley, Mr. Bennett, Mr. Burton, Mr. Cameron, Mr. A. Harris, Mr. Moule, and Mr. Murray Smith as the Committee of Elections and Qualifications.

THE STEAMER "GEM."

Mr. BEST, in compliance with an order of the House (dated August 25), presented a return relative to the subsidy paid to the steamer *Gem* by the Railway department.

THE GOVERNOR'S SPEECH.

ADDRESS IN REPLY.

The debate (adjourned from the previous day) was resumed on Mr. Morrissey's motion for the presentation of an address in reply to the Governor's speech.

Mr. HANCOCK.—Mr. Speaker, I regret extremely that the duty of moving the adjournment of the debate on this motion should have devolved upon me. I have always looked upon the motion for adopting the address in reply to the Governor's speech as affording an opportunity for the expression of opinion on both sides of the House on the Government policy. There seems to have been some potent power behind the scenes that has induced one portion of the House to refrain from discussing the Ministerial policy. I do not know whether that can be taken as a compliment to the Government, as a compliment to their policy, or even as an admission of the fact that there is no policy at all. I think, however, that things have occurred since this House last met regarding which it would be unwise if there were not an expression of opinion in the House with respect to whether the same policy should be pursued in the future. I allude especially to the attempt at press domination and press tyranny. I am quite prepared to admit that the press properly conducted should be a powerful factor in the dissemination of news, and even for the dissemination of

intelligence in the community. But when we find the press arrogating to itself an unwarranted power; when we find it denouncing, misrepresenting, censuring, and blackguarding certain public men, I say it is time that this House should express its opinion upon such conduct. The public policy of the Government, it has been openly stated, has been simply placed in the power of the press. There has been such a large number of wonderful coincidences in which the Government and the press have thought the same way at exactly the psychological moment, that it is pretty well time we asked for and got a statement from the press that they have no desire to dictate, or, at any rate, if they have that they will dictate on the floor of this House, and not through the columns of any newspaper. We find that, following on the statement made by the Premier that he intended to ask the people in October to send him supporters of no uncertain character, advantage was taken of this utterance by the press, or one section of the press, to make it mean that certain gentlemen were to be driven into private life; and the most unscrupulous tactics were adopted to try and coerce the people of the colony to shut those gentlemen out of public life. I am glad to say that the effect of those efforts in the majority of cases has been that the men who were thus attacked have been placed on a higher pinnacle than they ever occupied before, and the newspaper which tried to do this thing is now simply looked upon as a by-word and a reproach. I say that until we have a daily *Hansard*, or until we have something which contains a faithful report of our utterances, we shall always be placed in an unfair position as regards these cowardly opponents. Why, sir, one gentleman was accused of the terrible offence of inviting municipal councillors to his house to dinner, and this was placed among the electioneering news. The journalism of Tennessee or of Eaton will never descended so low as that. We have gentlemen in this House whose conduct has been open to public criticism, and who have never avoided that criticism—men who have ever been ready to defend themselves and their conduct, as well as the conduct of the Ministry of a former day, who appointed them to certain positions. Yet a newspaper has placed before the people as a political job what was a legitimate transaction, and recognised as such by members on both sides of the House.

I submit that we must protest against this kind of thing. Personally, I have never minded saying what I thought of the paper in question. I reckon any success I may have achieved in public life has been achieved through the abuse of that paper, and long shall I court its abuse. But I would point out that the coincidences between the action of the Government and the dictation of that paper are very striking, and they are noticed. I will give some illustrations of this. The Government introduced a Bill providing for a State Bank, and the Premier made one of the most eloquent speeches on the subject that ever I heard in this House. That speech was considered so good that it was printed, and scattered north, south, east, and west. However, a series of articles appeared saying that this was not the right time to bring forward such a proposal. Now, was that the voice of Sir George (then Mr.) Turner, or was it the voice of an unknown scribbler? However that may be, the State Bank proposal was dropped, never to be heard of again. The same thing happened with regard to the tax on unimproved land values. The press said it was no time for a conflict between the Houses, and the consequence was that this proposal was also dropped. This was the policy of the Government, and curious to say it was also the policy of the *Age* newspaper. Everything that has been said and done by this newspaper right through, even to the expenditure of the £2,000 for sending home a rifle team, and the theatrical refusal of a title by the proprietor of the *Age*, is equally characteristic of this discredited newspaper. The present Government, I believe, is one of the best Governments that we have ever known, but I want them to throw off the domination of the *Age*, and to say—"This is our policy, and we will not be dictated to." Honorable members can see themselves that there is now a general revolt against the *Age*. There is nothing too mean, too paltry, or too unscrupulous for the *Age* to make use of to discredit a political opponent. The last dying kick of Ananias I got on the morning of the election, when the *Age* said that I admitted I was an Orangeman. Whether I am an Orangeman or not has nothing to do with the matter, but I believe that if the *Age* had been given sufficient time their special correspondent in Pekin would have made me a Chinaman. These are the tactics against which I succeeded in returning to

this House, and similar tactics were used against other honorable members, whom I am pleased to see here, although I differ from them in politics. In fact, owing to the way they were attacked by the *Age*, I am as pleased to see them in the House as I would be if they belonged to my own corner, because their return means that the people have risen to the occasion and declared that they will not be dominated by a rag of this description. I was told this morning by the *Age*—I read it by accident; because honorable members may depend upon it that I do not buy it—that they expected me to give some “weighty words” this evening. It seems it was all arranged, cut and dried, that the address in reply was to be adopted last night, and that not a word was to be said, but we were all to live happy and comfortable over the “Cup.” But I have a few words to say, and I sincerely hope other members have also a few words to say. I was supposed to have stated that I would go into opposition, but I never did make any such statement; indeed, the mere fact of the *Age* having said that I made such a statement should be quite enough to render it certain that I had not done so. This poison is placed before the people every morning, and men are subjected to persistent persecution. Whether it be Speight, Gillies, or Hancock, the same cowardly tactics are adopted, and I want to have placed on record in *Hansard* my protest against the *Age*. They won't put it in their own columns, and perhaps there is a certain *esprit de corps* which will prevent some other newspapers from reporting what I have said. I hope, however, honorable members will grasp the nettle. This kind of thing does not exist in any other part of the world. There is no such thing as press domination in England. The London newspapers, strong and excellent as they are, would not descend to such dirty tactics as are used by the *Age*. This is due simply to the fact that here the *Age* has a monopoly—such a monopoly as you will not find anywhere else. If you try to start a newspaper the cable service is in the hands of these few people, and they hold your destinies in the hollow of their hands. There must be a protest against this kind of thing. Now that I have got rid of those “weighty words,” I wish simply to address myself briefly to the address in reply to His Excellency's speech. Before coming to that subject, however, I may say that it

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would be a very ungraceful thing if somebody, either a member of the Government, a member of the Opposition, or some insignificant member of the House, did not express gratification at the accession of strength we have received in the two honorable members who proposed and seconded the address in reply. While we are always prepared to give consideration and attention to a new member, I think we must all recognise that when we find two gentlemen coming out with the proper democratic ring, as those honorable members did, we have reason to congratulate ourselves on their presence in this Chamber. The policy of the Government, so far as they have exhibited it, I believe in, with one exception. I wish to ask the Premier whether we have arrived at such a state of prosperity that we can afford to reduce the income tax? I want to know whether every act of restitution has been performed? I want to ask whether those public servants who have been compelled to bear more than their fair share of the system of retrenchment are to have anything placed back to their credit before the Government attempt to reduce taxation? The income tax I was born to; I took it in with my mother's milk. I love the income tax. I have always been placed in such a position that I have had to pay very little of it. But at the same time I never heard of a man in my life who was not quite prepared to pay income tax on £100,000 or £200,000 a year. The income tax is a tax according to your means, and it is the very last tax that should be reduced, unless we are in that happy condition that we have met all our liabilities, and that we can perform all acts of restitution which we ought to perform. We ought not to reduce the income tax unless we can turn round, and

“Look the whole world in the face,
For we owe not any man.”

When we achieve that position, then we can reduce the income tax. Possibly the Premier, in the course of his travels, may have got a few tricks up his sleeve, but it is highly probable that the honorable member for Toorak has got the bigger bag. I want to know what is going to be done in the direction of restoring municipal subsidies, of restoring charitable grants, of restoring educational grants, and of increasing the grants to develop the resources of the country, in connexion with which we are so disgracefully behind? The Premier came to the

House three years ago with a pitiful tale of the way in which the revenue was diminishing, and the expenditure increasing. We sympathized with him and his Government, and helped him in the task which he had to perform. We have always assisted the Government—both sides of the House have assisted them in that matter. I have had to protest, and members of my party have had to protest, time after time, about the unfair way in which retrenchment has been carried out; but I am not narrow-minded enough to blame the Premier. In any wholesale scheme of retrenchment there must be some mistakes; and I will say this, that when mistakes were placed fairly and squarely before the Premier, he was the first to remedy them. But I will give one illustration of cases of injustice which have not been remedied. Eighteen months ago I appealed to the Chief Secretary and to the Premier with regard to some junior warders. Their position is simply a terrible one. The Chief Secretary admitted the justice of the claim, thanked me for the way I explained it, and, with the Premier, promised that those warders should be placed in a better position.

Dr. MALONEY.—Are they?

Mr. HANCOCK.—No, they are not placed in a better position; they have had nothing whatever done to better their position since that time, although I myself, and the then members for East Bourke Boroughs—Sir Graham Berry and Mr. Cook—persistently urged their claims before the Chief Secretary. That is simply one illustration. Then there are the increments of the railway servants. They were supposed to be paid from the 1st July last. They have not been received. And yet we are told there is to be no more taxation, in fact, that the Government intend to reduce the income tax. In what direction will the reduction be? Will it be to lighten the burden of the rich and the well-paid man or to lighten the burden of the poor man? Honorable members can pretty well guess which. I do hope that our Premier will be able to place arguments of such a character before this House that we shall be able to support his policy unanimously. I speak in no captious spirit. I want to follow a Government that carries out its promises. When the policy of the Turner Government was expounded three years ago I believed in every plank of it, but I did not want to see a policy of magnificent

advances turned into—well, I will not call them “masterly” retreats. We want a reform of the Legislative Council. What chance is there of getting it? When the Premier attempted to get a land tax passed, it was rejected by the Legislative Council, and he has not asked them to agree to it again. Members, no doubt, watched the position which the Government of New South Wales took up with regard to a similar tax. They watched the bull-dog tenacity with which the Premier of New South Wales—whose only fault is that, like my honorable friend the member for Hawthorn, he is a free-trader—stuck to this tax, and compelled the Legislative Council to pass the measure.

Mr. TRENWITH.—But he had a weapon which we have not.

Mr. HANCOCK.—Then we must create a weapon. Are we to sit down quietly until the end of time? No, sir, I say that a Government with 65 adherents, solid adherents—

Mr. HIGGINS.—Very solid!

Mr. HANCOCK.—Yes, solid, as long as the Government carry out their pledges, and with an Opposition that I do not think will be very earnest—

Mr. T. SMITH.—Or dangerous.

Mr. HANCOCK.—I will not say that. You cannot tell how dangerous an Opposition will be. That all depends upon this side. We had a chance of securing legislation of the character to which I have referred, and I am deeply disappointed that this particular tax is not to be introduced by the Government. I say so, not because I want the money to be spent in Footscray, nor do I want to bolster up any of those industries we have heard so much about. I want to carry out the policy which was advocated last night by the honorable member for Rodney (Mr. Morrissey)—the policy of increasing our exports, and placing us in the proud position of being the greatest exporting country in the world for our size. I want to have this money raised, and I want to see inaugurated a policy of judicious expenditure. I do not want to see merely a policy of spending a miserable £140,000 or £120,000—I forget which—to develop the whole of the mining resources of this great colony, including the clearing of tracks and the opening up of huge auriferous areas. This sum of money is to be spent in three years. I feel inclined to ask whether the Government can

spare it. We have districts in this country which, if we depended upon private enterprise alone, would never be developed. What we want is a strong Government with a determination to carry out works of this character, and you may depend upon it that a policy of that kind would soon get us out of our difficulties. We have all the resources, and what is wanted is a spirited and not a cautious public works policy. What is "caution"? We only want the money to be spent where there is a reasonable prospect of it being reproductive. This corner has never advocated a sand-shifting policy, a policy of digging holes in order to fill them up again. We want money to be spent in developing the natural resources of the colony, and we feel sure that public opinion when properly educated will approve of a policy of that kind being carried out. I am disappointed at not being able to find reference made to such a policy in the programme of the Government. There is a little item with regard to the settlement of the people upon the land, intimating that the policy recommended by the honorable member for Gippsland North some years ago, and rejected by the Legislative Council, is to be pursued. That would possibly be a gain. It means that the Government should be instructed to buy up certain land, instead of placing people upon land under conditions which have been a by-word and a reproach. Now, sir, I recognise that there are some difficulties in the way. I want to know how the Government are going to do it? As the other place opposed that policy previously, they will oppose it this time. Of course, if the Premier has something "up his sleeve" it will disarm my criticism a little bit, but I have sufficient experience of another place to know that, in regard to everything where the rights of property have to be looked after, its members rarely change their policy except under pressure. That pressure at the present time is not likely to be used. We have the question of electoral reform brought before us. How many honorable members of this House have had the Purification of Rolls Act brought under their notice during the recent elections? With the exception perhaps of those members who have had a walk-over, there is not a single member of the House who is not aware of the urgency of that reform. I know that the metropolitan members recognise as a standing disgrace the number of people who have been simply disfranchised

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in consequence of the present state of the law.

Mr. KENNEDY.—It is the same in the country.

Mr. HANCOCK.—I have had many members for country constituencies saying the same thing to me. As we have a practical Ministry in power, and as the repeal of the Purification of Rolls Act has been promised to us, I should have thought that that would have been the first work which the House would have been asked to deal with. But instead of that we find that we are told that one of the first Bills which the House will be asked to deal with will be a measure relating to the estates of deceased persons. Sir, we want to deal with live people. You will find sufficient astuteness already in the administration of the Act with regard to the estates of deceased persons. The Government generally know how to deal with them. Let us, I say, deal with live people first of all. Let us have domestic reforms that are urgently needed. To my certain knowledge, during the recent elections, over one hundred people came to me who were off the rolls when they should have been on, and many were on who should have been off. The same sort of thing applies in all districts. I do not say that this was an attempt on the part of the Government to disfranchise certain districts. The Purification of Rolls Act was put through in a great rush. It should have been the corollary to another measure that was not allowed to become law—namely, a measure providing for one man one vote. One passed in this House, and honorable members were told that one man one vote was to follow, and that there must be a Purification of Rolls Act, in order that a One-man-one-vote Bill might be introduced. But the Purification of Rolls Act was passed into law, and the other was not. Now we have a Government with such a tremendous majority at its back, are not these reforms, that have been demanded for years, and which this House has expected to be introduced time after time, such as should be entered upon at once? These are errors of omission. I need not refer very much to the good work done in regard to factory legislation. I am prepared to admit that the Act recently passed is a considerable bit in advance of the legislation of any other part of the world. But we want an extension of the principle. We are brought face to face with certain people who ask the

question—"Why should others be protected? why should a paternal Government come forward and defend them, and not defend us?" I am sure that this House, which has shown itself so just and considerate to the claims of labour, will be ready to assist the Premier to carry out a work of that kind. The extension of the minimum rate of wage principle, and the better administration of the minimum rate of wage system, is demanded. If it is right to apply that principle to one class it is equally right to apply it to all, and it should be done. As it is, we are open to the reproach that only one class—one pampered class—in the State has received such remedial legislation. I was in hopes that the Government would have carried out these reforms. Once more I say that my criticisms are not made in any factious spirit. I only want the Government to carry out the promises that were made by the Premier at St. Kilda three years ago, and so eloquently defended in this House by himself and by the Attorney-General. If this House feels that the country is satisfied, and that we are to go upon a rest-and-be-thankful policy; and if we are going to rest until such a time as federation spreads its beneficial effects over the whole colony, you might as well keep back all reforms for the same reason—even such a reform as reducing the income tax. I say that we must try and keep our own house in order. The best way to bring about the federation of the colonies is to try and bring about an assimilation of the laws of the colonies. The various fiscal policies are only one instance of the variation that at present exists. The value of the vote, the question of who is to have a vote, and the question of how we are to vote—these are questions upon which we should agree amongst ourselves as to whether there should be any difference between this colony and South Australia or anywhere else. The policy of New Zealand has been questioned in this House. Charges have been made against the prosperity of New Zealand which have been refuted time after time. What is possible in New Zealand should be possible here. Why should we drag behind? I feel perfectly sure that the Premier himself has no desire to drag behind in these questions of reform. And if we would be a United Australia, it can only be by the people consenting; and if they have equal rights over all the colonies a lot of the small

objections that have cropped up at the Federal Convention will prove to have disappeared. Some of the colonies place themselves in the position of small aristocracies, and say that state rights must be defended under all circumstances. They claim that without the recognition of state rights there can be no federation. Sir, there will be no such thing as state rights under a proper Federation. It is the rights of the people, the rights of the whole people, that have to be recognised, and no such thing as a state; and as there is no such thing as a state there ought to be no such thing as state rights. I was pleased to see the action taken by our delegates upon this question. I maintain that this is no time to push off our own reforms. I am as much in earnest as any one else in my desire to obtain a proper federation of these colonies, but I would look upon "federation at any price" as being the most unpatriotic action any statesman could join in. I look upon some of the measures promised by the Government as being absolutely necessary, but I do urge upon the Premier the necessity of trying to break off first of all with the old love before he starts with the new. The confidence of the members of this House was procured by promising certain legislation. A few honorable members have come over from the opposite side of the House to this side because those promises have not been kept. Surely the Premier owes an allegiance to the people who were his first supporters, and not to those who opposed his policy, and simply came across the floor when they found that the Government were not so anxious to bring about those reforms. I look upon it that our duty at the present time is to look carefully into the condition of the colony. We may talk of things improving. If honorable members had my experience of the numbers of people coming up every morning and asking for work—people ready to work, and prepared to take whatever work is offered to them—they would not be so certain about improvement. While you have these people idle instead of being wealth producers for the community there must be "something rotten in the state of Denmark." When the Premier has been spoken to with regard to the necessity of finding work, he has replied that he has been very busy. I will admit that he has been busy—too busy. There is a plank in our platform that it is necessary that there

should be a Minister of Labour, not in order that some one may get a fat billet, as it would very likely be charitably supposed, but in order that the work of the Premier, the Minister of Railways, the Minister of Mines, the Minister of Lands, and other Ministers may be confined to the proper administration of their departments, whilst the regulation of labour may be left in the hands of a department for the purpose. We have plenty of precedents for taking that course. Why has it not been adopted here? Surely it would be better that we should adopt that course. What could be worse than the present state of things? I have had to follow the Premier up to his own office with regard to the cases of workmen. I have had to follow the Minister of Lands from the Customs department to his own office on similar business. They say—"Yes, it is much to be deplored that there should be such a large number of people out of work, but we will get a report upon it." Why should there be these delays? You are bound to have men who are hungry, idle, and angry while such is the case. I say that before you attempt to reduce the income tax the Government should do something in the direction of establishing a department of Labour, so that when work is to be given out it may be given out fairly, equitably, and justly. If that were done I should consider that this Government would have placed itself upon the highest point to which they could possibly aspire. If something of that kind is not done, we shall have a repetition of those old scenes that have worried every Premier for many years past. We have large tracts of country lying idle, huge territories capable of producing sufficient wealth to get us out of all our difficulties lying idle, and men walking about the streets in a starving condition. To remedy this state of things should have been the policy of the Government. I have announced my intention of supporting any Government that will carry out a policy of this description, and that will support such measures as I have indicated. If the Premier will carry out his original policy, he will find no warmer adherents than the members sitting in this corner. But if we consider that he is pursuing a policy of a shifty character, he will certainly receive our opposition.

Sir BRYAN O'LOGHLEN. — Mr. Speaker, I desire to say a few words, but not to inflict upon the House a long speech. First of all, you will allow

me, sir, before I refer to matters under discussion, to congratulate you upon having been appointed to the high position you now occupy, and to assure you that, as far as I am concerned, I shall give you the most warm and cordial and loyal support that any member can give to the Speaker. There is one question referred to in the Governor's address that is of very great importance. In fact, it is a question of the very greatest importance that has ever come up in Australia, and that is the question of federation. I know that some members are of opinion that I am opposed to federation. So far from that being the case, I am a warm and ardent federationist; and I go further than some honorable members, because I support Imperial federation, to which we have not yet turned our attention in this colony. But I desire to see the federation of the Australian colonies established upon a proper basis. I cannot sympathize with those honorable members who declare for "federation at any price." It is very easy optimism to "let us get federation, and if there is anything wrong with it we will alter it afterwards." We all know that that policy in politics has led to the most disastrous results. What I desire to do in reference to this matter is to enter my protest, not alone on behalf of myself, but on behalf of a large number of people in various parts of the colony, and engaged in various walks of life, with regard to some points in the Commonwealth Bill, and to inform the House that these people are not satisfied with the Constitution as proposed by the Convention at its meetings in Adelaide and Sydney. There are many points in that Constitution which render it unacceptable, in my judgment, and in the judgment of many other of the people of Victoria, and the sooner that comes to be understood by the public generally the better for the settlement of the question of federation. Now I may refer, first of all, to the point in regard to equal representation of the colonies in the Federal Senate. As far as I can judge, the public opinion of this colony—and I have addressed, I suppose, dozens of meetings upon the subject—is decidedly against the proposal, and you will have the people of the colony upon that point alone saying emphatically "No" to the present Bill so far as it has been drafted by the Convention. I am not going to enter into the arguments *pro* and *con*.

I only desire to let the House understand what I believe to be the general opinion of the electors of this colony. There are many points of constitutional law in connexion with the proposed Constitution which are also objected to, such as amendment by way of suggestion of Money Bills by the Senate. But these points, which of course require more time than I have now to give to the discussion of them, will have to be considered later on. I desire, however, to refer particularly to a commercial aspect, and that is in reference to the abolition of intercolonial protection. Now, there is a very strong feeling amongst those engaged in all the productive interests of this country, whether agricultural, manufacturing, or mining, that if that change is to be brought about—which seems to be inevitable—it should be brought about gradually and by steps. Some honorable members may hold strong views with regard to this question, but there are thousands of farmers who hold as strong views the other way. And the views that they hold upon this subject are that if these protective duties have to be swept away, it must be done so gradually that it shall not be done at any particular time, but in such a way that the farmers may have time to look about them in order to turn their land to other purposes. Honorable members may think that I am simply referring to the question of the stock tax. I am not referring to the stock tax alone. I am referring to the protection given to a great number of farmers' productions all over the country. I know, for instance, that we have a substantial protection on potatoes. I know that we have a substantial protection on wheat, which we know will this year amount to a very substantial sum. We have a substantial protection in regard to many other matters of production. If we turn to mining, we have a substantial subsidy given to coal mining, which has resulted in the success of the coal industry in Victoria, and that is the carriage of coal at a figure below what the railways are prepared to charge for the carriage. But if these measures of protection are to be swept away, and if intercolonial protection is to end, there ought to be some provision in the Bill for having a period during which those benefits are to be diminished, and the protection gradually extinguished. If the farmers are to sacrifice the benefits they receive under protection at the present time, they should only do

so during a series of years. We have seen in a neighbouring colony the effect of the abolition of the sugar duties. We know what the result has been to the farmers in the Hunter district, and what it is likely to be to the owners of land in the Hunter and neighbouring districts. The farming opinion is very strong upon these points. No doubt a great many manufacturing industries will also be affected. It must necessarily be so if intercolonial free-trade is to be established. It may be that intercolonial free-trade is necessary for the future prosperity of the whole of Australia, but at the same time you should not destroy vested interests, but should give people time to look about them in order to make a change, whether in manufacturing, or in farming, or in mining. Then, again, there has not been arrived at any means of settling the division of taxes—what taxes are to be collected by the Federal Government; and there is a very strong feeling abroad that if you hand over customs and excise at once this colony and others may find themselves in a very straitened financial condition. Fancy the Treasurer coming down to this House and not being able to announce anything in the shape of a real Budget! He would be able to give merely a hypothetical statement of what might be returned to him by the Federal Government. This would leave the whole matter in a state of uncertainty. We would never know how the colony stood; it would all be a question of conjecture. Now, there is no absolute necessity in federation for any amalgamation of either the railways, the debts, or the customs and excise of the colonies. That can all come in good time. Let us secure a Central Government, and unite in regard to those matters about which we are all agreed, such as for defence purposes. We are now attempting too much, and if we persevere on the lines on which we have started we shall find that the two great colonies—the colonies that we want to federate—New South Wales and Victoria, will refuse to accept the offered Constitution. The majority of the people in each of those colonies will vote "No," and then federation will receive a blow from which it may not recover for ten or twenty years. Having regard to the utter impossibility of the minor colonies agreeing to what the larger colonies require, it would be far better to leave the matter alone and to start again on fresh lines in two or three years. I lay these

views before the House. I dare say that to a great number of honorable members who are enthusiastic about federation and its immediate results they will not be agreeable.

Mr. TRENWITH.—That is not the question. The question is how they arise on the address in reply?

Sir BRYAN O'LOGHLEN.—There is a paragraph in the Governor's speech in which the hope is expressed that the high qualities the members of the Convention have shown will enable them to overcome the numerous and serious difficulties of their task and to frame a Constitution that will prove acceptable to all the colonies, and to consummate the union so long and ardently desired. I am pointing out that at the present time the public opinion in Victoria—I am not going into the question of public opinion in New South Wales—is that the Constitution which has been framed will not be acceptable to the colonies. While the colonies want a proper federation and a proper Constitution they do not want a Constitution which may be destructive to the future peace, the future happiness, and the future good government of Australia. They desire a Constitution that will raise Australia to a high pinnacle, that will give us everything that the most ardent Australian can dream of and hope for. I do not know whether many honorable members have read the large book which contains the reports of the Adelaide Convention. Those who have and who have studied those reports are aware of the views that were held by certain honorable members of the Convention. Those views were repeated again at Sydney. In some cases they have been supported by a majority, and we can see that the smaller colonies will make the acceptance of those views a condition of federation. The Constitution which they wish, and a part of which has already been agreed to by the Convention, would not, I say, be acceptable to a majority of the people of Victoria. I do not speak of the other colonies, although from certain things that have occurred in New South Wales, the Constitution does not appear to be acceptable there. I know too little of New South Wales, however, to attempt to form an opinion on the subject. I can form an opinion of what are the views of the people of Victoria, and I say that, as far as the Convention have progressed, the Constitution will not be acceptable to the people of Victoria.

Mr. HAMILTON.—Mr. Speaker, I am sure that honorable members are deeply grateful to the honorable member for Port Fairy for the words of wisdom and of solemn warning which have fallen from him regarding federation. We value what he has said, but we have heard nearly the whole of it before. We had a three months' debate in this House upon the Federation Bill, and the questions that have been mentioned by the honorable member received the fullest consideration. I refer particularly to the control of the railways, the customs, and other services by the Federal Government. I would point out to the honorable member, with very great respect indeed, that each and all of those points did receive careful consideration from honorable members. Whilst we were delighted to hear his remarks, they were not new to us. I do not wish to deal specially with the question of federation, and I will only say, further, that the whole of the people of Australia viewed with very great concern indeed the deliberations of the Federal Convention, and are looking forward anxiously to the time when the Convention will meet again. It is a fact that there are some proposals in the draft Constitution that will not be acceptable to the people, or even to a majority of the people. At the same time, I do not think that the question of the intercolonial duties is going to be a bar to federation. I feel confident that when the people of Victoria, at any rate, are satisfied as to the merits of the Bill in giving large constitutional privileges to the people they will not allow the matter of the intercolonial duties to stand in the way for one single moment. With regard to the address in reply, I cannot help re-echoing the sentiments so eloquently expressed by the honorable member for Footscray. As far as I am concerned, I have a feeling of keen disappointment, not only at the Governor's speech, but at the general character of the proposals that were put forward by the Premier at St. Kilda. I would ask, with very great respect, whether this Parliament, after three years' continuous effort, is only to get through the small number of measures that were mentioned in the speech at St. Kilda? Whilst that speech abounded with eloquence, and whilst it was, from a certain stand-point, great, it was most disappointing in what it promised in regard to the future. Since I have been a member of

the House, I have seen more legislation put through in one session of Parliament than is proposed by the Government for the next three years. Leaving out franchise reform and the alteration of the electoral boundaries, there is no question included in the programme of the Government that can be considered in the remotest sense as being a party question at all. I do not wish to give honorable members the impression that I deplore the fact that there are no party questions in the Government programme; but I do desire to point out that there are certain great questions that still have to be settled by the people of this country, and that until they are settled our people cannot hope to enjoy that comfort and prosperity which they have a right to expect, and which they have so long been without. Now, I will take the proposal of the Government to reduce the income tax. That is a matter about which I feel very strongly indeed. I admit, without any hesitation, that the present rates of income tax are too high. It is well known that our income tax is the heaviest in the world.

Mr. TRENWITH.—That does not make it too high.

Mr. HAMILTON.—I admit that, but I do think that the rates are excessive. Still, although we have an excessive income tax, I would ask honorable members to consider the circumstances of the people who have to pay it. Nobody has to pay unless he has an income of at least £200 per annum. If he has an income of £210, or £220, or £300 the amount of the tax he has to pay is very small indeed, and does not, and cannot, deprive him of a single comfort or necessary of life. The amount paid since the imposition of the income tax has been about £500,000—I think rather less, but that is near enough—and it has been paid by a class of people who have felt practically no inconvenience from the impost, and who have not been deprived by it of a comfort or in most cases of even a luxury. Now, let us take the other side of the picture, and compare with the figures I have given the receipts from the sugar and tea duties, which are paid by the poorer classes.

Mr. BURTON.—The rich pay these taxes also.

Mr. HAMILTON.—The rich pay a very small proportion of them only. In the first place, there are not many rich persons, and a large number of them purchase

their goods wholesale, and at wholesale rates. It is therefore fair to say that almost the whole of the sugar and tea duties are paid by the working classes. Just before the close of the last session of Parliament I asked for a return from the Minister of Customs, which was given to me with great willingness, regarding the sugar duties. During the time the tax has been imposed no less than £4,056,000 has been paid by the poorer classes of the people. In 1893 the sugar duties were doubled, and since 1893 £1,056,000 have been paid under this tax. I will now take the tea duty. Last year it brought in £120,000. In other years it has realized a slightly smaller amount; but never less than £100,000. Those who pay income tax have contributed in three years about £500,000, whereas other classes of the people, who are notoriously much worse off, and some of whom are extremely poor, have paid in sugar duties alone a sum of £1,056,000. And yet the Government propose that the income tax shall be reduced, whilst the other taxes are to be continued at their present rate. I told my constituents that I was prepared to give the Government a general all-round support, but that, unless the reduction of the income tax was coupled with a reduction of the taxes on the necessaries of life, I should certainly vote against the Government on that question. I am prepared to do so. While I feel the greatest possible respect for all the members of the Government, and for the Government as a whole, I do think that proper consideration has not been given to the question of reducing the income tax. The returns from the income tax and from the taxes that are paid by the working classes have not been compared. If they had, the Government would never have proposed to reduce a tax which has not done harm to anybody. I was pleased to notice certain remarks that were made by two new members yesterday. The honorable member for Rodney (Mr. Morrissey) said in effect that people who were born now into the world found that their common heritage had been taken away from them. The honorable member, I presume, referred to the fact that whilst all are born equal, numbers of people find that practically the whole of the sources of production have been monopolized, and that therefore they have to pay the price of the monopoly or to starve. Sometimes they do both. I was pleased to hear these

words from a new member of the House, because it seemed to me that there was a true democratic ring about them. The honorable member has apparently made himself closely acquainted with the great social problems which we all have to face, and he is prepared to face them. He did not propose any remedy for the evil to which he referred. It was not his place to do so. Then the honorable member for Ararat spoke in a similar strain. He deplored the fact that so many of our old people are forced into penury and poverty in the declining years of their lives, and stated that it was a standing disgrace that in a new country like this the people should be brought to destitution and ruin, and left sometimes to die in the streets. I will take these two statements and compare them with one remark that was made by the Premier at St. Kilda. The honorable gentleman there spoke of the urgent necessity of doing something to ameliorate the condition of the poor in this respect, and he also spoke of the great importance of opening up the land to the people, so that the sources of production might be brought within their reach. Now, what is the remedy proposed by the Premier? It is that the Minister of Lands shall take trips to the mallee and try and find out some land that has not been used, or some land that might be brought into use. Has the honorable gentleman forgotten that three years ago, when he proposed the tax on the unimproved values of land, he mentioned the fact that that tax would have a double effect—that it would first of all give a large revenue to the Government, and then that it would open up a large area of land which is now withheld from use, or is only half used? It is for these reasons that I am surprised and disappointed at the programme of the Government generally. The two honorable members I have named and the Premier are all convinced of the necessity of doing something. They are all fully aware of the bad conditions under which a large number of our people are living, yet nothing appears to be proposed to alleviate these conditions, with the exception of the Charities Bill. I shall say nothing about the Charities Bill now. There will be plenty of opportunities of doing that later on. But I do say that it is a matter of keen disappointment to thousands and tens of thousands of people throughout the country that other measures have not been promised, including the great reform

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in our system of taxation, to which I have alluded. I hope that the Government will lose no time in dealing with the franchise. But whilst that is a reform that is urgently needed, I venture to say with very great respect that there are other questions that are equally important, and that ought to be attended to without any delay. Are our people, and the poorest of our people, to be compelled to pay the bulk of the taxes of this country for all time, or are we prepared to adopt a more scientific system and try to relieve those classes of the community who are already too badly off, much worse off than they deserve to be, seeing that they are all willing and anxious to work? I have heard it said in this House that legislation of the kind I have mentioned would bring the country to ruin. It has been described as socialistic. It does not matter very much to me whether it is socialistic or not. I believe it to be good, and I would point out one striking fact to those who oppose this kind of legislation. Seven or eight years ago New Zealand was afflicted with a property tax. When the Ballance Government came into power, they swept that tax away. It was destroying capital, retarding industry, and injuring the labouring classes. The Ballance Government introduced a new system of taxation. During that seven years what has been the position of New Zealand? Her finances have gradually crept up, her people are better off, and the position of the labouring classes is much in advance of what it was seven years ago. For years the finances of the colony showed a heavy deficiency, but the other day Mr. Seddon made a statement in which he showed a surplus of £320,000 on the year's transactions. Where is the disaster that was to come to New Zealand, and that was so confidently predicted by all the conservatives in New Zealand, and by the conservatives and others in our own colony? There has been no disaster. The people of the colony are better off than they were.

Mr. TRENWITH. — And hundreds who had left have gone back again since that policy was adopted,

Mr. HAMILTON.—That is quite true. Now, I would ask honorable members to compare the condition of New Zealand with that of our own colony. I admit that we had a bad time after the collapse of the boom, but even that does not account for the heavy loss in our population. It is true that the gold-fields of Western Australia

have been opened up, and that they have taken away large numbers of our miners, but it is also true that had the conditions of living been easier in Victoria many of the men who have left would have been with us to-day. Let honorable members look at the prices of the two articles that I have mentioned—tea and sugar—and note the large increase that has been caused by the enormous duties. The duty on tea amounts to fully 70 per cent. Does not the high price of those articles make it harder for the average individual to live? Most assuredly it does. It destroys his purchasing power, and when a man's purchasing power is destroyed, others who are producing the commodities that he needs are thrown out of work, and general disaster is bound to ensue. It is not my intention to speak at any great length. I confess to a feeling of keen disappointment at the policy submitted by the Government. I thought from a chance remark that was made by the Premier—and I do not know that it was a chance remark—some time ago, when he was delivering a Budget statement, that it would be the policy of the Government to introduce some of the proposals that have been mentioned here this afternoon. Honorable members were interjecting when the honorable gentleman delivered the Budget statement to which I have referred, and reference was made to the tax on the unimproved values of land. The Premier then said that the Government were in favour of that tax, but they thought that it ought to be coupled with a reduction of the duties on the necessaries of life. I took that as an indication of the intention of the Government to make the question a part of their policy when they went to the country. Many thousands of persons took the same view. This and other questions have been deliberately laid aside, and I, for one, feel a keen disappointment at the policy of the Government.

Mr. HIGGINS.—Mr. Speaker, it would be only honest for me, feeling as I do, to echo the keen disappointment which the honorable member for Sandhurst (Mr. Hamilton) has expressed—a keen disappointment which, I find, is shared by many liberals who are not incautious, who are not too impulsive, but who are anxious to see a steady progress in the direction of liberal measures. As far as I am concerned, I am free to express my views on this subject, because I did so on the platform

at the general election. I read with very much regret the speech of the Premier at St. Kilda. In that speech many measures were referred to, to which I shall give my cordial support. They are wanted; but at the same time it is in the direction of omission rather than of commission that the policy of the Government is to be condemned. I am sorry, and many an old liberal whom I have met is sorry, to see that the Premier has been misled by the cant about peace and progress. The country does want peace and progress, but you can't get peace and progress by going to sleep. The country wants peace and progress, but the way to get peace is to take away the causes of disturbance, and the way to get progress is to remove the drags from the wheels of progress. Apparently the Premier—I say it with all respect, and I am only saying to his face what I have said upon the platform—has mistaken who it is that wants peace and progress. It very often happens that to get peace and progress for the people we have to adopt a bold clear-sighted comprehensive liberal policy, and to pursue it strenuously. We have often, in order to get peace and progress, to fight for that bold and comprehensive liberal policy. Peace and progress! We have heard those words before. The words have been used to describe previous policies. I am reminded of the policy of chickens and champagne and shire councillors. A peace and progress policy! Peace and progress will not be attained by a policy of *laissez faire* and laziness. I should like, in the most friendly spirit, to warn the Premier that he will have to decide some day as to whether he is going to take a policy from the opposition benches or from here.

Mr. MCKENZIE.—He has decided that already.

Mr. HIGGINS.—The Premier will find that that cant about peace and progress will be taken up and re-echoed by certain gentlemen on the opposition side of the House for whom we all have the greatest respect, but he must not mistake that for an expression of the feeling of his own party in the country. They are willing to give him help in passing the measures which he has suggested, but they want him to go a little further. I would like to remind honorable members that throughout the last Parliament there was little or no advance in a really liberal direction. The only

thing I can call to mind as being a step in that direction is the measure for the amendment of the Shops and Factories Act. But other measures which were submitted in the last Parliament might just as well have been brought in by a reactionary Government as by the present one. Nor have the details of the measure dealing with the factories and shops been worked out with proper care. A land tax has been proposed and dropped. We had a Constitution Bill which was carried by a big majority, and by a ruling of the President of another place, which most of us thought was outrageous, the Council was not allowed to entertain it. We were informed that the Ministry adopted the view that there was no foundation for this ruling, but the Government, in place of testing the ruling of the President, dropped the measure. As the ruling of the President of another place is not expected to override the opinion of the Attorney-General, I asked the Premier to have the matter referred to some impartial authority, not a partisan, in England or elsewhere, so as to determine the practice. However, the Premier would not do that, and we were left out in the cold. It is proposed that there shall be single electorates for the Assembly. I can speak feelingly of the evil which results from the system of double electorates, but as we are going to have single electorates for the Assembly, why on earth cannot we have single electorates for the Council also? The position is simply preposterous. A return which was presented to the last Parliament showed that out of 48 members in another place only four or five had had to face the electors. I submit that that is a preposterous state of things. Surely the position is clear enough that the provinces which return members to the Legislative Council are too big, and that poor men cannot canvass them with any chance of having the opinion of the electors expressed. At the same time, I cannot see why the qualification of members of another place should not be lowered.

Mr. TRENWITH.—Do away with it altogether, as in South Australia.

Mr. HIGGINS.—I would not object to that course being adopted, but I do not expect extreme changes from the Premier. What amazes me is that the Government will not give its support to such obvious improvements as I have mentioned. The honorable member for Sandhurst (Mr.

Hamilton) has referred to the proposal of the Government to reduce the income tax. My experience during the general election was that nothing met with the approval of the people so much as opposition to this proposal to reduce the income tax. The honorable member for Sandhurst struck the right nail on the head when he said—“You must not talk of reducing the income tax unless you first reduce the duties which press most hardly upon the poorest classes of the community—the duties on rice, sugar, and tea, which are mere revenue duties.” We have no right to speak of a reduction of the income tax until we put things right in that respect. There are peculiar reasons in Australia why we should have direct taxation. It is desirable that we should be more careful as to the way in which our money is expended, and there would be less tendency to extravagance if we had to fork out the money from our own pockets. Though the income tax is reduced the same trouble will have to be gone to by business men in making out their schedules. One of the principal inconveniences in connexion with the income tax is the making out of the schedules.

Mr. T. SMITH.—And that work is being made more difficult every year.

Mr. HIGGINS.—Yes. No reason has been shown why a reduction in the income tax should be made, and I do not think that the country will agree to it. There are obligations to the public servants and others which ought to be met before we attempt to reduce the income tax. I understand from the Governor's speech that it is proposed to introduce a Bill to alter the method of dealing with the trust funds. I gather from the Treasurer's speech that the Treasurer at present has power to put his hand into the trust funds and use them if there is any deficiency in the revenue, and that they are to be vested in trustees, who are to be compelled to hand as much of them over to the Treasurer as he wants. Of what use is a provision like that? If the trustees of the trust funds are compelled to give to the Treasurer all he wants he merely has to take one more step than before:

Mr. GILLIES.—It is what he “requires,” not what he wants.

Mr. HIGGINS.—That is about the same thing. Such a provision is a delusion and a snare. People will think that the funds are protected while they are not

protected. What right have the Government to reduce the income tax and bring in such a pettifogging measure dealing with the trust funds before we have a surplus? According to the financial statement, which I hold in my hand, there was a deficit in the year's revenue, at the end of June last, of more than £196,000. What right have we in the face of that deficit to talk of reducing the income tax? I do not propose to detain the House long, but I feel it to be my duty to put very briefly the general view which I hold in regard to the Government policy. I shall be happy to give the Government a cordial and general support, and to help it to carry the measures it proposes, but I say with much regret that the Government has not availed itself of the grand opportunities it possesses of passing good measures. No previous Government of this colony has ever had such an opportunity, being supported by the great bulk of the people, to press beneficial measures, and the opportunity is being lost.

Mr. MURPHY.—Sir, I believe that it is the desire of all of us to do everything we can to advance this great colony of Victoria. One of England's foremost statesmen said, on a memorable occasion, that Her Majesty's Opposition was the true safeguard of good government. I have as many friends on one side of the House as on the other, and I hope that good work will be done without frittering away time on side issues. Measures ought to be passed which will enable Victoria to take a commanding position in Australia. I think that at the next meeting of the Federal Convention all the colonies represented will say in their own interest that Victoria is the pivot, and that her relation to Australia is like that of England, which has an empire on which the sun never sets. I have the highest regard for the Premier, but I think that it is best to tell him when he is wrong, according to my humble judgment. Every exertion ought to be made to prevent the bone and sinew of this colony from going to Western Australia and South Africa. The Minister of Lands ought to copy the example of New South Wales, and do something to keep our young people here. The large landed proprietors of Victoria are setting a good example by leasing their ground on reasonable terms. I think that when railways are carried through private lands the land-owners ought to receive just compensation, and that the farmers especially

should be offered inducements to keep the young people in the colony. The Premier is a young Australian, and I arrived in Victoria almost as soon as he was born. He must recognise the fact that the pioneers of the colony were the cream of the civilized world, and that the claims of their sons and daughters ought not to be overlooked. The Australian natives should not be allowed to knock the old men on the head. The removal of the old men will come ultimately. The second generation of Australian natives might as well speak disrespectfully of the first generation of Australian natives as of their present fathers and mothers. At the general election the Australian natives furnished some of my best supporters; some of the women even prayed for my success. We have a colony second to none in the world, and the Ministry ought to do something substantial to develop its great resources. Because I happen to be on the opposition side of the House I am put down as a blooming conservative. I am no more a conservative than I was when I had the honour to defeat at an election my dear friend, John James. I have the highest regard for him, and he told a friend of mine at the last election that if he had a vote for Warrenheip he would come all the way from Gippsland to record it for me. I have great sympathy with the honorable member for Toorak, who fought so good a fight against the dictation of the press. We must have liberty in this colony. I say that the fight of the honorable member for Toorak commands the sympathy of the whole of the people. The press has no right to dictate to the colonists what they shall do and what they shall not do, and I hope that the Government will have sufficient backbone to resist anything of that kind. There is not a better liberal in the House than I am. Sugar and tea are now cheaper than they were before the duties were put on those articles. We must look at matters from a fair stand-point, and not talk to the gods in the gallery. In conclusion, I desire to thank the House for its indulgence.

Dr. MALONEY.—Mr. Speaker, I join with honorable members who have preceded me in congratulating you upon your elevation to the chair. Your election is especially pleasing to me because, when some years ago you were seeking the position of Chairman of Committees, you were attacked in a portion of the press in a

cowardly and wicked manner. It is clear that the power over this Parliament of the newspaper in question is not so great as it has been. The time in which that journal could determine which candidate should be elected and which should not has passed away, and there is not a member of the House who will not be glad to know it. No finer or truer battle could have been fought than that of the honorable member for Toorak, who faced the most unjust criticism and cowardly and brutal vilification, which even his most strenuous opponents were sorry to see. The same tactics were also pursued against the honorable members for Eastern Suburbs and Hawthorn. It seemed to me that the man who once had great influence through his newspaper had lost the splendid ability which he possessed twenty years ago. Before the dissolution of the last Parliament the lash was applied to us. The brightest and keenest representative of the workers of this colony, who would willingly make him their leader to-morrow, had the lash applied to him, and he was defeated at the late general election in common with Mr. Barrett under similar circumstances. We should not have the respect of the workers if we were not abused in that way. Every day I receive letters from different parts of Australia expressing regret at the defeat of labour members. In the heat of the moment, feeling the injustice of the press, I may have used too strong language on a recent occasion. I wrote to the newspaper concerned, but my letter was not published. It contained a line stating that my remark in regard to the Attorney-General was unjust. I was in a temper on the evening in question, and my language may have been exaggerated. I have had nine years' experience of press flagellation. I was called a liar and a perjurer before I entered Parliament because my name is Irish. No one can point to a single member of the labour party who has broken one plank of its platform. There is, therefore, no necessity to lash the labour party. I will quote an extract from the remarks of the brightest leader who ever delivered a speech on democracy in Victoria. I refer to the honorable member for Normanby, who when he was Premier, on going down with his colours flying, said—

“Sir, I have had to stand with a sword in my hand. I have had to be a fighting Premier . . . We have been met with a

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most loyal unswerving support from a large body of our supporters, and I should feel that I was an ingrate indeed if I did not to-night make them my warmest acknowledgment for that splendid support which they have shown us through good report and through evil report. If I have to discriminate in my praise at all, I have to acknowledge here, to a party that is under the ban of public opprobrium in some quarters, that never did a Government or the leader of a Government get better or more consistent support than we got from those members who are called the labour party. As I have said to members privately, as I have said to the honorable member for Eastern Suburbs himself, in all my experience I never met one of those men pressing any improper demand, and the experience of myself is the experience of my colleagues. Never were they importunate. Never did they place themselves in the position of beggars for favours which it would be unfair to grant.”

Those remarks are remembered and treasured by every worker who honours a labour candidate by helping him into this House. I have to thank the proposer and seconder of the address in reply for their remarks. I am sure that their votes and voices will be given on the lines of democracy. It is time that the infamy resting on Victoria which was referred to by one of those members should be removed. We are promised a Bill dealing with the charities, and I hope that it will be an effective one. The income tax collected in Victoria is one of the lightest raised in any country. It is very much less in proportion to the population than the one raised in Great Britain; yet it is proposed to reduce this income tax, while the money paid for the keep of homeless infants has been reduced from 5s. to 4s. a week. These infants require milk three times a day, and the income tax has only to be paid by persons who are in receipt of £4 a week and over.

AN HONORABLE MEMBER.—The amount for infants has not been reduced so much.

Dr. MALONEY.—I am glad to hear it. It would be better to increase the amount to 6s. a week; 4s. a week is not sufficient to keep those children and properly build up their constitutions. With regard to the public servants, it is very unfair that money lenders should be able to obtain garnishee orders against railway employes and not against other public servants. It would be well to pass a law providing that no father of a family should be left without as much as £2 a week. I have known public employes with wives and families to be left at the end of the month with 5s. to face the next month owing to the operations of the money lender. That is cruel

and wicked. Of course if a man has an income, and he does not make any effort to pay his debts, he ought to be put in prison. We are promised improvement of the slaughter-houses and the re-introduction of the Exported Products Bill. Diseased cattle are being milked throughout the length and breadth of Victoria. I have seen cows milked though they were a mass of corruption. When dealing with postal matters, I trust that the Postmaster-General will keep an eye upon the Peninsular and Oriental steamers. The proprietors of those steamers receive £1,000 a day from the British Government and dependencies, and they insult us by carrying German produce at 50 per cent. less cost than English produce. This is also the only line of steamers which employs black labour, and it ought not to be allowed to carry our mails until that practice is stopped. The honorable member for Sandhurst (Mr. Hamilton) showed that it is absurd to reduce the income tax when we are drawing £295,000 per annum out of the poor people of this colony on sugar. The present Government are supporting one of the most iniquitous taxes upon food eaten by the poor people that I know of. I believe in the absolute prohibition of any goods which we can produce in the colony; but we cannot grow tea and sugar here. If it is necessary to support the beet sugar, it should be allowed the advantage of a bonus, just as the butter industry is assisted. No honest free-trader or protectionist wishes to see duties on sugar. The tax on tea and sugar presses very heavily on the poor, and it ought to be wiped out. I wish that the return moved for by the honorable member for Sandhurst could be spread far and wide. If we had a daily *Hansard* it could be printed in it with advantage. As the honorable member pointed out, the sugar duties have been doubled; the sugar in bond having a further impost of an odd 9d. The country has never called out in stronger terms for anything than it has for reform of another place, yet the Legislative Council is allowed to be in a position to slap our faces. As far as I can understand the matter, the present Government has placed the Upper House in a more powerful position than it ever occupied before. It now has the right of dealing with certain Money Bills, which it did not before possess. The unemployed are treated in a manner which will not commend itself to any man with much humanity in his

composition. In my own district alone 400 men have left for another colony; and the money which is constantly being sent here from Western Australia shows how great the exodus to that colony has been. The Government are willing to reduce the income tax, but they will not give work to the people who want it. I will refer to the case of an old lady, 78 years of age, who is one of those people whom the Premier said the Ladies' Benevolent Societies would assist. That grey-haired old woman is now in the Melbourne Hospital, endeavouring to live on 1s. 6d. a week, and she is probably dying at present. That is all the money which could be offered to her by the Ladies' Benevolent Societies. The name of this lady is Newman. She lies in No. 11 ward of the Melbourne Hospital, where she is dying under the magnificent dowry of a Ladies' Benevolent Society, supported by the Premier's grant. If she does die it will be the result of the infamous system under which human beings are expected to live upon a mere fraction. If the people thoroughly understood federation as it has been agreed to by the Convention in Sydney, some strange remarks would be made. I understand that the Premier, the Attorney-General, and the Chief Secretary are firm believers in the referendum. That being so, why did they vote against it in the Convention? Would they dare to tell their constituents they were not fit to express an opinion in regard to any law? I am sure that the honorable member for Geelong (Mr. Higgins), the honorable member for Richmond (Mr. Trenwith), and Sir Graham Berry—whose loss from Parliament I regret—would not have been so false to their liberal instincts as to vote against the referendum. Sir Charles Dilke has said that our Upper Chamber is one of the strongest in the world, and yet we are making it twice as strong as before, in order to bind down the young democracy. We must have the referendum or the double dissolution, though we know that the press will be against it. The *Argus* is certainly more just to its opponents in reporting their speeches than another newspaper I could name. For instance, take the reports of the meetings of the people's labour Parliament—the Trades Hall, Melbourne. A comparison of the report in the newspaper which is called the opponent of the workers—although I do not agree with that term—and the report in the journal that claims

to be the supporter of the workers will clearly show which newspaper gives the true account of that body's proceedings. I will be glad to hand to honorable members who are interested in the subject copies of the *Tocsin* and the *Age*, and then ask them which report is correct. The *Age* is a powerful organ, which uses its great power to wipe certain men out of political existence; but I hope the workers of this colony will organize for the protection of their interests. If they do, the Premier, who thought fit to lash the labour members at the end of last session, will find that he has to reckon with a strong labour party, who will glory in sending men here to fight their battles in Parliament. Let them send us here as delegates and agents if necessary. Then we shall have one adult one vote, and a proper electoral roll, not a roll which prevents men who are honestly entitled to vote from exercising the parliamentary franchise, owing to the infamous effect of the so-called Purification of Rolls Act, a measure which was projected when the present Premier was Solicitor-General, although I have no doubt that he never contemplated the injury it would do. I give him credit for having intentions that are better than his words. If he proposes liberal legislation he never need ask how the labour members are going to vote. Their platform is known to the whole world. We have signed our programme, and we cannot break away from it. To the Premier or to any one who may ask me why don't I go to the other side of the House, my answer is that if my party go there I shall go—we will go in a solid phalanx. Wherever the labour party sits I shall sit. I agree with the Scotch Chieftain, who, when he was told that he was sitting at the end of the table, said—“No, wherever I sit is the head of the table.” Wherever my party sit I shall sit, and we will be true to our platform. I thank the Premier for the lashing he gave us at the end of last session. Those of us who were strong enough have tried to hit back, and even with the aid of the powerful *Age* in the general election, he only managed to get from the labour party one poor little scalp.

Mr. MCKENZIE.—Mr. Speaker, I desire to take this opportunity of congratulating you upon your elevation to your present honorable position. In common with the majority of, nay, all the members of this House, I believe that you deserve

the distinction which has been bestowed upon you by your fellow members, and we trust that, if you are spared to the end of this Parliament, we will then be able to look back upon a period that has not been excelled in the history of the Chair. I would like also to congratulate the two honorable members who addressed the House last night for the first time. I feel that those honorable members made a most favorable impression, and we have every reason to believe that they are an accession and an acquisition to the House. I was very much pleased with the remarks of the honorable member for Rodney (Mr. Morrissey) in respect to several matters. I was glad to observe that he had grasped the principle that has been alluded to by the honorable member for Footscray this evening, although I adopt a somewhat different view from that honorable member as to the manner in which the honorable member for Rodney has grasped it. That honorable member referred to the fact that wealth does not, as a rule, do a great deal of pioneering work—that it is the workers who, in the first instance, open up industries, and are afterwards joined by capital. From what followed I came to the conclusion that the honorable member had in his mind's eye particularly the mining industry, and that he was looking to the work done in the mining industry in Western Australia and other places by the pioneers who had opened up the gold-fields where capital subsequently flowed in. That is very true; but those workers had capital to sustain them while they were engaged in their prospecting operations, and, although it was capital in a smaller degree, it was capital notwithstanding. But the great principle which I think the honorable member grasped is this—that work without capital or capital without work cannot exist, that the one is dependent on the other, and that is the principle which the honorable member for Footscray failed to understand or to deduce from the remarks of the honorable member for Rodney. Now, I think that is a principle which should be grasped by every man, not only in this House but throughout the colony, but I regret to say that very often it is ignored. When that principle is firmly grasped, when it is generally recognised that capital and labour must go hand in hand—that each is dependent on the other, then we will have a better state of feeling and a better state of things in the country than

prevails at the present time. I was very pleased to hear the remarks of the honorable member who moved the address in reply last evening. So long as we have honorable members coming into this House who look at questions from this point of view, I think the country has every reason to congratulate itself on their entering the halls of our Legislature. While I am in the way of congratulating, and as this is the season of congratulation, I would congratulate the Government on their splendid majority, but I would also remind them that that majority has been acquired by some change of attitude towards many of their former principles. I would also remind them that if they had gone to the country with the programme that they adopted three years ago they would not have had the majority they have to-day. They have, in fact, taken the programme that has been advocated by the Opposition for the past three years, and, therefore, when the Premier announced the Government programme at the last general election we found ourselves in the position of being Government supporters.

Mr. MURRAY.—One adult one vote—is that part of your programme?

Mr. McKENZIE.—I am coming to that directly. That is a very small matter, and the Government place very little dependence on it. It is a matter they will trot out by-and-by, to parade it before the House and the country, and give honorable members like the honorable member for Warrnambool an opportunity of making speeches and displaying their eloquence to the admiring ladies of the colony, or rather, I should say, a small section of them, and then the measure will be sent to another place; but I won't say how it will be dealt with there.

Mr. MURRAY.—As you direct, I suppose.

Mr. McKENZIE.—No; not as I direct. It is not within my power to direct another place.

Mr. MURRAY.—It is not a very hard Chamber to nobble by rich men.

Mr. McKENZIE.—Perhaps the honorable member will be good enough to let me get on with my speech. With one or two very small exceptions the programme of the Government is identical with that which has been espoused by honorable members sitting on the opposition side of the House. If I have to bring forward proof of my position, let me allude to the remarks which have been made by the honorable member for Footscray and the

honorable member for Geelong (Mr. Higgins) this evening. They spoke in very sad accents of the Government having abandoned those great principles of the land tax and the State Bank and other matters of that description. The extremely sad way in which they alluded to the action of the Government in this respect reminds me of the alderman at the corporation feast, who was very much astonished to see his neighbour at the table regaling himself with bread and butter instead of waiting for the delicacies provided. On observing this, he said to his neighbour that he was very much astonished to see him eating plain bread and butter when there were great delicacies on the table. Honorable members in the Ministerial corner are very much astonished that the Premier and his colleagues should have put forward such a plain political programme when there are such delicacies as the land tax, the tax on unimproved land values, and the State Bank. Now, I think that the country will approve of the action of the Government in adopting this plain bill of fare instead of bringing forward legislation of the description that those honorable members wished to force them to submit to the country at the present juncture. Still we cannot congratulate them on taking up this position. When the land tax was proposed I was on the Ministerial side of the House, and I opposed it so strongly as to force me across the floor along with other honorable members. We objected to it because we believed it would be most injurious to the small land-holders of the colony, and would impose on the farmers a burden they were unable to bear. We were told that we were opposing the will of the country, and a tax that would operate in the very best interests of the country, and I do not know what national evils were to follow our action. We were warned that the country was only waiting for the opportunity to force this legislation through Parliament—to compel members to accept it. Well, the Government have gone to the country, and have come back with probably, with one exception, the largest majority any Government of this colony has had, and yet they have not brought forward the land tax, and they tell us that they do not intend to propose it during the present Parliament. Now, if their previous position were correct, how is it that they have not submitted that proposal? Do they look forward to having a still larger majority

after the next general election, or what is the reason? With 65 or 66 members on their side of the House, surely, if the tax on unimproved land values is desirable, the present is a favorable opportunity for proposing it.

Mr. HANCOCK.—Hear, hear.

Mr. MCKENZIE.—I agree with the honorable member on that point, but the fact that the Government have not brought forward the proposed tax on unimproved land values proves that they now see it in a different light than before.

Mr. HANCOCK.—They are wobbling.

Mr. MCKENZIE.—No; the Government are taking a straight course now, and I quite approve of their present course. From the honorable member's point of view they may seem to be wobbling. At the same time, I want to justify my opposition in the past and at the present time. We were told that a proposal for the establishment of a State Bank was to be brought forward, and that it was to be legislation for the future. Yet that has gone the way of the land tax. That justifies our opposition. I say, further, that the Government has justified our opposition by the abandonment of the socialistic trend of legislation which prevailed in their proposals before. I congratulate the Government upon doing so, but I say again that their former policy justified our opposition to the Government, and justifies us in sitting in opposition to-day. But though we have been opposed to the Government in regard to these matters, we have not shown them any factious opposition. The Government cannot lay that charge to members of the Opposition, and, to be fair to them, they have never attempted to do so. They have given the Opposition credit for assisting them in every fair and reasonable manner, and I am certain that it is the intention of the Opposition to act in the future in that respect as they have done in the past. The Government has received a great deal of credit from the country, and very properly; but a great deal of the credit for having balanced the ledger, and for having placed many useful measures on the statute-book is, I claim, due to the Opposition for having assisted the Government. We assisted them in their retrenchment policy, and had to bear the odium without having the claim that we had the responsibility of supporting the Government from motives of loyalty. The Government has also claimed and received a great deal of

credit in respect to special measures. There is, for instance, the Mining Law Amendment Act. They deserve great credit—the Minister of Mines in particular deserves great credit—for that measure. But it should not be overlooked that an honorable member sitting in opposition, namely, the honorable member for Gunbower, practically brought forward that measure when he was a member of the Patterson Ministry.

Mr. HAMILTON.—Not that measure.

Mr. MCKENZIE.—A number of new clauses were introduced, but the Minister of Mines has admitted that it was practically the same Bill.

Mr. HAMILTON.—It was not.

Mr. MCKENZIE.—It was practically the same, and I say that the Minister of Mines deserves great credit for it.

Mr. GRAHAM.—It was the Bill of the honorable member for Maryborough, first of all.

Mr. MCKENZIE.—He never introduced it.

Mr. GRAHAM.—He left it in the office for his successor to make use of.

Mr. MCKENZIE.—Well, the honorable member for Maryborough sat in opposition also. Between them, at all events, they brought these proposals forward. I do not wish to detract in any degree from the credit due to the Minister of Mines. He has done a great deal for the mining industry of this colony. But I do claim that honorable members sitting on this side of the House are entitled to a share of the credit. There is another measure that the Government receive a great deal of credit for, and that is the *Crédit Foncier* scheme. That was brought forward in the first instance by a member sitting in opposition, namely, the honorable member for Melbourne. As far as he was concerned it was an original proposal. The *Crédit Foncier* scheme had not been introduced at that time in any legislation in the Australian colonies, and it was an attempt to adapt the *Crédit Foncier* principle to Australian conditions; and, although I admit that the present Government made improvements in the measure, still their Bill was founded upon the same principle that the Patterson Government deserve credit for having brought forward in the first instance. Therefore, I say again that, although the Government are entitled to credit for what they have done, the Opposition are also entitled to a share of the credit for having

assisted the Government to place these measures upon the statute-book. I might also refer to the Railways Management Act Amendment Bill. That was strongly opposed by honorable members on the Government side of the House, and had it not been for the loyal co-operation of members on this side of the House it would never have become law. That is certain.

Mr. HANCOCK.—Hear, hear.

Mr. HAMILTON.—The part that the members on this side opposed was the part relating to the constitution of a board.

Mr. MCKENZIE.—And there were other principles in the Bill which were opposed by honorable members sitting in the Ministerial corner.

Mr. HANCOCK.—Why do you not sit on this side of the House?

Mr. MCKENZIE.—Perhaps we might change places. If honorable members in the Ministerial corner will come over here in a body, we will consider the matter.

Mr. HANCOCK.—That would improve the Opposition.

Mr. MCKENZIE.—I say, Mr. Speaker, that the members on this side of the House assisted the Government in placing that measure on the statute-book, and assisted them against their own supporters. I will refer to another measure. The Mallee Bill, which would never have become law—

Mr. COOK.—It never should have become law.

Mr. MCKENZIE.—The interjection of the honorable member for East Bourke Boroughs (Mr. Cook) is proof of what I say. It was honorable members on this side of the House who assisted in placing that Bill upon the statute-book. It is a Bill that has given great satisfaction, and which will do very much for the settlement of the people upon the mallee lands of the colony.

Mr. HANCOCK.—You are always ready to support all the bad measures.

Mr. MCKENZIE.—I am alluding to the measures emanating from the Government. The honorable member for Footscray supported the Government which he says introduced bad measures, therefore, according to him, he has supported a bad Government.

Mr. HANCOCK.—It is a much worse Opposition.

Mr. MCKENZIE.—I thought it well to refer to some of these matters as proof of the good work the Opposition has done, and to show that we are entitled to a share

of the credit that is given to the Government in regard to these proposals. I heartily congratulate the Government that they have abandoned the measures that the Opposition were previously strongly opposed to, and so long as they continue to act on the lines they have marked out for themselves, I am confident that they will find no more loyal supporters than amongst honorable members sitting on this side. There are one or two omissions from the Government programme to which I would like to refer. I regret that the Government has not seen fit to bring forward a Water Act Amendment Bill, which is much required by the country at the present time. If the Government were to grapple with this question thoroughly, it would give relief and confidence to hundreds of deserving men in the dry and arid parts of this colony. In many of the water trusts the people are placed in a most unfortunate position. So also are many people in regard to the local water trusts in many townships throughout the colony. Fresh legislation on this question is urgently required. I regret very much that the Government have not seen fit to introduce such a Bill during the present session. It is demanded by large sections of the population in the country districts, and should not be postponed one day longer than is absolutely necessary. There is another matter about which I would like to remind the Government, and that is that relief has been promised for a long time to the people living in the 5th and 6th class shires of the colony, and also to many of the 3rd and 4th class shires. The Government have promised a reclassification of shires, and appointed a board about eighteen months ago, I think, but not one word has been heard as to the proceedings of that board. We do not know what they are doing, or how the inquiry is proceeding, or at what time it is likely to come to a conclusion. Many of the people living in the shires that are not in their proper class are beginning to be tired of waiting, and are anxious to know what is to be done. Was the appointment of the board simply a put-off and a subterfuge, or is there to be a report relating to the matter laid before this House within a reasonable time? Many of the shires in the 4th class should be in the 5th class, and they are receiving very small rates of subsidy, and urgently require additional assistance from the State. There

are many other measures that are required at the present time, but I do not think that it is fair to mention them all, because the Government can only do a limited amount of work in the short session they have at their disposal. But I trust that early next year the Government will take all these measures that I have referred to, and which are required by the people, into their consideration. We require legislation to enable our people to produce more, so that we may export more than we have done, and by that means bring additional wealth into the country. In conclusion, I would say that, as a member of the Opposition, I do not think I have any reason to apologize for our past actions, or for the attitude we now assume towards the Government. On the contrary, we have every reason to congratulate ourselves on the good work we have done in the interests of this colony, and on the fact that the Government, feeling the weight of the influence opposed to them, have withdrawn the socialistic legislation—at least the legislation with a socialistic trend—that was objected to by members sitting on this side of the House, and have now submitted to Parliament and the country a programme that, with one or two exceptions, can be heartily approved of. I congratulate the Government upon this action, and I think we can look forward to useful work being done in the interests of the colony. What the country requires at the present time is not legislation that will be of a novel character, or which will have the effect of disturbing the people, but rest and recuperation; and that is the principle I believe the Government intend to adhere to. If they conduct the business of Parliament upon the lines laid down in their programme, I am confident that they will get the most loyal assistance from members on this side in giving effect to it.

Mr. MOULE.—Mr. Speaker, I have but a very few words to say upon the address in reply, which has been so ably moved and seconded by the honorable member for Rodney (Mr. Morrissey) and the honorable member for Ararat. I desire, in the first instance, to speak about a matter as to which the honorable member for Bourke West has tabled a motion. I feel sure the Premier, with his spirit of justice, which we all admire him for, will—

Mr. MURRAY.—Resist it, I hope.

Mr. MOULE.—I think honorable members might wait till I have finished what I

have to say. I feel, I say, that the Premier, with his spirit of justice, which we all admire in him, will, at the first opportunity he feels justified in so doing, restore the civil servants to the position they occupied some time ago, and in expectation of which they entered the service. They have had to bear a heavy burden of retrenchment; and my remarks, I feel sure, will find a ready echo in the minds of honorable members who take an interest in these matters, when I express the hope that the Premier will see his way so far as he can to provide that members of this House shall sacrifice themselves while at the same time they sacrifice the members of the civil service. At present we stand in the position that the law in regard to the reduction of our remuneration, or reimbursement for expenses, has expired, and we now enter upon a new term with £300 a year reimbursement. The point I wish to direct my remarks to is that, so long as the burden still has to be kept on the civil service, we Members of Parliament should set a good example by continuing to have our salaries reduced to the extent to which they were reduced during the last Parliament. This will at all events enable a small class in the public service to get back the sums which have been withheld from them. I am certain that the Premier, as soon as he sees his way to return to the civil servants the deductions taken away from them, will be glad to do so. I should also like to say that I regret that an outcry has been raised against the Premier for promising to remove a certain portion of the income tax. I feel certain that there is something behind that—something which has struck the statesman rather than the mere politician, and which has led him to believe that capital has been driven out of the country. I am speaking at large, but I feel sure that is the reason, and not a desire to help the wealthy people at all. When the honorable member for Geelong (Mr. Higgins) taunts the Government with having backed down from this and from that, and asks why they do not bring in their land tax, and their State Bank proposal, I say that the Government are exercising a wise statesmanship in their view of these matters. Could the honorable member for Geelong imagine a more inopportune time for the introduction of another tax on land than when we are faced in our suburban districts with the highest municipal taxation we have ever had, and when we

have to bear a further sewerage tax of 1s. in the £1?

Mr. HANCOCK.—You have not got to pay that.

Mr. MOULE.—We have to pay 2d. in the £1, and property in the suburbs is faced with the prospect of having to pay 1s. in the £1. I think the Government have shown wise and statesmanlike tactics in sticking merely to one form of taxation, with which we are now familiar. I would only ask the Attorney-General in dealing, as he will have to deal, with the income tax, to see that the Act is remedied in respect of those defects which have made it stink in the nostrils of the people. It has not been the fault of the commissioner, but the faults have been those of administration in consequence of the defects of the Act. Requisitions here and there have cast a burden on trustees which it has been hard for them to bear. When the Government sees fit to put that Act into fair working order, I am sure that no one will ask for a fairer or more beneficial Act. The question of our railways has been referred to by the honorable member for Rodney. I wish to draw attention to one small fact, which is a question of policy. I speak as one representing an outlying suburban district, and desire to say that it does seem to me to be a most retrograde policy to limit the running of suburban trains. A portion of our people have built their homes in the suburbs, and our railway revenue from the suburban lines can only depend upon keeping those people there, and attracting others to live in seaside places and elsewhere. But if you take away their railway service, you cannot expect that more people will go to live there, and those who do live there now will leave. I am speaking of a serious matter of railway policy. It is one that is considerably affecting the suburban districts, and I maintain that it is an absolutely retrograde step to cut away railway facilities that the people enjoy at the present time. There is another matter also to which I should like to refer, but it is not mentioned in the Governor's speech. When the Companies Act was before the House eighteen months ago, I suggested that the clauses dealing with fraudulent prospectuses, misrepresentation of material facts, and so on, should be made applicable to mining companies. We recognised that they are practically the only companies now being formed, and the Minister of Mines said he would introduce a Bill making those

portions of the measure applicable to mining companies. I know that in a short session you cannot bring in the whole life of a Parliament in the way of legislation, but no mention has been made of that matter, and I trust that the Government has not lost sight of the promise that was then made.

Mr. HANCOCK.—That will drive capital away.

Mr. MOULE.—No, it will tend to attract capital when we have got rid of wild-cat concerns. There is another matter which I desire to bring under the notice of the Attorney-General. He will know that we have during the last six or seven years been passing Act after Act, one Act overlapping another, until even lawyers do not know where they are. It is absolutely necessary for the benefit of the whole community that these Acts should be consolidated and put into ship-shape order. I refer particularly to the Companies Acts. There are a number of Acts dealing with companies. There is the principal Act, then there is our important amending Act, and a number of smaller ones. They all require consolidation. The honorable member for Geelong (Mr. Higgins) drew attention to portions of the new Insolvency Act overlapping the previously existing one. That also is a branch of the law requiring consolidation. There are likewise six or seven Local Government Acts. I hope that the Attorney-General will take steps to have these Acts consolidated and put in such a form that there will be no ambiguity and no unnecessary difficulty confronting those who have to read them.

Mr. I. A. ISAACS.—I have already been discussing the matter.

Mr. MOULE.—I am very glad to hear it. When honorable members opposite taunt the Government with having initiated a policy which most of us quite willingly give our assent to, and which merely means passing useful laws, I am almost inclined, speaking for this side of the House, to rebuke the Ministerial followers for so attacking the Government. It seems to me that the honorable member for Sandhurst (Mr. Hamilton) has been crying out for something, he hardly knows what, when he says that we have got through so much legislation in days gone by, and asks why we are to get so little now. The honorable member should know that it is not much legislation, it is good legislation, that the country wants. We want few laws, easily

understood, and meeting the requirements of the people. When a Government takes up an honest and honorable way of conducting the business of the country, and brings forward measures which most of us are in favour of, surely there is no cant about it, as has been said; but it does mean peace and progress, and is a policy preferable to introducing experimental measures leading we do not know where.

Mr. McCOLL.—Sir, it is somewhat strange that the first word of approval of the Government policy should come from the opposition benches, and I think it certainly augurs well for the peace and progress that will characterize Parliament during the next three years that it should be so. The Government has been returned with a very large majority. Why is that so? Because they have brought forward a programme, enunciated a few weeks ago at St. Kilda, which honorable members have been returned to support. It does seem strange that most of the speeches made on the address in reply from the Government side of the House have consisted of nothing else but carping criticism of the Government programme. It is time that some one rose up to support it. I am happy to say that I joined with my friends on this side in giving the Government programme very hearty support indeed.

Mr. HAMILTON.—We thought you would do that.

Mr. McCOLL.—The honorable member for Brighton has anticipated much that I intended to say, and I need not, therefore, make a long speech. I desire to congratulate you, sir, on your deserved accession to the Chair. I am sure that you will fulfil that honorable office, and do justice to all sides of the House. The House and the country are to be congratulated on the fact that, while we miss many old and familiar faces on these benches, many new members have been returned of whom we have an assurance that they are men of independent minds, who will think for themselves, and support those views which they believe in their consciences to be right, without regard to whether they are sitting in opposition or on the Government side. As a member of the late Government, I read with peculiar satisfaction the utterances of the Premier at St. Kilda. We find that not only has the Government supported important measures which were brought forward by the late Government—modified to some extent, it is true—but they have adhered right along to the

Patterson policy; and, as a member of that Government, I feel it my duty to give the present Ministry my best and heartiest support. The honorable member for Geelong (Mr. Higgins) has said that the Premier has a grand opportunity. A grand opportunity—to do what? To bring forward measures which the Premier knew there was not the slightest chance of carrying! The honorable member for Geelong has referred to an amendment of the Constitution Act and to the abolition of the rate-payers' roll, and the establishment of one general roll for the whole colony. He has advocated such measures as the establishment of a State Bank and the imposition of a tax on unimproved land values—measures which the honorable member knows very well there is not the slightest chance of passing. The introduction of an Unimproved Land Values Tax Bill would compel one-third of the members on the Government side to vote against the Ministry. The Premier is quite right in going in for a policy that will secure to us three years of peace. How can we have progress unless we have peace? We want peace and quietness in order that capital may extend its operations and find avenues for the employment of labour. The policy the Premier has adopted is the one that is most appropriate for the time, and I think that it is only right that those who desire to promote the interest and progress of the colony should do their best to support it. The honorable member for Sandhurst (Mr. Hamilton) regrets that the Government have not included a land tax in their programme. What good would a land tax do to the workers?

Mr. HAMILTON.—It would relieve them of some of the taxes that they now have to pay.

Mr. McCOLL.—What taxes? The honorable member is really a free-trader, because he says that he would support certain protective duties, but he would abolish all duties on food.

Mr. BROMLEY.—Hear, hear.

Mr. McCOLL.—The "hear, hear" comes from the ultra-protectionists of the House. Do they not think that the man who produces food is as much entitled to protection as the man who makes boots and clothing?

Mr. HAMILTON.—We do not produce tea and rice.

Mr. McCOLL.—I will vote for the abolition of the duties on tea and rice

whenever the opportunity occurs. The protectionists say that they want protection because the workers have to compete with the lower-paid labour of other countries, where the conditions of life are much inferior to those of this colony. That argument is right, but do they not know that the producers of food have to compete under the same conditions as the makers of boots and shoes and clothing? Do they not know that there has been an enormous advance in agricultural machinery during the last ten years, and that the cereal-producing area has been largely increased? In Argentine, Southern Russia, India, and other countries they have now the best machinery for harvesting, and it is in the hands of the lowest-paid class of workers—the Hindoos of India, the Coolies of China, and the moujiks of Russia. If we are to have protection, should we not have it for those who produce food, as well as for those who make boots and clothing? I consider the tax on unimproved land values one of the most iniquitous taxes that was ever proposed.

Mr. HAMILTON.—You do not understand it.

Mr. McCOLL.—I do. It is unfair as between man and man, and as between city and country; and the end of a large number of those who propose the tax is not revenue, but absolute confiscation.

Mr. HAMILTON.—What nonsense!

Mr. McCOLL.—What was the statement made by the honorable member for Richmond (Mr. Trenwith) in the House three years ago, and repeated by him in the town hall, at Richmond, during the last election? The honorable member stated that he supported the tax, not because it would bring in revenue, but because he regarded it as a means by which the land of which the people had been robbed could be restored to them. That is the object of this tax. I can assure honorable members on the Ministerial side of the House that a tax on unimproved land values might suit them as an election cry, but that there is not the slightest chance of getting such a tax carried in this decade.

Mr. HAMILTON.—The economists are all against you.

Mr. McCOLL.—When there is an eager demand for a tax we ask—“Who are the people who are crying out for it?” We find that the people who are crying out for this tax are those who have no land, and who will not be touched by it. There

is an important section of the community who, instead of putting their money into business or bank shares or Government stock, have chosen to invest it in land, and our friends opposite would say to these people, who employ labour, and who by developing the resources of the soil add to the wealth of the country—“We are going to tax you to such an extent that by-and-by we will squeeze you off the land altogether.” That is the morality of the unimproved land values tax.

Mr. BURTON.—You are talking about the single tax.

Mr. McCOLL.—No; I understand what I am talking about. The people of the country understand this question also, and they will not have a tax on unimproved land values. There is another subject about which I desire to offer a few remarks. It is impossible, I think, for the House to pass the Charities Bill this session. Complaints have been made because the Government have not included a larger number of Bills in the Governor's speech. They have put as much in the Governor's speech as we can get through this session, and probably a great deal more. To put more in would have been an absurdity. The Charities Bill will have to be distributed, and the people of the country, and especially the municipalities, will require a month or two in which to consider it. It will effect a most important social change. We all trust that a good measure will be passed, and a measure that will compel those who can afford it to contribute to the maintenance of the charities. The change will be so great that we will require at least two or three months in which to consider the Bill. I think myself that the proposal to appoint a commission to regulate and reclassify the public service is a very great mistake. I do not believe that the anomalies in the public service are such as to require the appointment of a commission. In the recess, the Public Service Board, assisted by the Minister of each department, could reclassify and re-adjust the service wherever that was necessary. I feel confident that if we appoint a commission, and they go through the departments and reclassify them according to merit, and according to salary, and according to work, they will leave the service in a greater state of discontent and disorganization than it has ever been in before. The proposal to reduce the income tax seems to me to be wrong. At the same time, I

prefer keeping an open mind on the subject, because I would like to hear the Premier's reasons for the reduction. He may have good reasons, but, on the face of it, it appears to me to be a retrograde step which should not be taken. We are told that the Government intend to adopt a policy of public works. I trust that during the recess the Premier will take into consideration the question of the large number of railways that have been in a state of suspense for years past. Districts have been kept with railways dangling before them, and they do not know now whether they are going to get them or not. It would be well if the lines which have been proposed in the House, and which have received a certain measure of approval, were submitted one after another to the Railways Standing Committee, and either put on one side altogether, or some hope given to the people of the districts that they would be constructed. Some such step should be taken, so that the question of railway construction might be settled for some time to come. I think, also, that it would be wise on the part of the Government to give some attention to the matter of water conservation. If we are to have public works, they should include additional reservoirs. On our main rivers, such as the Campaspe, the Coliban, and the Loddon, there are sites on which reservoirs could be constructed at a low cost. During the last two or three years we have seen the terrible effects of droughts, and means should be taken to protect the tillers of the soil from the great losses from which they suffer in this way. It would, therefore, I think, be a wise step to include in any programme of public works a number of reservoirs, as that would encourage production, and keep the people on the land. I regret, with the honorable member for Anglesey, that no mention is made in the Governor's speech of the Irrigation Bill. A comprehensive Water Supply Bill has been lying by for the last three years, and this would be a good time at which to deal with the measure. I trust that the Minister of Water Supply will give his attention to the question, and have it settled on a solid and definite footing. At present things are in a state of chaos, and people do not know which way to turn or what to do. With regard to the proposal to purchase land in the vicinity of cities, I gave it, when introduced by the honorable member for Gippsland

Mr. McColl.

North some years ago, my hearty support. I think it is a wise proposal. We may go further, and follow the New Zealand practice by purchasing land along the main lines of railway, not confiscating it by the imposition of a tax on unimproved land values, but purchasing it fairly and honestly, and settling people upon it. I am told that of all the legislation adopted in New Zealand, and which has been so much belauded, the most successful has been that providing for the repurchase of large estates and the settling of people upon the land on easy terms. That legislation has been a great success, and I believe it would be a great success here, and would do more to make our railways pay than any other measure that we can adopt. There is no doubt that the Land Bill promised is most important, and there are several matters in connexion with it that I would ask the Minister of Lands to note. We have very little land left now, and it is very poor land. The sum of £1 an acre is too much to charge for it. The State would be amply repaid if they gave some of it to the people for nothing, on condition that they lived on it and cleared it for cultivation. But the State charges as much for these poor lands as it charged for the good lands that were sold years ago, and that is altogether unfair. Something should also be done with regard to the selectors' rents. It is impossible that they can be paid. Some years should be added to the term of the leases, and the Government should be satisfied in the meantime with the payment of the annual rents, letting the arrears stand over. There is one matter that has been mentioned by the honorable member for Numurkah, and that is of very great importance. I refer to the charge of £1 that a man has to pay every time he applies for land. In many cases the amount paid in this way covers the actual value of the land. This is not a question that involves an amendment of the Land Act. It is a mere matter of regulation, and it should be attended to. Only those applicants who are successful should be required to pay the fee of £1. To the unsuccessful applicants the fee should be reduced to a large extent. I trust that the Premier will adhere to the policy that he laid down at St. Kilda. He has now a grand opportunity of doing good work for the country, and I hope that he will take full advantage of it. So far as the Government

programme goes we might as well all be sitting on one side of the House.

Mr. SALMON.—Mr. Speaker, I desire very briefly to refer to one or two questions that are worthy of the attention of the Government and also of honorable members. I would, first of all, tender to you, Mr. Speaker, my hearty congratulations upon the high position to which you have attained. I regretted very much, indeed, to find absent from the Governor's speech several measures which would have been of great benefit, and of great interest also, to this House and to the country. I am not going to deal with them at length. With regard to railway management, I would like to draw the attention of the Premier to the fact that last session the Minister of Railways was approached with respect to the position of a very large number of miners who are living in one place and working in another. We have done a very great deal in the past for the unemployed. We have given them free passes to enable them to go to other parts of the colony in which they desire to seek for work. We have allowed them other privileges, and these men are practically in the same position. They are virtually unemployed, and yet we find that the privilege of reduced fares, which had been granted to them for a considerable time, has suddenly and without notice been taken away from them. This may seem to some honorable members a very small thing, but the number of men affected by the recent action of the Commissioner of Railways in doing away with the miners' tickets over a radius of 25 miles is very large. Those honorable members who have any knowledge of the subject are aware that this is not a small matter, at any rate to the men concerned. We have throughout the length and breadth of the colony gold-fields which have been worked up to a certain point, and which for want of capital and enterprise are now lying comparatively idle. On these are settled a large number of men. They have built their homes upon them. They have taken small areas of land. They have cultivated orchards, and some of them keep cows and a few other domestic animals. They make in this way a certain amount of profit out of the land, and they are really some of the best settlers we have. They spend their wages very wisely indeed, bringing up large families, and keeping themselves respectable. Owing, as I have said, to

the want of enterprise and capital, mines have been shut down temporarily, and a number of these men have been compelled to go elsewhere to seek for work. They get this work and they are compelled, if they are some distance from their homes, to remain away for weeks together. The department very wisely granted them a special privilege. They allowed them to obtain railway tickets through the secretary of their association at a reduced cost. The tickets were not issued at the sweet will of any irresponsible person or body, but through their own authorized agent. They were then able to travel at a certain rate. The rate, as far as I can gather, was $\frac{1}{4}$ d. per mile less than the ordinary rate charged on the English railways. It was $\frac{3}{4}$ d. per mile. The men used the privilege, and it was a great advantage to them, and I think a great advantage also to the country, because it saved the men from the necessity of leading a sort of nomadic life, travelling from one place to another, and possibly giving up all their family ties, and leaving their wives and children to become a burden upon the charitable or upon the State. The matter has been brought before the Minister of Railways by myself and other honorable members. The honorable gentleman promised that he would consult with the Premier, but up to the present apparently nothing has been done. I believe myself that the department has actually been losing money owing to the alteration in the fares. It is my intention to ask for a return showing how much money has been received for miners' tickets since the new regulation was brought into force. In my own district there are about 100 men working away from their homes. Formerly they visited their homes once in every three weeks, but now they only do so once in every nine weeks. The fare to one place was, under the former regulation, 5s. 6d., whereas it is now something like 11s., and the men visit their homes, as I have said, every nine weeks, instead of every three weeks, so that there is a distinct loss to the Railway department. I trust that the matter will be favorably considered by the Premier. I know that it is no use appealing to the Minister of Railways, because he has already said that he does not believe in this privilege being granted to the men. It is a privilege to which I think they are entitled if we regard them in their proper light—that is, as men who are seeking employment, and who cannot get it

without going away from their homes. If the conditions are made hard for them, they may be forced to break up their homes and to compel their families to follow them to the uncomfortable surroundings of a new gold-field. There is another point with regard to the Land Act that I would like to bring under the notice of the Minister of Lands. The 65th section holders are charged for their land at the rate of 1s. per acre per annum, and in addition to that they have to pay 2s. 6d. each year for the licence issued to them. At the same time there is no finality. The men go on paying, not for twenty years, as the old 49th section holders did, but continuously, and they are paying the same amount now as was charged years ago. I think that the licence-fee should be done away with. Provision might be made whereby a man holding one of these small allotments of 20 acres of land would, as soon as he had paid £1 an acre, be allowed the use of the land at a nominal rent.

Mr. DUGGAN.—A registration fee.

Mr. SALMON.—Yes, that would meet the case. The land still remains the property of the Crown, and the miner has perfect freedom of access to it. There would not be the slightest objection, I feel sure, on the part of the miners to these men being granted the land at a nominal charge. In fact, a large majority of the holders of this land are miners themselves. There is one other question to which I desire to allude, and it was referred to in eloquent terms by the seconder of the address in reply. I understand that the honorable member for Rodney (Mr. Morrissey) also intended to refer to it. I regret that he did not, because I feel sure, from the way in which he addressed himself to the other portions of the Governor's speech, that he would have done justice to this, the greatest of all questions. No one is more pleased than myself to witness the advent to the House of a number of men who are pronounced federalists. There is nothing that gives me more gratification than to know that they will have an opportunity now of finding out whom they can trust, and also who are the true opponents of federation. They will find this out very soon indeed, and I would urge them to lose no time in seeking the sources of the strong opposition that is offered to this great movement. There is no use disguising the fact that there is a strong opposition although it is not spread over a very large

area, and it is the bounden duty of these honorable members to seek it out, and to combat it by all means in their power. I believe that they will be found to be reasonable men, and not men who desire to have federation at any price, as has too often been said of others who have been ardent in support of this movement. They will be willing to give up something, at all events, to secure this all-important end.

Mr. HANCOCK.—Give up something that does not belong to them.

Mr. SALMON.—They are, at any rate, able to say that this is their native country. No man who comes from the old country can say that Australia belongs to him especially. The native-born members of the community have that privilege, and I believe it is their intention to have a good deal more to say in the future than they have had in the past with regard to the interference of those who do not, and cannot possibly, understand the feelings with which they regard their native land. I have much pleasure in complimenting the Government on the reasonableness of their programme. It has been said very often that the popularity of the present Government is due altogether to the work they have done. I deny that, as I have denied it very frequently during the last few weeks. I think that their popularity is to be attributed very largely to the reasonableness of their proposals for the future. The country has seen that in this Government they have a body of men who are determined that they will not allow Victoria to be torn asunder by internal dissension, but that they will see that the natural recuperative power the country possesses shall be allowed to have its full effect. If time is available, I trust that the Attorney-General will give his attention to one other matter, and that is the amendment of the Medical Act, with reference to the position of the Medical Board of Victoria. The members of the board have been doing very good work, and doing it gratuitously, and they now find themselves without any *locus standi*. They have not the educational powers which they should possess, and their position is an anomalous one. The matter has been brought under the notice of the Government time after time, and relief has been promised, but up to the present nothing has been done. It was the Attorney-General who gave it as his opinion that the board did not possess the

necessary authority to enable it to properly perform its functions, and I think it behoves the Government to see that the men who are doing this work—and it is undoubtedly a valuable work, because it means the protection of the people from quacks—are properly assisted, and to provide some amendment of the law. There would be no difficulty in passing a Bill, and it would afford the relief which is so earnestly desired, not only by the members of the Medical Board, but by every professional man throughout the colony of Victoria. I sincerely trust that we are entering now upon a period of quietness, and in saying this I am speaking for my own district. The feeling there is very strongly in favour of the position taken up by the Government. They think that Parliament should confine its attention, for the present at all events, to the development of the splendid resources the colony possesses, and that instead of going in for experimental and wild-cat legislation Parliament should give its very best attention to such measures as will be for the benefit of the colony as a whole.

The motion for the adoption of the address in reply was agreed to.

Sir GEORGE TURNER moved that the address in reply be presented to His Excellency the Governor by the Speaker and members of the House.

Mr. I. A. ISAACS seconded the motion, which was agreed to.

ORDER OF BUSINESS.

Sir GEORGE TURNER said he would suggest that private members who had given notice of Bills should now be allowed to move their first reading, so that the Bills might be circulated. If there was any other honorable member who intended to introduce a Bill of which he had not yet given notice, he also might be allowed to move the first reading. He (Sir George Turner) would afterwards introduce a number of Bills.

SCRIPTURE LESSON BOOKS (PLEBISCITE) BILL.

Mr. GRAHAM moved for leave to introduce a Bill to provide for taking a plebiscite of the electors of the colony on the question of using the Irish National Scripture Lesson Books in the State schools.

The motion was agreed to.

The Bill was then brought in, and read a first time.

MELBOURNE AND METROPOLITAN BOARD OF WORKS ACT 1890 FURTHER AMENDMENT BILL.

Mr. GRAY moved for leave to introduce a Bill to further amend the Melbourne and Metropolitan Board of Works Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

LOCAL GOVERNMENT (GEELONG) BILL.

Mr. HIGGINS (in the absence of Mr. GURR) moved for leave to introduce a Bill to apply a certain provision of the Local Government Act 1890 to the town of Geelong.

The motion was agreed to.

The Bill was then brought in, and read a first time.

ALIENS BILL.

Mr. KIRTON (in the absence of Mr. VALLE) moved for leave to introduce a Bill to amend the law relating to aliens and for other purposes.

The motion was agreed to.

The Bill was then brought in, and read a first time.

BUNGAREE JUNCTION TO RACE-COURSE RESERVE RAILWAY CONSTRUCTION BILL.

Mr. MURPHY moved for leave to introduce a Bill for the purpose of constructing a railway siding from Bungaree Junction to the Race-course Reserve.

The motion was agreed to.

The Bill was then brought in, and read a first time.

REFERENDUM BILL.

Dr. MALONEY (in the absence of Mr. OUTFRIM) moved for leave to introduce a Bill to provide for the adoption of the referendum.

The motion was agreed to.

The Bill was then brought in, and read a first time.

LOCAL GOVERNMENT ACT FURTHER AMENDMENT BILL (No. 1).

Mr. GRAHAM (in the absence of Mr. KENNEDY) moved for leave to introduce a Bill to further amend the Local Government Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**LOCAL GOVERNMENT ACT
FURTHER AMENDMENT BILL
(No. 2).**

Mr. DUGGAN (in the absence of Mr. McGREGOR) moved for leave to introduce a Bill to further amend the Local Government Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**NON-COMPULSORY VACCINATION
BILL.**

Mr. COOK moved for leave to introduce a Bill to abolish compulsory vaccination.

The motion was agreed to.

The Bill was then brought in, and read a first time.

HOMES PROTECTION BILL.

Mr. McCOLL moved for leave to introduce a Bill to provide for the protection of homes.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**AUCTION SALES ACT AMENDMENT
BILL.**

Mr. O'NEILL moved for leave to introduce a Bill to amend the Auction Sales Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**TRADE MARKS ACT AMENDMENT
BILL.**

Mr. BENNETT moved for leave to introduce a Bill to amend the Trade Marks Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

PURIFICATION OF ROLLS ACT.

Dr. MALONEY asked if it would be possible for him to proceed with a measure that night to provide for the abolition of the Purification of Rolls Act?

Sir GEORGE TURNER.—The honorable member can proceed as far as the first reading with any Bill he likes to introduce.

**HOSPITALS AND CHARITIES ACT
AMENDMENT BILL.**

Sir GEORGE TURNER moved for leave to introduce a Bill to amend the Hospitals and Charities Act 1890 and for other purposes.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**ADMINISTRATION AND PROBATE
ACTS AMENDMENT BILL.**

Mr. I. A. ISAACS moved for leave to introduce a Bill to amend the Administration and Probate Acts.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**POST OFFICE ACT AMENDMENT
BILL.**

Mr. DUFFY moved for leave to introduce a Bill to amend the Post Office Act 1890 and for other purposes.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**VEGETATION DISEASES ACT 1896
AMENDMENT BILL.**

Mr. TAVERNER moved for leave to introduce a Bill to amend the Vegetation Diseases Act 1896.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**GREAT MORWELL COAL COMPANY'S
RAILWAY PURCHASE BILL.**

Mr. H. R. WILLIAMS moved for leave to introduce a Bill to validate the purchase of the Great Morwell Coal Company's line of railway.

The motion was agreed to.

The Bill was then brought in, and read a first time.

TRUST FUNDS VESTING BILL.

Sir GEORGE TURNER moved for leave to introduce a Bill to vest the trust funds in trustees and for other purposes.

The motion was agreed to.

The Bill was then brought in, and read a first time.

STUDLEY PARK BRIDGE BILL.

Mr. I. A. ISAACS moved for leave to introduce a Bill relating to the Studley Park Bridge.

The motion was agreed to.

The Bill was then brought in, and read a first time.

**VERMIN DESTRUCTION ACT
AMENDMENT BILL.**

Mr. DUFFY (in the absence of Mr. BEST) moved for leave to introduce a Bill to amend the Vermin Destruction Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

EXPORTED PRODUCTS BILL.

Mr. TAVERNER moved for leave to introduce a Bill to provide for the inspection of live stock, meat, dairy produce, fruit, and other products intended for export, and to regulate the exportation thereof.

The motion was agreed to.

The Bill was then brought in, and read a first time.

FRAUDULENT RAILWAY TICKETS BILL.

Mr. H. R. WILLIAMS moved for leave to introduce a Bill relating to fraudulent railway tickets or passes.

The motion was agreed to.

The Bill was then brought in, and read a first time.

DOOKIE AND KATAMATITE TRAMWAY BILL.

Sir GEORGE TURNER moved for leave to introduce a Bill relating to the Dookie and Katamatite Tramway.

The motion was agreed to.

The Bill was then brought in, and read a first time.

MARINE ACT FURTHER AMENDMENT BILL.

Mr. I. A. ISAACS (in the absence of Mr. BEST), moved for leave to introduce a Bill to further amend the Marine Act 1890.

The motion was agreed to.

The Bill was then brought in, and read a first time.

EDUCATION DEPARTMENT (OFFICERS AND TEACHERS) BILL.

Sir GEORGE TURNER (in the absence of Mr. PEACOCK) moved for leave to introduce a Bill relating to certain officers and teachers who held office in the Education department at the passing of the Public Service Act 1883.

The motion was agreed to.

The Bill was then brought in, and read a first time.

MINING DEVELOPMENT ACT 1896 FURTHER AMENDMENT BILL.

Mr. I. A. ISAACS (in the absence of Mr. FOSTER) moved for leave to introduce a Bill to further amend the Mining Development Act 1896.

The motion was agreed to.

The Bill was then brought in, and read a first time.

ADJOURNMENT.

Sir GEORGE TURNER moved that the House, at its rising, adjourn until Wednesday, November 10. He said that the Bills which the House had been good enough to read a first time that evening would, in the meantime, be circulated. When the House re-assembled he hoped to be in a position to proceed with his second-reading speech on the Charities Bill, after which the other measures, which chiefly related to small matters, might be gone on with.

Mr. ZOx asked whether the Premier intended to distribute copies of the Charities Bill among the various municipalities and charitable institutions of the colony, so that those bodies might make any suggestions for improvement which they thought desirable? The matter was one of very great importance to the municipalities and charitable institutions, and they should have ample opportunity of discussing the subject on its merits.

Sir GEORGE TURNER remarked that he proposed to send a few copies of the Bill to each municipality and charitable institution which would be affected by it.

Mr. MURRAY observed that no member of the House was more anxious to see the work of Parliament expedited than he was, but he understood that adjourning till the 10th of November would put the House in a difficult position. He was informed that the Speaker had made an engagement with Vice-Royalty which would oblige him to be absent from the chamber on that day. He (Mr. Murray) did not know what the House would do under those circumstances. No Deputy Speaker had been appointed, and it seemed that either a breach of arrangement made with the representative of Her Gracious Majesty must be made or the House must forego the transaction of business. He (Mr. Murray) would ask the Premier what course was to be followed? As the Warrnambool Agricultural Show was to be held on the 11th of November, he (Mr. Murray) would have some difficulty in attending the House on the 10th. He had so frequently appealed to the generosity of the Premier in vain that on the present occasion he would merely appeal to the honorable gentleman's sense of justice.

Sir GEORGE TURNER.—I am willing that the House shall meet on the 11th November instead of the 10th.

Mr. MURRAY stated that that arrangement would be worse than the first one proposed. It would be better for the House to meet a few days later. There were the festivities of the 9th of November to be got over. He believed that honorable members generally were favorable to the House meeting for the resumption of business on the 16th November.

Mr. MURRAY SMITH said that, in the absence of the leader of the Opposition, he would gladly fall in with the proposal of the Premier that the House should adjourn until the 10th November.

Mr. GRAHAM asked the Premier to reconsider the terms of his motion, as the Speaker had entered into an engagement with His Excellency the Governor which would take him to South Gippsland on the 10th November. An adjournment to that day would hardly be fair to the Speaker, who perhaps when he made the arrangement with His Excellency was not expecting to be elected to the chair. If the House adjourned till a week later than the day named by the Premier, the Speaker would be enabled to carry out his engagement.

The SPEAKER.—His Excellency the Governor made an arrangement, at the request of some of my constituents, upwards of three months ago, to pay an official visit to South Gippsland, leaving Melbourne on Wednesday, the 10th of November, and returning on the following Friday, and I agreed to accompany the Government House party. The position is awkward, but, of course, my first duty lies here. At the same time, I shall be loath to break my engagement with His Excellency.

Mr. ZOX suggested to the Premier that he should consent to the House adjourning till the 16th November.

Sir GEORGE TURNER remarked that, under the circumstances, honorable members would agree with him that the only course open to him was to ask the House to adjourn till the 16th November. At the same time, honorable members must not forget that the Federal Convention was to meet in Melbourne on the 20th January, and that he, as a member of the Finance Committee, would for some time before the end of the year and in the first three weeks of January have his hands full, as he had to prepare for the meeting ;

and additional work would also be thrown upon his colleagues. He trusted that honorable members would bear those facts in mind, and that they would do their best during the four or five weeks in which the House could sit to expedite business, so as to finish the work of the session as early in December as possible. He begged to withdraw the motion, and to move that the House, at its rising, adjourn until Tuesday, November 16.

The substituted motion was agreed to.

The SPEAKER.—I have to express my obligations to the Premier and to honorable members for the gracious way in which they have assented to my wishes.

The House adjourned at twenty-eight minutes past nine o'clock, until Tuesday, November 16.

LEGISLATIVE COUNCIL.

Wednesday, November 10, 1897.

Leave of Absence : Sir Frederick Sargood : Hon. N. Levi—
Defunct Companies Bill—Public Contracts Bill—
Adjournment.

The PRESIDENT took the chair at nineteen minutes to five o'clock p.m., and read the prayer.

LEAVE OF ABSENCE.

The Hon. C. J. HAM (in the absence of the Hon. J. SERVICE) moved that leave of absence be granted to Sir Frederick Sargood for the remainder of the session, on account of urgent private business.

The motion was agreed to.

The Hon. G. GODFREY moved that leave of absence be granted to the Hon. N. Levi for the remainder of the session, on account of urgent private business.

The motion was agreed to.

DEFUNCT COMPANIES BILL.

Sir HENRY CUTHBERT moved for leave to introduce a Bill relating to defunct companies.

The motion was agreed to.

The Bill was then brought in, and read a first time.

PUBLIC CONTRACTS BILL.

On the order of the day for the second reading of this Bill,

Sir HENRY CUTHBERT observed that an intimation had been given through the press that the Council would meet that day merely for the purpose of adjourning to a certain date, and it would

consequently be inadvisable for him to propose the second reading of the Public Contracts Bill in the absence of many honorable members who had been led to expect that the measure would not be proceeded with on the present occasion. He therefore begged to move that the consideration of the order of the day be postponed until the next day of meeting. By taking that course, he believed he would best consult the wishes of honorable members generally.

The motion was agreed to.

ADJOURNMENT.

Sir HENRY CUTHBERT moved that the House, at its rising, adjourn until Tuesday, November 23. He said there was no necessity for the Council to meet the following week. It would be useless to put country members, and indeed city members, to the trouble of assembling on the following Tuesday, because there was no important business to submit. The Bills now before the Council were very short measures, which would not occupy the attention of honorable members for any great length of time, but probably by the 23rd inst. a number of Bills would be received from another place. He would not have asked the House to meet on that day had he not been under the impression, at the time, that the Assembly would also meet then, as was intended until the Premier learnt that the Speaker had made prior arrangements to accompany the Governor on a tour into Gippsland this week, on account of which another place adjourned until the 16th instead of the 10th inst.

The motion was agreed to.

The House adjourned at twelve minutes to five o'clock, until Tuesday, November 23.

LEGISLATIVE ASSEMBLY.

Tuesday, November 16, 1897.

Government Gazette: Alleged Violation of Secrecy—Railway Department: Suburban Radius: Casual Ballast Men—Mining Representative in England—Presentation of Address in Reply to the Governor's Speech—Supply—Ways and Means—Hospitals and Charities Act Amendment Bill—Studley Park Bridge Bill—Education Department (Officers and Teachers) Bill—Melbourne and Metropolitan Board of Works Act 1897 Amendment Bill—Sessional Arrangements—Standing Committees—Reimbursement of Members—Drainage Bill.

The SPEAKER took the chair at half-past four o'clock p.m.

THE "GOVERNMENT GAZETTE."

Sir JOHN McINTYRE asked the Treasurer the following questions:—

"1. Is he aware that it is usual when any mining lease is declared void, or mining ground in dispute thrown open, to make known the fact by publication in the Friday issues of the *Government Gazette*, and that the said *Gazette* is not legally obtainable by the general public until five p.m. on Fridays?

"2. Has his attention been called to a case where the right to certain mining ground in Maldon was in dispute between the South German Gold-mining Company and Mr. Charles Gray, wherein it was shown in evidence before the warden that the *Government Gazette* must have been obtained before it was legally available to the general public, or knowledge had been surreptitiously acquired that the ground referred to was gazetted to be thrown open?

"3. Is it a fact that in consequence of the *Gazette* or such knowledge being so come by the ground in dispute was awarded to a third party, who had no interest whatever in it?

"4. Will he cause an inquiry to be made as to how such third party secured the *Gazette* or got hold of the knowledge that the ground was to be gazetted open before the *Gazette* containing the notice was issued or available to the general public?"

He stated that his reason for asking the Treasurer these questions, which appeared to bear somewhat on the Mining department, was because the main point in connexion with the questions was in regard to the knowledge obtained from the Government Printing-office with respect to the contents of the *Government Gazette*; and, as the Government Printing-office was in the Treasurer's department, he thought it proper to put the questions to the Treasurer. He did not wish to say anything of a debatable character in regard to the questions, but the matter was of great importance to his district, and to the mining community generally. The facts which had led him to put the questions were as follows: It appeared that a piece of ground in Maldon had been in dispute for some time between the South German Company—one of the most important mining companies in the colony—and a resident of Maldon called Charles Gray. This dispute was in the first instance decided by the warden, and it then went before the Minister of Mines, who, he (Sir John McIntyre) believed, on that occasion granted the ground to the South German Company. Subsequent information, however, which came to the Minister caused him to alter his decision, and to intimate that he intended to declare the ground open by *Gazette* notice.

On that occasion the Minister, he understood, stated that the disputants would have knowledge from the *Government Gazette* as to when the ground would be open. For five or six weeks afterwards the two original parties to the dispute pegged out the ground every Friday afternoon at five o'clock, anticipating that the *Gazette* notice would be published on that day. The notice not appearing the pegs were drawn out next day. When, however, the *Gazette* notice did appear a third party came on the scene, and this third party received a telegram from Melbourne from one Mr. R. B. Stamp, who signed himself R. B. Jones. The telegram was sent from Melbourne at twenty-seven minutes past four o'clock on the day on which the *Gazette* notice appeared. That was to say, a quarter of an hour before the time when the *Government Gazette* was supposed to be legally available to the public. This third party, who had never appeared on the scene before, having succeeded in getting information in some surreptitious manner which was not available to the original disputants, pegged out the ground. The original disputants, who had friends in Melbourne, endeavoured to get the *Gazette* notice as soon as possible, but declarations had been made that they could not get it at ten minutes to five or at five minutes to five, but they did succeed in getting the *Gazette* at two minutes to five. One of the original disputants pegged out the ground at five o'clock, and the other at half-past five o'clock, but the third person, through being able to get the information earlier, by some means of which he (Sir John McIntyre) was not aware, had pegged out the ground at a quarter to five. This occurrence had shaken confidence in the Mining department, and also in the Printing department. The mining public of Maldon were thoroughly satisfied with the Minister's statement that the notice would appear in the *Gazette*. The *Gazette* was legally issued at five o'clock; but by the earlier knowledge of its contents obtained in some way by Mr. R. B. Stamp, the land was pegged out by this third party, who did not belong to the district at all, and he had succeeded in obtaining the claim. (Mr. Foster—"Is this a speech?") He was simply stating the facts. He desired to say that he did not wish in any way to reflect on the Minister of Mines or any other Minister. He thought it was the duty of the Government, however, in the

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interests of the country, and in the interests of the departments, to see that knowledge of this kind should not be obtained from any of the Government officers, and he wished to have some steps taken to inquire into the way in which Mr. Stamp obtained his early knowledge of the contents of the *Government Gazette*.

Sir GEORGE TURNER.—The matter referred to by the honorable member is, no doubt, a very important one, not alone to the mining community but to the whole of the people of the colony, and I consider that the leader of the Opposition was perfectly justified in asking the questions he has asked, although, as he does not make any charges whatever against the Mining department, I do not know that it was necessary for him to go into all the facts of this particular case. I may say, with regard to the facts themselves, that this matter occurred in my absence, and certain statements having been made with regard to the case, the Cabinet investigated it very fully, and we were satisfied that the actions of the Minister of Mines were perfectly correct. A complaint was made to me when I returned to the colony, and I myself investigated the whole of the facts so far as they related to the granting of the lease. I have no hesitation in saying that in its action in that matter the Mining department was perfectly correct. The honorable member's questions, however, relate to another matter altogether, and that is the only matter we are called upon to deal with at present. I will now simply state what has been done to meet the questions put by the leader of the Opposition. I have asked the Mining department to give me information with regard to some of the questions, and I have also asked the Government Printer for his replies to others of the questions. With regard to the first three questions, I have received the following reply from the Mining department:—

"1. It is usual for the forfeiture of mining leases to be made known by publication in the Friday's issue of the *Government Gazette*, which is legally obtainable and can be perused by the public as soon as printed, whether it be printed before five o'clock or not.

"2. Attention has been called to a case relative to certain ground at Maldon for which the South German Company, Charles Gray, and two others were applicants, but there was no evidence to show that a copy of the *Gazette* was obtained before it was legally available.

"3. It is not a fact that the ground was awarded to a person who had no interest in it—it being awarded to the prior applicant."

The Government Printer says—

"When the lease was declared void that the South German G. M. Co. and others applied for, the practice was to publish the *Government Gazette* at five p.m. on each Friday. Since the hearing of that case by the warden, the practice was altered, and the *Gazette* has been published at varying times on Fridays—sometimes before, and sometimes after, five p.m.

"Copies of each issue of the *Government Gazette* are sent by messenger direct to the Melbourne daily newspapers. At the moment when these copies leave this office, the *Government Gazette* is deemed to be published, and it is then available to the public. The time of forwarding the *Gazette* to the newspapers is determined by me on each occasion. It was considered that by introducing an element of uncertainty, the time of publication could not be so readily anticipated as I believe it was in the case under notice.

"The sale ticket for any copies purchased on Fridays must be initialed by me as an authority to supply. No copies are issued on that day without that authority.

"When the Chief Judge of the Court of Mines some fifteen years ago determined, in the case of the Clarence United Company, that the *Gazette* operates from the time of its being fully printed, and not from the time it is accessible to the general public, the practice in regard to its issue was then entirely different from that which has obtained for the past seven or eight years. (*Vide Victorian Law Reports*, vol. 8, page 18 of mining cases.)

"4. The contents of the *Government Gazette* are regarded by this office as strictly confidential up to the time of publication. Every one concerned in its production is well aware that to divulge its contents or to surreptitiously supply a copy would, upon discovery, involve certain dismissal. But, having complete confidence in the probity of the officers of this department, I court the fullest inquiry. I am positive inquiry would demonstrate that they have one and all faithfully observed their duty in this respect.

"The *Government Gazette* of the 30th April last, which is the one referred to in the question, was published at five o'clock p.m."

But, of course, it was legally available, according to the Supreme Court decision, as soon as a complete copy was printed, and I am informed that 100 copies were actually printed at half-past three o'clock.

Sir JOHN McINTYRE.—The disputants could not get it at that hour, but the outside party seems to have been able to get the information.

Sir GEORGE TURNER.—The honorable member knows that the Mining department is aware of what is about to be done in such a case long before the *Gazette* notice appears, and the Chief Secretary's department is also aware of what is about to be done, because the Orders in Council have to go through that department before they are gazetted. It

will, therefore, be seen that the knowledge in this case was not limited wholly and solely to those engaged in connexion with the *Government Gazette* or to the Government Printing-office. Considering that these documents were available at half-past three, and that the telegram referred to was not sent away until nearly half-past four, this fact will lend some colour to the opinion of the Government Printer that it was merely guess-work as to the *Gazette* notice by those who had the pegging out of the land, because if they were going to get the information surreptitiously from the Government Printing-office, it is evident that that information would have been given at half-past three, the moment when the *Government Gazette* was printed. It is not likely under such circumstances that the persons concerned would have waited for nearly an hour before giving the information improperly. At any rate, that is the way I regard it. However, the honorable member must see that it is an almost impossible task to get to the bottom of a matter of this kind. But if he thinks that any benefit would be derived by such a course, I am willing to hold a personal inquiry into the matter. I myself fail to see how I can get any satisfactory information on the subject.

Sir JOHN McINTYRE.—The point is that the disputants had no knowledge of what was to appear in the *Gazette* notice, whereas the third party had such information before the *Gazette* notice appeared.

Sir GEORGE TURNER.—I am quite aware of the fact that in consequence of the first pegging out the third person referred to, who was not a party to the original dispute, has got a prior right to the lease, and, in fact, has got the lease. I can see that that is very hard on those who are fighting the question, but I fail to see how any inquiry I could hold would enable me to ascertain if any one gave this information.

Sir JOHN McINTYRE.—Could not we obtain information on the point by having Mr. Stamp examined on oath?

Sir GEORGE TURNER.—If my honorable friend desires a select committee to inquire into this particular question, on the understanding that there is no charge against the Mining department, I have no objection.

Sir JOHN McINTYRE.—Hear, hear. I am not saying a word against the Mining department.

Sir GEORGE TURNER.—Of course, if there was to be a charge against the Mining department, we would have to deal with it in the House in a different way; but if there is simply to be an inquiry as to whether any officer in any one of these departments has improperly divulged any information with regard to this matter, I have not the slightest objection to that inquiry being held. I would court, as the Government Printer very properly courts, the fullest inquiry into that point, because if any officer, high or low, has improperly divulged information, he deserves, both as a punishment to himself, and as a warning to other officers, to be summarily dismissed. We have to send the most confidential documents to the Government Printing-office—documents which, if disclosed, might put us in a false position—and if any officer is found to have given information improperly there can be only one punishment for him—that is, instant dismissal. If the honorable member desires a select committee to inquire into this point, and will give a notice of motion nominating the members, on the understanding that it is not a hostile motion to the Government, I will not have the slightest objection to the appointment of the committee.

Subsequently,

Sir JOHN McINTYRE moved—

“That a select committee be appointed to inquire and report as to how the party to whom was granted the mining land in dispute between the South German G. M. Co. and Mr. Chas. Gray, of Maldon, obtained information as to when the said land was gazetted to be thrown open; such committee to consist of the following members:—Mr. Beazley, Mr. Bales, Mr. Cameron, Mr. McCay, Mr. Salmon, and the mover, with power to call for persons, papers, and records; three to be the quorum.”

Mr. COOK seconded the motion, which was agreed to.

RAILWAY DEPARTMENT.

Mr. GRAVES (in the absence of Mr. BOWSER) asked the Minister of Railways if it would not be a fair concession to allow passengers from a greater distance than 20 miles from Melbourne the benefit of the suburban radius when reached?

Mr. H. R. WILLIAMS.—I have received the following reply to the question from the commissioner:—

“The fares from Melbourne have already been tapered off up to 50 miles; to grant this request would involve too great a loss of revenue.”

The honorable member will see, therefore, that the commissioner objects to the request being complied with.

Mr. HAMILTON asked the Minister of Railways the following questions:—

“1. Is he aware that casual ballast men working on the lines about Bendigo are only in receipt of 5s. per day?

“2. Is there any substantial reason why these men should not receive the minimum rate of wage established by the Government, viz., 6s. per day?

“3. Will the Honorable the Minister increase their wages at the earliest opportunity?”

He observed that his questions, which were put on the notice-paper a fortnight ago, referred only to the casual ballast men working on the lines about Bendigo; but since he had found that there were large numbers of men in many other parts of the colony similarly employed who were only receiving 5s. per day. He thought that, as a matter of common humanity, 30s. a week, considering the loss of time, was not sufficient for men who were engaged in this kind of work.

Mr. H. R. WILLIAMS.—I have received the following reply to the honorable member's questions from the commissioner:—

“It is the practice to pay labourers who are temporarily employed on maintenance works 5s. per day for the first year, 5s. 6d. per day for the second year, and 6s. per day afterwards.

“The rates are in accordance with the classification.”

If an employé joins the service permanently he is engaged under these rates, and these ballast men are treated exactly like the permanent men. The commissioner states that frequently these men are drafted, when vacancies occur, into the repairing gangs, and afterwards, under the Railways Act, they may become permanent men. That is the reason why, in the maintenance branch, these men are treated differently from the men receiving 6s. per day, who are engaged in regrading and other works in the department.

MINING REPRESENTATIVE IN ENGLAND.

Mr. MCGREGOR said he desired to ask the Minister of Mines, without notice, if it was the intention of the Government to appoint a representative of Victorian mining in Great Britain, so that he might, in accordance with the Mining Development Act, disseminate information about the mining resources of the colony?

Mr. FOSTER.—This matter is not being overlooked at all. The Cabinet have had it under discussion, and are inclined to consider the proposal favorably. I may say, however, that if an appointment is made it will be of some gentleman already in the service.

Sir GEORGE TURNER.—With reference to the asking of questions without notice, I desire to say that, at the close of a session I can understand honorable members putting questions to Ministers without notice, because they may relate to matters of urgency which require to be at once attended to; but at the commencement of a new session I would ask honorable members, unless the matter is one of very great urgency, to give notice of their questions.

ADDRESS IN REPLY TO THE GOVERNOR'S SPEECH.

The SPEAKER reported that he had, that day, waited upon the Governor, and had presented to His Excellency the address adopted by the House on the 27th October, and that His Excellency had been pleased to make the following reply:—

“MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

“I thank you, in the name and on behalf of Her Majesty, for the renewed expression of loyalty to our Most Gracious Sovereign. I feel assured that the various measures about to be submitted will receive your careful consideration, and that your labours will prove of much benefit to the colony.”

SUPPLY.

Sir GEORGE TURNER moved—

“That this House will, to-morrow, resolve itself into a committee to consider of the Supply to be granted to Her Majesty.”

Mr. PEACOCK seconded the motion, which was agreed to.

WAYS AND MEANS.

Sir GEORGE TURNER moved—

“That this House will, to-morrow, resolve itself into a committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.”

Mr. PEACOCK seconded the motion, which was agreed to.

HOSPITALS AND CHARITIES ACT AMENDMENT BILL.

Sir GEORGE TURNER presented a message from His Excellency the Governor, recommending that an appropriation

be made from the consolidated revenue for the purposes of this Bill.

The message was ordered to be taken into consideration the following day.

STUDLEY PARK BRIDGE BILL.

Mr. TAVERNER presented a message from His Excellency the Governor, recommending that an appropriation be made of penalties for the purposes of this Bill.

The message was ordered to be taken into consideration the following day.

EDUCATION DEPARTMENT (OFFICERS AND TEACHERS) BILL.

Mr. PEACOCK presented a message from His Excellency the Governor, recommending that an appropriation be made from the consolidated revenue for the purposes of this Bill.

The message was ordered to be taken into consideration the following day.

MELBOURNE AND METROPOLITAN BOARD OF WORKS ACT 1897 AMENDMENT BILL.

Sir GEORGE TURNER moved for leave to introduce a Bill to amend the Melbourne and Metropolitan Board of Works Act 1897.

The motion was agreed to.

The Bill was then brought in, and read a first time.

SESSIONAL ARRANGEMENTS.

Sir GEORGE TURNER moved—

“That Tuesday, Wednesday, and Thursday in each week during the present session be the days on which this House shall meet for the despatch of business, and that four o'clock be the hour of meeting on Tuesday, and three o'clock be the hour of meeting on Wednesday and Thursday; and that no fresh business, except the postponement of business on the notice-paper, be called on after half-past ten o'clock.”

He said honorable members would observe that he desired that on Wednesday and Thursday the House should meet an hour earlier than used to be the practice, but at the hour at which it had met during recent sessions. He asked for this because on the 20th of January next the Federation Convention would meet in Melbourne, and before that the Finance Committee of the Convention had to meet in order to thoroughly discuss and prepare a scheme of finance to be considered by the Convention. This was one of the most

important questions which the Convention would have to deal with, and it was absolutely necessary that the committee should have some reasonable amount of time at their disposal in order to deal with that very important question. As honorable members were aware, he was a member of the Finance Committee, and therefore he would have to devote his attention very closely to that particular question. He might mention, in addition, that in this colony they would have to do what had been done in other colonies, to some extent, namely, to entertain their distinguished visitors, and arrangements for this would naturally occupy the attention of himself and some of his colleagues. He was anxious—in fact, he intended—that Parliament should not sit after the 16th, or, at the very latest, the 17th of December. There was one very important Bill which he hoped to have dealt with during the session. There were also two or three Bills that were of some considerable importance, and there were a number of comparatively small Bills which the Government were anxious to deal with. In addition, there was one large question to be dealt with by a private member, which he hoped would be settled during the session. (Mr. Staughton—"Which is that?") The question with regard to taking a vote of the people as to the teaching of religion in State schools. He was anxious that that question should be settled, for this reason: If it was decided to take a vote of the people on that subject he wanted it to be a fair vote of the people, and he wanted it to be taken without too much expense to the Government. Now, in April, or at the latest in May, a vote must be taken on the Commonwealth Bill, and he thought no better opportunity could arise for taking a vote with regard to the teaching of religion in State schools than when they were taking the vote on the federation question. Voting on the two questions together would enable a large vote to be taken on both, and for that reason he hoped honorable members would apply themselves diligently to the consideration of the question whether a referendum should be held on the question of the teaching of religion in State schools. Under these circumstances he thought he was perfectly justified in asking honorable members to meet an hour earlier. It could not be any great penalty to country members. As they would be in town waiting for the House to meet, it

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would not inconvenience them to meet an hour earlier. It might be inconvenient to some town members, but for the five weeks during which the House was to sit that inconvenience would be very little. Therefore he hoped there would be no objection to the proposal, and that it would receive the unanimous assent of the House.

Mr. DUFFY seconded the motion.

Sir JOHN McINTYRE stated that the Premier was aware that honorable members on the opposition side of the House were as anxious to hurry on public business as he was himself, and would do all they possibly could to help him. But time after time it had been pointed out, what honorable members on the opposition side believed to be true, that public business would be better carried on by going back to the old hour of meeting. How many times in the afternoons had the House dilly-dallied with business that might have been done much more expeditiously if commenced at the usual hour of half-past four? He would ask the Premier to agree to the old time of meeting. He (Sir John McIntyre) was well aware that the right honorable gentleman was only seeking to have these proposed hours of commencing business agreed to for about five weeks. It did not appear to be a serious matter, but he felt that he was called upon to point out that more work could really be got out of the House by commencing at the old hour of meeting than by the change the Premier was trying to make. With regard to the Bill which the Premier considered to be of so much importance that he proposed to take the popular vote upon it at the same time as the vote was taken with regard to the Commonwealth Bill—which latter vote, by the way, he sincerely hoped would be taken by the people of this country—the right honorable gentleman did not appear to be anxious about it himself, inasmuch as the measure was in the hands of a private member.

Sir GEORGE TURNER.—I have promised to give him Government time to allow the question to be settled.

Mr. CARTER.—With Government support?

Sir GEORGE TURNER.—That is "a horse of another colour."

Sir JOHN McINTYRE said that if the Government were so anxious about the measure referred to they should take it up themselves. He would appeal to the

Premier once more with regard to the hour of meeting. Of course, they could not expect the Government to give way in the matter, but it was his (Sir John McIntyre's) duty to point out that the later hour of meeting would not only be more convenient to honorable members generally, but would also be more beneficial to the Government and to the majority of honorable members on the Ministerial side of the House. He was a country member himself, and many other honorable members on the opposition side, being country members, could come at the earlier hour. But many of those whom he was most anxious to have present could not be in their places in the House before four o'clock. He was only making a protest, as usual, and would ask the Premier to give way upon the point.

Mr. HANCOCK remarked that he agreed with his fellow "country member," the leader of the Opposition, that the hours of meeting suggested by the Premier were somewhat troublesome, though he would personally rather see the House meet at an earlier hour and leave off earlier at night. He had an unpleasant recollection of some very bad legislation which had been passed by the House, and that bad legislation had nearly always been debated in the early hours of the morning. That was the principal reason why he had always been anxious to catch his last train. He had desired to avoid having a hand in that bad legislation. It had to be recollected that a large number of honorable members had to try and keep the semblance of a home. There were honorable members living within a few miles of Melbourne who, when the House sat late, had to take refuge in the coffee palaces in the vicinity of Parliament House, whilst their wives were waiting for them 5 or 6 miles away. Unless the Government were running in the interests of the coffee palaces he did not see why the rule should not be made that the House should rise at a reasonable hour. Of course, he could understand that at the fag-end of a session it might be necessary to put on pressure; but it was an entirely different thing for the Premier of the day to say—"We shall have to settle this question to-night; I won't listen to a word that may come from either side of the House, especially from my own side." That sort of thing was very objectionable. He had protested on several occasions against the

bad habit of keeping late hours. Some honorable members might be more fortunately situated, but he could not afford to live in town and keep up his residence in the suburbs as well. Perhaps some honorable members had made other arrangements that might be all right for them, but so far as he was concerned he would endeavour to strike a blow for the sanctity of the domestic hearth. The Government had brought down a most alarming programme for the present session. Of course, it was simply done for the sake of theatrical effect. To ask honorable members, with only eighteen working days before them, to go through the whole programme laid before them by the Ministry was simply playing at politics. He would say—"Let us have one measure." If the Charities Bill was to be dealt with—and he did not think it was possible to deal with a problem of that character in eighteen days; in fact, it seemed idle to deal with such a Bill during the present session—that alone was sufficient to take up the whole of the available time. He knew, however, that there were several measures in the Government programme that it was absolutely necessary should be carried through in this particular session. He was as anxious as the Premier could be that the work of the Federation Convention should not be interfered with. But to ask honorable members to meet at three o'clock in the afternoon, and to go on for an indefinite number of hours, was unfair and not calculated to produce good legislation. He entered his protest against that course. He had no intention of moving an amendment on the Premier's motion, but he hoped that other members whom he had heard privately expressing their opinions would not hesitate to tell the Premier that it would be better for legislation that Parliament should adjourn early at night—say, not later than half-past eleven—in time for the majority of honorable members to go to their homes. Otherwise, the whole of the business of honorable members was entirely dislocated. No business man could go out in the morning after he had been sitting till two or three o'clock a.m. and deal with men who had had a good night's sleep. If they did, they were handicapped severely. He knew that the Premier's life was a martyrdom. He had seen the right honorable gentleman, on one of the few occasions when he (Mr. Hancock) had thought it wise to stay late,

going home, and then turning up at his private office at nine in the morning. If the right honorable gentleman had no feeling for the House, he should have some consideration for his clients. The Premier could not possibly do a full day's work after only about two hours' sleep. He would ask the right honorable gentleman to have a little consideration, not only for honorable members themselves, but also for their wives and families.

Dr. MALONEY observed that in all good temper he would ask the Premier whether he could not see his way to accept the suggestion made by the honorable member for Footscray? Half-past eleven at night was quite late enough for honorable members to sit. If the Premier wished the House to sit at an earlier hour in the day, he (Dr. Maloney) hoped that honorable members would be willing to meet the right honorable gentleman's wish; but he trusted that the motion would be amended so as to provide that half-past eleven should be the hour at which the House should rise. Many country members came from long distances, and gave up nearly the whole of their time, to their parliamentary duties. They had to leave home early in the week, and he (Dr. Maloney) was inclined to think that many of them had practically no home life at all.

Mr. LEVIEN said that, as the motion provided that no fresh business should be called on after half-past ten, the objection of the honorable member for Footscray and the honorable member for Melbourne West was met. The objection he had to the proposal was that it practically destroyed the afternoon on two days a week. The extra hour which the Premier proposed to take really broke up the afternoon. A great deal of business took place between two and half-past three. To meet at four o'clock did not interfere with the day's work. He would suggest to the Premier that he would not further the object he had in view, but practically cause a loss of time to honorable members who were business men, by carrying the motion in its present form. It was to be regretted somewhat that the Government, in their anxiety to push on public business, had undertaken more work for the session than it was possible for the House to discuss properly and well. It was unfortunate also, but it was true, that the last Parliament put up a record for passing measures which had been found to be

faulty, or which had demanded immediate amendment. He trusted that the Premier would not insist upon the earlier hour of meeting as proposed, as it would cause personal inconvenience to many honorable members.

The motion was agreed to.

Sir GEORGE TURNER moved—

“That on Tuesday and Thursday in each week during the present session Government business shall take precedence of all other business.”

Mr. DUFFY seconded the motion, which was agreed to.

Sir GEORGE TURNER moved—

“That on Wednesday in each week during the present session Government business shall take precedence of all other business until half-past eight o'clock; after that hour business shall be called on in the following order, viz. :— On one Wednesday—Private Bill business: (1) Notices of Motion; (2) Orders of the Day. General business: (1) Notices of Motion; (2) Orders of the Day. On the alternate Wednesday—General business: (1) Orders of the Day; (2) Notices of Motion. Private Bill business: (1) Orders of the Day; (2) Notices of Motion.”

Mr. H. R. WILLIAMS seconded the motion, which was agreed to.

STANDING COMMITTEES.

On the motion of Sir GEORGE TURNER, the Standing Committees for the session were constituted as under :—

STANDING ORDERS COMMITTEE.—Mr. Speaker, Mr. Graves, Mr. Higgins, Sir John McIntyre, Mr. McLean, Mr. Staughton, Mr. Trenwith, Mr. A. L. Tucker, Sir George Turner, Mr. Vale, Mr. Wheeler, and Mr. Zox; five to be the quorum.

LIBRARY COMMITTEE (JOINT).—Mr. Speaker, Mr. Deakin, Mr. Duffy, Mr. Madden, and Mr. Shiels.

PARLIAMENT BUILDINGS COMMITTEE (JOINT).—Mr. Speaker, Mr. Graham, Mr. Moulc, Mr. T. Smith, and Mr. Taverner.

PRINTING COMMITTEE.—Mr. Speaker, Mr. W. Anderson, Mr. Bromley, Mr. Craven, Mr. Dyer, Mr. Gray, Mr. Hancock, Mr. Kirton, Mr. Langdon, Mr. McKenzie, Mr. Outtrim, and Mr. Rawson; three to be the quorum.

REFRESHMENT-ROOMS COMMITTEE (JOINT).—Mr. J. Anderson, Mr. Austin, Mr. Bennett, Mr. Murphy, and Mr. Wilkins.

COMMITTEE OF PUBLIC ACCOUNTS.—Mr. Beazley, Mr. Carter, Mr. Deakin, Sir John McIntyre, Mr. Murray Smith, Mr. T. Smith, and Mr. Wheeler; three to be the quorum.

REIMBURSEMENT OF MEMBERS.

Mr. STAUGHTON moved—

“That in the opinion of this House the reduction of the reimbursement of members to £240 a year should continue in full force until the public servants receive the full amount of salaries which the State agreed to pay on their entering its service.”

He said—In moving this motion I have very little to say. The question involved is one that appeals directly to the good sense of honorable members of this House, and, as I have implicit confidence in their good sense and generosity, I have no doubt that my motion will be unanimously agreed to. The Government will not be placed in any worse position by the carrying of this motion than by leaving matters as they are now. They will, indeed, be rather in a better position, seeing that they will have something like £6,000 coming to them; and, looking to the falling revenue of the last six months, I am sure that if they wish to end the financial year with a credit balance, as all honorable members are anxious that they should do, they ought to be desirous that this motion should be carried. I do not think there is much to discuss in the matter except that it should be made clear that the civil servants were engaged prior to our financial distress, and they certainly had a bargain made with them which they expect the Government to carry out. It is only natural that they should do so. But the exigencies of the State demanded that the Government should deal with their salaries in a certain way for a certain period. If there had not been a general election honorable members of this House would have remained in the same position they were in during the last Parliament, and would not have received the usual amount of £300 a year, any more than civil servants with similar salaries will receive their full amounts until July, 1899. I do not desire to say any more with regard to the matter, but I hope that the House will do justice to these civil servants. It is not a question of increments, but of agreements made between them and the Government. The increments will be dealt with in the future, and form another question altogether. If my motion should be carried, I hope that the Government will introduce a Bill to give effect to it.

Mr. MURRAY SMITH seconded the motion. He said—I agree with my honorable friend who has just sat down that his

motion should only need to be put before the House to be accepted. It is a motion that should specially appeal to the good sense and moderation of the Assembly. At present we have not carried out the formal agreement that was made by the State with the civil servants. There are some of those who are being deprived of a portion of the salary which the Government solemnly undertook to pay to them, and in view of the fact that we have it in our power to prevent this violation of agreement we should do so, or, at all events, not aggrandize ourselves at the expense of the civil servants. I do not wish to enter into any lengthy argument. This is a matter of strict justice, which should be seen to as soon as possible. The civil servants should receive the sum which they are entitled to, and which the State undertook to pay to them; and we should not, at all events, restore our salaries to the amount that they were before the reductions until we have restored to the civil servants what is due to them. They were made to share in the misfortunes of the State at a time of great pressure. We should not, as I have said before, aggrandize ourselves until we have done justice to these servants of the State.

Mr. MOULE.—I only wish to say one word in favour of the motion which has been moved by the honorable member for Bourke West. I cannot help considering that, as the civil servants have been made to bear a certain portion of the burdens of the State in a time of emergency, this House should take upon itself to bear a share of the burden which it fixes upon others. If the Premier went as far as the state of the finances would allow last time this matter was discussed, in taking a certain portion of the burden off a certain class, the right honorable gentleman can, if we still keep our salaries at the figure they were at the end of last Parliament, take off the reductions of another class immediately beyond those whose grievance in this respect has already been remedied. He can utilize the £6,000 or so which will be saved by paying to the class immediately above those receiving £157 a year the full amount due to them. It is in the spirit that honorable members should themselves share a portion of the burden they place upon others that I speak. Ministers themselves have willingly and voluntarily given up a portion of their salaries in order to assist the State, and have thus shown a good

example, and we also shall show a good example in not asking civil servants to share this species of taxation unless we share it ourselves.

Sir GEORGE TURNER. — At the present time, at all events, I am in the position of a disinterested person with regard to the effect of this particular motion. But we must not overlook the fact that, as far as honorable members are concerned, there have been two reductions. In the first instance the reimbursements of honorable members were reduced from £300 a year down to £270, which would only be a reduction proportionate to that made upon the salaries of civil servants receiving similar amounts. Then we desired to reduce the reimbursements of honorable members still further, down to £200 a year; but a compromise was arrived at by which the amount was reduced to £240 during the duration of the last Parliament. The question with regard to the salaries of the public servants has been dealt with by the House. The Government brought forward certain proposals whereby those who receive less than £150 a year were to get the percentage reductions back from a certain date, and those receiving between £150 and £200 were to get their reductions back at a further date. The House thought that we should deal more liberally with those receiving less than £3 a week, and the Government therefore agreed to fix the amount at £157 a year. Those civil servants receiving that salary have been getting their full salary from the 1st January. From the 1st July next those civil servants receiving from £157 to £200 will get their percentages returned to them, and those receiving over £240 a year will get their percentages returned the following year. So that I think we are not dealing unfairly with them, nor can it be said that we are dealing in an improper manner with the salaries of Members of Parliament. There was no cry at the last election with regard to this particular reduction, and I believe that wherever the question was asked as to whether the candidate was in favour of paying £300 a year to Members of Parliament it was asked by men who desired to get the answer that £300 a year was a proper amount to pay. And I am reminded that candidates generally did answer that they thought £300 a year little enough to reimburse members for their expenses. Of course we must not forget either that honorable members have

heavy expenses to bear every three years. Taking all the facts into consideration, the Government think that, as there have been two reductions in the salaries of Members of Parliament, and as the last reduction was greater in proportion than the reduction in the salaries of civil servants receiving similar amounts, and taking also into consideration the fact that there was no demand for a reduction at the last election, we are not justified in asking honorable members to any longer forego the full amount of their reimbursements, but we are justified in going back to the amount of £300 a year.

Mr. CARTER. — I should like to say one word as to what has been advanced by the honorable member for Bourke West, the honorable member for Hawthorn, and the honorable member for Brighton. They base their proposal on the ground that we are in the same position as public servants.

Mr. MURRAY SMITH. — No.

Mr. CARTER. — If they do not do that there is nothing in their arguments. I say we are not in the same position as the public servants at all.

Mr. MOULE. — No one said you were.

Mr. CARTER. — Then there is nothing in the honorable member's argument.

Mr. MOULE. — You say so.

Mr. CARTER. — And I will undertake to prove it. The honorable member says that, as we have reduced the salaries of the public servants, therefore we should reduce the salaries of Members of Parliament. Now, if any one proposed to abolish the payment of members altogether I would vote for it. If it were proposed to reduce the salary paid to Members of Parliament to £240 or £200 a year I would support it. But I object to vote for a reduction on the ground that I am in the same position as a public servant. Those civil servants who were appointed before pensions were abolished have the good fortune of having to retire at 60 with pensions, and those who have been appointed since are appointed for life. I and other honorable members stand in an entirely different position. We have to go up for election every three years, or oftener. Therefore there is no similarity between the position of public servants and Members of Parliament. We are appointed by constituencies to fulfil certain duties, but civil servants are in an utterly different position; and, as the Premier pointed out, the reductions made in the

salaries of Members of Parliament are quite disproportionate to the reductions made in the salaries of public servants. It is also to be observed that the reductions in the salaries of Members of Parliament have been made by ourselves. It was when the Patterson Government was in office, I believe, that we, to show our heroic virtue, reduced the remuneration received by honorable members. But I do not think the country thought a bit better of us for doing so. In fact, the country looked upon it as downright humbug. The present Government reduced the salaries of honorable members still farther. But all this display of heroic virtue the public, I believe, do not care twopence about. It is all bunkum, or, as the honorable member for Brighton so elegantly described something else as being, "all cant." If honorable members believe in payment of members at all, £300 a year is a deal too little, because if honorable members are to be paid they should be paid something in proportion to the expense attaching to attaining the position and retaining it afterwards. I cannot vote for the motion. I say again that if it were proposed that payment of members should be abolished, or that the salary should be reduced to say £200 a year, I would support the motion, but do not let it be based on putting ourselves on a level—I do not use that word disrespectfully, I mean on the same grade—as public servants. We are not in the same position at all.

Mr. MURRAY SMITH.—We vote our own salaries, and they do not.

Mr. CARTER.—But we vote theirs, and we have reduced our own salaries in a greater proportion than we reduced theirs. Yet I do not think that any honorable member obtained an additional vote on that ground. I do not believe that this proposal will be carried, or if it were carried that it would have the slightest weight with the country. If it were carried we should be very much like the Pharisees of old, who went about showing how much better they were than other people.

Mr. GILLIES.—Had not this motion been proposed by my honorable friend, the member for Bourke West, I should be inclined to take it in a jocular spirit, rather than seriously, and say that it was playing to the gallery. But knowing the honorable member so well, and being aware that that is the last thing that he would attempt to do, I know

that that cannot be said to be his motive. What I want to say to the honorable member is that I could understand him moving this motion if it restored any portion of the salaries to the civil servants who have been retrenched.

Mr. MOULE.—It may to a certain extent.

Mr. GILLIES.—That is where there is a misapprehension. By carrying this motion we should simply stop restoring to honorable members the full amount of their reimbursements for expenses. It would simply have the effect of stopping the carrying out the law which was passed for the purpose of making reductions for a certain period. By refusing to restore the salaries of Members of Parliament, we should not increase the salaries of the public servants.

Mr. MURRAY SMITH.—Why not?

Mr. GILLIES.—The honorable member will follow me when I say that the mere act of carrying this motion will not have the effect of increasing the salaries of the public servants. If it were understood that the motion was to be an instruction to the Government to introduce a Bill for the purpose of increasing the salaries of the public servants in proportion to the amount saved by the continuance of the reduction in the salaries of Members of Parliament there would be something in it, but that is not the proposal. I will venture to say that when the honorable member drafted the motion he did not contemplate anything of the kind.

Mr. HIGGINS.—I hope that the House will have no hesitation in rejecting this motion. There is no doubt whatever that it has been regarded as a very clever motion. It will put a number of honorable members in a very difficult position. It is not a fair proposal, and I say to the honorable member's face what I would say behind his back—that I regard it as an attempt to put a number of honorable members in a false position. The honorable member has put the motion in this form—

"That in the opinion of this House the reduction of the reimbursement of members to £240 a year should continue in full force until the public servants receive the full amount of salaries which the State agreed to pay on their entering its service."

What was the object of putting it in that form unless it was to place honorable members in a false position? I shall vote against the motion, in order to try to get

the public servants their proper salaries at the earliest date. If honorable members do get back their full salaries they will be far more likely to insist upon no further continuance of the reduction of the salaries of public servants. The truth is that there has been a great reaction throughout the country in regard to the movement for the reduction of salaries. Those who faced the elections three years ago know that there was then a cry for the reduction of salaries, and a number of candidates thought that it was popular and took it up, but the country has seen that this was really a blow at payment of members. The cry comes from those who do not like payment of members. Am I right?

Mr. STAUGHTON.—No; you are wrong.

Mr. HIGGINS.—Then I am to understand that the honorable member for Bourke West is in favour of payment of members as a principle, I suppose? I understand, also, that the honorable member for Hawthorn is in favour of payment of members as a principle.

Mr. MURRAY SMITH.—You never understand things rightly.

Mr. HIGGINS.—The honorable member for Brighton is also in favour of payment of members as a principle.

Mr. MOULE.—No, I am not.

Mr. HIGGINS.—There are numbers of honorable members here who find that it is by no means profitable for them to occupy seats in this Chamber, and I say that if you will not make it reasonably possible for members to live in decency the selection which the people will have of candidates will be severely restricted. I certainly feel this, that if the proposal be rejected, and if honorable members are given a reasonable remuneration for their expenses—because it is not salary—they will be far more likely to put their foot down against any continuance of the reduction in the salaries of the public servants. The truth is that in the matter of these reductions the colony has simply been making a compromise with its creditors. Because you are not paying the creditors of the colony—the public servants—in full you ask now that the liquidators of the colony practically shall accept the reduction. I hope that the motion will be rejected. I have no doubt whatever that we shall all be able to explain to our constituents the true position.

Mr. TRENWITH.—In connexion with this question I think it is extremely

important that the motion should not be carried. The principle of payment of members is one that the people of this country esteem very highly, and it is true, as was put by the honorable member for Geelong (Mr. Higgins), that there has grown up a feeling throughout the country that an effort has been made to strike a blow at payment of members. The first step was taken when the payment made to members was reduced by £60 per annum. Now, I would submit to the honorable member for Bourke West that in restoring the salaries of honorable members to £300 the Government or the House are not departing very far from the principle of restoring the salaries of public servants which has been already adopted. It will be admitted that there are very few Members of Parliament who get £3 a week to take home and to use for their own purposes out of their salaries. The retrenchment has been discontinued in connexion with those public servants who are receiving £3 a week, and it may be fairly and truthfully said that Members of Parliament are amongst the worst paid of the public servants. I look upon myself, and I look upon Members of Parliament generally, as servants of the State. I do not regard payment of members as a reimbursement of expenses. The principle that the people should pay their servants in Parliament is a principle that the electors believe in, and it is embodied in the law that gives to honorable members £300 a year. That is very poor pay. But I would prefer always to call it payment for services rendered and not reimbursement for expenses incurred. Unfortunately, the expenses incidental both to the attainment of a seat in Parliament and to the performance of the duties of the position very materially reduce the payment that Members of Parliament get. It is very questionable indeed if many honorable members have £150 a year out of the £300 for their own personal use. With reference to my own position in the matter, I was asked, not at the last general election, but at the previous general election, when the cry was raised about reducing the cost of government, when figures were piled upon figures to show what an extravagant system ours was, and when it was said that if payment of members were abolished the country could be so much more economically worked—I was asked then if I was in favour of a reduction of members' salaries, and I said—"No,

but if it is proposed to make it £500 instead of £300, I shall vote for it. I do not think that is too much." I still hold that view.

Mr. HANCOCK.—Propose it.

Mr. TRENWITH.—I am not going to propose it. I undertook the duties of a Member of Parliament knowing what the salary was. I think I may say also that up to my lights I have fulfilled the duties I have undertaken. I do not think the law which provides that Members of Parliament shall be paid for their services at the rate of £300 a year is an unduly liberal one, and there should be no encroachment whatever upon it.

Mr. MCKENZIE.—It has been contended that this is an attempt to effect a permanent reduction in the payment made to members. I cannot see how that argument can apply, seeing that it is clearly expressed that the reduction is to run concurrently with the reduction in the salaries of certain public servants. If it is contended that this is an attempt to permanently reduce the payment given to members, then it may just as reasonably be said that it is an attempt to permanently reduce the salaries of those public servants.

Mr. HANCOCK.—So it is.

Mr. MCKENZIE.—It is nothing of the sort. The argument has also been put forward that the sum that would be saved by the continuance of the reduction in the salaries of members would be so infinitesimal that it could not possibly add any appreciable amount to the salaries of public servants. That is begging the whole question. When the Government proposed the reduction in their own salaries, and in the payment given to members, it was not for one moment contemplated that the saving thus effected would make any appreciable difference to the public servants of the State, or that the money would be distributed *pro rata*, or in proportion over the public service. It was, however, contended that it would be an appreciable saving to the State itself. The saving of £6,000 a year that would be effected now by continuing the reduction in the payment of members would be material to the State, and, further, would be an evidence to the public servants that the members of this House were not willingly inflicting upon them a hardship that could be avoided. It would also be an evidence to them that we are prepared to submit to the exigencies

of the position ourselves. It is my intention, therefore, to support the motion.

Mr. LEVIEN.—This is a motion that need not be discussed at any very great length. It commends itself to me as being fair and proper under the circumstances. A number of public servants were entitled at law to receive certain remuneration, but the exigencies of the State were such that Parliament interposed, and passed legislation which took from them a portion of the money that they had a right to receive. Members of Parliament are entitled to certain remuneration, and it is, in my opinion, the duty of the House to continue the reduction to Members of Parliament, as long, at least, as it is found to be necessary to continue the reduction to the public servants. I intend to support the motion. As I have said, I consider it to be a perfectly fair and proper proposal. It would have been better if it had emanated from the Government. It is a subject that they should have taken up, and they should have invited the House to express an opinion upon it. I hope that honorable members generally will vote for the motion.

Mr. ZOX.—It is my intention to support the motion. When I was before my constituents, a question was addressed to me on this subject, and I intimated that, until the salaries of the public servants were restored, I thought it would be unfair for Members of Parliament to have any addition made to their emolument. The honorable member for Geelong (Mr. Higgins) suggests that this is an attempt to do away with payment of members, but that is not the case. Payment of members is the law of the country, and there is no honorable member who would rise in his place and ask that that law should be abrogated. We have seen that, in consequence very likely of payment of members, several good men have been enabled to obtain seats in the House. We heard from the Treasurer, the other day, that so far as our revenue was concerned we were £46,000 to the bad for the month of October, and we were told that the honorable gentleman had impressed upon the heads of all the departments the great necessity that existed for retrenchment. Is it retrenchment to add £60 a year to the remuneration of every member of the Legislative Assembly, and to put the country to an additional expenditure of about £6,000 a year? It is most unfair that honorable

members should be the first to receive any benefit from the return of financial prosperity. The honorable member for Footscray looks upon Members of Parliament as being civil servants. If he places us all in the same category, why does he not insist that our brother civil servants shall have their salaries also restored to them? I shall support the motion, and in fulfilment of a promise I made on the platform I shall ask the House to go to a division upon it.

Mr. VALE.—It seems to me to be very ungracious that honorable members who are amongst the wealthiest men in the Chamber should support this motion, and I think it savours somewhat of bad taste. I take it for granted that our position differs somewhat from that of the civil servants, inasmuch as length of service gives us no claim to any increment. Many honorable members will agree with me when I say that had the members of the Government been older members of the Chamber they would have thought twice before they proposed to reduce their own salaries. I am half under the impression that they are like the members of another place, who refused to accept a stipend, and have only been sorry for doing so once—the once being ever since. I assume that there are other ways than that of reducing salaries of meeting the deficiency. The country is bearing a rather heavy burden owing to the policy that has been adopted in connexion with the Mildura settlement. Possibly Parliament may deem it wise to consider the question of how far they are justified in allowing the country to be taxed to secure the existence of the Mildura settlement. Some three years ago the Turner Government promised us a land tax if the revenue went down. We are reminded of this by honorable members on the opposition side of the chamber, and we may find it necessary to impress on the Government the absolute need of a land tax as a means of meeting the difficulty that is likely to arise from any deficiency in the revenue.

Mr. RAWSON.—I desire just to say that I agree with the view that has been expressed by the honorable member for Geelong (Mr. Higgins). During the last general election the people did not express in any way a desire to see the reduction in the payment of members continued. I really feel rather surprised and sorry that the honorable member for Bourke West

should have thought fit to introduce the motion. I must say, with the honorable member for Ballarat West (Mr. Vale), that, considering the financial position which the honorable member and others who are supporting him hold in the country, the motion does come with questionable taste from them, in the face of the fact that the country has approved of the principle of payment of members. I would much rather see a proposal made to do away with payment of members altogether, because that is a question that could be fully and fairly discussed. There is a principle involved in it, and we could come to a determination upon it. I do think that this is an attempt by certain honorable members to get rid of payment of members altogether, and to revert to a policy that has been rejected by the people of the country. Taking this view, it is my intention to vote against the motion. Only on one occasion during my election campaign was I asked whether I was in favour of a reduction in the payment of members, and I answered distinctly "No." There was no objection raised to my statement. I take it that if this motion is rejected, as I trust it will be, that that will be an intimation to the Government that we no longer desire to see salaries reduced. If there is one thing that is clear to my mind, it is that the Government has no right now to continue the reductions in the salaries of the public servants. I think that the sooner the Government find some other method of raising the money they require, either by direct or indirect taxation, and restore the salaries of the public servants, the better. At the same time, I admit at once that when the reductions were made the Treasurer was driven into a corner. He was surrounded by great difficulties, and I should not like to cast any reflection whatever upon him. I could not do so, and I would not do so. But I do say that some method should be devised of raising money in order to enable the Government to pay their way, and to meet their responsibilities, without reducing the salaries of the public servants. The sooner the salaries of the public servants are restored the better for the country. As I have said, I trust that the motion will be rejected. I know that when men present themselves as candidates for Parliament it is a popular thing to say—"I am in favour of a reduction in the salaries of members." One man goes for a reduction of £50 per annum, and another will prefer

a reduction of £100. But if these men are returned they soon see that, having regard to the expenses incidental to the position of a Member of Parliament, the payment is not too much. No member could live decently on a salary of £300 a year, and if he had to rely upon it he would find himself in a very poor position indeed. I feel free to say that I could not live on that salary, nor twice that salary. If the principle of payment of members is to be maintained, honorable members should vote against the motion.

Mr. HANCOCK.—I just want to point out that the great majority of the honorable members who have spoken in favour of this motion have hitherto voted in favour of reductions in the salaries of the public servants. This is the first time, I think, that they have attempted to strike a blow in favour of the public servants. During the time of retrenchment honorable members on this (the Ministerial) side of the House, and in this corner particularly, protested against what they considered to be the cruel system of retrenchment that was being carried on, but there was not a solitary sympathizer with the public servants amongst those honorable members who have spoken this evening in favour of the motion.

Mr. ZOX.—That is not true.

Mr. HANCOCK.—I will take one vote. The honorable member for Prahran (Mr. Gray) moved an amendment to a Government proposition, to the effect that in the case of the public servants who were receiving salaries of from £150 to £200 the reduction should cease in 1897 instead of in 1898. This would have reduced the term for which the retrenchment was to continue by twelve months, but every honorable member who has spoken in favour of this motion voted against that amendment. Now, why this new-born zeal? Why this sudden affection for the public servants? Amongst those who voted against the amendment to which I have referred were the honorable member for Bourke West, the honorable member for Hawthorn, the honorable member for Anglesey, and the honorable member for Melbourne East (Mr. Zox).

Mr. ZOX.—We went in for retrenchment all round.

Mr. HANCOCK.—Those honorable members had then an opportunity of showing their sympathy with the public servants, but they supported the Government loyally. The voting was 46 to 35,

and by eleven votes those honorable members who are now so loud in the expression of their desire that the poor public servants shall have their salaries restored refused to give them a small measure of relief. I sincerely hope that the public servants will look into this matter, and ask themselves the question why these honorable members have suddenly turned round and have begun to sympathize with them. Let them beware of the Greeks when they bring presents.

Mr. MCKENZIE.—We show our consistency by advocating both reductions.

Mr. HANCOCK.—When the honorable member seeks to escape by that side door, it shows how very hard he is pressed. One honorable member has referred to the difference between the position of a Member of Parliament and a public servant. There are no pensions in connexion with the position of a Member of Parliament.

Mr. CARRER.—And the appointments are not for life.

Mr. HANCOCK.—No. A member of the public service, having once secured a position, holds it for the remainder of his life, so long as he behaves himself properly. The better a Member of Parliament behaves himself, the greater are the probabilities of his being thrown out at the next election. I reckon that my majority of 500 votes was secured to me by the fact that I did not behave myself, that is, so far as I am able to understand my critics in the daily press. Of course, nobody takes the honorable member for Bourke West seriously. He does not even take himself seriously. He is rich beyond the dreams of avarice, and all he wants to do now is to fulfil a promise he made to a few public servants who live in his district. He told them that he would do everything that he could for them, even if he went to the extent of depriving himself of the sum of £60 a year. The honorable member knows very well that his motion will not be carried. The constituents of Bourke West will, however, see that their member is alive at the commencement of the session, whatever condition he may be in at the finish. If I had a little more time, I could point to a large number of divisions in which the honorable members who are likely to support this motion voted directly against the interests of the public servants, and more especially the lower-paid public servants.

Mr. LEVIEN.—I do not think that is so.

Mr. HANCOCK.—It is so. Time after time honorable members in this corner expressed their strong objection to the system of retrenchment as applied to the lower-paid public servants, but on every occasion the Premier was enabled by the assistance of those honorable members who are now speaking so plaintively on behalf of the public servants to secure a victory. It is not worth while wasting time over the motion, because the honorable member has simply brought it forward in the interests of a few public servants who live in his own district.

Mr. SALMON.—As one who has consistently voted in the interests of the lower-paid members of the public service, and who sought to obtain for them the increments to which they were justly entitled, I consider that it would be wrong and improper to restore the salaries of Members of Parliament unless the public servants are treated in a similar manner. I do not go to the length of the honorable member for Richmond (Mr. Trenwith), who takes the view that Members of Parliament are on exactly the same footing as public servants; and I cannot see how that honorable member can logically vote against the motion if he believes that Members of Parliament are on exactly the same footing as public servants.

Mr. SANGSTER.—He did not say they were.

Mr. SALMON.—I am not in favour of abolishing payment of members, but I am in favour of a reform being carried out as to the manner and amount of payment. I consider that honorable members ought to be paid according to their attendances. If that were done proper provision would be made for the payment of honorable members who did the country's work, while honorable members would not be paid for work which they did not perform. I consider that the increments should be allowed at the earliest possible moment to the lower-paid officers of the State who are entitled to them. I am not prepared to vote against honorable members foregoing their full reimbursement for a little while, because it only means a delay during the period in which the increments are not given to the lower-paid public servants. I think we can therefore agree to this motion. I deprecate the remarks which have been made in regard to playing to the gallery. I believe that honorable members simply wish that the public servants shall be fairly and equitably treated.

Mr. BROWN.—I have heard what has been alleged against the mover of the motion, and I am perfectly satisfied that he is honorable in the matter. I shall vote for the motion, and plenty of people will recognise that £60 a year is as much to me as any one else. I am not going to put myself on a level with public servants or others. We represent the people; we are the custodians of the public purse, which is not in the bulging condition we would like it to be in. If honorable members are honest and earnest in their views they now have an opportunity of showing it. I may be twitted with speaking to the gallery, but my conscientious conviction is that the motion should be agreed to. Some honorable members have said that this question was not put before the country at the late general election. The question was put to me on almost every platform on which I appeared, and I am now simply carrying out a pledge which I gave to the electors.

Mr. McCOLL.—For fear that I may be charged with being a wealthy member of this House, I desire to say that if there were no payment of members I should not be here. At the same time, I will support the motion. I think that the restoration of honorable members' salaries to £300 per annum ought to have been accompanied by a return to the public servants of money to the amount of increase received by honorable members. There is an element of offence in honorable members taking their full salaries while public servants who are entitled to receive £300 per annum are still not paid in full. I can say, like the honorable member who has just spoken, that this question was a very live one in my constituency at the last general election. I gave a pledge that I would vote against the restoration of the full amount of honorable members' salaries unless the salaries of the public servants were brought up to the same standard.

Mr. THOMSON.—The honorable member for Shepparton has said that the House, if it wishes to be honest, must support the motion. I think that in order to be honest we must carry out what was intended when the Act to secure payment of members was first passed. It was intended that the payment should be reimbursement of expenditure, so that all classes might be thoroughly represented in the House. The reduction made in the payment made to members has prevented a

number of men who would otherwise have come into the House from entering it. £300 a year is a small amount enough to give if the object is to enable all classes of the community to be thoroughly represented. If it is intended that only wealthy men shall have seats in this House there ought to be no remuneration at all. The honorable member for Bourke West does not say that he wishes to do away with payment of members. He desires that they should receive an amount as reimbursement of expenditure. In many cases the amount now paid is not half enough to reimburse the member. If members are to be paid at all they ought to receive a proper amount. The honorable member for Talbot has stated that a reform in this matter is needed. I consider that the reform which is needed is in the direction of paying the members who represent country districts according to their expenditure. If a member is in a small way of business in a country district, it will not pay him to desert his business, and put in his place a manager, at a salary of £240 a year. Such a member is in a position which is entirely different from that of a member who represents a town electorate. I believe in payment of members, and I shall oppose this motion, because I consider that members are entitled to something like fair reimbursement. Even when £300 a year is paid most members are considerably out of pocket at the end of the year. I am acquainted with country members who would require double the amount they receive to anything like fairly reimburse their expenditure.

Mr. W. ANDERSON.—I regret that this question has been somewhat mixed up. I am sure that honorable members are only too willing to give effect to the view of the Treasurer, that as soon as the public purse warrants it the public servants shall be dealt with in a proper way. A number of honorable members have stated that when they were asked by their constituents if they were in favour of the payment to honorable members going back to the amount originally fixed they answered the question in the negative. Some of my constituents said to me at the last election —“The last time you were before us you were in favour of a reduction in the amount paid to members. Did you carry out that pledge in the Legislative Assembly?” I replied that I voted for a reduction in the

amount, for which I was sorry, and that if the question came up again I should vote for the amount being £300 per annum, while if a larger amount than that were proposed I would vote for it.

Mr. MURRAY.—You are a man after my own heart.

Mr. W. ANDERSON.—If any alteration is made in the system, I certainly think that the country members ought to receive a little more than they are now paid if the amount is to be regarded as reimbursement. On the other hand, I consider that if we were paid by attendances a number of us would receive a good deal more than our share. I am sure that the country does not desire that honorable members shall give their services for less than a fair thing. I conscientiously believe that £300 a year is little enough for honorable members; I shall therefore vote against the motion.

Dr. MALONEY.—No doubt this motion will not be carried. At the same time, I do not wish to impute any wrong motive to the honorable member who introduced it. I will give him credit for honestly holding his own opinion. He considers it to be unjust that we should receive our full salaries while some of the public servants do not get theirs. If the honorable member for Bourke West had attached to his motion a proposal that the wage-earners who are paid 5s. a day and the women in our State schools who are sweated should receive that which is deducted from honorable members' salaries, it would be a different matter altogether. But the honorable member knows that if his motion is carried the money will simply fall into the consolidated revenue. Would it not be wiser to provide that all shall be paid in full, and that they shall be taxed through the income tax, which can be raised at will. That is a just tax, which only touches those who receive as much as £4 a week clear. At the end of the last Parliament the honorable member for Hawthorn and the honorable member for Eastern Suburbs wished the Government to pay the whole of the public servants in full, and I cannot understand the action of those two honorable members to-night. How can the honorable member for Hawthorn support this motion when he wished the small surplus to be divided among the public servants? During my experience of the last three years, I have met only one man who was opposed to payment of members. When

I showed him the number of letters I received every day and had to reply to he remarked—"If every member has as many letters to write as you have, instead of reducing the amount of their pay I would double it." I now ask honorable members to take a division and allow the majority to rule.

The House divided on the motion—

Ayes ...	...	...	...	24
Noes ...	...	...	...	55

Majority against the motion ... 31

AYES.

Mr. Brake,	Mr. Morrissey,
" Brown,	" Shiels,
" Chirnside,	" Murray Smith,
" J. Harris,	" T. Smith,
" Irvine,	" Staughton,
" Keys,	" Wheeler,
" Levien,	" White,
" Madden,	" E. D. Williams,
" J. W. Mason,	" Zox.
" McBride,	
" McColl,	<i>Tellers.</i>
" McKenzie,	Mr. Moule,
" Moloney,	" Salmon.

NOES.

Mr. J. Anderson,	Mr. McCay,
" W. Anderson,	" McGregor,
" Beunnett,	Sir John McIntyre,
" Best,	Mr. McLean,
" Burton,	" Methven,
" Cameron,	" Murray,
" Cook,	Sir Bryan O'Loughlen,
" Craven,	Mr. Outtrim,
" Deakin,	" Peacock,
" Duffy,	" Rawson,
" Duggan,	" Sangster,
" Dyer,	" Stapleton,
" Foster,	" Styles,
" Gillies,	" Taverner,
" Graham,	" Thomson,
" Graves,	" Toucher,
" Gray,	" Trenwith,
" Gurr,	" A. L. Tucker,
" Hamilton,	" J. B. Tucker,
" Hancock,	Sir George Turner,
" A. Harris,	Mr. Turner,
" Higgins,	" Vale,
" I. A. Isaacs,	" Watt,
" J. A. Isaacs,	" Wilkins,
" Kennedy,	" H. R. Williams.
" Kirton,	<i>Tellers.</i>
" Langdon,	Mr. Bailes,
Dr. Maloney,	" Beazley.

HOSPITALS AND CHARITIES ACT AMENDMENT BILL.

Sir GEORGE TURNER moved the second reading of this Bill. He said—As the title of this Bill indicates, it is a proposal to deal with the hospitals and charities in our colony. I think we will all admit that all the world over we are faced with a great and difficult problem—that of riches and poverty. We have poverty

which, in some cases, no doubt arises without any fault of the poor unfortunate person interested. We have other cases, and probably as many, where the fault arises from the person's own past actions. But even in those cases we must not forget this fact, that although that person may be a culprit in our eyes, in nine out of ten instances there are depending on him or her, as the case may be, others who are not in fault, and who undoubtedly are entitled to our sympathy, and more—to our help. It is admitted that the charitable institutions in Victoria are not, and for many years past have not been, on a satisfactory basis, and that it is a solemn duty resting upon Parliament to attempt to make some provision which will prevent the honest deserving poor being sent to gaol. At the same time, we must guard against the drunken loafer getting advantages which should be limited to those who are really deserving. We see in the newspapers week after week cases which, on the face of them, appear to be very hard, but my experience has been, in many instances, when we have had those cases thoroughly investigated, that a good proportion of them turn out to be wholly undeserving, and that those who have made the loudest outcry are generally the most undeserving cases. I think we have all had experience of this kind—that our personal charity has, in many cases, turned out to have been misplaced; that we have been misled and imposed upon. In dealing with this subject we must be careful that we do not take any steps which will degrade our people, or which will remove or in any way undermine that spirit of self-help and self-reliance which it should be our duty to inculcate and encourage. We must admit that any legislation dealing with this particular subject, seeing that we have little to guide us either in the old country or in the other colonies, will be regarded, in some degree, as experimental. I admit at once that the proposals which the Government are submitting for the consideration of the House are, to some extent, experimental. But unless we are to experiment we must stand still, and we will never advance. We have a guide in New Zealand, where legislation on lines similar to those which we are proposing to the House has been in force for many years, and I think that all good liberals will say that we can certainly, with a good deal of satisfaction and a good deal of

reliance, look to New Zealand for guidance and assistance in dealing with many matters. So far back as, I think, 1890, the Charities Commission was appointed. That commission consisted of many good men. They occupied many months in fully investigating and discussing this great subject, and they have furnished us with three very valuable reports. This Bill is to a very great extent based on those reports. Year after year it has been urged in this House that we should deal with this subject of charity legislation, and Government after Government have apparently shirked the task. I think that is to be accounted for to a very great extent by the fact that whatever was done meant the raising of extra money, and that no Treasurer likes to have to do; in fact, he a good deal prefers having to spend money. Now, there is no use shutting our eyes to the difficulties which surround this particular question. If we are to put these institutions on a proper basis we must be prepared to spend more money, and if we are to spend more money we must be prepared to go a step further and provide some means of raising that money. It is all very well to say that the re-organization of the institutions will do what is necessary; but, in my opinion, it will not. Re-organization will not find the ready cash wherewith to feed the hungry and to tend the sick and distressed; and if we are to do anything that will be effectual and effective we must place in the hands of the various committees who have the management of these institutions a far larger sum of money than they receive at the present time. I have already said that we have received from the Charities Commission valuable reports, and I would be wanting in a sense of duty were I not, before passing to the details of this measure, to give a well-earned and well-deserved word of praise to our friend and brother member, Mr. Zox, for the work he did as chairman of that commission, and, in addition to that, for the persistency with which he has, year after year, in season and sometimes out of season, urged upon the Government of the day that it was their duty to bring forward some legislation for the purpose of carrying out those reports. We have a large number of charitable institutions in Victoria. We have 77 hospitals and asylums and 69 other institutions which will be affected by this particular Bill; and, taking the year ending on the 30th June, 1896, which is the

latest year for which I have been able to obtain complete statistics, the hospitals contained on that date 7,034 beds and 6,107 patients. So that we can easily understand that, while some of them may have spare beds, the great majority of them have been practically as full as it was possible for them to be. We all know the good work done by the ladies' benevolent societies. During that same year those societies assisted some 8,050 adult persons. Throughout the year the various charitable institutions dealt with 34,461 persons as in-patients, and gave outdoor relief to 61,045, or a total of 95,505 individuals, nearly what we have heard of in the older countries as "the submerged tenth" of the population. The proposal in this Bill is that it shall come into effect on the 1st of January next. It commences in clause 4 by carrying out one of the recommendations of the Charities Commission, which was as follows:—

"Your commissioners recommend that a Central Board of Charity be appointed, which should have entire control of the allocation of any Government grant to the various districts, and have general control of all charities within the colony. Such board should consist of nine honorary members, four appointed by the Government, and five elected by the district boards. The board should choose its own chairman, and have control of the present office of the Inspector of Charities."

Clause 4 of this Bill provides that for the purposes of this Act there shall be a Council of Charities. Each board—the boards I will explain later on—has the right to nominate one member, and four members are to be appointed by the Governor in Council. All the members of the Council of Charity will hold office for a term not exceeding two years, and power is given to the Governor in Council to at any time remove a member. We have, as I have said, carried out the recommendation of the commission with regard to that matter. And here I would like to point out that in the election of boards, and in the appointments of this central Council of Charity, there is nothing in this Bill which will prevent the presence at either of those bodies of ladies. We know that many of the contributors to the institutions are ladies, and that in the management of many of our charitable institutions the ladies have taken a very active part, and we know also that on many occasions patients do not care to have to make complaints to men. Now, a part of the duty

of this body is to hold inquiries. They have the right to appoint any of their number to hold those inquiries, and while, of course, the Government will have no control over the election of district boards, the Government will have the right of nomination to the council, and I personally hope to see on that council some representatives of the gentler sex, because a very large number of that sex will be affected by this legislation. Then, with regard to the meetings of the council, the Governor in Council appoints the first meeting, but after that they are left to conduct their own affairs. The Bill contains this provision, however, that the council shall meet at such place as the council shall from time to time appoint. The object of that provision is to prevent it being said that this council is always to be a Melbourne institution. It will be quite competent for the members of the council to say—"We will meet from time to time in some town within one or other of the country districts," and by that means we, to some extent, get rid of the objection that might otherwise be raised that there was centralization. Power is taken to appoint the chairman, who is to have a second or casting vote whenever there is an equality of votes on any question at meetings of the council. The members are to be entitled to their travelling expenses, but they will get no pay; they will get nothing for their own labour. We provide for a quorum of five members, and also that any member of the council, if authorized by the council, shall have and may exercise the like powers as are by this Act conferred on the inspector. That is to enable the council, instead of having an investigation made by the Inspector of Charities, to depute one of their own number to make the inquiries in any particular case. We provide that if a member is absent from four consecutive ordinary meetings without leave he loses his seat. There is power to resign given to each member. Another clause prohibits uncertificated insolvents from occupying positions on the council, and we also provide for filling up any vacancies which may occur from time to time in this body. I have mentioned that some persons may object to this Council of Charity as centralization. If I had my own way in connexion with this matter, I would much prefer to see one body dealing with the whole subject. I think that that would be the best mode

Sir George Turner.

of dealing with it; but, of course, I am faced with this difficulty that that is impracticable, because I feel certain that where there is to be local taxation there must also be local management of affairs, and if we were to provide that the whole management was to be vested in some body which would sit in Melbourne and deal with the whole subject, we would have the various local districts saying that it was unfair that this body, not being intimately acquainted with the requirements of particular districts, and not being elected by those particular districts, should take control of the charitable institutions, and tax the people of the various local districts for whatever money was required. Therefore, although in my own view it would be a simpler and better way of dealing with the subject, I have been forced to give way, because I feel it would be impossible to carry any scheme of that kind through this House. It has been somewhat difficult to obtain a name for the central body, and we have followed out the advice of the commission, and called it the Council of Charity. But honorable members will see from its constitution that it is in reality a committee formed by the district boards for the purpose of distributing the charitable grant given by Parliament, to sit as a court of appeal, and for the purpose of generally supervising the districts, and, through the districts, having some control over the management and expenditure of the various institutions. I think it will be admitted on all hands that we must have some effective authority and control, and we must either place that authority and control in the hands of this Council of Charity, selected in the manner I have mentioned, or in the hands of the Minister. Of the two, I believe Parliament will say that, as the money is to a great extent to be raised by local contributions and local taxation, it is better and more satisfactory to the people interested that this body should be brought into existence than that we should allow the Treasurer of the day to have sole control.

MR. MOULE.—I suppose there is nothing to prevent a member of a board being a member of the council?

Sir GEORGE TURNER.—Five of them must be.

MR. MOULE.—Each board nominates.

Sir GEORGE TURNER.—They will nominate members of their own body undoubtedly. I think there is no question

about that. The next step is, how are we going to place under the control of this new body some extra revenue. The first proposal we have made to this end is contained in clause 12, which provides that—

“(1) Immediately on the constitution of the council, there shall, for the purposes of this Act, be transferred to such council from ‘the Licensing Act 1885 Fund’ so much of such fund as exceeds in amount the sum of £50,000.

“(2) Whenever at any time the said fund exceeds in amount the said sum, it shall be lawful for the Governor in Council to transfer so much of such fund as exceeds such sum to the council.”

Honorable members will probably be aware that under the Licensing Act a fund is established. The whole of the licensing fees and fines are paid into that fund. Before the Act they were paid direct to the municipalities, and when the Act was passed it was provided that, in order to do no injustice to the municipalities, they should be entitled to receive, by way of what was called an equivalent, an amount equal to what they had been receiving under the then existing law. But more money is paid in under the new conditions than was paid in under the old conditions, and the result is that that fund has steadily accumulated. Out of it has to be paid any amounts awarded for compensation for closing public-houses in different localities. That fund, on the 30th June last, had to its credit £81,026, and by the 30th June next no doubt it will have to its credit a sum of fully £90,000. As a great part of the necessity for our charitable institutions is occasioned by over-indulgence in liquor, we have thought that it is not unfair to say that a portion of this money shall be applied for the purpose of assisting our charitable institutions out of the difficulties into which they have got through no fault of any persons who have had the management, and at the same time we desire to leave in that fund a sufficient amount to meet any claims that are likely to be made upon it for compensation in respect of closing public-houses. It is some years since any claim was made. The last amount paid out was in 1893. We think we are justified in applying a portion of this fund for the purpose of assisting the charitable institutions, and we say that if we leave to the credit of that fund £50,000, and take care, whenever it goes below £50,000, that payments are not to be made out of the fund to the charitable institutions until there is over £50,000

to the credit of the fund, we shall be assisting those institutions in a fair and legitimate manner, and still leaving ample means to meet any claims on the fund in respect of compensation for the closing of public-houses. Therefore, we ask Parliament to say that, whenever that fund exceeds £50,000, the balance over and above that amount may be transferred to the Council of Charity by the Governor in Council.

Mr. HIGGINS.—The more the people spend in drink, the more they will give in charity.

Sir GEORGE TURNER.—No, that is not so. This fund is established mainly from the licence-fees, not from the revenue derived from any duty imposed on liquor. Our next proposal is also based on the recommendations of the commission, and it is to the effect that where we have race meetings, cricket and football matches, bicycle races, athletic sports, and any similar form of amusement, we shall endeavour out of these pleasures to obtain some reasonable amount to assist the poor and distressed in our midst.

Mr. T. SMITH.—You excuse exhibitions of the P.R.

Sir GEORGE TURNER.—We provide that out of the admission charged to see the sports and games that take place 5 per cent shall be deducted and paid into the Charitable Fund, and also that where money prizes are being given 5 per cent. of the amount shall be deducted and paid over to this particular fund. This recommendation was made by three members of the commission in the first instance, as follows:—

“The undersigned commissioners recommend that where racing and other clubs are permitted by the State to occupy valuable reserves and other Crown lands in the metropolitan district free of charge, in all cases where payment is demanded for admission to such reserves and Crown lands, a percentage of all such receipts should be paid over to the treasurer of the proposed Central Board of Charity.

“Signed—

“ANDREW ANDERSON,
“T. COOPER,
“GEORGE BAKER.”

It was not a recommendation of the whole commission. But later on, in their last report, the commission did advise something a good deal further, namely:—

“That a tax of 5 per cent. be levied on the receipts at all outdoor sports, and on the value of the prizes awarded at race meetings, to go towards the support of the charities.”

Now, that is the recommendation on which we have acted. We have not in this Bill attempted to charge on indoor amusements, such as theatrical performances, and anything similar to them.

Mr. STAUGHTON.—Why not?

Sir GEORGE TURNER.—It might have been done, but there is a great difference and a great distinction between those who are carrying on theatres for the means of earning their living and outdoor sports, where large profits are made. However, after investigating the matter, and seeing the protests made, and considering that it was not recommended by the commission, we have not thought it wise to establish any such charge.

Mr. MOULE.—Have you any idea of what the revenue from the sports tax will be?

Sir GEORGE TURNER.—I have made the best inquiries I possibly could in connexion with the matter, and I find that from admissions the V.R.C. receives £32,000 a year. The V.A.T.C. receives £16,000.

Mr. MADDEN.—Will you be good enough to explain those letters for the benefit of the House?

Sir GEORGE TURNER.—I am often asked difficult questions by honorable members in that wicked corner. My honorable friend knows far better than I do the meaning of those letters, and it was because I had a doubt as to whether I could give a proper translation of them that I endeavoured to skim over the point by simply giving the initials. But I think that V.R.C. means Victoria Racing Club, and V.A.T.C. means Victoria Amateur Turf Club. The first club, as I have mentioned, receives £32,000 a year, and the second £16,000. The Moonee Valley Club gets £5,000. The Melbourne Cricket Club receives from admissions the sum of £12,000.

Mr. BURTON.—Does that include members' subscriptions?

Sir GEORGE TURNER.—Yes; they are included in each case. The sums I have mentioned, added up, amount to a total of £65,000.

Mr. MOULE.—The £12,000 received by the Melbourne Cricket Club is not annual, is it?

Sir GEORGE TURNER.—It is the amount given to me as being one year's takings. Of course, the total of £65,000 does not include anywhere near the receipts

of all the institutions. Then, with regard to prizes, I have ascertained that the V.R.C. pays £34,000; the V.A.T.C., £17,000; the Moonee Valley Club, £3,000; and other clubs within 20 miles of Melbourne, having an aggregate of 91 meetings in a year, £23,000. That amounts altogether to £77,000. Then pony races bring in £7,000, and at bicycle races the prizes given amount to £7,000, bringing the total up to £91,000. I have endeavoured to check these amounts by having taken from the *Australasian*, as a sporting paper, the amounts advertised as prize money during the period of twelve months, and I find that for horse racing it comes to £76,000; bicycle racing, £7,000; pony racing, £7,000; making a total of £90,000. The information upon this subject which I have given to the House has been willingly supplied to me by the officials connected with the various clubs, who have gone to some trouble to furnish the particulars I have asked for. These two amounts—admission money and prize money—come to a sum of £160,000; and I think that if I say that, in round numbers, the total amount for admission money and prize money throughout the colony would come to the sum of about £200,000, I shall be near the mark. The revenue derivable from all this money at 5 per cent. would be about £10,000 a year. Of course I cannot give exact information with regard to this matter, but the figures I have given are the best that I have been able to obtain for the information of honorable members. In France they have taxation somewhat on these lines. There they charge one-tenth on the prices for admission to theatres and concerts. That amount appears, so far as I have been able to make out, to be added to the price of the tickets. With regard to horse races, one-fourth of the amount is taken for charitable purposes, and altogether they derive something like £100,000 from that particular mode of taxation, which goes towards the Charitable Districts' Fund.

Mr. MURRAY.—But part of that revenue is derived from the totalizer.

Sir GEORGE TURNER.—The honorable member for Warrnambool may have information on the subject that I have not got, but what I have stated appear to me to be the facts. I cannot tell whether the amount includes the receipts from the totalizer.

Mr. MURRAY.—I think it does.

Sir GEORGE TURNER.—Whatever form of taxation we submit will, undoubtedly, have many objections raised to it. I can understand that my honorable friend the member for Melbourne East (Mr. Zox) will, with the hearty support of the Chief Secretary, be anxious to suggest that there should be a tax on bachelors. But as the ladies have not yet been able to catch these gentlemen, I think it will be rather difficult for the tax collector to put his hands upon them and get the due amount out of them. I have also been advised to put taxes on bicycles, carriages, and pianos. All these taxes might be very good, but very expensive to collect. It would also be very hard indeed to discriminate between those who use bicycles, carriages, and pianos for mere pleasure and those who really use them as a portion of their means of earning a livelihood. Realizing that difficulty, and knowing how troublesome it would be to collect these taxes, I think the one we have suggested would be far more acceptable to the House. There is a source of revenue which has been suggested to me, and which I feel very much inclined to adopt. Publicans have to pay a licence-fee of £25 or thereabouts—some more, and some less. Now, there are a large number of clubs which have sprung up, some large and wealthy clubs, some mere bowling clubs, where the receipts are small. But why they should have the privilege of selling liquors without paying a licence-fee at all is something I have never been able to understand. Therefore, I think it would be easy for us to augment the Licensing Fund by putting some reasonable charge on those institutions, which certainly can as well afford to pay a licence-fee as the publican can. There are 62 of these clubs throughout Victoria. If we made a fair charge upon them for a licence-fee, we should receive from that source £1,000 or £1,250 a year, which would go into the Licensing Fund, and be appropriated under this Bill for the purposes of charity.

Mr. STAUGHTON.—Why should not the money go directly to the charitable funds?

Sir GEORGE TURNER.—Or, as my honorable friend suggests, we could specially appropriate it for charitable purposes. I can understand that some objection may be taken by smaller football and cricket clubs that they are heavily in debt, and that to tax their gross receipts might place them in a very difficult position. But the amount we should get from such

clubs would be comparatively small. They have, as many of us know, very hard work to carry along, and it might be wise—probably would be wise—to exempt some of the smaller ones from the operation of this tax. That is a matter that would be fairly open to debate when we came to deal with the particular clauses in committee. Many of the charitable institutions at the present time have very heavy overdrafts, and these are a severe drag upon the ladies and gentlemen who have the management of those institutions. Honorable members, when studying the figures I have submitted and the various statements circulated, will find that the institutions in the central district have overdrafts amounting to £19,062, in the southern district to £6,216, in the midland district to £7,185, in the eastern district to £430, and in the western district to £230, making a total of £33,123. Building overdrafts amount to £1,566, making a grand total of £34,689. These are the overdrafts the institutions had on the 30th June, 1897. Honorable members will observe that these are not altogether proportionate. Two of the districts, fortunately, have very small overdrafts. But I think that if we are going to start a new system it would be fair to start with a clean sheet, and to wipe out the overdrafts, be they large or be they small. Therefore, I have not attempted to discriminate between these various districts, but propose to allow them to get their overdrafts paid off. By these means we shall be making them an annual grant of some £2,000 or £2,500, which they have to pay in interest at the present time, and they will thus be better able to go on with their various works and meet the expenses they have to incur. We propose that the moneys which come from the Licensing Fund and from the sports should go to the council, and that the council shall appropriate them for the purpose of paying off the overdrafts I have mentioned; but in order that the institutions may not take advantage of this and run heavily into debt, we have fixed the 30th September last as the date on which the overdrafts are to be calculated, and then, after they have been paid off, these moneys can be used for the improvement of buildings, for the building of new institutions, or in any other mode which the council and the boards of the districts interested may think most advisable for spending the money. We propose, in order that the

council may be able to make the necessary payments to the districts, to authorize them to obtain, at any time, overdrafts not to exceed £10,000. While we give this necessary power, I do not know that it will be needful to exercise it in many cases, because the instalments of Government grant, and the payments by the municipalities hereafter referred to, have to be made in advance. Therefore, in all probability, the council will always have at its control and disposal a sufficient amount to pay the sums which have to be paid to the various districts out of the money granted by the Government—and it is not proposed to interfere with the subsidy of £100,000—and the £10,000 licensing fees and £10,000 sports tax. When the overdrafts are to be paid off we direct that this council shall have the allocation of what is known as the charitable vote. Clause 16 provides that—

“It shall be the duty of the council, subject to this Act, to annually allot and determine the amount which each board shall be entitled to receive from any money granted by Parliament to or for charitable institutions, or any money transferred to or received by such council under or in pursuance of this Act.”

Then we give them certain directions for their guidance. Of course we do not lay down a hard-and-fast rule that they must divide this money on certain terms and conditions, because there might be varying circumstances; but we point out to them certain matters which they should take into consideration when making allocations and distributions. The Bill says—

“In making such allotment and determination regard shall be had to the amount which each board is likely to obtain from a rate of 1½d. in the £1 of the net annual value of all rateable property within each district, to the financial position of the subsidized institutions in such district, to the probable amount likely to be locally contributed in each district respectively, to the number and nature of the subsidized institutions within each district, to the probable total receipts and expenditure of such institutions, to the total number of persons relieved by such institutions during the preceding year, the average number of occupied beds in the institution, to the average cost per head of the maintenance and management respectively, and to any exceptional circumstances with regard to such institutions or their geographical positions, and to such matters as may be prescribed.”

That is to say, prescribed by the Governor in Council. The report of the commission is rather severe with regard to the distribution of the charitable vote. It says—

“No principle whatever has been adopted in the allocation of the Government grant. Allocation has grown up on political influence, and

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continued without reference to the specific need of each institution, and is a source of annoyance and a drag upon each Treasurer. The greatest anomalies prevail in the amounts voted to institutions of the same character in different parts of the colony. It is not in proportion to local effort, and indeed bears no relation to amounts subscribed. It is not in proportion to the number of inmates of the institutions, and great soreness in consequence prevails.”

No doubt in years gone by that was true, but successive Treasurers have struggled to remedy some of those defects, and now the amount is distributed on some basis—the basis, to a great extent, set out in the sub-section I have just read. But, of course, it is not satisfactory. It is not satisfactory, because the institutions do not get enough money. I venture to say that the scheme ultimately adopted by the council will be very much on the lines on which the distribution now takes place; and if by some means Parliament could place at the disposal of the Treasurer £50,000 or £60,000 extra money, I believe the Treasurer would be able to allocate that amount to these institutions, and by giving them all the money they require they would be perfectly satisfied. But I feel certain that if we were to raise this money from local contributions we could not place it in the hands of the Treasurer to allocate, because local bodies would growl—they will growl as it is, but they would growl very much more if they had no control over the expenditure of the money. Then we give full power to the council to make all the necessary inquiries, and to take evidence on oath. Clause 19 is an important one. It says—

“The council shall determine all appeals made by any charitable institution against any board; and every such determination shall be final and conclusive.”

If we did not provide for the council's determination being final and conclusive, some one would have to be appointed to be a final source of appeal, and if the Minister had the determination of these questions raised with regard to the allocation of the different sums by the district boards among the institutions, I am afraid he would have a never-ending source of trouble, and none of the institutions would be very well satisfied, whatever decision he gave. That is one reason why we should have this independent body elected by the different boards to deal with such matters.

Mr. MOULE.—Has the council any power to manage the various districts? For instance, if one hospital is crowded in one district and another is not, can the

council compel the hospital that has plenty of room to take inmates from the other?

Sir GEORGE TURNER.—The boards are given these full powers. The council has really the power the honorable member for Brighton mentions, because an institution has a right of appealing against the decision of a board, and on appeal the determination of the council is final and absolute. We take power to appoint an inspector of charitable institutions, and he has to inspect these institutions at least once every year, to investigate their actions and their various accounts, and to carry out any duty directed by the council or the chairman. The council have full power to direct the inspector to inquire into the mode of administering relief, and they may get all the information they can from the results of the inspector's inquiries. Then, so that Parliament may have general control, we are to have a report once a year by the council, which report is to be laid before Parliament. These are the provisions relating to what may be looked upon as the central body. Now we come to deal with more of the details, and we provide—again following out the advice of the commission—for the constitution of what are called district boards. The report uses these words—

“Your commissioners recommend that the colony be divided into charitable districts, administered by district boards, the members of which should be elected by the various municipal councils within the districts. From evidence given before your commissioners this system has worked advantageously in New Zealand. The district boards should have charge of allocating Government and municipal grants and other funds at their disposal.”

We therefore have provided for the division of the colony into five districts. Honorable members will have an opportunity of seeing how these districts have been divided from the schedule attached to the Bill, and from a number of maps which I have had prepared, and which will be distributed in the chamber and in the various rooms around Parliament House. This has been about the most difficult part of the whole subject. The difficulty has been to divide the colony into a reasonable number of districts, so that the local contributions may fairly be expended in the districts in which they are collected, and the hospitals grouped in such districts as to derive revenue from what may be called the

feeding ground of the institutions. We first of all tried to divide the colony into three districts. But we found that these districts would be too large, and that there would not be sufficient community of interest between the different parts, whilst in one case the expenditure was far larger than the revenue which it appeared to us would be derivable. Trying four districts, we found the same difficulty. Trying seven, we found that we should have 63 members of these boards, and probably 13 members of the council; and of the districts, four would have an expenditure under £10,000 a year, one of them as low as £3,600. We felt we were hardly justified in asking Parliament to divide the colony into such districts, seeing that the expenditure in several of them would be so small. On the whole, we have thought that the division as set out on the maps into five districts would be a very good one, at all events for a commencement. It will be a reasonable number, and the amount of expenditure in the different districts will come to a reasonable amount. The population, the valuation, and the expenditure seem, on the figures I have been able to make out, to justify the proposal for five districts as against any other number. In the central district we have a population of 524,276, a valuation of £5,194,788, and an expenditure of £117,822. In the southern district we have a population of 151,395, a valuation of £1,264,553, and an expenditure of £37,926. In the midland district we have a population of 187,789, a valuation of £1,367,022, and an expenditure of £35,988. In the eastern district we have a population of 128,564, a valuation of £1,001,942, and an expenditure of £12,853. In the western district we have a population of 146,893, a valuation of £1,545,912, and an expenditure of £15,042. The boards are to consist of nine members each, and they are to be elected by the municipal councils. Not more than one member can be elected from any one council. If we find, after the nominations have been received, that more than one member of any one council has been nominated, only one would be entitled to sit on the board. It is optional for persons outside the councils to be elected. The scale of voting is fixed on the basis of one vote for every £25,000 valuation up to £100,000 valuation, one for every £50,000 up to £200,000, and one for each £100,000 up to £200,000. But under this arrangement Melbourne would

get eighteen votes, and, as that appeared to us to be too large as compared with the others, we have fixed the maximum at twelve votes.

Mr. GRAY.—Do you consider valuation alone and not population?

Sir GEORGE TURNER.—The districts have to contribute on a basis of municipal valuation. Of course we cannot consider every item that might be taken into consideration in fixing the mode of election. As the districts have to pay taxes according to valuation, it is not unfair to say that representation should be made on this basis. We provide for the retirement of three members every year, so as to give opportunities for frequent changes. The members are not to be paid for their services. There are a large number of details with which I need not trouble honorable members at present, with regard to elections and vacancies occurring, as they are similar to the provisions relating to the council. Members are to be elected for a period of three years, and we provide for the first meeting to be fixed by the Governor in Council, and give a similar power as we have given to the council, that after the first meeting of each board all subsequent meetings shall be held at such places as the board may from time to time determine. That is to enable them to hold their meetings at different places in the districts they represent if they so desire. They are to appoint a chairman, who is to have a casting vote, and we provide for the number of the quorum being four. Clause 32 describes the duties of these boards. The first duty is really the keynote of the whole proposal. It is—

“to arrange for sufficient accommodation in, and a sufficient number of charitable institutions to provide for the wants of the sick, infirm, aged, and destitute residents in the district.”

So that we throw the onus on the boards of providing sufficient accommodation within their districts for all cases that are likely to require any assistance. They are also to determine what institutions are to participate in the Hospital Fund, and they are to determine annually how much each institution is to get out of the money which is voted by the Council of Charity to the board for distribution. Honorable members will see that the council does not distribute to the institutions. The council says—“We have five districts to provide for, and, looking at the institutions

in connexion with these districts, we think that out of the £100,000 at our disposal, the central district should get, say £35,000 or £40,000.” The board then allocates that amount among the various institutions within its district as it thinks wise. There is a power of appeal against this allocation or against a refusal to allocate any sum to any institution, that appeal being to the central council. We give similar directions for the guidance of the boards in the distribution of the funds as we give for the guidance of the council. Then we give the necessary power to the board to order any institution in a district to be amalgamated with any other institution. There are several cases—I myself in my experience in allocating the charitable vote have known of some—where, if I had had power, I would have ordered two institutions to be formed into one. There is no doubt whatever that there are many cases of that kind, but there are local jealousies, and unless you had a strong board, if you attempted to close one there would be instantly a howl of indignation to the effect that some wrong was being inflicted.

Mr. BROWN.—Would not that be so in the case of the board also?

Sir GEORGE TURNER.—The board has power to control such matters. Then they have power to direct institutions to be closed, and the inmates transferred to other institutions of the district.

AN HONORABLE MEMBER.—Will they have control over benevolent asylums?

Sir GEORGE TURNER.—They will have control over all the charitable institutions, including the hospitals and benevolent asylums. If they find that a considerable saving can be made by closing one institution, selling the property, and using the proceeds of the sale for adding to another institution, in the same district, or disposing of the proceeds in some other way beneficial to the district, they will have full power to do so. They may close the institution, and order all the land belonging to it to be sold, or they might direct, for instance, that the Melbourne Hospital be transferred to some place a little way out of the city, where it would be just as useful as it is on its present site. By that means a large sum might be raised and formed into an endowment fund, which would go a long way towards helping to carry on the institution in the future. We give all these

powers to this body, believing that they will act honorably and justly to all the institutions, and knowing that they will be at all times under the control of a central body, on which the Government will be very largely represented, and whose other members will be gentlemen chosen from the different boards throughout the colony. Then the board will have power to determine what alterations and additions shall be made to any institution. We also give them power to make necessary inquiries to determine whether or not any new institution is required in a district. Then we authorize them, where they think it wise, to establish dispensaries. These are institutions that do an immense amount of good where they are established, and if more of them were in operation, and were properly supervised, the result would probably be that the claims upon the hospitals would be less extensive. They are also to have power to classify all the different institutions in a district, and that is necessary, and they are to determine "which subsidized institution (if any) within the district of such board shall receive any particular aged, destitute, or infirm person as an in-patient or out-patient, and make an order accordingly." This will enable them to transfer an inmate from one institution to another. Then there is the appeal I have mentioned from the order of the district board on any matter to the central body, which has full power to determine all questions in dispute. I now come to a very important part of the Bill—the financial part. We provide that each institution shall in February send to the board the particulars of its probable requirements during the year, and of its estimated receipts. From these particulars the board has to prepare and to send, during the month of March, to the council a full statement of its requirements during the year. The council will have before it proper material on which to say how the moneys at its disposal ought to be distributed, so as to be fair and equitable to the various districts throughout the colony.

Mr. DUGGAN.—How would cases of emergency be met? Suppose that an epidemic broke out in a country district, and the local hospital was flooded with patients; how would the board meet a case of that kind?

Sir GEORGE TURNER.—There is a provision later on in the Bill with regard to the taking in of patients. We there

provide for cases of emergency, but the board has to allocate, and no doubt they will, as we do in the allocation of the £100,000, always keep some balance in hand. If an emergency of the kind the honorable member refers to should take place, and the board has not a sufficient balance in hand out of which to assist the particular institution, the circumstances being exceptional, there would be a power to appeal to the central body, which could then provide the money, and, if necessary, overdraw for the purpose. Independently of that, it is impossible to provide for an emergency. We have to trust the board to exercise common sense and sound judgment in dealing with the matter. They will have a certain amount of money at their disposal, and they will not part with every shilling and leave themselves nothing to fall back upon in case of an emergency. Then section 35 provides that where a board fails to carry out the direction of the council it may be coerced by the stopping of supplies. The next clause deals with the District Hospital and Charitable Fund, which is made up of voluntary contributions, municipal contributions, moneys received by the board from the council, and moneys received by the board from any other sources of income. An idea seems to prevail that the contributions at present received by the institutions are to be pooled and dealt with by the board or the council. That is not so. We do not propose to in any way interfere with the sources of revenue which the various institutions may have, whether they be collections, or donations, or contributions from the Hospital Sunday Fund, or from entertainments. These sources of revenue will remain with the institution as they are at present.

Mr. DUGGAN.—Under the local management?

Sir GEORGE TURNER.—Yes, we interfere as little as possible with the local management of the institutions. We think that they are well managed, and that there is no necessity to interfere with them in this respect. We leave them practically all their present sources of revenue, the only ones we interfere with being the municipal grant, which is very small, and the charitable grant, which may be allocated on a system different from that which the Treasurer has in the past adopted. There need, however, be no fear that the local sources of revenue will be interfered with in any shape or form.

There is another point that arises in this connexion, and it is this: That the more an institution collects the stronger claim it will have upon the consideration of the board in making the distribution, because the amount locally subscribed is to be one of the factors that is to weigh in the allocation of the funds.

Mr. McCAY.—It might be taken into consideration adversely to a district.

Sir GEORGE TURNER.—There is no doubt it might, but still it would be very unfair to say that because a comparatively rich district like St. Kilda could raise £2,000, and a comparatively poor place like, say, South Melbourne, could only raise £200, we should base the allocation of the Government grant on those sums. Local effort is all very well, and it ought to be encouraged. We in our distribution do encourage it. But it may be as easy in one district to collect £5 as it is in another district to collect 5s. The latter district would require more aid than the former, so that while the fact that a district has shown its energy by raising a considerable sum may be a factor to be taken into consideration, we must not be guided by that entirely. If we did so it would be very unfair indeed to the poorer districts, which may make just as strenuous an effort and yet obtain a much smaller amount. The whole of the facts will be taken into consideration by the board and the Council of Charity in making the distribution. The next important provision is contained in clause 37, which provides for the municipal tax. As this is perhaps the centre around which the fight will be hottest, it is well that we should look closely at the report that we received from the Royal Commission. The commission say that at an early stage of their proceedings they sent a circular to all the municipal councils asking their views with regard to municipal contributions, and, as might well be expected, in almost every case the reply received was opposed to any extension of municipal grants or of municipal responsibility. That is only natural. If you ask the municipal councils whether they ought to contribute, of course they will say no, and they will probably also say that it is the duty of the Government to provide all the money required out of the general revenue. That is the position that the municipal councils would, no doubt, take up. But the commission go on to point out that evidence

was afterwards given before them in favour of the principle of municipal rating, and that in many districts where the reply sent by the municipal councils was adverse, favorable opinions were expressed by individuals and by men holding municipal office. Then they say—

“Many municipal authorities, adverse to the whole burden of charity falling on the rates, were favorable to the burden being borne partly by the Government and partly by the municipalities.”

They also say that a second circular was sent, not to the municipal councils, but to the charitable institutions, who feel where the shoe pinches, and this elicited a very different set of answers. In almost every case the committees thought municipal grants should be increased, and in many cases they were warmly in favour of a rate:—

“In some places the managing committees would like the Central Government to take over the hospitals altogether; in others they would prefer the municipal government; in almost every place except those specially favoured by the present distribution of Government money testimony was borne that the existing condition of affairs was intolerable.”

That was so seven years ago, when contributions were made much more largely than they are now, and therefore I say that in all probability the conditions are not less intolerable at the present time. The following is a further extract from the report of the commission:—

“Your commissioners cannot regard it as satisfactory that so large a part of the revenue of charitable institutions should be drawn from the consolidated revenue of the colony, and that so small a portion should be raised by municipal grant. The various municipalities are empowered by law to contribute; but, according to the last report of the Inspector of Charities, during 1891 the amount contributed was only £9,425.”

I unhesitatingly say that I agree with the commission that it is unfair that such an immense proportion as £100,000 to £9,000 should have to be found by the Government.

Mr. STAUGHTON.—Does not the £100,000 come out of the pockets of the people?

Sir GEORGE TURNER.—Out of the pockets of all the people, no doubt, but surely each district should be prepared to maintain its own poor.

Mr. MADDEN.—How does that fit in with the illustration you gave about St. Kilda and South Melbourne?

Sir GEORGE TURNER.—The valuation of St. Kilda will come to a considerable amount, but I do not say that each

city or town, each street or lane, should provide for its own poor. I do say that each of the five districts should provide for its own poor. One of the objects we have in dividing the colony into districts is that, one city being a little richer than another may combine with that other in maintaining the local poor. I do not say that a particular city or town is to have the burden thrown upon it. If we had large wealthy cities, such as are to be found in England, that system might work fairly, but here we must divide the colony into a reasonable number of districts in order that the burden may be equitably distributed. Then the report says—

“Your commissioners are of opinion that half the money required for hospitals and benevolent asylums should be locally raised; that if the necessary funds cannot be raised by private subscription the balance should be paid by the municipalities; that the District Board of Charity should receive from the Legislature power to levy the needed amount on the municipalities concerned, who, on receipt of the precept, should pay the amount out of the rate for general purposes. It is neither necessary nor advisable that a special rate should be struck.”

I quite agree with that, and we do not propose to strike a special rate as a poor rate. Then the report proceeds—

“Your commissioners are well aware that the proposition to supplement contributions from private benevolence and grants from the Government by grants from municipal revenues is open to the serious objection that many kinds of wealth would still be allowed to elude the obligation of providing their fair quota of the general charitable fund. But your commissioners abstain from suggesting the form of taxation which would reach means other than those derived from real property, whilst strongly of opinion that all descriptions of wealth should be made to contribute.”

Theoretically that is splendid, but the difficulty is how to carry it into effect. How are you going to get at all these descriptions of wealth? The report continues—

“In the meantime the general adoption of the system of municipal rating, which has, in some measure, already been brought into working order at Nhill and at Horsham, would be a move in the direction of establishing a more equitable distribution of the burden of maintaining the charitable institutions of the colony. Your commissioners regard it as a practicable approximation to the complete solution of a complex problem.”

The problem is complex, and I have come to the conclusion, after giving it careful consideration, that the commission are perfectly right in what they say. Whilst this Bill does not do all that perhaps we

ought to do, it will make a very good start. It may hereafter be improved upon if necessary. The commission also state—

“The probability is that it would be found sufficient to meet the necessities of the time being; and this weighty consideration may be urged in its favour, that by a consensus of evidence collected in widely-separated centres of population it is indicated as being in reasonable accord with the present trend of popular opinion.”

“As far as hospitals and benevolent asylums are concerned, the annual private contributions amount to little more than half what is paid by the State, and from this a large sum has to be deducted for the cost of collection. The burden falls on the few, and this is unfair. To place a further portion on municipal funds will not reach all, but will go a long way further towards an equitable system.”

Now, I think that these statements are self-evident. By imposing this tax we may not reach everybody whom we ought to reach, but we will reach a very large number indeed, because I find from the *Municipal Handbook* that throughout the colony we have no less than 318,926 ratepayers. Of course, there is not that number of individual ratepayers. A person may appear on various rolls, but still there is a very large number of persons indeed who are ratepayers, and who will be affected by this particular mode of taxation. No doubt some honorable members will suggest that instead of making the reduction that has been proposed in the income tax the money should be used in maintaining the charitable institutions in lieu of imposing this tax on the municipalities. With regard to that I may, in the first instance, say that the reduction is not to be proposed this year. When placing the policy of the Government before the country, I said that if after this year the finances were in such a condition as to allow of a reduction of the income tax, the Government would propose a reduction in a gradual form until it was brought down to the amount originally contemplated. That, however, is dependent upon the revenue, and it is not intended, as I have said, to make the reduction this year, so that no help can be got from that source. It may or may not be done next year, but even if it is it will have to be done gradually, and it would not provide anything like the amount that the charitable institutions require. In addition to that, the tax falls on only some 24,000 or 25,000 of our people, and when providing funds for charitable purposes it is only fair, just, and equitable that we should

spread the collection of those funds over as large a number of people as we reasonably can. The honorable member for Melbourne East (Mr. Zox), as chairman of the commission, and Mr. Edmund Ashley did not agree with the recommendations of the commission, and it is only fair that I should read the memorandum which they attached to the report. It is as follows:—

“The evidence, *pro and con*, in respect to municipal rating does not satisfy the undersigned commissioners that they would be justified in recommending any alteration in the present system. They are desirous not to raise any issue which will not be accepted by the country. In course of time the people of the colony may be brought to see the desirability of a municipal rate or other tax for the support of charitable institutions in conjunction with a Government grant. But your commissioners are dealing with present issues. Your commissioners have had in evidence particulars of the limited number of ratepayers amongst the nominal subscribers to charitable institutions, but the number who subscribe to ‘Hospital Sunday’ and who contribute to friendly societies’ fêtes will swell the average to a fair amount. The undersigned wish to draw attention to the fact that such a large number of the poorer classes in the colony have given evidence of thrift by becoming members of friendly societies that it would be unfair to further directly tax them by the imposition of a municipal rate on their small holdings for the support of charitable institutions.

“They, however, recognise that, unless special efforts are made to increase the private contributions to the charitable institutions of the colony, the Government must, in time, be called upon to contribute in a larger degree for the support of such institutions. Unless the growing necessities of the colony are met by a corresponding growth of charity, hospitals in the metropolis and elsewhere will find their usefulness curtailed through lack of funds. Under such pressure of circumstances, they consider that it will be necessary to supplement the Government grant and private subscriptions by some rate or tax, which would fall not only upon possessors of one kind of property, but equitably upon those able to pay. Occupiers of small homesteads should, however, in all cases be exempt. Thrift should not be taxed. But they hope that the necessity for compulsion in raising funds to support charitable institutions will for some years be avoided by the generosity of the public and the good sense of municipal councils, who will voluntarily subscribe their fair quota towards the support of local benevolence, realizing, as these bodies must do, how obnoxious the imposition of a poor rate would be to the general community.”

This memorandum was written seven years ago, and circumstances have not improved since then. The municipalities have not recognised their responsibility by contributing more than they contributed then, and private contributors are

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more limited in number and are less able to afford to subscribe than they were in the year when the report was written. Whilst we are bound to pay every respect to this protest, and to give it every consideration in dealing with the matter, I do say that, so far as I have been able to determine, it is impossible to carry out the desire that we should place this burden on all classes of the community. If the honorable member for Melbourne East can suggest for our consideration any scheme which will distribute this necessary charge over a larger area than we propose he shall have my hearty support; but it is useless to say that we are going to form a Council of Charity and district boards if we are to give them only the same revenue that we have had in the past. If we are to do that, we had better let things remain as they are. Unless we are prepared to give them a considerable sum more than has hitherto been available, our energy will be wasted in bringing these bodies into existence at all. It is for the House to say what means it will adopt to raise the necessary amount of revenue. I believe that by reorganization certain savings can be made. These savings will, however, be comparatively small, and will not anything like meet the necessities of the case and the demands which will probably be made by the managing bodies of these institutions for further assistance, and these demands under the provisions of this Bill will be far larger in the future than they have hitherto been. In a later report the commission point out that in some cases the expenses of collection absorb more than 50 per cent. of the receipts, and that the average cost of collection for the charitable institutions throughout the colony amounted to nearly 15 per cent. The collections in the country districts, they say, were mostly of a perfunctory character, only one in fourteen of the population of Victoria subscribing to the charities. That is the position which has been taken up by the commission, after giving the fullest consideration to the whole subject, and therefore we now propose that a tax shall be levied on the municipalities. I wish it to be clearly and distinctly understood that the tax is only to be a last resource. Before the tax is levied the board will have to ascertain the amount over and above all other sources of revenue that is necessary, and for that amount, and for that amount alone, will the board levy the tax. Section 37 provides that before the end of May

in each year the board are to ascertain the sum which, in their judgment, will be necessary to enable the subsidized institutions in that district to efficiently manage and conduct such institutions during the year. They are to deduct therefrom the amounts which, in their opinion, will be received by such institutions direct, and from all sources other than the contributions by the municipalities in the district, and the balance, or such portion thereof as the board may direct, is then to be contributed by the municipalities in such district rateably, and to be called the municipal contribution. This contribution is to be payable by quarterly instalments. It is to come out of the ordinary town or municipal fund, power being given to increase the rate by the sum which is fixed. The maximum rate that can be levied is 1½d. in the £1 on the rateable value of property. It may, and in some instances I believe it will, be less than that, but that is the highest amount which can under any circumstances be levied, and the tax is only to be imposed to make up any deficiency in the amount obtained from all other sources of revenue, as compared with the expenditure. Then we take power to compel the municipalities to pay their contributions either by deductions from any moneys that may be coming to them from the Treasurer, or by a mode of recovery in the courts.

Mr. SALMON.—It will be possible for one municipality to be taxed whilst another escapes.

Sir GEORGE TURNER.—That may be so. If the people in one district subscribe liberally, if they get up entertainments, and in other ways provide all the money that is necessary to enable the institutions to be properly and efficiently managed, then there will be no necessity for the rate. We may say, therefore, that it really rests with the people in each district to raise the money by other means if they wish to avoid the rate, but the rate when once struck is to be struck equally over the whole of a district. There is no doubt, I think, that in all the districts it will be necessary to strike a rate, but whether it will come to 1½d. in the £1 or not I am not prepared to say. My investigations lead me to believe that in most cases a rate of 1½d. will be required. In perhaps one case, the western district, the full amount will not be required. Then we provide that the boards are to divide the

fund amongst the institutions. The fund, as I have mentioned, consists of the proceeds of the Government grant and Licensing Fund, the sports tax, any direct donations the boards may get, and the municipal contributions. They are to allot this money amongst the various institutions for their maintenance, and they may, with the approval of the council, give grants for building purposes. Then there is a power to withhold payment from an institution if it does not carry out the directions of the board or of the council. The stoppage of supplies is, of course, the only means that the council and the board will have of exercising a proper control over the various institutions. Now, with regard to the amount of the rate that the board is likely to strike, we must not forget this fact, that each board will consist of representatives chosen by the municipal councils. The municipal councils have to find the money, and, therefore, I think we may rest perfectly assured that the board will never strike a higher rate than is absolutely necessary. To avoid any conflict with regard to that matter, we have not made any provision for allowing the institutions which have the spending of the money to be represented on the boards. The main object of the boards is to raise money and to distribute it equitably, and we thought that the fairest plan would be to leave the selection to the municipal councils, and not to the institutions. One objection which may fairly be taken to the proposed tax is that it may dry up the springs of private charity. There is no doubt there is that objection, and we have to face it, and, if possible, to overcome it. The springs of private charity do not bring in sufficient money at the present time. Whatever tax you impose, it will have just the same effect in, I admit, for a time stopping some of the private contributions. If this were a direct tax, and every man had to draw his cheque and pay it, it would have a very great effect on the springs of private charity, but when every man has to pay it indirectly, I do not know that it will have any such great effect after the first start. I can easily understand that a man will feel sore in the first instance, and will say—"I am not going to give you any contribution." But the majority of people who contribute now give in order that they may have a say in the management

of the institution and in the election of medical and other officers, and so as to have the privilege of recommending persons for help; and gradually the feeling against having to pay this rate will wear off. While I admit that private contributions will for some time fall off one-half, I believe that eventually people will go on contributing as much as in the past. In New Zealand, the only other colony which strikes a municipal rate, the charities receive a large amount of private contributions, and there is no limit whatever to the rate on the municipalities. The rate will bring in in the central district £32,467, or 15d. per head of population; in the southern district, £7,903, or 13d. per head; in the midland district, £8,544, or 11d. per head.

Mr. MOULE.—Does that mean on the whole population?

Sir GEORGE TURNER.—Yes. In the eastern district it will bring in £6,262, or 12d. per head; and in the western district £9,662, or 17d. per head. In the western district the rate is very high. It will not be necessary to strike more than 1d., and then the rate there per head of the population will be 12d. In the case of an ordinary poor man's cottage rated at £20 per year, the occupant will have to contribute 30d., or 2s. 6d. a year. Surely it will not be said that amongst that class of people any objection whatever will be raised to this small contribution.

Mr. ZOX.—The same man pays 1s. or 1s. 6d. a week to his friendly society.

Sir GEORGE TURNER.—No doubt he does.

Mr. STERRY.—The Treasurer makes his calculation on 1s. per head on the whole population, and the whole population will not contribute.

Sir GEORGE TURNER.—It is the rate-payers who will pay, and I have given their number. Of course we cannot collect the money from the children and infants in arms; we must collect it from the ratepayer. The lodges do their share in helping the charities by getting up galas and sports. They help the charities, and do it very well. A member of a lodge pays 1s. or 1s. 2d. a week into the institution, and when he gets into difficulties he has a right to go to the funds of the institution and receive £1 a week. Persons so situated will still have that right. I am certain that none of the members of the friendly societies will object, even if they have to pay this extra half-crown a

year. I have now dealt as fully as is necessary with the proposal for raising this sum of £64,000 towards the assistance of these different institutions. The Bill contains further provisions, directing the board to keep necessary accounts and make up proper balance-sheets, which must be audited by the Commissioners of Audit. The surplus funds of one year must also be carried over to the credit of another year. I now pass from the boards to deal with individuals. The report from which I have quoted continues:—

“Your commissioners are of opinion that there is a certain percentage of imposition on the charitable institutions of the colony. In part this arises from the fact that people obtaining certificates from a subscriber imagine that they have a right to relief. . . . Your commissioners are of opinion that pay wards in connexion with general hospitals supported out of charitable funds are not advisable, but that all patients should contribute for their maintenance and attendance according to their means.”

We have endeavoured to carry that out in clause 46 of the Bill, which provides that a court of petty sessions may, in the case of a person who is or has been an inmate of one of these institutions, and who is in such a financial position as justifies an order against him for past maintenance, order him to pay an amount not exceeding 10s. per week. That is fair and reasonable. When it is discovered that persons who are receiving the benefit of a charitable institution are able to pay, they ought to pay. If a member of a friendly society has to go to a charitable institution, the fact of his being in receipt of £1 a week from a friendly society will not be a ground for ordering him to pay for his maintenance, because the £1 a week is for the purpose of keeping his family from want while he is unable to earn a living. Members of lodges need have no fear that they will be ordered by magistrates to pay for maintenance. There are few magistrates who would say that a man who is receiving only £1 a week when he is out of work ought to be ordered to pay for his maintenance.

An HONORABLE MEMBER.—You said that an order could be made for a sum not exceeding 10s. a week.

Sir GEORGE TURNER.—Ten shillings a week is £26 a year, and that is a fair amount to order any man to pay for maintenance. As regards those persons the Treasurer sends to the Bendigo Asylum, we formerly paid £16 a year, and

we have now reduced the amount to £14 a year. I did not want the institution to make any loss, nor did I want it to make any profit out of the hard-hearted Treasurer. Then we proceed to deal with another class—the relatives of persons who are in these institutions. We provide that any person standing in the relation of father, mother, husband, wife, brother, sister, or child may be called upon to contribute the total amount of maintenance, but the amount of the order must not exceed 10s. per week. It is a fair question for debate as to whether we have included too many classes of people or left out some who ought to have been included. Probably some honorable members will suggest that we ought to have included mothers-in-law. Others will probably say that we ought not to make a brother or sister liable to contribute. A provision similar to the one I am referring to, except that it does not include brother or sister, is at present contained in our Lunacy Act. We collect about £15,000 a year towards the support of persons who are in institutions under that Act. We provide in the Bill that the proceedings of the court may be conducted in private, so as not to expose the affairs of individuals; that if a person in an institution is able to contribute to his own support the magistrate need not make the order against the relatives; and that if the persons summoned are not in a position to contribute no order need be made against them. If it is found for any reason whatever to be unreasonable that a person should be charged with the support of an inmate the court need not make the order. Some circumstances might be brought before the court showing that it would be unjustifiable to order any relation to make any payment towards the support of an inmate. We know that parents have to maintain, educate, and bring up their children, and it is no hardship for the children if they are able to do it to make some contribution towards the support of their parents when they in their old age become inmates of some of these institutions. There can be no hardship in any of the cases I have mentioned except the point about brothers and sisters, and that may be discussed in committee. The objection has been raised that these provisions will enable the dissolute member of a family to levy black-mail on the respectable member.

Several HONORABLE MEMBERS.—Hear, hear.

Sir GEORGE TURNER.—I do not know that that will occur to a greater extent than at present. If the dissolute member of the family is in existence he will bleed the respectable member, and for the sake of peace and quietness the respectable member will allow it. But if that may happen in isolated cases, is it any reason why a number of well-to-do relations should escape their share of contribution for the maintenance of their poorer relations? Every law must have some hard cases, but the few which will arise in this instance are not sufficient in number to compel us to allow the wealthy relatives of people in our institutions to escape scot-free. I have read in one newspaper that the introduction of such a provision would force people to leave this colony. That bogey is always raised whenever we attempt to make any charge.

Mr. MURRAY.—When those people leave the colony they ought to be compelled to take their poorer relations with them.

Sir GEORGE TURNER.—That is a very good suggestion. This proposal is law in New Zealand, South Australia, and Queensland. I think we need have very little fear in regard to that class of persons. The report from which I have quoted, with reference to the manner of making persons contribute towards the support of indigent relations who are burdens upon charitable institutions, says—

“Your commissioners have already recommended the passing of an Act to deal with the above problem. They further recommend federal action in this matter. Power should be given to compel husbands residing in one colony to contribute towards the support of their wives and families in another. The same should apply to well-to-do persons who have indigent relatives in an adjoining colony.”

As we are constituted at the present time we cannot pass such a law. The Attorney-General has with me had under consideration the desirability of bringing in a Bill to make husbands liable to arrest, but it cannot be done as the law now stands. The commissioners further say—

“Very large discretionary powers should be given to all magistrates before whom any such cases might be tried, and they might be empowered to hear the same privately, so that dissolute persons might not be able to use the courts for the purpose of annoying worthy relatives.”

There is not much in the matter of black-mail, because the person concerned must

get into the institution before any claim can be made in regard to the relatives. It will be far better for the relatives to voluntarily pay 10s. a week to the institution than for their dissolute connexion to be roaming about and doing much more damage.

Mr. T. SMITH.—Whether they can afford it or not?

Sir GEORGE TURNER.—It does not mean that. First of all, inquiries have to be made as to whether these people can afford to pay. The whole question is decided by the court of petty sessions, and clause 47 distinctly provides—

“if evidence be given on behalf of the defendant satisfying the court that the inmate can afford to pay either wholly or partly for his own maintenance, or that having regard to the defendant's means and the cost of his own support and of the support of others dependent upon him, or for any other reason whatever, it is unreasonable that he should be charged with the support of the inmate, the court may in its discretion make no order, or may order payment of any sum less than 10s. per week.”

There are also provisions giving an appeal to the Court of General Sessions, and for distributing the cost of maintenance over all the relations.

Mr. MADDEN.—But a relative, having borne his full share of the cost of the charity, is then taxed individually for his own people.

Sir GEORGE TURNER.—And why not? If these people, unfortunately, have poor relatives they must look after them.

Mr. STAUGHTON.—They have relatives who are bad as well as poor.

Sir GEORGE TURNER.—The bad form only a very small percentage. If the relatives are able to keep the poorer ones, why should the latter be in an institution at all? If a child is in a position to support its parent, why should the parent be allowed to go into an institution? And the same thing applies to other classes of people. I do not even see why a brother or sister, if in a position to contribute to the support of an unfortunate member of the family, who, through no fault of his or hers, has been brought to poverty, should not be obliged to do so.

Mr. GRAY.—Even if one person be thrifty and the other a squanderer?

Sir GEORGE TURNER.—If one person is thrifty and the other reckless, the magistrates will have to take the circumstances into consideration.

Mr. HIGGINS.—It is more reasonable that a man should be a burden on relations than on strangers.

Sir GEORGE TURNER.—Quite so. I believe that there are few cases of this kind; there are far more wealthy people who have relatives in charitable institutions, and who ought to be made to pay. If some one would invent a satisfactory mode of taxing the thrifless it would be a godsend to the Treasurer. We are always being told that we are taxing the thrifty. Where are we to get the money except from those who have it? When a man is not thrifty how can you make him pay? There is an old Scotch saying which applies to the subject, and which I need not further mention. If inmates of charitable institutions are certified by a medical practitioner to be able to work, work is to be found for them under our scheme, and the profits will go towards assisting in the maintenance of the institution. We provide, in order to prevent persons wandering about from one district to another, that the individual must reside for six months in the district in which he claims assistance, except in cases of emergency, or where there is a direction by a court of petty sessions. That is to meet the case of accident or sudden emergency; and the provision meets cases in which the magistrates have power to make orders. People are not allowed to wander from one district to another and become a burden on the taxpayers. One of the great outcries raised in connexion with our charitable institutions has been that in consequence of the want of proper accommodation deserving people have been sent to gaol. We desire to make the best provision we possibly can to meet those cases. Of course a majority of the cases are dealt with by the institutions. We hope that the institutions will have ample means at their disposal, and that they will then be more ready and willing to take in additional patients, because they will have extra accommodation for them. If a deserving person who applies for admission is not accepted by an institution, he will not have to go before the court and be sent to gaol as a vagrant. He will not be arrested. He will be taken before the justices in a private room. The court has power to direct an institution to receive such an applicant after the application has been heard in private. In order to prevent advantage being taken of this provision by

loafers and persons who have been in gaol before, and to whom it is not desirable to show too much consideration, we provide that admission is not to be given to any person who has been convicted of an offence against the law within twelve months of the time of application. If a man has been sentenced there is very little hardship in sending him to gaol. In cases in which persons have been sent to gaol, and it has been afterwards found that they ought to be in a charitable institution, the Treasurer reserves the power which he possesses at present of transferring them to some charitable institution. If the institution happens to be full and unable to receive the applicant, the court of petty sessions or the Treasurer has power to board him out for a period not exceeding four weeks until accommodation can be found for him in an institution. Power is given to recover the cost of maintaining people who have been wandering about, and very large powers are given to the Governor in Council to make the necessary regulations for carrying out the provisions of the measure. It is absolutely necessary that the widest powers should be given in this respect. One important matter referred to by the report of the Charities Commission is that abuses have always existed in connexion with the election of honorary officers of the various charitable institutions. We take power to regulate that, and also to provide for the boarding out of patients, as that might be less expensive. We also provide for regulating the provisions against damages from fire. We also deal with the appointment of female nurses, wherever practicable. We deal with their hours of work, their maintenance and duties, and the conditions under which they may receive certificates of competency from managers. We have recently heard great complaints in regard to the nurses' hours of work, and we introduce effectual regulations to deal with that matter.

Dr. MALONEY.—Introduce the eight hours system for nurses.

Sir GEORGE TURNER.—These are the main provisions of the measure which we desire to submit to honorable members for their consideration. One other point was referred to by the Charities Commission with regard to trained nurses, and we will deal with that later on. With reference to giving power to magistrates to send deserving cases to institutions, we have been guided to a very great extent

by the recommendations of the Old-age Pensions Commission, which suggested that in order to avoid the difficulty in the future the Treasurer should have the power I have mentioned. Experience has taught me that it would not be wise to vest that power in the Treasurer or in any one individual. It would be far better to spread the power over the whole colony, so that the magistrates in the locality in which a case arises may be able to say whether the case is a deserving one or not. There are many cases which appear at first sight to be deserving, while on investigation they are found to be those of dissolute individuals and persons who have been in gaol for offences.

Mr. GRAY.—Do you propose to give courts power to send suitable persons direct to charitable institutions?

Sir GEORGE TURNER.—Yes; and the courts have power to order payment in the meantime for maintenance to be made at the rate of 10s. per week. The parties may be examined in private. There are other provisions in the report of the Charities Commission, mostly relating to the removal and amalgamation of charitable institutions and the establishment of boards under which nurses shall obtain certificates of competency. The latter matter deserves a separate Bill, and we have not dealt with it here. The nurses ought to be certificated, and they ought to receive their certificates from some competent board. As there are nurses who, in many cases, do work outside of the charitable institutions, the subject ought to be dealt with in a separate Bill. We have dealt with the nurses as far as relates to charitable institutions. With regard to the extension of the time for which ship-owners should be obliged to give bonds to indemnify the State in the case of persons brought to the colony who, within three months, may become a burden on the State, that matter is dealt with by the customs law. I have not had sufficient time to ascertain whether an amendment of the law is needed. I do not want to burden this Bill with more difficulties than I can avoid. If the House approves of the provisions of this measure we can easily deal with that subject at a later period. The Charities Commission, at the request of the Government, prepared a second report, in which they reiterated, after the lapse of a number of years, their recommendations contained in the previous

report. In the second report I find the following passage :—

“Your commissioners hold that charitable districts administered by district boards are indispensable to the proper carrying out of charitable work in the colony. Your commissioners are of opinion that at the present time the great need of charity in Victoria is organization and the establishment of adequate authority. If an authority strong enough to secure co-operation of the charities can be established, the commissioners will gladly leave to it the details of their other recommendations, though they have not changed their minds in any way as to the complete propriety of them.”

The commissioners, again, recommend—

“That the Government grant and other funds be allocated by an annual movable committee, to consist of representatives of the district boards and of the Government.”

I have endeavoured to meet that by allowing the council to assemble in different parts of the colony. The commissioners proceed to recommend—

“That a tax of 5 per cent. be levied on the receipts at all outdoor sports and on the value of the prizes awarded at race meetings to go towards the support of the charities. That if the necessary funds for the maintenance of the charities cannot be raised from the Government grant, the revenue from the sports tax, and private subscription, the municipalities raise the balance by a rate. . . . Your commissioners are of opinion that the principle of local rating for the support of charitable institutions is as important as that of the establishment of district boards. A rate may in the present be unpopular, but the exigencies of our charities require that it should be carried out. Evidence taken by the commission proves that direct contributions used to be received from not more than 7 per cent. of the total population. The smallness of this percentage is sufficient to show how little there is in the argument that the springs of voluntary charity would dry under the system of supporting the charities out of the rates.”

The honorable member for Melbourne East (Mr. Zox) again protests against these recommendations. We have this body, in its first report, making recommendations on the lines of our method of dealing with the subject, and after the lapse of years they reiterate the advice they previously gave.

Mr. HIGGINS.—Has the first report been circulated among members of this Parliament?

Sir GEORGE TURNER.—None of the reports have been issued to this Parliament. We have only a very few copies left. I have endeavoured to obtain some information from the colony of New Zealand, which will be of assistance to honorable members. The New Zealand Inspector of Hospitals reports within the last twelve

or eighteen months on the hospitals and charitable institutions in that colony as follows :—

“The leading ideas embodied in the law which regulates our New Zealand charitable institutions are :—

- (1) To decentralize administration as much as possible, and at the same time keep in check the evil tendency towards the multiplication of small local bodies.
- (2) To remedy the want of uniformity and justice in the distribution of subsidies to the different districts, without at the same time drying up the springs of charity.

“From time to time new local bodies were created as necessity arose, armed with rating and borrowing powers; so that in 1855, when Parliament found itself obliged to face the question of charitable institutions and hospitals, two great dangers had to be guarded against—too many local bodies and the killing of charity. The excessive multiplication of local bodies was fast becoming an intolerable evil; and yet it was a vital necessity that our charitable institutions and hospitals should be locally administered. The law passed in that year, with some amendments introduced in 1886, has been in operation ever since; and all the experience which has been gained in the working of it has only served to cast a strong light on the evils and the dangers which surround this problem. The Act attempted first of all to give effect to the prime necessity for local power based upon local taxation. This has been successfully achieved, and it is unquestionably the most statesmanlike step which has yet been taken in any of our Australasian colonies in dealing with this question. What we possess owing to this law is at this moment the despair of New South Wales and Victoria. The old and incurably vicious system which prevailed here before 1855, under which political impotency was found to be successful in making up for the short-comings of local charity, is still in full swing with them.

“In the creation of existing charitable aid boards, the aim was to bind together large and important districts having a community of interests and easy means of inter-communication.

“The second great object of the Act of 1855 was to remedy the glaring want of uniformity and justice in the distribution of charitable subsidies to the different provinces without at the same time drying up the springs of charity.

“In Dunedin every citizen of a liberal turn of mind was a marked man; benevolent ladies haunted his office by day and his home by night. In the easily canvassed parts of the city, to have an office was equivalent to paying a second rent in charitable subscriptions. The willing and accessible few had to pay for the inaccessible and indifferent many.”

Now, that is exactly our position here. The report proceeds :—

“As by the first great principle of the Act administration was successfully decentralized by the new law, yet the number of local bodies has been so increased as almost to paralyze its working altogether, so by the second great principle

uniformity and justice in distributing the subsidies were secured, but at the price of almost entirely stopping voluntary subscriptions.

"The following figures show how voluntary contributions have been affected by the law of 1885-6. In the year before the Act was passed *i.e.*, in 1884, Otago raised £3,242 by subscriptions, Canterbury raised £1,100. In 1892, Otago raised £203, Canterbury £29."

There is that great danger, no doubt.

Mr. Zox.—That has to be faced.

Sir GEORGE TURNER.—Yes; I do not want to conceal it from honorable members, or to minimize it, because it has to be faced. The Inspector-General of Public Charities in New Zealand writes:—

"The reports which I have already sent you contain an account of the working of our Acts, especially with reference to the two main dangers to be avoided, namely, the inevitable drying up of the springs of private benevolence, and the social corruption of all kinds inseparable from outdoor relief granted wholly or in part from public taxation. To come to details. Avoid by all means a multiplicity of separate elective bodies. Let them be large in area, with important functions, so as to attract the best men, and let the State nominate in proportion to its contributions."

That is the advice of an experienced inspector of public charities in New Zealand. In that colony the Government grant is on the basis of 10s. per £1 of bequests up to £500 for any one bequest, 24s. per £1 of private subscription, and 20s. per £1 of municipal grants. We leave that allocation to the district boards. There are 28 hospital districts in New Zealand, but only 21 charitable districts, each containing certain municipalities, presided over by electoral boards. Benevolent asylums are on a similar footing. In March, 1897, the end of their year, their total expenditure on the year for hospitals and charitable aid was £186,047, and they managed to raise £208,181. They did that by the Government contributing £84,361, the local authorities £68,874; so that there they had to contribute a larger amount than the local authorities would have to contribute in Victoria, and yet I do not know that the people in that colony have been absolutely ruined by the imposition of that particular tax. Voluntary contributions amounted to £12,255—a pretty considerable sum—bequests £5,106. Now, we are told that the moment we put on a tax nobody is going to leave money to charitable institutions in the future. The other day a statement to the effect that that would be the result appeared in one of our newspapers, and

yet in the very same issue of that paper was published a cablegram from England, where they have the poor law in operation, communicating the intelligence that a handsome bequest of half-a-million sterling had been left by a wealthy gentleman to the charitable institutions. The repayments from persons and patients relieved amounted to £15,706, and the other sources of revenue, including balances from the previous year, £21,879, make up the total of £208,181. In Dunedin the charitable rate is about 1½d. in the £1 of the assessed annual value. That is a fair guidance for us. If they can work with that amount in New Zealand, in all probability we can work with the same amount here. To give an approximate balance-sheet how these institutions will stand after we have passed this Bill, in the form in which the Government submit it, I may state that the municipal grant, £9,707, will be lost—it will cease, of course. Of the present private contributions, £47,691, I reckon that one-half will in all probability be lost, and that, therefore, they will receive £24,000 from that source. Entertainments realize £12,463. I do not think that that will be altered. I think the amount collected from that source will be just the same. Hospital Sunday yielded £7,083; interest, work, &c., £49,700. They will remain the same, and the Government grant of £100,000 will make the total income from the ordinary sources £193,246. The municipal rate we estimate will realize £64,838; the sports tax will bring in £10,000; the Licensing Fund £10,000; the saving of interest will be £2,500; and the receipts from the patients and their relatives I put down at £2,500—of course, a mere guess. Those various items would give them an extra revenue of £89,838, making a total revenue of £283,084. Their present expenditure is £219,631, so that it would leave them a margin of £63,453. Now, supposing I am out to a considerable extent in these calculations, as I may very well be, because to a great extent they are guesswork, I say unquestionably that this mode of taxation will, in all probability, place at the disposal of these institutions £50,000 a year more than they now receive.

Mr. GILLIES.—What are their debts at present?

Sir GEORGE TURNER.—Their overdrafts amount to £33,123. I cannot say that that is the whole of their

indebtedness. No doubt they have some current debts. The amount of their overdrafts can be easily paid if we make this grant of a portion of the Licensing Fund. It would be more than sufficient to pay off the whole of their overdrafts. It will be for the committee of this House to say whether we should go a step further and determine that the whole of the debts of these institutions shall be wiped off. It has been my duty to introduce to this House many important proposals, and I have had to take part in framing many difficult measures. I confess that I never had one that has occasioned me more difficulty in framing than this present Bill. I have tried it, as far as districts are concerned, in a number of ways. I have tried it with the Minister as the controlling power, and with the Council of Charity as the controlling power. The Bill has been revised times out of number in the endeavour to put it into a fair workable shape, but no other work I have ever done has given me more pleasure, because I was endeavouring to frame a measure which is for the benefit of our unfortunate fellow mortals who are in pain, misery, want, and distress, and with whom it is our duty to sympathize. Now, sympathy is all very well. We all know the story of the American gentleman who, seeing a crowd gathered round, found that they were sympathizing with a poor little boy who had met with an accident, and saying how sorry they were. The American gentleman thrust his hand into his pocket, and producing a coin said—"Friends, I am sorry to the extent of a quarter; how much are you sorry?" And that is what we have to do here. It is no use our sympathizing with these institutions, and with the poor and distressed of our community, unless we do something for them. What we have to do is to try and to help them, and we can only do that by providing some extra means of revenue. The ladies and gentlemen who for years past have worked these institutions under many difficulties and most trying circumstances deserve the best praise they can possibly get from this Parliament, and the best recognition we can give of their past services, troubles, and trials is to endeavour to devise the means by which those troubles and trials will not exist in the future.

Sir JOHN McINTYRE.—Then you are going to continue the same system of management, with the Council of Charity

and the district boards looking over the institutions?

Sir GEORGE TURNER.—Undoubtedly. We do not desire to interfere in any way with the local management of these institutions.

Sir JOHN McINTYRE.—I think they would rather have the Government over them than the Council of Charity and the district boards.

Sir GEORGE TURNER.—I have had deputations waiting upon me from time to time to ask for more money for particular institutions, and my answer has had to be—"If I give you more I must take it away from somebody else;" therefore I have had to refuse building grants, and to refuse to make any alteration in the maintenance grants, for the very reason that I had not a sufficient amount of money at my disposal. No doubt some of us will not be in favour of many of the proposals contained in this Bill. Some of us will not care to have the Council of Charity. Some of us will object to have the local boards, while others will object to have the sports taxed. A large number of honorable members will receive communications from the municipalities asserting that they are going to be ruined if we introduce this system of municipal charity; but in the face of all these objections it seems to me that the urgency of the requirements of these institutions should overshadow all other considerations. Our first consideration ought to be how are we to provide for the poor, the sick, and the distressed in our midst? How are we to provide efficiently for them? And when we have devised the best scheme we possibly can we must not be too particular as to whether the modes we adopt are going to be pleasant to those who have to find the money. It will not be sufficient to criticise, to object, to pull down our proposals. I am not going to say for one moment that this scheme is perfect or free from objection; but I do say that it is an honest endeavour on the part of the Government to deal in a proper, satisfactory, and comprehensive manner with one of the most difficult, complex, and trying problems that any Government or any Parliament could possibly be called upon to face. While it is not an ideal system, and while I do not suppose all our ingenuity and ability in this Chamber and in another place can make it an ideal system, I say we are bound to make an earnest attempt to

accomplish the object we have in view. The Government cannot object to destructive criticism, but surely in fairness we may ask those who destroy what we have built up to assist us in building up something which will be better, more substantial, and more beneficial. That is a claim which I feel I have a perfect right to make on the members of this Chamber—that they will assist the Government in improving this measure, always keeping in view that what they are doing is in the interests of suffering humanity. The Government have no desire to rush this Bill through. It is a measure that deserves to be fully debated. We are anxious that it should become law during this session, if it be possible. We have fixed all our dates so that the Bill may come into operation on the 1st of January next. The other dates are fixed to fit in with that. If we do not pass the Bill this session, if time will not permit our dealing with it, then of course we must look forward to next session, when we have to deal with very heavy measures relating to our lands and water, and undoubtedly it will be late next session before this measure can be dealt with. If we do not dispose of it in the present short session of Parliament, which is really held for the purpose of dealing with this measure, it means another year of weary waiting. Without unduly rushing the Bill through, we ought, if we possibly can, to deal with this measure in the present session. I am going to ask all honorable members to bend their best energies to help the Government to make this a good and workable measure. We have endeavoured to the best of our ability to frame a measure providing means for raising money for the charitable institutions and devising the best means we can think of for dealing with them, but we form only a small portion of this Assembly, and I think that in a measure of this kind we have a right to appeal for the assistance of honorable members. And I do appeal to honorable members—and I feel certain that I shall not appeal in vain—to bring their best judgment and all the abilities they possess, and all the knowledge they have, to the assistance of the Government in dealing with this very difficult and complex measure. And I trust that the result of our deliberations will be satisfactory. I do hope that we will, if not in this session, certainly next session, be able amongst us to devise such a measure

as will relieve this colony from the stigma—the standing disgrace under which we have been living for so many years—that so many of our poor, our deserving poor, have to be sent to gaol for no crime, for no offence, unless poverty be an offence.

Mr. MURRAY SMITH.—Are there any returns of the number so treated during a period of years?

Sir GEORGE TURNER.—There is a considerable number. A certain number are sent to the gaols, and they are dealt with by transferring them to other institutions.

Mr. MURRAY SMITH.—Is there any return of the number so sent to gaol and transferred annually?

Sir GEORGE TURNER.—I should say that there are about 50 deserving cases transferred every year, most of them to the ward which I have had established at the Bendigo Asylum. But, of course, that is not the only object of the Bill. It is but one of the objects of the measure.

Mr. MURRAY SMITH.—But you spoke of numbers.

Sir GEORGE TURNER.—I deal, by transfer, with about 50 cases in the course of a year, and I only transfer those who, I am satisfied, are really deserving cases, and it appears to me that that number is just 50 too many. In conclusion, I earnestly appeal to honorable members to look on this question as a serious and very important one—as a question that cannot be lightly dealt with. It is one that has been urged upon us for many years past, and, if we are true to our duties, we are bound to endeavour to solve and settle the many difficulties surrounding it. If in this or next session we can frame from the material which has been submitted by the Government, on the lines proposed by the Government, a really workable Bill, we will do a work which will be creditable to ourselves, which will be satisfactory to those whom we represent, and which will show the poor and needy amongst our people that Parliament is not altogether unmindful and without any heed for those of our fellow mortals who are not placed in as good a position as we are, and who have to resort in their old age, or in times of sickness and distress, to those charitable institutions for assistance. That is the solemn duty of this House. I hope we will discharge it, and that the result of our labours will be something that we will have reason to be proud of, and that

the people will have reason to be satisfied with.

Mr. ZOX moved the adjournment of the debate. He said the country would be grateful to the Premier for the lucid manner in which he had explained the provisions of the Bill, and, although his speech would not meet with everybody's approval, it would do a great amount of good by putting the details of the measure before the people. He was glad the right honorable gentleman was willing to agree to the adjournment of the debate for a fortnight at all events, and he sincerely hoped that honorable members would assist the Government in improving the Bill, which was calculated to have a very good effect on the poor of the colony.

Sir JOHN McINTYRE seconded the motion for the adjournment of the debate. He said the Premier should let the debate be adjourned for three weeks. It would save time and trouble afterwards. The managers of the twelve hospitals in the midland district had arranged to meet on the 2nd December to consider this all-important measure, and it would be well to have the benefit of their information and experience. (Sir George Turner—"We will get it before the debate closes.") No doubt the conference of hospital managers ought to have been convened for an earlier date. His impression was that Parliament would not be able to pass this great measure in the present session—that it was utterly impossible to do so—and therefore they should get all the information they possibly could before proceeding with the Bill, now that the Premier had given such a thoroughly exhaustive explanation of the Government proposals. The honorable member for Talbot had just given him a very valuable hint, namely, that the *Hansard* report of the Premier's speech should, with all possible expedition, be circulated throughout the length and breadth of the land wherever these charitable institutions existed. The managers of those institutions would be very anxious to get it, as they would not be able to obtain all the details through the newspapers.

Sir GEORGE TURNER said it would seem rather invidious to take one speech out of the debate on this Bill and circulate it throughout the colony; but he had had under consideration a very wise and useful practice which had been adopted in other colonies. It would have been very beneficial to this House if the same practice

had been adopted here some years ago, and it would not have cost very much. The speeches in every important debate, after being printed in *Hansard*, should be kept in type, and the whole of the debate printed in a separate issue, so that at any future time honorable members might have the speeches handy for reference, without having to hunt through *Hansard* for them. The expense would be trifling. As the debate on this Bill was likely to be important, he would, if the House approved, try this experiment, without taking out any particular speech. He would have all the speeches kept in type after they had appeared in *Hansard*, and printed separately, so that they might be bound in one volume, and be handy for reference afterwards. They would thus ascertain what it would cost, and see whether it would be desirable to adopt the practice. (Sir John McIntyre—"But let your speech be issued at once for the information of the managers.") Very well.

Mr. VALE suggested that honorable members should be allowed the privilege of purchasing copies of the debates on particular subjects at a low price.

Dr. MALONEY remarked that the speeches of honorable members, after being set in type for *Hansard*, could be cast in stereo. for a few shillings each, and if Parliament would permit honorable members to have that privilege on payment of the net cost, they could print any of their speeches and publish them among their constituents without incurring the cost of setting up the type, and thus be to a great extent independent of the public newspapers.

Mr. DUGGAN asked the Premier to attach to the special issue of his speech on the Bill, copies of the papers which had been circulated for the information of honorable members. That would give a great amount of satisfaction throughout the colony.

Sir GEORGE TURNER said he would adopt the suggestion of the honorable member for Dunolly, and send copies to the various institutions interested in the Bill. The information in those papers was as correct as he had been able to obtain. Nearly the whole of it had been taken from the *Municipal Directory*, and, while it might not be absolutely accurate, he thought it was near enough for all practical purposes.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, November 30.

DRAINAGE BILL.

Mr. I. A. ISAACS moved the second reading of this Bill. He said—This is a Bill to provide for the drainage of land. Honorable members will recollect that last session attention was drawn to the question dealt with in the Bill by a considerable number of members of this House, including the honorable members for Warrnambool and Korong, who pointed out the difficulties that were encountered in many portions of the colony by reason of the want of some effective statutory provisions for drainage purposes. I appointed an interview with those honorable members, and received a good deal of information from them. The result is the Bill now before the Chamber. The Local Government Act gives certain powers to municipal bodies to construct drains and water-courses, but the extent of those powers is very doubtful indeed. It is more than doubtful in some respects, at all events, whether those powers extend beyond the necessary facilities for making drains and water-courses which are ancillary to road making. But the question of drainage is a totally different subject, and in many cases drainage is absolutely necessary, quite apart from road making altogether. Therefore, the present law is felt to be not comprehensive enough. The scheme of the present measure is this: In order to enable private individuals who think that their land requires drainage, and ought to be drained, and that not too great a burden will be put upon their neighbours by effectually draining their land, and at the same time to avoid any possibility of oppression, it was necessary to vest this power in some impartial body, and it was deemed advisable, after the best consideration we could give to the matter, to vest this power of drainage—which is certainly cognate to that of road making, and drainage construction ancillary to road making—in the municipal bodies. But before a council can exercise that power there must be a drainage area constituted. Now, no drainage area can be constituted without the consent of the council; but even with the consent of the council certain other conditions are necessary. First of all, there must be a petition to the Governor in Council by a majority in number of the owners of the lands. That is to say, they may petition for the whole municipal district to be constituted a drainage area, or, if they think the whole municipal district is not necessary for

drainage purposes, they may ask that a portion only of the municipal district may be constituted a drainage area. But, whether it is the whole or a portion, there must be a petition signed by a majority in number of the owners of the land, and, further, that majority must own at least half the land in the proposed drainage area. Then if those persons consider that there should be a drainage area they petition the Governor in Council. If the municipal council objects—and the municipal council, it must be remembered, represents the ratepayers as a whole—the drainage area cannot be constituted. But if this majority petition, and the council consent, the matter then goes before the Governor in Council.

Mr. MOULE.—It does not say whether the consent is to be given before or after the Governor in Council approves.

Mr. I. A. ISAACS.—The consent must be given before the constitution of the drainage area. The Bill says that no drainage area shall be constituted without the consent of the municipal council. There must be the consent of the council before the constitution is valid. Then it is proposed that the drainage area shall be contained, as far as may be, within boundaries which accord with the natural features of the country. Regard is to be had to the general contour of the country in fixing the boundaries, and also to the facilities offered for the drainage of water. The petition is to contain a map or plan showing the boundaries, and the Minister may cause the proposed area to be examined by competent persons, and he has to obtain a report. Again, the petition is to be lodged at the municipal offices in the municipality, to be open for inspection for 60 days by any person who desires to see it. The whole matter is also to be notified and published in the *Government Gazette*, and in three consecutive issues of a local newspaper.

Mr. MOULE.—Were those dates suggested by the committee?

Mr. I. A. ISAACS.—No, those particular periods were not suggested by the committee.

Mr. MURRAY.—But they were considered by the conference.

Mr. I. A. ISAACS.—Yes, they were considered by a previous conference, and we had, as a certain groundwork, a previous Bill that was suggested, although I must say that the frame of the measure has been very greatly altered. I cannot

say that that Bill at all represents the present measure. Then objection may be raised by any person who thinks the petition ought not to be acceded to. Any person having property or interest within the proposed area, or who thinks himself likely to be prejudicially affected by the constitution of the proposed drainage area, may raise objections. That is to say, a person who may be just outside the area, but who may say—"Although I have no property in the area, my property just outside of it may be prejudicially affected by this proposal," is not to be shut out from urging arguments to the Governor in Council against the constitution of the proposed area. He may do this by a counter petition, and the Governor in Council has to consider the matter on both sides, and may make any order that he thinks fit. The petition and counter petition, if there is one, are to be published, and the Minister may direct an inquiry; and where he directs an inquiry no order is to be made until the report has been received. The order has to be gazetted, and in sub-section (3) of clause 6 there is a provision that is copied from the Local Government Act to prevent technicalities being taken advantage of afterwards. It is understood, of course, that the Minister and the Governor in Council will take all care to comply with the provisions of the Act; but after the order is made it is not to be impeachable for any technical omission. There is also a provision that rectification may be made of any error in description of boundaries, and by sub-section (5) of clause 6 it is provided that the drainage area as constituted may be extended if considered advisable at any future time; provided, however, that all the formalities are observed with regard to the extension that were required in connexion with the original constitution. So far for the constitution of the drainage area. Then, after it is constituted, provisions are contained in the Bill as to the effect that is to be given to it. There is a power to enter upon lands. The council may give permission in writing to any persons to do this.

Mr. MOULE.—Is it intended that after the drainage area is constituted individuals may act independently of the body of petitioners who present the petition for the constitution of the area? You give power to certain persons to enter on land; do they do that on behalf of

themselves, as individuals, or on behalf of the petitioners?

Mr. I. A. ISAACS.—That is after the constitution of the area. After the drainage area is constituted any person may say—"Now there is a drainage area, I want to go and drain." He may go to the council and ask permission to enter upon certain lands in order to take surveys and to acquire information for the purposes of the Act.

Mr. MOULE.—They do not act collectively, but any individual may do that?

Mr. I. A. ISAACS.—Certainly, any individual. Persons may take surveyors with them, but the council has to give them permission. No person can do that without the permission in writing of the council, and this permission is not to be given until the occupier of the land has had fourteen days' notice in writing of the intention of the person to apply for that permission. When a person gets the permission he may enter upon land, and he is not to be liable to any legal proceedings; but if he does any damage he is to make compensation, and the council may be required to make compensation also, and may be indemnified by the person to whom the permission is given. In clause 8 the general drainage powers of the council are set out, and they are to be exercised only, of course, within the drainage area. These powers are as follows:—

"(a) enter upon, take possession of, and appropriate such land as shall be necessary for the construction or improvement of any drain or water-course:

"(b) purchase or take on lease and hold any lands or easements:

"(c) purchase any existing drainage works, and erect or construct all necessary buildings and machinery:

"(d) erect buildings and machinery upon lands authorized to be taken by or leased to or vested in the council or placed under their control:

"(e) make, cleanse, repair, maintain, deepen, widen, straighten, improve, alter, or discontinue any drain, water-course, outlet for water, wall, or defence against water:

"(f) divert water from any lake, lagoon, swamp, marsh, river, creek, or water-course, to the extent specified in any Order in Council authorizing such diversion:

"(g) divert or alter, as well temporarily as permanently, any part of the course of any rivers, creeks, or water-courses, roads, streets, or ways to the extent specified in any Order in Council authorizing such diversion or alteration, but only to such extent as may be necessary in order the more conveniently to carry out any of the powers conferred on the council:

"(h) open and break up any streets or roads:

“(i) carry any drains, water-courses, or works, through, across, over, or under the shores, bed, and waters of the sea, or the bed, waters, banks, and shores of any river, stream, or water-course, or any main road, or any street or place laid out as or intended for a street, and into, through, or under any lands whatsoever: and

“(j) enter any land to make surveys, and take levels, or acquire any information for the purposes of this Act.”

In clause 9 there is a provision with regard to the drainage of surface and storm water, which has been adopted and adapted from the New Zealand Act, which is mentioned in the margin. Shortly, it is that the council may construct drains to carry off storm and surface water from any land that they think is not sufficiently drained, and may construct a drain so as to communicate with any public water-course or drain within the drainage area. They may also apportion the expenditure so as to be repaid by the various owners whose lands are benefited in proportion to the benefit the council think has been derived by the different owners. The amount due to the council in respect of that benefit, and in respect of the particular land, is to remain a charge on the land, and may be recovered from the owner for the time being. But in clause 10 there is a very important provision which limits the powers of the council in this respect. Clauses 8 and 9 contain the general powers of the council, but all those powers are limited in various ways, and amongst others by clause 10. That is to say, the council are not to exercise any of those powers upon any lands belonging to a church or place of public worship, or a cemetery, except with the consent of the trustees or owners. Again, with regard to “any house or garden, yard, court, park, plantation, planted walk, avenue, nursery for trees, or vineyard” they are not to make any drain or water-course through such land; but that exemption only relates to 1 acre. That acre, if it is agreed upon between the parties, may be so determined, and if it is not determined between the parties then the Minister is to select it; but there is to be in any case an exemption of 1 acre. Honorable members will recognise a similar exemption in the Water Act. By clause 11 it is provided that the council may use the water in any lakes, lagoons, swamps, &c., where these are vested in any other trust or body except a “Water Authority.” Now, a “Water Authority” is defined by the interpretation clause to include the Melbourne and Metropolitan Board of

Works, and any waterworks trust, irrigation trust, the Ballarat Water Commissioners, and any authority administering waterworks under or by virtue of the Water Act 1890. The reason for that exception is, that this being a measure for drainage, it would be improper to interfere with the authority of any other body which has the control of waterworks. It would be very improper indeed to allow a municipal council to drain, for instance, into the Ballarat waterworks or any other waterworks; and where any irrigation or water supply trust has had the control vested in it under the Water Act for supply purposes, it would be a strange confusion of authority if we allowed the municipal council to give permission to a private individual to drain into those waterworks, or to take water from them. Clause 12 provides for powers over existing drains.

Mr. MOULE.—Does it not seem absurd that if, for the benefit of the whole district the council are taking over the drainage, they should pay for the work done if the land-owner is getting all the benefit of it?

Mr. I. A. ISAACS.—Clause 12 provides that the council may take possession of or exercise control over any existing drains. They may take possession of a private drain which a man has constructed at his own expense, but if they take possession of it and use it for public purposes they have to pay him compensation.

Mr. MOULE.—Does that mean that they have to pay compensation for the whole work done, or what?

Mr. I. A. ISAACS.—That would be a matter for the body which has to deal with the question to determine. Whatever the compensation is, be it great or be it small, it is plain that if a public body takes possession of a man's private drain that man should be able to get compensation on account of it. A. may ask a council to construct works, and in doing that they may interfere with the drains of B., some distance off.

Mr. MOULE.—Have actual cases occurred?

Mr. I. A. ISAACS.—I cannot say definitely, but it is quite clear that an actual case might easily occur, and we should give power to pay compensation. Indeed, you must give that power. It would be unfair to allow such a case to occur and not make provision for it.

Mr. STAUGHTON.—Then the provision should have been in the Local Government Act instead of here.

Mr. I. A. ISAACS.—No; the honorable member will see that it is in the right place here, whether it be also in the Local Government Act or not, because the power of the local bodies under the Local Government Act is primarily intended for the construction and maintenance of roads.

Mr. GILLIES.—A great deal more than that.

Mr. I. A. ISAACS.—I have no doubt of it, but I am speaking now principally of the construction of drains. The construction of drains under the Local Government Act is ancillary to the construction of roads. It has been the subject of judicial decision very often. In clause 14 of this Bill there is a power for land-owners to make drains. Any owner of land within a drainage area desiring to construct a drain to pass over other lands than his own is to forward notice of his intention to construct that drain, and he is to accompany the notice with a plan. The council may assent or refuse, and they may put as a condition to their assent that the land-owner shall pay compensation for permission to allow the water from his drain to flow into a drain belonging to the council.

Mr. HIGGINS.—The council's drain?

Mr. I. A. ISAACS.—Yes. In lieu of giving the consent for the construction of the land-owner's drain over his neighbour's land, the council may think that the work will be better, more effectually, or more cheaply done by themselves, and they may therefore, instead of giving consent to enter private land, undertake to construct the work themselves, and apportion the expense proportionately among the owners benefited.

Mr. E. D. WILLIAMS.—They do that now.

Mr. I. A. ISAACS.—They have not power now to do drainage in the way that it is required to be done, except in regard to the construction of roads. Provision is here again made for compensation. Clause 15 is a well-known clause, providing that the council shall do as little damage as may be, and whatever damage they do they shall make compensation for. In clause 16 provision is made for the manner in which compensation shall be determined. In clause 17 there is a definite prohibition to the council with regard to interfering with any line of tramway or railway or any works in the jurisdiction of any water authority, which I

have described before; and also providing that, if any drainage works are required to be made through any lands or any works belonging to the Railways Commissioner, the Board of Land and Works, or water authority, the municipal authority is not to interfere with those public works, but if the Governor in Council approves, the Railways Commissioner, or the Board of Land and Works, or the water authority shall construct the works required, and the council shall pay the expense of so doing.

Sir JOHN MCINTYRE.—You are protecting the Government very carefully, but the private owner has no chance at all.

Mr. I. A. ISAACS.—I see no point in the honorable gentleman's observation. What we are doing is simply this—the local council desires to make certain drains, and they desire to make them pass under some tramway or railway, or under a pipe, or over a pipe, or something of that sort—it might be under a pipe belonging to the Ballarat Water Trust. The municipal council is told—"You are not to interfere with those works, but the body in charge is to do what you require, and you are to pay for it." Of course, if they do the work for the public benefit they have to pay for it. It is supposed to be for the public benefit, and has to be paid for by some one. If the owners of land have asked for it, they may only have to pay according to the benefit they receive.

Mr. MOULE.—What I cannot understand is—is there ever to be a drainage scheme of any sort? Is that contemplated?

Mr. I. A. ISAACS.—It may be. It is certainly open to that being done. If the works are so comprehensive or extensive as to be called a scheme, notice may be given, and the council may carry out the scheme. The honorable member must not forget that the Health Act contains large powers.

Mr. MOULE.—I know that it does.

Mr. I. A. ISAACS.—It is likewise provided here that the Lands Compensation Act is to be incorporated in this new measure. It is also provided that Crown lands may be granted, and that there may be exchanges of land. In clause 23 it is provided that the drainage works constructed by a council pursuant to this measure are to be deemed to be permanent works within the meaning of the Local Government Act. That is intended to give power to the councils to borrow for the purposes of carrying out works, and provision is also

made in clause 24 in regard to improvement works.

Mr. MOULE.—Has that provision worked satisfactorily?

Mr. I. A. ISAACS.—I have never heard anything against it.

Mr. MOULE.—I have heard of tremendous technicalities arising under it.

Mr. I. A. ISAACS.—In clause 25 there is a new provision which I will ask honorable members to give their best attention to, because it is an attempt to reconcile conflicting differences. In the first place the drainage authority may say—"We want to execute certain works and construct certain drains. But these works may be likely to interfere with water-works." The water authority may say—"If you do that your drainage water may run down a water-course, and then into another water-course, and pollute our water supply." Differences of opinion may arise in that respect, and this clause is intended to decide the matter. It provides that—

"Nothing in this Act contained shall authorize or empower any council or person to do any act whereby any water or works vested in or under the control, care, management, or supervision of any water authority will or may become injuriously affected, whether by pollution, deterioration, diversion, diminution, flooding, or in any manner whatsoever, unless such council or person gives to the water authority at least 30 days' notice in writing of intention to do such act."

When that notice in writing has been given the water authority may, within the 30 days, give notice of objection. If the water authority makes no objection we may take it for granted that the contemplated works will not be likely to do any damage. But if the water authority does object it will give notice of objection, and then the council that proposes to do the work may reconsider the matter, and, if it chooses to do so, it may come to the conclusion that it is not worth while to contest the matter, and may give up the work. But, if it thinks that the matter should be persevered with, and will not do any damage, they may take it before a County Court Judge, who will have power to decide it finally. There is a provision also that the Judge may summon parties to appear before him, and is to have power to decide, and his decision is to be final. Then the clause provides in sub-section (8) as follows:—

"Nothing in this section contained shall make or be deemed to make lawful the doing of any act which would not have been lawful if this section had not been enacted."

That is to say, that although these conditions are to be in this clause it is not to be understood that by mere compliance with these conditions it will be lawful to do the work. These are additional safeguards. In clause 26 provision is made for cases of destruction, and clauses 27, 28, and 29 make provision for carrying out clause 26.

Mr. MOULE.—These clauses do not interfere with riparian rights, I suppose?

Mr. I. A. ISAACS.—No; they are essential to the carrying out of the Bill, or the measure may be set at defiance. Copies of the Bill have been sent to the municipal bodies, and, as far as I can learn, it does completely meet the difficulties that have been pointed out to me as existing at the present time. Of course, we shall be very glad indeed to have the benefit of the experience of honorable members; and I hope that by the time we meet again honorable members will be able to properly grasp and understand the substance of the measure, and enable us to go through it in as short a time as possible. I wish to express my indebtedness to the honorable members I have alluded to for the suggestions made, and to acknowledge the assistance they have given to me. Some of the points they laid before me were strange to me, and, with the information they gave me, I have had considerable assistance in preparing the present Bill.

Mr. GILLIES said he wished to know whether the Attorney-General intended to take the second reading of the Bill forthwith? The measure was only circulated a few days ago. He took the opportunity of looking over it, but it was new to him—altogether new. Most of its provisions were very important. (Mr. I. A. Isaacs—"Undoubtedly.") Most serious powers were proposed to be conferred on municipal bodies—powers which Parliament had never previously given to them. He was not prepared to discuss the Bill at the present stage as he thought it ought to be discussed. Honorable members on both sides should devote their attention to it. There was no party issue involved at all. It was a most important public measure, and one, if it was to be passed, which should be passed as nearly as possible unanimously. Laymen could not deal satisfactorily with many of the technicalities involved in this Bill. Personally he would not attempt to interfere with the wording of some of the clauses, and only

wished to speak as to the general tendency of the Bill and the principles it contained. (Sir George Turner—"Will you be ready to go on to-morrow?") He thought discussion might be resumed on the following day.

Mr. WHEELER stated that he desired to impress upon the Attorney-General the necessity for giving time for the consideration of this Bill. It was a most desirable measure, and there was no doubt a necessity for it, but an opportunity should be given to the municipalities to look into it. His district had had a great deal of trouble with this drainage question, and if the honorable gentleman was to proceed with the Bill at once, before the municipal council of Daylesford and the municipal councils generally had had time to look into it, it would be very unwise. It would be highly desirable, if the Government had other work to go on with, to allow the Bill to stand over for a few days.

Mr. MURRAY stated that he would like to explain, for the information of the honorable member for Daylesford, that the municipal councils had an intimation of the desire of the Government to legislate on the drainage question. The matter was brought under the notice of the Attorney-General in the last session of the late Parliament by himself and other honorable members. Perhaps the shire of Warrnambool was more deeply interested in the question than any other shire or municipality in the colony. It was left to them to arrange a conference of representatives of municipalities. The conference was held in the Town Hall, Melbourne. He did not know whether a delegate from Daylesford was present or not, but there were 70 or 80 representatives of municipalities at the conference. The draft Bill that was presented was very much on the lines of the measure that the Attorney-General had now submitted, and it received general acceptance. The honorable member for Toorak was alarmed because it was proposed to place very great powers in the hands of the municipalities. He would point out that these powers could not be given to any municipality unless at the request of the ratepayers.

Mr. MADDEN moved the adjournment of the debate. He said that this was an important Bill, and required careful consideration. It was the outcome of a great deal of litigation, that had led to many questions being carried for final decision to the Privy Council.

Mr. I. A. ISAACS stated that he would be very glad indeed to meet the views of honorable members who desired a little time for consideration, but the Government must not be left without business. He would put the Bill in the list for Thursday, and put it as low down as possible, but if necessary honorable members must be prepared to go on with the debate then.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Thursday, November 18.

The House adjourned at twenty-five minutes to eleven o'clock.

LEGISLATIVE ASSEMBLY.

Wednesday, November 17, 1897.

Railway Employés: Voting at Municipal Elections—Public Mining Battery for Dunolly—Sleeper-cutters—Residence Areas—Amendment of the Local Government Act—Acting Chairman of Committees—Hospitals and Charities Act Amendment Bill—Studley Park Bridge Bill—Education Department (Officers and Teachers) Bill—Administration and Probate Acts Amendment Bill—Great Morwell Coal Company's Railway Purchase Bill—Government Gazette Mining Notice Inquiry—Vegetation Diseases Act 1896 Amendment Bill—Exported Products Bill—Fraudulent Railway Tickets Bill—Chairmanship of Committees—Melbourne and Metropolitan Board of Works Act Further Amendment Bill.

The SPEAKER took the chair at half-past three o'clock p.m.

RAILWAY EMPLOYÉS.

VOTING AT MUNICIPAL ELECTIONS.

Mr. McKENZIE asked the Minister of Railways whether he would consider the propriety of revising the regulations of his department, in order to provide that railway employés who were municipal ratepayers might have an opportunity of recording their votes at municipal elections—a privilege not provided for at the present time?

Mr. H. R. WILLIAMS.—As the poll in municipal elections in the metropolitan districts opens at eight o'clock a.m., and does not close until seven p.m., there is consequently no necessity to give the railway employés time during working hours for voting.

Mr. McKENZIE.—It was the country districts I was referring to.

Mr. H. R. WILLIAMS.—It is very likely that the commissioner overlooked the fact that in the country districts the

poll closes at five o'clock p.m.; but I do not think the railway employé's regard the municipal elections as of any great importance. However, I will draw the attention of the commissioner to the matter, and I will see what he has to say about it.

PUBLIC MINING BATTERY FOR DUNOLLY.

Mr. DUGGAN asked the Minister of Mines if he could definitely state when the public battery would be sent to Dunolly, as promised?

Mr. FOSTER.—The battery is now in course of construction at the foundry, and it is anticipated that it will be ready to be sent away in about five weeks.

SLEEPER-CUTTERS.

Mr. DUGGAN asked the Minister of Lands the following questions:—

"1. Is it a fact that sleeper-cutters are being prevented, through instructions lately issued by his department, from prosecuting their calling for a period of three months, on account of the fear of such sleeper-cutters destroying the forests by fire?"

"2. If he is aware that the Railway department have just accepted tenders for a large number of sleepers, and are now advertising for another large lot?"

"3. Will the Minister cause the instructions referred to to be withdrawn?"

He said that instructions had been recently issued to Crown lands or forest bailiffs throughout the country that all sleeper cutting must cease until the month of February next, the department being afraid that the forests would be largely destroyed by fires caused by the sleeper-cutters. That was a mistake, because, taking a selfish view of the question, the sleeper-cutters had a lot of sleepers in the forests, and were always there themselves ready to put out fires to protect their own property. He trusted that the instructions in question would be withdrawn.

Mr. BEST.—The facts are that timely notice has been given of the intention to close all forest lands to sleeper hewing, in accordance with the usual practice, during the extreme heat of summer, from the 20th of next month. No term of three months has been stated. The time for re-opening the forest lands to the sleeper-cutters will be entirely dependent on the cessation of the extreme heat. I believe that the Railway department have just accepted tenders for a number of sleepers, and are now advertising for another lot, but by way of some remonstrance, I

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propose writing to the department on the subject. I cannot promise to have the instructions referred to withdrawn, but I propose to send the Conservator of Forests to the district in question to see if, with reasonable safety to the forests, any modification can take place.

Mr. DUGGAN.—Then you will decide the case on its merits?

Mr. BEST.—I must, of course, rely on the report of the Conservator of Forests.

RESIDENCE AREAS.

Mr. HAMILTON asked the Minister of Mines the following questions:—

"1. Is it a fact that a decision has recently been given by Mr. Justice Hood to the effect that when the holder of a residence area allows his miner's right to expire and then takes out another miner's right he must go through the form of re-marking the boundaries of his residence area and re-registering it?"

"2. As this decision will lead to awkward complications in the future, will the Honorable the Minister bring in an amending Bill abolishing the necessity of re-marking out the land every time a miner's right expires?"

Mr. FOSTER.—The decision referred to has not yet been recorded, consequently the only information regarding it is taken from the newspaper report. There can be little doubt, however, that such report is correct. The question as to whether a Bill should be brought in to abolish the necessity of re-marking land when a miner's right has been allowed to expire requires careful consideration, it being doubtful whether it is necessary to pass an Act to protect a man against what is apparently his own negligence. In the newspaper report I observe that the main question asked by the warden was whether the defendant, being the holder of a residence area, and having allowed his miner's right to expire, was bound to re-mark and re-register his holding on taking out a new right, which question His Honour answered in the affirmative. Of course, if a man allows his title to expire it is dead, and in seeking to get possession of it again he will have to begin *de novo*. It is not as if it were an annual affair. Therefore, in the case put by the honorable member the man would have to re-mark and re-register his land.

AMENDMENT OF THE LOCAL GOVERNMENT ACT.

Mr. METHVEN asked the Premier if the Government would undertake to bring in an Amending Local Government Bill

during next session, and move the appointment of a committee of the House to take evidence and to report in connexion therewith? He remarked that it was advisable that the Government should take this subject in hand in preference to any private member. The Premier must know, from his experience as a municipal councillor, that the whole Act required revising and consolidating, and a committee of experts chosen from the Legislative Assembly would be able to render valuable assistance to the Government in framing an amending Bill.

Sir GEORGE TURNER.—I cannot make any definite promise now with regard to the business of next session. I know that we shall have the Land Bill and the Water Bill to deal with then, and that they will take up a very large portion of the session, so that I do not know whether it will be possible to deal with the matter in question next session. However, if the Municipal Associations will, as quickly as possible, submit to the Government any proposals they may have for the amendment of the Local Government Act, I will take an opportunity of considering them, and see whether I can comply with the wishes of the honorable member next session.

ACTING CHAIRMAN OF COMMITTEES.

Sir GEORGE TURNER said that as there were three formal matters to be dealt with in committee—messages from the Governor—in order to enable Bills to proceed, and as the House had not yet appointed a Chairman of Committees, he begged to move—

“That the honorable member for Warrnambool (Mr. John Murray) act temporarily as Chairman of Committees.”

The motion was agreed to.

HOSPITALS AND CHARITIES ACT AMENDMENT BILL.

The House having gone into committee to consider the Governor's message on the subject of this Bill, presented the previous day,

Sir GEORGE TURNER moved—

“That it is expedient that an appropriation be made from the consolidated revenue for the purposes of the Bill to amend the Hospitals and Charities Act 1890 and for other purposes.”

The motion was agreed to, and the resolution was reported to the House and adopted.

STUDLEY PARK BRIDGE BILL.

The House having gone into committee to consider the Governor's message on the subject of this Bill, presented the previous day,

Sir GEORGE TURNER moved—

“That it is expedient that an appropriation be made of penalties for the purposes of the Bill relating to the Studley-park bridge.”

The motion was agreed to, and the resolution was reported to the House and adopted.

EDUCATION DEPARTMENT (OFFICERS AND TEACHERS) BILL.

The House having gone into committee to consider the Governor's message on the subject of this Bill, presented the previous day,

Sir GEORGE TURNER moved—

“That it is expedient that an appropriation be made from the consolidated revenue for the purposes of the Bill relating to certain officers and teachers who held office in the Education department at the passing of the Public Service Act 1883.”

The motion was agreed to, and the resolution was reported to the House and adopted.

ADMINISTRATION AND PROBATE ACTS AMENDMENT BILL.

Mr. I. A. ISAACS moved the second reading of this Bill. He said—For some considerable time past there has been a feeling that the present Administration and Probate Acts require amendment in several respects. It is felt that with regard to persons who die in one colony, leaving property in another colony, there is an unnecessary amount of machinery. Different administrations have to be obtained, and there is not the facility of inter-communication and consolidation of assets that there ought to be. The law is likewise considered defective in other respects. For instance, where an estate exists, and no will is left, one creditor has the right, in precedence of the curator, to get administration, retain it in his own hands, and pay himself in priority to others, because of the mere fact that he is administrator, and in addition he can, for a long time, except under difficult circumstances, prevent proper investigation of his administration being made. He can also delay the full administration of the estate to the detriment of persons who are entitled to it. It is not to his interests, in many cases, to search for the

next of kin, and see that the estate is properly distributed. To cure the evils I have mentioned, and others which I will presently disclose, this Bill is introduced. I may say that in the first place the curator of New South Wales came over to this colony under instructions from his Government to confer with Dr. Bride, the curator of Victoria. Those two gentlemen met and discussed the question of inter-colonial administration and correspondence between the different colonies, and it was arranged that a Bill should be brought in in Victoria, and a corresponding Bill, to further the same object, introduced in New South Wales. The Bill now proposed is the one which our Parliament has to consider. In the interpretation clause—clause 3—it is provided that “colony” includes “province.” Of course, that is to include South Australia. Clause 4 provides that for the purposes of section 55 of the principal Act money in a bank, whether earning interest or not, and unfenced or uncultivated land, shall be considered as “exposed and liable to loss, waste, or injury.” That clause in itself would not convey very much information to lay members of the House, but, briefly, the meaning of it is this—In section 55 of the Administration and Probate Act it is provided that where a person dies outside Victoria, leaving property in Victoria, the curator may apply for administration. But that power is restricted. In the first place, the grant of administration is not to be made to the curator unless there is, of course, an affidavit, as in other cases, and unless the court is satisfied that no grant of probate or letters of administration has been made or is likely to be made to any person entitled to it, or who is ready and willing to take it. Then there is another restriction, the one now under consideration, namely, that administration cannot be granted to the curator unless he satisfies the court that the estate or some part thereof is “exposed and liable to loss, waste, or injury.” Now, in 1866, those words received a construction from the late Sir Robert Molesworth which has hampered the application of the curator in many cases. For instance, it was held that if an estate consists of money that is not bearing interest the loss of interest is not waste or injury, and the curator’s application for administration in such cases has been refused. Now, there might be no person ready and willing to

take the administration. There might be difficulties in the way of anybody else coming in and assuming charge of the estate, and looking after the interests of the next of kin, and yet the curator could not do so in consequence of that decision. Three of our learned Judges, I believe, at the present time give a somewhat more liberal interpretation to those words, but one of the learned Judges differs from them, and still holds to the more strict interpretation of the Act, so that it is felt that this matter should be placed beyond any doubt whatever by providing that money in a bank, or land unfenced or uncultivated, shall be considered as exposed and liable to loss, waste, or injury, so as to get rid, to a certain extent, of the restriction in section 55 of the Act. It seems a very technical point, difficult to comprehend, but a piece of land unfenced is held to be not liable to loss, waste, or injury, whereas if it is fenced it is held to be liable to loss, waste, or injury, because the fence might be damaged.

Sir JOHN McINTYRE.—It shows what the lawyers can do.

Mr. I. A. ISAACS.—It was not lawyers perhaps who framed that section, but it might have been.

Mr. McCAY.—Why not repeal the proviso in section 55?

Mr. I. A. ISAACS.—That has been considered, but it was thought advisable not to repeal the proviso, because if we take away that proviso the reason for inserting some sort of proviso would be taken away. And that reason appears to be that some time ought to elapse before the curator applies, in order to see whether the persons who are entitled will come in. That was the original reason for putting in the proviso. The question the honorable member has asked was the first question I asked in regard to the matter. Clause 5 provides that the curator shall be entitled to grant of administration of the estate of a deceased person in preference to a creditor applying in that capacity, unless the creditor proves to the satisfaction of the registrar or court that it will be more beneficial to the estate to be administered by such creditor. Then, if the creditor applies, the clause provides that he is to give seven days’ notice to the curator. This provision was suggested by the late curator, Mr. Weigall. Cases arose where creditors had got hold of estates, and, being entitled in preference to the curator, the curator could not interfere, and there

were few means, if any, of investigating the matter. It is perfectly plain that a creditor is an interested party, in the first instance. He may, if he gets administration, admit his own debt. There is a difficulty in challenging it, either as to its actuality or amount. He has no interest in looking for the next of kin. He may be a person of no experience whatever in the management of the estate; then he naturally would have to employ a solicitor in almost every case to work the estate, so that the estate would be likely to be eaten up by expenses. Now, if the curator comes in he is a disinterested person. He will judge of the accuracy of the creditor's assertion as to his being a creditor, and as to the amount, and in all other respects he is much more likely to work the estate advantageously and without favour to any one. The next clause provides in effect that if the creditor does get administration, and having paid off all the creditors, retains property in his hands for at least twelve months, or if he retains the property for at least five years after the grant of administration, whether the creditors are paid or not, the curator may apply to the court for a rule appointing him as administrator of the estate. If all the creditors have been paid off, and the creditor-administrator retains the property for twelve months, there is no good reason why creditors' interests should be looked after any further, and it is then time that the interests of the next of kin were looked after. The creditor has no interest in that, so that it is time for the curator to step in in that case, and also if five years have elapsed without the creditors being paid off. The legal members of the House will observe that in framing this clause the words "land vested in him or goods in his hands" are used, as in section 56 of the principal Act, so as to preserve uniformity of expression. In clause 7 there is a provision that every creditor who obtains administration of the estate of a deceased person in the capacity of creditor has to lodge his account within fifteen months from the grant of administration. To a large extent the 1st sub-section of this clause is law at the present time, but a similar rule, I am told, was suggested by the Judges in some rules that did not meet with the approval of Parliament, and it has been considered by the Master-in-Equity and the curator that this provision should be inserted here, more especially as sub-section (2),

Mr. I. A. Isaacs.

which follows upon it, is considered essential, namely, that—

"The court may also, upon the application of the curator, at any time after fifteen months from the date of the grant of such administration order every creditor as aforesaid to file such accounts, verified by him by affidavit, as the court may think fit."

As I have just said, the provision in the 1st sub-section is law already by reason of the form of the administration bond and of the rules, but such negligence has occurred in regard to the filing of these accounts that it has been thought advisable to put this requirement in the form of an Act of Parliament at once, and, in addition to that, some such wording had to be used in sub-section (2), where we go on to provide that the court may order the filing of the accounts of the administration after fifteen months. At any rate, it can do no harm to put this provision in the form of an Act of Parliament. In clause 8 it is sought to provide that the creditor-administrator shall not give priority to his own debt. I believe the words of their Honours' ruling has been followed, but I would like the attention of honorable members of the legal profession to this clause, and to ask them whether the word "unduly" ought not to come out? I think that it ought to be deleted, otherwise I am afraid the law will be left as it is, and the creditor who obtains administration will not be prevented from giving priority to his own debt. I put in the word "unduly" so that it might receive consideration. The intention of this clause is that creditors who obtain administration shall not have an advantage over other creditors who are not administrators—the advantage of paying themselves in full first and leaving the other creditors to divide rateably.

Mr. GILLIES.—By whom is the creditor chosen administrator?

Mr. J. A. ISAACS.—By himself in the first place. He makes application to the court as creditor, and then gets letters of administration. In clause 9 there is a provision that a Judge in chambers—although I think that ought to be the court—is to have power to order, on the application of the curator, the assignment of the administrator's bond to the curator, in case of the breach of any of the conditions. The object of this provision is to give the curator a *locus standi*, which it is doubtful whether he possesses at present. On that application

being made the Judge may remove the creditor-administrator altogether from his position, and substitute the curator. Clauses 10 and 11 work reciprocally. They amount to this: If a person dies domiciled in one colony, and leaves property in another colony, the colony in which he dies domiciled is the seat of the principal administration. The other colony is the seat of the ancillary administration. The Bill gives power to the administrator in the latter colony to remit the balance of the estate in that colony to the principal administrator, so as to have one winding up of the estate as far as possible. Clauses 12 and 13 are provisions of like nature. Clause 12 provides that with regard to current accounts, and clause 13 as to deposits, whenever an account—a current account in the first instance—has been lying dead for seven years it is to be presumed, in the first place, that the man who owned it is dead also, and the bank or banking institution in which the current account rests has to give information of the state of that account to the curator. Certainly, if the account has not been operated on by payments in or drawings out for seven years, it is time some one looked after it in the interests of the person who is entitled to the money.

Mr. HIGGINS.—Who is to get the money?

Mr. I. A. ISAACS.—The person entitled to it; and the curator is to have the opportunity of investigating the matter, discovering if the person who owned the property is dead, and of looking after the administration of the estate in the interests of the next of kin.

An HONORABLE MEMBER.—Suppose there is no next of kin?

Mr. I. A. ISAACS.—Then the property belongs to the Crown. It is to be hoped that the Crown will not benefit by the arrangement, and that the relatives will. We know that there is money lying in institutions which ought to go to the next of kin.

Mr. STAUGHTON.—Is there any justification for that statement?

Mr. I. A. ISAACS.—I have been told that it is the case. If there is no justification for the statement this Bill will do no harm.

Mr. STAUGHTON.—Why load the Bill with such rubbish?

Mr. I. A. ISAACS.—It has been put to me by the curator that it is extremely

advisable to insert this clause. I believe that there is a considerable amount of money belonging to various people which it will be difficult to restore except by this means. I have now, as shortly as possible, explained the purview and intention of this measure. It is really a Bill for consideration in committee.

Mr. HIGGINS.—It seems to me that this is one of those useful little Bills which hardly receive in the House the attention which they are entitled to. It affects a number of people who own small moneys, and I am very glad that the Attorney-General has seen fit to bring it in. I have no doubt that the measure as a whole will do a great deal of good. In regard to clause 4, however, I would suggest to the Attorney-General, as the honorable member for Castlemaine (Mr. McCay) has pointed out, that there is no need to have any restriction upon the power of the curator. At present the curator is not able to take out administration unless he proves that the property is liable to loss, waste, or injury. There is no need for that restriction. If the curator finds property belonging to a deceased person, there being no relation prepared to take out administration, I cannot see why the curator should not do it. The extraordinary effect of clause 4 is that a thing is deemed to be liable to be lost while it cannot be lost. Whoever heard of unfenced or uncultivated land being lost?

Mr. MURRAY SMITH.—Can it not be adversely occupied?

Mr. HIGGINS.—Yes; but that is not the provision. The point is that we are asked to deem unfenced or uncultivated land as being lost whether there is any person in adverse occupation of it or not.

Mr. MCKENZIE.—It may be subject to loss.

Mr. HIGGINS.—There is a great difference between a loss of income and a loss of land. I do not want to make our Acts of Parliament ridiculous by treating a thing that cannot be moved as liable to loss. The land must remain.

Mr. MCKENZIE.—Is not loss of income loss?

Mr. HIGGINS.—It is loss, but not loss of the land. I will deal with the land first. The clause to which I am referring provides that the curator shall only be entitled to apply for a rule to administer on proving that the estate is liable to loss, waste, or injury. An estate is a piece of

land, and is that piece of land liable to loss?

Mr. STAUGHTON.—There may be loss to the estate.

Mr. HIGGINS.—The estate is not liable to loss, though the income may be.

Mr. I. A. ISAACS.—If the land is cultivated it is liable to loss.

Mr. HIGGINS.—The position is this: Is any one able to show any reason why the curator should not be allowed to apply for a rule to administer as to the land of an intestate, no matter whether it is liable to loss or not?

Mr. MCKENZIE.—Land might be liable to injury from scrub or something else growing on it.

Mr. HIGGINS.—That is quite correct as a general principle. I am dealing with clause 4, as to its form. I ask the House to consider whether there is really any use in further continuing the restriction on the curator which at present exists? At present, according to the ruling of the Supreme Court, the curator is not able to apply for a rule to administer unless he shows that the estate, or some part of it, is liable to loss. I think that he should be allowed to apply for a rule in any case. It frequently happens that a man has died without leaving a will, and why should not his estate be administered as rapidly as possible?

Mr. MCKENZIE.—There must be waste.

The SPEAKER.—I think this conversational discussion should be held over until we are in committee.

Mr. CARTER.—Do not ride us with a curb so early, Mr. Speaker.

Mr. HIGGINS.—I think the House is inclined to give the curator more ample power than he possesses at present.

Mr. I. A. ISAACS.—I have just received a letter from the curator stating that he now agrees with my suggestion to repeal the words referred to.

Mr. HIGGINS.—I am glad to hear it. The provision preferring the curator to a creditor under ordinary circumstances is a wholesome one. I know that creditors sometimes grossly abuse their power. The creditor occasionally gets hold of £300 worth of property for a debt of £5, and he holds the balance of £295 in his own hands, the next of kin being in Europe, and never hearing of it. It is important that we should have a responsible public official to look after such matters.

Mr. CARTER.—Is not a trustee or creditor responsible?

Mr. HIGGINS.—Yes, but for the persons to whom he is liable, to enforce the liability is another thing. With regard to the 1st sub-section of clause 7, although the provision is unnecessary, it is not inexpedient. As to clause 8, I think that, as the intention is to abolish the right of an executor to retain money for his own debts in preference to other creditors, the mode of expression requires to be altered. The executor ought to be obliged to distribute, according to law, without the right of any retainer as regards himself. A Bill is being submitted in the House of Commons to abolish this retainer. I have not seen that measure, but I have little doubt that it will use the correct technical expression, and that there will be no doubt under it as to what is meant. I agree with the Attorney-General that the word "unduly" may lead to difficulty. I recommend the use of the ordinary words, and the insertion of the phrase—"but without any retainer for his own debt." In the House of Commons a Bill is being brought in to accomplish the same object as that of clause 8, namely, to prevent an executor from paying his own debt in preference to those of other creditors, supposing the estate to be insufficient for all.

Mr. MURRAY SMITH.—That is what we did last night in connexion with the payment of members.

Mr. HIGGINS.—With regard to clause 11, the idea there is that when a man has got property in two or more colonies of the Australasian group his next of kin need not prove all the facts in regard to his family and estate in two or three different jurisdictions. That is an important change. But I think that clause 10 and clause 11 are unduly restricted. I cannot see why they should be restricted to the case of curators. Why should not the curator of one colony be able to hand over a surplus to the administrator in another colony where the domicile is? If that were done expense would be saved. Our curator is the official of a particular court.

Mr. MOULE.—But what about the administrator?

Mr. HIGGINS.—Assuming that there is an administrator in Victoria, and that Victoria is the deceased person's domicile, I do not see why the curator in New South Wales, having a surplus of that man's property in that colony, should not hand it over to the Victorian administrator.

Mr. MOULLE.—Will such a case arise?

Mr. HIGGINS.—Yes. It often happens that no one takes the trouble to take out a rule of administration in the case of a small piece of property in one colony, though in another colony, where there is considerable property belonging to the same estate, some one does take out administration. The circumstances, therefore, arise frequently. I do not see why the same rule as to curators should not apply to administrators.

Mr. I. A. ISAACS.—And to executors also?

Mr. HIGGINS.—The executors would have to act under the terms of the will, while in the case of an administrator there is no will. The only difficulty is as to how the distribution is to be made. It is very embarrassing if an administrator in one colony has to distribute to the next of kin, and the administrator of another colony has to make a separate distribution to the next of kin. All I want to provide is that after the debts have been cleared off in one colony the whole surplus shall be sent over to the place of domicile for distribution to the next of kin. I would not extend the provision to executors, because, in most cases, the will gives direction to the executors. With regard to clause 12 and clause 13, there are skilful men in our banks who will look after the matter sufficiently, so that it is not necessary for me to interfere.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 3 (the interpretation clause),

Mr. I. A. ISAACS moved the insertion of the words "court includes a Judge of the court."

Mr. MURRAY SMITH directed attention to the following portion of the clause—

"Curator of any (or such) other colony' means and includes the Curator of Intestate Estates or the Public Trustee of any colony for the time being on the mainland of Australia other than Victoria and also of the colony of Tasmania, or the officer discharging in any such colony duties corresponding to those discharged in Victoria by the Curator of the Estates of Deceased Persons."

He desired to know why the Attorney-General had left out New Zealand?

Mr. I. A. ISAACS said he would take a note of the point. He did not know why New Zealand had been left out, but he thought there must be some reason for it.

The amendment was agreed to.

On clause 4, which was as follows:—

"For the purposes of section 55 of the principal Act money in a bank, whether earning interest or not, and unfenced or uncultivated land shall be considered as exposed and liable to loss, waste, or injury,"

Mr. McCAY asked the Attorney-General if he would amend this clause so as to have it in a less technical form?

Mr. I. A. ISAACS remarked that, as he had just mentioned, the curator agreed to his suggestion to repeal certain words. He (Mr. Isaacs) had only yielded to the opposite view because he did not like to run counter to the views of experienced men. He now thought that the words in question might be repealed. If the clause were postponed, he would frame an amendment.

The clause was postponed.

On clause 5, which provided, *inter alia*, that—

"(1) The curator shall be entitled to grant of administration of the estate of a deceased person in preference to a creditor applying in that capacity, unless the creditor proves to the satisfaction of the registrar or court that it will be more beneficial to the estate to be administered by such creditor,"

Mr. MURRAY SMITH pointed out that the clause provided that the curator should be entitled to a preference over the creditor unless the creditor proved that it would be more beneficial to the estate to be administered by the creditor. In what way was it contemplated that the creditor should prove that? (Mr. I. A. Isaacs—"By affidavit.") Was there any possibility of the creditor establishing such proof?

Mr. I. A. ISAACS observed that cases might arise in which the creditor who applied for administration was the only creditor; or the estate might be that of a deceased person who followed a particular trade, and the creditor who applied for administration might belong to the same trade, and be able to administer the estate with more technical knowledge than the curator. It was always well to leave some discretion to the court to meet exceptional cases which could not altogether be foreseen.

Mr. McCAY stated that there were cases in which the first intimation which the curator had of the existence of the estate was the motion of the creditor to obtain administration. When a creditor entered on an application for administration he had to consult a solicitor, and did not the Attorney-General think that provision should be made that no loss should

accrue to the creditor if the curator took out the rule of administration?

Mr. I. A. ISAACS.—I think that before the creditor moves he should consult the curator.

On clause 6, which provided, *inter alia*, that—

“(1) If at any time after the commencement of this Act any creditor who has at any time, whether before or after the commencement of this Act, taken out administration in that capacity of the land or goods of any deceased person has land vested in him or goods in his hands for at least twelve months after payment of creditors, or for at least five years after the grant of administration, whether creditors have been paid or not, the curator may apply to the court or a Judge thereof for a rule appointing him as administrator of such land or goods; and upon such application the court shall have and may exercise the like powers as upon an application under section 56 of the principal Act.”

Mr. I. A. ISAACS moved the omission of the words “or a Judge thereof” (line 11). The object of that amendment was to leave the matter to the court.

Mr. HIGGINS remarked that section 55 of the principal Act used the words “court or Judge thereof.” If the amendment were agreed to, would not there be a conflict? The curator was in the habit of making application in chambers for these rules to administer, and that officer had not got to employ counsel, whereas if the court alone dealt with the matter he would have to employ counsel.

Mr. I. A. ISAACS pointed out that an amendment had been made in the interpretation clause by the insertion of the words “court includes Judge.”

Mr. MURRAY SMITH observed that it was very desirable that there should be no unnecessary ambiguity in the Bill, so as to avoid cost.

The amendment was agreed to.

On clause 8, which was as follows:—

“Every creditor who obtains administration of the estate of a deceased person in the capacity of creditor shall pay all and singular the just debts of deceased in due course of administration rateably and proportionably and according to the priority required by law, and without unduly preferring his own debt by reason of his having obtained such administration, and compliance herewith shall be deemed to be a condition of such creditor's administration bond.”

Mr. I. A. ISAACS said he quite agreed with the honorable member for Geelong (Mr. Higgins) that the clause should be made as clear as possible. The Government had followed what they understood to be the words of the learned Judges, who had framed a set of suggested rules.

However, he (Mr. Isaacs) thought that the word “unduly” should come out, and that the word “and” should be altered to “but,” in order to meet the suggestion of the honorable member for Geelong. He begged to move the omission of the word “and” (line 6), and the omission of the word “unduly” (line 7).

The amendments were agreed to.

On clause 9, which provided, *inter alia*—

“(1) On being satisfied that the condition of any administration bond executed by any person who has obtained administration in the capacity of creditor has been broken, a Judge in chambers may order the registrar to assign the same to the curator.

“(3) The Judge may, if he thinks fit, upon making such order as aforesaid, remove such creditor from the position of administrator, and may grant a rule to the curator to administer the estate.”

Mr. I. A. ISAACS moved the omission of the words “a Judge in chambers” (lines 4 and 5), and the insertion of the words “the court”; the omission of the word “Judge” (line 7) and the word “he” (line 7), and the insertion of the word “court” and the word “it” in place of the omitted words.

The amendments were agreed to.

On clause 10, relating to the power of the curator to pay over to the curator of the colony in which the deceased was domiciled the balance of his estate,

Mr. HIGGINS asked if the Attorney-General would undertake to consider the desirability of introducing the amendment which he had suggested?

Mr. I. A. ISAACS said he would.

Clause 4, which had been postponed, was then taken into consideration.

Mr. I. A. ISAACS moved that the clause be amended so as to read as follows:—

“In section 55 of the principal Act the following words are hereby repealed, that is to say, ‘and that such estate, or some part thereof, is exposed, and liable to loss, waste, or injury.’”

The amendment was agreed to.

The Bill was reported to the House with amendments, and the amendments were considered and adopted.

On the motion of Mr. I. A. ISAACS, the Bill was then read a third time.

Mr. I. A. ISAACS said he thought it was due to the Curator of Estates that he should acknowledge the care and ability that gentleman had shown in the preparation of the Bill and in matters connected with it.

GREAT MORWELL COAL COMPANY'S
RAILWAY PURCHASE BILL.

Mr. H. R. WILLIAMS moved the second reading of this Bill. He said—In 1888-9 an important discovery of a very large seam of brown coal was made near Morwell. The persons who made the discovery thought that the coal would be of great commercial value, but the first thing that was necessary in order to make it available to the general public was railway communication. It was considered that, if a tramway or a railway could be constructed, and the seam of coal developed, the district would have great possibilities. As the result of negotiations during the years 1889-90 between the Great Morwell Coal-mining Company and the Railways Commissioners, it was decided in June, 1890, that the commissioners would provide a siding from the main Gippsland line at Morwell up to the railway boundary, thus enabling the company to connect its mine thereto by a tramway. This tramway was to be constructed by, and at the cost of, the company, the commissioners consenting to lend the necessary rails, fastenings, sleepers, &c., at a nominal rent, say 1s. per month. In November, 1890, the tramway, which was 3 miles 71 chains in length, was completed, the amount spent by the company being stated at £6,575, while the material and labour supplied by the commissioners in connexion therewith amounted to £6,813. During the years 1891 and 1892 the company urged the commissioners to purchase the tramway, and ultimately a sum of £5,173 was provided by Parliament under Act 1300—which was a Loan Application Act—for the purpose. The proposed purchase was, however, subject to certain conditions, which were duly set out in an agreement dated 29th March, 1893. The vital part of the agreement was contained in the following clauses:—

“That the company should erect a briquette-making plant capable of turning out not less than 30 tons a day of marketable briquettes.

“(2) That the company should manufacture not less than 500 tons of the briquettes, and despatch not less than that quantity over the railways to some stations not less than 80 miles from the mine.

“(3) That the company, between the 8th September, 1892, and the fulfilment of the above clause No. 2, should despatch from their mine over the railways brown coal at the average rate of 313 tons per month.”

Mr. STAUGHTON.—Have they performed that contract?

Mr. H. R. WILLIAMS.—Yes, they have at last done so. Of course the company has had many ups and downs. They have had a great deal of misfortune to contend with. Their first briquette plant was burnt down, and altogether they have had a terrific struggle for existence. The next phase of the business was that in 1893 the company applied to the commissioners for an advance of £2,500, by way of a loan in anticipation of the completion of the purchase just referred to. The sum of £2,500 was to be expended on erecting a briquette-making plant, &c., and the advance was granted by the commissioners, on the company executing an agreement, which was dated 28th July, 1893, providing, among other things, that it would transfer to the commissioners all its right, title, and interest in the tramway, and the land on which it was constructed. It was further provided that if the company failed within eighteen months to carry out the conditions of the original agreement, then the company should, within a further six months, repay the commissioners the £2,500 advanced, together with simple interest at 4 per cent. per annum, in default of which the commissioners should be for ever discharged from all obligation to complete the purchase of the tramway, and would have all the remedies against the company as to foreclosure, &c., that a mortgagee in possession has. Of course, the land had been transferred to us, and we were in possession. On the other hand, it was agreed that if the company refunded the £2,500 advanced, but failed to carry out the conditions requisite before the tramway could be purchased, then the commissioners should reconvey the land to the company, excepting, however, all rails, plant, &c., belonging to the commissioners. It should here be mentioned that the sum of £2,673, being the balance of the £5,173 purchase money, after allowing for the advance of £2,500, is at present available under Act 1437, item 38.

Mr. MURRAY SMITH.—Has any interest been charged on the advance?

Mr. H. R. WILLIAMS.—No. In January of the year 1895 the company represented to the commissioners certain difficulties which it had encountered in connexion with providing the machinery necessary for briquette making; and asked that the time for carrying out the terms of the original agreement be

extended from eighteen to thirty months. This request was granted. Again, in March, 1895, when the briquette works were destroyed by fire, the company requested that it might be exempted from the condition that it must maintain an output of coal at the average rate of 313 tons per month. In this connexion the commissioners consented to reduce the 313 tons to 150 tons per month, for a term of one year. This, together with the concession *re* extension of time already alluded to, was duly embodied in an agreement dated 1st August, 1895. On the expiration of the 30 months allowed by this last agreement, the company had still failed to carry out the conditions originally stipulated, and in December, 1896, the attention of the company was drawn to this fact, and repayment of the advance of £2,500, with interest, was demanded. To this the company replied by requesting further time, and after discussion between the company and the commissioner, it was agreed that the company be allowed a further extension of six months, from 27th January, 1897. In May, 1897, the company claimed the balance of the purchase money, namely, £2,673, on the ground that it had carried out the conditions originally made. In this connexion, the traffic auditor has furnished returns showing that the tonnage and revenue from the company's mine for the years 1895 and 1896, and the nine months ending 30th September, 1897, are as follow:—1895, tonnage 1,609, revenue £416; 1896, tonnage 4,767, revenue £938; 1897 (nine months), tonnage 3,529, revenue £689. Briefly, that is how the matter stands. Of course, the company always pleaded for the non-fulfilment of their agreement that they had had very many difficulties to contend with, and I dare say the commissioners thought it would be very hard to exact the terms of the agreement to the letter. They consequently allowed the company that consideration which the Government nearly always show to a company that is struggling under such difficulties. With regard to this matter, I may say that in other countries brown coal has been utilized to an enormous extent. In Germany it has been made a most valuable national fuel, and it is quite possible that in the future it may be so utilized in this colony. At present we have plenty of firewood and of cheap black coal, and no doubt the prospects are not as good as

Mr. H. R. Williams.

they might be. The company hold that they have fulfilled the conditions of the original agreement, and they now demand the payment of the £2,673, the balance of the purchase money. They say that this money is now necessary in order to enable them to put the mine in a greater state of efficiency from a working point of view.

Mr. STAUGHTON.—Does anybody use the brown coal?

Mr. H. R. WILLIAMS.—Well, the company have put large quantities of it on the market, and they propose to put larger quantities of it on the market in the future. They say that if they can get the balance of the purchase money it will enable them to put their plant in a greater state of efficiency, and they are hopeful that they will then be in a position to work the mine with such vigour as will insure to them an adequate reward for their labour. Of course, if we were to stick to the letter of the agreement so far as time is concerned, we could get out of the bargain altogether, but I think that, under all the circumstances, it would be very unfair for a great public department of the State to do so.

Mr. LEVIEN.—Have you evidence that the briquette plant is now erected?

Mr. H. R. WILLIAMS.—Yes, it is there now.

Mr. LEVIEN.—Have you departmental evidence to that effect?

Mr. H. R. WILLIAMS.—Yes.

Mr. LEVIEN.—Is it satisfactory evidence?

Mr. H. R. WILLIAMS.—Yes, and I have the returns I have quoted, which were certified to by the traffic auditor. He assures me that, so far as the quantities are concerned, the agreement has been fulfilled. We certainly made a rather poor bargain to begin with. There is material valued at £6,813 on the tramway that actually belongs to the Railway department, and by paying the £2,673 we shall get possession of the whole line for what it may be worth. Of course if it is not worth anything we can take up all the material and use it for other purposes. If the line should ultimately prove to be a success from a commercial point of view—and I believe the seam of brown coal, which is about 180 feet thick, is one of the biggest seams of brown coal ever discovered in the world—it is extremely probable that it will form a valuable portion of the Victorian railways.

Mr. HAMILTON.—How many men do they employ?

Mr. H. R. WILLIAMS.—I do not know how many they employ now, but they have employed a good many men on the property. They have a valuable briquette-making machine that was imported from Germany. While the undertaking is not very promising at present, yet I am hopeful that in the future something may come of it, and that it will bring some advantage to the department. Of course if the line will not pay, the department can do with it what they have done with other lines. I do not know that I have anything further to advance in connexion with the Bill. This is a matter that we have inherited, and we have to make the best we can of a bad job. I cannot ask the House at any rate to repudiate an agreement that was solemnly entered into by the department. The whole thing has been submitted to the Crown Solicitor, and I am simply asking the House now to carry out the stipulations of the original agreement.

Mr. MOULE.—Is the company a going concern still?

Mr. H. R. WILLIAMS.—At present they are waiting for this money in order to enable them to start work afresh. They were working up to about a month ago.

Mr. LANGDON.—Two men and a boy.

Mr. H. R. WILLIAMS.—I think there is more labour than that employed; they could not otherwise have turned out so much coal.

Mr. STAUGHTON.—Did the company pay any duty on their machinery.

Mr. H. R. WILLIAMS.—I know nothing about that.

Mr. MURRAY SMITH.—With reference to this Bill there are a few things which we ought to know. The Minister has said that the company have performed the original conditions of the contract, but is the Railway department satisfied that the company have discharged the conditions of the contract substantially? I do not mean simply with regard to time.

Mr. H. R. WILLIAMS.—Yes, that is the Crown Solicitor's opinion.

Mr. MURRAY SMITH.—It may be taken as a matter of course that this is a very disadvantageous transaction for the Railway department?

Mr. H. R. WILLIAMS.—I do not think it is a very promising transaction.

Mr. MURRAY SMITH.—That cannot be helped. Then, I would ask, is it quite

clear that the Railway department is at liberty to do whatever it likes with this line? I saw in the public press lately a statement that the company would still retain certain rights of running over the line which would prevent the Railway department from dealing with it as part of their own property. If the Railway department find that the line is absolutely useless, can they take up the rails and abandon it? Of course if, as has been stated, the company retain any rights of running as often as they make up a load, the supposition that the Railway department will have full control over the line is not correct. The company would still retain certain rights, and the Railway department might have to continue this disadvantageous transaction as long as the company could make up a load of briquettes. That is a point that ought to be cleared up before we consent to the Bill. If it is really a fact that the company have substantially complied with the conditions of the agreement, and if the Railway department have full control and discretion to do whatever they like with the line when they get it, then I presume that we can offer no further objection to the measure. But these points ought to be clearly and unmistakably laid down first.

Sir GEORGE TURNER.—So far as I understand the matter, before the Bill was prepared it was ascertained that the agreement had been substantially complied with. The money for the completion of the purchase of the line has been voted by Parliament and is available, but this Bill is required to enable the line to be transferred. With regard to the other point mentioned by the honorable member for Hawthorn, that the Railways Commissioner might be bound for all time to maintain the line if the company were merely to pretend to use it, I recognise that it is of serious importance. So far as my information goes the difficulty cannot arise. The commissioner, by virtue of this Bill, is to supervise and maintain the line pursuant to the Railways Acts, and therefore he would be in no worse position with regard to this particular line than he is in with regard to any other line. The point is a serious one, and, in order that we may not get into any difficulties, if the House will allow the Bill to proceed through committee I will undertake to make inquiries, and to give an assurance to the House before the Bill is finally dealt with

that that state of circumstances cannot arise. If it could arise I, of course, would consider it my duty to block the Bill from proceeding any further.

Mr. GILLIES.—Will the Premier allow me to draw his attention to clause 4, which has reference to regulations? The regulations will, no doubt, be from time to time amended, and I desire to ask whether the regulations referred to here are not the existing regulations?

Sir GEORGE TURNER.—No, the regulations for the time being in force.

The motion was agreed to.

The Bill was then read a second time, and was passed through committee without amendment.

STUDLEY PARK BRIDGE BILL.

Mr. I. A. ISAACS moved the second reading of this Bill. He said—The circumstances under which this Bill is brought before Parliament are, shortly speaking, these: There is a company called the Studley-park Bridge Company, which own a bridge known as the Studley-park bridge, at the end of Church-street, over the River Yarra. The bridge was constructed under the authority of an Act of Parliament passed on the 3rd of March, 1856. That Act gave power to certain persons to form the Studley-park Bridge Company, to construct a bridge, and to collect toll. It also provided that the bridge should be kept in repair. Honorable members can see the Act for themselves, if they refer to the 6th volume of the statutes—Private Acts. The bridge is now 40 years old, and at the present time it is in a dangerous condition. It is dangerous to persons passing over it, and especially to vehicular traffic, because it may at any time fall, and by floating down the river injure other bridges and property. The company take no steps to put the bridge in proper order. It is regarded as a menace to the public safety, and some steps undoubtedly ought to be taken to protect life and property. It is for that purpose that this Bill has been introduced. The preamble recites the material facts, most of which I have mentioned, and sets out that “it is necessary and desirable that the said bridge be kept and maintained in such a state of repair that it can be used by passengers, horses, beasts, carriages, carts, or other vehicles passing over the said bridge without endangering life or property, and that if the bridge is not so maintained it

is desirable that the bridge be taken down and removed.” With that view the Bill goes on to provide that it may be cited as the Studley Park Bridge Act 1897, and read as one with the Act I have referred to, and then, that on the application in writing of the council of the city of Collingwood or the borough of Kew, or on the application in writing of any twenty or more ratepayers of either of the said municipalities, complaining at any time that the bridge is not maintained in a proper state of repair, it shall be lawful for the Board of Land and Works, after ten days’ notice in writing to the company, to order the company either to put the bridge into proper repair or to take down and remove the bridge. There is a penalty of £5 for every day on which the company fails to comply with any such order of the board. The next clause provides that the penalties paid to the board are to be applied in continuing the bridge in repair or taking it down, as the board may determine; and if they ultimately determine that the public safety requires the bridge to be taken down rather than repaired, and if the cost of taking it down exceeds the amount of any penalties that may be recovered, they may sue the company for the excess. Clause 5 gives power in any case—that is to say, without any application on the part of the ratepayers or the council—if the board itself thinks that the public advantage requires it, to remove the bridge, provided that notice is given to the company as provided in the clause; and if the board takes down the bridge the 6th clause—which I understand is the one that is most strongly objected to by the company—provides that the taking down or removal is not to be a purchase of the bridge by the Queen, nor is there to be any compensation paid. That is the long and short of it. Well, now, I have been seen by the representatives of the company, and they strongly object to the provision that there shall be no compensation paid. As I understand, they do not deny that the bridge is in such a state as to be useless altogether for vehicular traffic, and also dangerous in its present condition to the general public. But they say that they ought not to be deprived of compensation. They give principally two reasons. The first is that this bridge was put up 40 years ago when there was no other means, as I am informed by them, of crossing the Yarra. It was put up, and power was given to the company

to charge tolls. The Legislature in 1877 passed an Act, which came into force in 1878, abolishing tolls—not tolls on this bridge, but tolls on other bridges that were in use, and which were in competition with this bridge, and the company were thereby deprived of tolls which they would otherwise have received, because people went by preference over other bridges where they had not to pay tolls. The second reason advanced by the company is that in 1891, when a flood occurred in Melbourne, a bridge belonging to the Government was swept down and lodged against the Studley-park bridge, and remained in such a position alongside the Studley-park bridge that it concentrated the water and injured the buttresses, and thus caused damage. I have been in communication with Mr. Davidson, the Inspector-General of Public Works, with regard to the last point. He tells me that there was a Government bridge in 1891, about 40 feet long by 4 feet broad, the top portion of which was swept down and remained lodged against the Studley-park bridge from Sunday until the following Tuesday; but he says that no damage whatever was done by the Government bridge to this bridge. He also says that he cannot see that any compensation can be claimed on that account. With regard to tolls, I do not see myself why any claim can be founded on their abolition on Government bridges, because that was done in pursuance of the general policy at the time, and if any damage was anticipated, or if it was thought right or proper to make any claim on account of the abolition of tolls, it seems proper that that claim should have been made to Parliament at the time and not twenty years afterwards. Nor ought that point to be taken into consideration now. That is the position of affairs as far as I am able to detail them, and I now place the Bill before the House, knowing that there are some honorable members here who are, as I am aware, able to tell the House perhaps more than I have been able to do, and who may be in possession of more facts than I have been able to make myself acquainted with.

Mr. MURRAY SMITH.—I will ask the Attorney-General whether he has any objection when the Bill has passed its second reading to having a select committee appointed to inquire into the state of the case? I do not want to offer any opposition to the second reading of the Bill, inasmuch as the main object of it is, I

believe, advisable—namely, that the bridge should be taken down. It is rather in reference to the claim of the company for compensation that I wish to address the House. As the work of the select committee such as I have suggested would not take very long, I trust that the Attorney-General will not object to its appointment to look into the matter carefully and with more detail than he has been able to do.

Mr. MADDEN.—I will ask the Attorney-General to consider the suggestion which has been made by the honorable member for Hawthorn. I have known this bridge for nearly 40 years. I know that it is most desirable that it should be taken down, but I do not think it is fair that danger to the public should be used as an argument to deprive those who have rights of those rights. It seems to me that this company does possess rights, and, while it is a proper thing in my opinion to take the bridge down, the company should be paid compensation for their loss. I am sure that the Government does not desire to do an injustice. This was one of the earliest bridges made over the Yarra. It was the one means whereby firewood was brought into Melbourne for many years, and people were then willing to pay toll on crossing it. Afterwards the Johnston-street bridge was erected by the Government. That bridge crossed the Yarra just above the Studley-park bridge. Subsequently the Victoria-street bridge was made just below it. These two bridges were made on more level ground, and their erection did undoubtedly take away the business of this bridge, thereby reducing the income of the company, which had built the bridge at the request of the Government. The Richmond-bridge was built before the erection of the Johnston-street bridge, and that also tapped another district from which firewood came into Melbourne, and further deprived this bridge of revenue.

Mr. BEAZLEY.—Toll had to be paid in crossing the Johnston-street bridge at first.

Mr. MADDEN.—The toll over that bridge was reduced by one-half, and subsequently abolished altogether. The Studley-park bridge is only a foot bridge. It is known as the penny bridge, and is at present only fit for foot passengers. There are large holes in it.

Mr. T. SMITH.—And it is not very safe for foot passengers either.

Mr. MADDEN.—I do not know; I paid a penny and came over it a little time ago, and I am a fair average size. But that is not the question. The question is whether these people have rights or not. Last evening the Attorney-General did not know the case submitted on behalf of the company, so that he has not had very much opportunity of inquiring into it. We only ask for a committee of inquiry into the rights possessed by this company.

Sir GEORGE TURNER.—How will that affect the question whether the bridge ought to be taken down or not?

Mr. MADDEN.—We say that we agree with you as to the necessity for taking it away. It is a menace to the other bridges and to the public. But we say that if you think it right to take this bridge away you should deal fairly with people who have rights against the Government in the matter.

Mr. I. A. ISAACS.—The honorable member will see that any damage for which compensation would be claimed would not be damage for taking the bridge away, but for something that occurred five or six years ago.

Mr. MADDEN.—No. When the Government bridge was swept away and did damage to the Studley-park bridge it was done by the "act of God"; but if the other bridge does damage it is to be the act of the company. These people were guaranteed a toll upon the bridge at the time it was constructed. There was no reservation whatever that the Government would abolish tolls all over the country. But they did, and we say that the action of the Government has been to deprive this company of the value of their property.

Mr. McCAY.—Was it guaranteed that other bridges over the Yarra would have tolls in connexion with them?

Mr. MADDEN.—No; but tolls were at that time the rule all over the country. If the company have no claim they will have to put up with the position, but it seems to me a very reasonable proposition that a select committee should be appointed, and one that the Government might very well accede to.

Mr. MURRAY SMITH.—May I be allowed to point out in answer to an interjection by the Premier that we make no objection to the principle of the Bill? The bridge may be taken down. It may be taken down to-morrow as far as the company are concerned. But the Attorney-General will know that the last

clause of this Bill, if passed, absolutely precludes the possibility of any compensation being claimed by the company. We claim, while we admit the principle of the Bill, that a select committee should be appointed to determine whether the company are entitled to any compensation or not.

Mr. I. A. ISAACS.—They can get out of that difficulty by carrying out their obligation under their Act of Parliament, and keeping the bridge in repair.

Mr. MURRAY SMITH.—But our claim is that the Government deprived them of their means of doing so, by taking away their source of revenue.

Mr. BEAZLEY.—It seems to me that the question raised by the honorable member for Hawthorn and the honorable member for Eastern Suburbs is altogether separate from this Bill. The last clause of the Bill, as I read it, provides that no compensation shall be paid for the removal of the bridge. It is generally acknowledged that the bridge is a menace to the public safety. That has been acknowledged on both sides of the House. It is also admitted that the bridge should be removed. In my opinion the claim for compensation for something which happened a number of years ago should be settled by petition from the company to this House. Honorable members can then have an opportunity of inquiring into the desirability of giving compensation for something which happened some years ago.

Mr. MURRAY SMITH.—The present time is the best.

Mr. BEAZLEY.—Does the honorable member for Hawthorn think it desirable for the bridge to be removed?

Mr. MURRAY SMITH.—Ycs.

Mr. BEAZLEY.—Then why not decide the point that the bridge shall be removed and no compensation paid; and if the bridge is removed let those interested petition this House in order that their claims may be settled by a select committee?

Sir GEORGE TURNER.—As I understand, it is admitted on all hands that this bridge is a menace and a danger. It is admitted also that it does not suit the company to carry out their agreement by keeping the bridge in repair, and having it open for traffic. Therefore, the bridge should be removed; and what we say by the 6th clause is that the company are not to have any claim for compensation in respect of any matter arising out of closing,

taking down, or removing their bridge. If these claims which my honorable friends the members for Hawthorn and Eastern Suburbs have made are justifiable claims for the colony to recognise, Parliament is always prepared to do justice; but we cannot put a clause stating that the company are entitled to compensation in this Bill. Compensation—for what? For some action of Parliament some years gone by, whereby they abolished tolls. They did not abolish tolls upon this bridge. The company could go on charging tolls upon this bridge, and they did so, as long as the bridge was in a safe condition. Abolishing tolls on other bridges may have taken away the business of this bridge; but was there any bargain with the company that Parliament for all time was going to keep tolls on other roads and not build any other bridges over the Yarra to compete with this one? I do not think there was. At the same time, if this company has been injured by something done by Parliament many years ago, they have still, as they have had all the time, a right to come to Parliament and ask for justice, and at the hands of Parliament, undoubtedly, they will get justice. But they have no reasonable claim for compensation, and it seems to me that they are now taking advantage of the introduction of this Bill by endeavouring to get some few thousands of pounds compensation to divide among the unfortunate shareholders. It is, no doubt, hard upon these people that they have entered into a speculation which has not turned out profitable for them.

Mr. MURRAY SMITH.—You acted very differently in the case of the last Bill you passed.

Sir GEORGE TURNER.—That was to carry out a bargain which the Government had made, and which Parliament was bound to recognise.

Mr. MURRAY SMITH.—And which they modified in the interests of the company.

Sir GEORGE TURNER.—But what are we asked to do here?

Mr. MURRAY SMITH.—To repair the consequences of your own act.

Sir GEORGE TURNER.—Are we asked to repair the bridge?

Mr. MURRAY SMITH.—No; to repair the consequences of your own act—that is, the act of the Government. The Government is a continuous entity, and you should be responsible for the actions of previous Governments.

Sir GEORGE TURNER.—If Parliament should be responsible for something done by Parliament some years ago, there is a certain means whereby these people can come before Parliament and ask for compensation. We only want to do what is fair to all parties; but, as I see the matter, these shareholders, for many years, notwithstanding the action of Parliament in abolishing tolls, have never come and said “You should compensate us for having done us an injustice.”

Mr. MURRAY SMITH.—They have gone to the Minister.

Sir GEORGE TURNER.—They may have done. Many people go to the Minister with claims which are considered and decided. The Minister may have said—“I think your claim is not justifiable.” But Parliament is always open to a petition that rights shall be recognised, and if this great injustice was done to these people they have had an opportunity of coming to Parliament and making a claim. They have not chosen to do that; but when we have brought in a Bill for a necessary purpose, and say that no claim for compensation is to be made against us for taking away this danger and menace, we are asked to pay compensation. Surely it is not unreasonable that we should ask Parliament to pass this clause as it stands. It is admitted that the bridge should be removed, and we say to the company—“If we have to remove it, we are not going to pay you any compensation for doing so.” We leave them exactly in the same position as they were before, and as they have been in for about twenty years, and do not take away from them a single claim which they have had in that respect. Under these circumstances, I fail to see why we should not pass this Bill and remove this bridge without paying compensation for anything that may occur in consequence of our removing it, leaving it to the shareholders to come to Parliament and ask for compensation for something which Parliament did twenty years ago.

Mr. ZOX.—I understand that this bridge was built in the year 1855. In that year a number of gentlemen, as a deputation, waited upon the then Chief Secretary, Mr. Haines, for the purpose of asking that a bridge should be erected as a great public convenience. He informed them, as the present Premier has informed us on several occasions, that the coffers of the State were so impoverished that it was a matter of impossibility that the request

should be complied with. But an Act of Parliament was passed giving power to a company to erect a bridge. That bridge was erected, and certain privileges were given to the company. They were allowed to charge a toll. But some time afterwards another bridge was erected over the Yarra. It was erected at the cost of the Government, and in the first instance the Government charged a toll of one-half what was charged by the company owning the Studley-park bridge. After a while the toll was done away with altogether. If you allow people to erect a bridge on certain conditions, and permit them to charge a toll, and if you subsequently erect a bridge of your own, you are bound to do an injustice to the company owning the bridge first erected. I believe that this bridge ought to be removed. My right honorable friend the Premier says it must be removed, but he says that no compensation should be granted to the shareholders, nor should anything be given to them in recognition of the fact that they erected this bridge in the early days of the colony for the public convenience. Naturally, the loss falls on those who invested their money in the undertaking which the Government allowed them to carry on, and which they thought would be profitable.

Mr. BEAZLEY.—They had a profit, too, for many years.

Mr. ZOX.—I believe that very small profits accrued to the company on account of the bridge, and the little profit they made was curtailed when the Government erected other bridges.

Sir GEORGE TURNER.—Does the removal of this bridge increase their loss?

Mr. ZOX.—No; but you say in the 6th clause of this Bill that the bridge may be removed without paying any compensation whatever to the original shareholders. That, it seems to me, precludes them from coming to Parliament and having their case stated. If they have a claim against Parliament, Parliament should be ready to recognise the rights of the matter. Has the Premier all the facts before him as to how this bridge came into existence, and has he made any inquiries as to why he thinks the parties concerned have not a just claim upon Parliament for compensation on account of the removal of this bridge?

Sir GEORGE TURNER.—I have not gone into that, because it has nothing to do with this particular Bill.

Mr. ZOX.—I should not think of differing from my right honorable friend with regard to the legal aspect of the case, but it seems to me that by clause 6 you are taking away entirely any compensation that the original shareholders might imagine that they should have at the hands of the Government, and precluding them from making any claim upon Parliament. If any claim is made in any future Parliament in which my right honorable friend is Premier, he will naturally say—"The Bill is passed, and the 6th clause says that the company cannot get compensation."

Sir GEORGE TURNER.—But it does not say anything of the kind; it only says certain limited compensation.

Mr. J. HARRIS.—I am sure that the Premier and his co-Ministers do not desire either in this or in any other case to do an injustice, but it seems to me that the suggestion that has been made by the honorable member for Hawthorn for the appointment of a select committee to deal with the facts of the case is a reasonable one. This is a matter that cannot very well be thrashed out in this House. I am not perfectly acquainted with the merits of the case myself, but a memorandum on the subject was put into my hands a few minutes ago, and at the first blush I think that it is imperative that this proposal for compensation shall be properly considered.

Mr. I. A. ISAACS.—Compensation for what?

Mr. J. HARRIS.—The first ground upon which the company claim compensation is this, that—

"The company practically originated through suggestions made by the responsible officers of the Crown."

Mr. T. SMITH.—What are you reading from?

Mr. J. HARRIS.—From a memorandum circulated by the company, and I presume that it may be taken as correct. These gentlemen would not dare to put an untrue memorandum into my hands to be read to the House. The other grounds of the company's claim are:—

"The Crown, with the growth of the city, felt it incumbent to assist the erection of other bridges, which became in direct opposition and competition with the company's private enterprise.

"The Crown competing with the company in reducing to a low rate the tolls over the above bridges.

"The abolition of tolls without compensation to this company, as in other cases.

"The damage caused the company by a Crown bridge being carried by flood waters on to the company's bridge."

That is the strongest argument I can see in favour of this claim for compensation. The company's bridge was damaged by the Government bridge, and was injured thereby; that fact cannot be denied.

Mr. WILKINS.—The Inspector-General denies it.

Sir GEORGE TURNER.—This Bill will not prevent that being inquired into, if Parliament thinks fit to order that that shall be done.

Mr. J. HARRIS.—If this Bill is passed, it will be "all up" with every claim for compensation the company may have. I will appeal to the right honorable gentleman's sense of fairness and equitable dealing to allow this matter to go to a select committee. I am sure that honorable members are not seized of all the facts of the case, and from what I have read I am convinced that we shall be doing an injustice in passing the Bill as it stands.

Mr. T. SMITH.—May I ask the Attorney-General or the Premier whether any representation of the kind just read by the honorable member for South Yarra has been made to the Government with regard to this bridge?

Sir GEORGE TURNER.—The document which the honorable member for South Yarra has read from was sent to me and to my colleagues within the couple of days since the Bill has been circulated.

Sir JOHN McINTYRE.—They could not have done it before.

Mr. T. SMITH.—They could have done it before, because it has been known for some time past that this action or some similar action was about to be taken by the Government, and to a great many people the unsafe condition of the bridge has been known.

Mr. MURRAY SMITH.—The whole contention is about clause 6.

Mr. T. SMITH.—I have read that clause. It is as follows:—

"The taking down and removal of the bridge by the board pursuant to this Act shall not be deemed or taken to be a purchase of the same by Her Majesty; nor shall the company or any director, shareholder, or creditor thereof, or any person whosoever, whether claiming by reason of any connexion with the company or not, or whether claiming as a passenger or person desiring to use the bridge or otherwise howsoever, be entitled to or receive from Her Majesty or the board any money or consideration by way of compensation or reimbursement or premium in respect of or arising out of the closing, taking down, or removal of the said bridge."

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Well, as far as vehicular traffic is concerned, the bridge has been closed for months, to my own certain knowledge; and I am not quite sure, notwithstanding the safety experienced by the honorable member for Eastern Suburbs, who is here after having crossed over the structure, whether it is absolutely safe as it stands for foot passengers. I was over it the other day, and I liked it so little that I came back another way and saved my penny. But what will be the position of the unfortunate shareholders or trustees if this Bill be not passed, and if the bridge be allowed to remain? If the bridge rots and falls into the river, as it inevitably will do sooner or later, they will have no right to compensation.

Mr. BEAZLEY.—And they may be liable for destruction done.

Mr. T. SMITH.—If they have any claim against the Government for the destruction of their bridge, and if they have ever made any claim, I presume that it has not been recognised.

Mr. I. A. ISAACS.—I find that there was a claim made in 1891. It was referred to the Attorney-General, who, I think, was the honorable member for Normanby, and he decided that the company had no claim.

Mr. T. SMITH.—That strengthens my argument. If the company had no claim then, I presume that they have no claim now. If they had a claim a select committee might have been asked for years ago. I have been a member of this House since that time, and I certainly do not remember any one making any claim whatever for compensation in respect to this bridge. I think that if the shareholders or trustees felt that they had any claim at law, or even in equity, some honorable member would have been found who would have mentioned the matter here, and moved for a select committee or for some compensation. I trust that the Bill will be considered and that we shall decide to carry it, in order that a very dangerous structure may be speedily removed.

Mr. WILKINS.—I would like to point out that the action of the Government in reference to this bridge has been brought about in consequence of the municipalities of Collingwood and Kew not being able to get any satisfaction from this company. Those councils have been trying for years to induce the company to keep the bridge in repair, but they have failed to do so. Unfortunately, when the company

obtained permission to erect this bridge, there was no power given in their Act whereby they could be compelled to keep the bridge in repair, and the trustees of the bridge, being aware of that fact, have studiously avoided doing anything that they have been asked to do by the municipalities interested. This being so, I fail to see where the right to any compensation would come in at all. They erected the bridge, and it was a profitable undertaking for many years, but now it has become unprofitable in consequence of the state of disrepair the company have allowed it to fall into. It is positively dangerous at present, and has been so for years; and I, as one of the members of the Collingwood Council, waited frequently on the Minister of Public Works to try to induce him to do something in order to remedy this evil. We were unsuccessful in the past in achieving that object, and I think the Government deserve very great credit now for bringing in a Bill of this kind.

Sir JOHN McINTYRE.—I presume the Government went very carefully into this matter before bringing a Bill of this character before the House. If a company exists, and this property belongs to that company, surely the Government would not attempt to introduce a Bill which would take away their title to a property which is of some value to them, unless that property was calculated to endanger the lives of the people, and the Government were called upon, as a matter of necessity, to act in this way. I must certainly say that I think that if the 6th clause was not in the Bill it would be of no use whatever, as the Government could never remove the bridge. The only question is whether the Government could not see their way to allow inquiry of some kind to take place as to the loss which may accrue to the company, and as to whether they have any legitimate claim on the State. I do not think the Government can possibly object to that. Even if it is only a small property, the principle of doing right to the people should be exercised on all occasions. It is for the public good I presume, from what the honorable member for Collingwood (Mr. Wilkins) has said, that this bridge should be removed; and if the public are going to benefit from what is to be done, there should be some inquiry as to whether the company has any claim for compensation.

Sir GEORGE TURNER.—Is the company going to be injured?

Sir JOHN McINTYRE.—I noticed that the honorable member for Emerald Hill stated that when he crossed the bridge he paid 1d., so that there is still some small income from the bridge, at any rate.

Sir GEORGE TURNER.—Surely we have a perfect right to ask the company to put the bridge in a proper state of repair. If they do that it ends the whole matter.

Sir JOHN McINTYRE.—I am surprised that they are not doing it.

Mr. T. SMITH.—They have not a shilling.

Sir JOHN McINTYRE.—If that is so, it shows that this cannot have been a very profitable concern, and that instead of making money out of it, as the honorable member for Collingwood stated, the company must have been losing money over it. What I want to endeavour to bring about is that there should be some kind of inquiry held. No doubt there is a difficulty about appointing a select committee, but is there no other way of making an inquiry so as to ascertain how far the company have been injured or what loss they have sustained?

Sir GEORGE TURNER.—Injured by what?

Sir JOHN McINTYRE.—If you are taking away a property from them, from which they are getting even only a penny, there is an injury to the extent of that penny.

Sir GEORGE TURNER.—We are not doing that; we are simply asking what they should have done under the original terms of their agreement, namely, that they should keep the bridge in a proper state of repair. If they do that there is an end of the Bill.

Sir JOHN McINTYRE.—If the Government could see their way to allow the inquiry which has been suggested, the difficulty would be altogether overcome. Of course, however, there is the point that a claim can be made by the company even if this Bill be passed. I believe that both a petition and a claim can be taken in hand by this House, notwithstanding the passing of the Bill.

Sir GEORGE TURNER.—Of course it can; Parliament can do what it likes notwithstanding the passing of any Act.

Mr. MURRAY SMITH.—You are all in the swim; you have all been Ministers of the Crown.

Sir JOHN McINTYRE.—I recognise that Ministers of the Crown are obliged to do everything to protect the public as the first consideration. That is one of

the reasons why I have remained quiet over this matter. If I could see that the Government were likely to do a serious injustice to these people I would insist on their holding the Bill back for an inquiry; but, judging from the remarks which have been made, the injustice cannot be serious. But, at the same time, even if the injustice be a small one, it would be better to have an inquiry rather than to do even a slight injustice.

Mr. McKENZIE.—There is just one small matter to which I wish to draw attention. From the remarks of the honorable member for Collingwood (Mr. Wilkins) it would appear that this bridge if it was put in order would be of service and would be required by the public. If that is so, surely it is not a wise thing to insist on pulling down a bridge that would be useful if it were put in repair.

Sir GEORGE TURNER.—We do not insist on that.

Mr. BEAZLEY.—It would be dangerous even if it were repaired.

Mr. McKENZIE.—Of course, that is the question. If it would be dangerous even if repaired it ought to be pulled down; but if after being repaired it would serve a useful purpose it seems a mere act of destruction to pull it down.

Mr. I. A. ISAACS.—The Bill provides for the repair of the bridge if it can be properly repaired, and if it cannot that it should be pulled down.

Mr. McKENZIE.—I overlooked that. If that be so, it meets my views altogether.

Mr. MURRAY SMITH.—But the repair is to be at the expense of the company.

Sir GEORGE TURNER.—Or at the expense of the councils, if they like to have the bridge repaired at their expense.

The motion for the second reading of the Bill was agreed to, and the Bill was then read a second time, and committed.

On clause 1 (short title),

Mr. MURRAY SMITH said that perhaps he might be allowed to address himself on this clause to the general question, as he wanted to state the case of the company, although he was only objecting to clause 6. If, however, his request for a select committee was to be point-blank refused he would wait until clause 6 was before the committee, and address himself to that clause.

The ACTING CHAIRMAN (Mr. MURRAY).—The honorable member had better reserve his remarks until we are at clause 6.

Mr. MURRAY SMITH stated that his inquiry was an alternative one. He wished to ask first if the Government would consent to the appointment of a select committee? (Sir George Turner—"No.") In that case he would reserve his remarks.

On clause 2, giving power to the Board of Land and Works to order the company to repair or remove the bridge,

Mr. MURRAY SMITH asked if he understood that the Government under this clause were taking power to compel the company to repair the bridge, if the Government so chose, at the company's own expense?

Mr. I. A. ISAACS.—Yes. If a complaint is made as mentioned in clause 2 by either the council or by ratepayers, then the board has to look into the matter and decide whether to order the company to repair the bridge or to pull it down.

Mr. MURRAY SMITH observed that what he wanted to urge on the committee was this, that certain gentlemen were invited by the Government originally to form a company for the purpose of erecting this bridge. After having erected the bridge in accordance with the request of the Government, and having acquired a 99 years' lease of it, the company surely acquired, by implication, if not by exact contract, certain rights. But the Government then proceeded in a very brief space of time, after having given those rights and imposed those duties on the company, to erect in close proximity to this bridge another bridge, which was at first opened free of toll entirely, and on which eventually the toll was fixed at one-half the toll payable on all the other bridges of the colony. Therefore, the Government at once created a competitor to the Studley-park bridge, which had been erected at their request, and to that competitor they gave an advantage of 50 per cent. By the erection of the Johnston-street bridge the Government took away one-half of the gross income of this company. Further, in 1878, Parliament abolished tolls altogether, and therefore destroyed the whole income of the company. Again, in 1891, by the action of Government property—though he did not want to press this point very strongly—the bridge was seriously injured. The Government, therefore, stood in this position with reference to the company. In the first place, they invited them to undertake certain duties and liabilities, and in consideration of their doing that they gave

the company certain privileges. In the second place, the Government proceeded, in a brief period, to take away one-half, and eventually the whole, of those privileges. And finally, after having, unwittingly perhaps, injured the bridge as a property, they now proceeded to demand that the company should take it away, or should repair it at their own cost, and that if it was taken away the company should have no claim for compensation whatever on the Government. Now, if he did not know sufficient of law, he, at all events, knew enough of parliamentary practice to be certain that if this Bill was passed, and the company subsequently brought in a claim or presented any petition for compensation, they would be told that clause 6 covered the whole ground. It was, no doubt, opportune for the Premier to say at present that clause 6 was strictly limited, but the right honorable gentleman would be equally ready in defence of the Treasury, when the company made a claim, to say that clause 6 covered the whole ground. (Sir George Turner—"I will give you my promise that I won't.") The right honorable gentleman might not then be in office. (Sir George Turner—"If I wait here until they make a claim I shall be in office for many years.") He (Mr. Murray Smith) was quite certain that Parliament would say to the company that they had allowed the passage of a Bill which did away with their claim for compensation entirely, and therefore that they had no claim at all. Consequently now was the time, if any—he did not say necessarily to pay compensation—but to settle whether this company was entitled to compensation or not. As an analogous case, suppose, for instance—as he believed once was done—that Parliament gave a man the monopoly of catering for honorable members, and required him to pay a certain sum of money for that privilege. The man made certain charges in consideration of having paid that money and obtained that privilege. Then suppose that in a few months afterwards the Government, or Parliament, started a rival undertaking, which supplied honorable members at half the price. The result of that would be to destroy the rival caterer's means of living. And then suppose, further, that the members of the House were fed gratis. (Mr. T. Smith—"That is an extraordinary supposition.") It was not so extraordinary as it might seem, but, at any rate, it was analogous to

Mr. Murray Smith.

the present case. The Government had destroyed this company's means of living by erecting a competing bridge, and afterwards abolishing tolls. The company was asked to undertake the duty of erecting Studley-park bridge, and they did so. They derived a certain revenue from the bridge for a time, and they were perfectly satisfied with their bargain; but the Government stepped in and first took away half, and eventually the whole, of their income. Surely the company were justified under those circumstances in asking that their claim should be looked into now, and not at some future time, when the occasion was past, and when probably the cold shoulder would be turned to them. (Mr. McCay—"May I ask did the company pay anything for the right to erect a bridge?") No; but they were invited to spend a certain sum of money. He would also urge, as a matter which might be palatable to the Treasurer, that the company's claim was not a very large one. The company were perfectly willing to make a statement—in fact, he held the statement now in his hands—of what they had received and what they had spent. The statement showed exactly what they had laid out on the bridge, the rate of interest they had received, and the amount of principal they had paid back. They had paid back to the shareholders from the results of their former income a certain amount, and they had also paid dividends, which left a very small interest from the erection of the bridge, covering the whole time during which their capital was invested. This left a balance of somewhere about one-half of their expenditure, which they were still out of pocket. Now, surely it was not too much to ask that their claim for that half of their expenditure, amounting to something over £5,000, should be considered by the Legislature and looked into at a time when all the circumstances were fresh in honorable members' minds. That was all he asked—that this Bill should be postponed until the Government, if a select committee was not proposed, had taken further time to look into the matter, when he hoped the Treasurer's permanent sense of justice would triumph over his temporary demand for economy.

Mr. I. A. ISAACS said the earnest appeal of the honorable member for Hawthorn deserved some answer. There were two points which the honorable member had raised. One was the alleged damage

done to the Studley-park bridge by the Government bridge, a point which he understood the honorable member to say he did not press very strongly. (Mr. Murray Smith—"I will give that up.") He was afraid the honorable member was not doing his friends much injustice in giving up something which was very problematical. This matter was considered in 1891 by the Shiels Government. It was referred to Mr. Shiels, and, after having all the facts before him, he wrote a minute to the following effect:—

"I am of opinion that the company cannot claim compensation from the Crown under the circumstances as stated above. The damage was the result of inevitable accident."

With regard to the alleged request by the Government of the day—the Haines Government—to erect a bridge, and the subsequent abolition of tolls, and the erection of a free bridge, he (Mr. Isaacs) found from the papers that these matters were brought under the notice of Mr. Service, when he was Premier, and he would read what appeared on record with regard to them. First of all, there was a letter dated 21st September, 1885, from Mr. John Carson, asking the Premier for an interview, and there appeared to have been a communication sent back to Mr. Carson stating that bridges were not in the Treasurer's department. In spite of that, a letter dated the 22nd September, 1885, was addressed by Mr. Carson to Mr. Service, which was to the following effect:—

"Sir,—In reply to yours, No. 85,3290, I beg to inform you that the Act being in my name I have been deputed by the shareholders of the Studley-park Bridge Company to bring under your notice that the abolition of tolls and the erection of a free bridge in direct opposition to the company's bridge has caused them serious loss, resulting from the action of the Government."

"I would, therefore, request that you would kindly favour me with an interview, so that, if possible, some way may be found out of what is a great wrong to a number of old colonists who were induced by the late Hon. W. C. Haines' Government to enter upon this undertaking, with a pledge that nothing should be done to interfere with the company's interests."

The matter appeared then to have been referred to the Public Works department, over which the honorable member for Essendon then presided, and the following was the memorandum, signed by Mr. Le Cren, the then Secretary for Public Works:—

"The Honorable the Commissioner of Public Works desires me to point out that the Studley-park bridge has been erected for 30 years.

There is no record of any pledge (as stated herein) having been given 'that nothing should be done to interfere with the company's interests.' The Legislature abolished the collection of tolls on roads, but did not interfere with the right of the company to levy a toll on its bridge, which they have always continued to do. The company likewise offered no opposition to the erection of the new bridge over the Yarra at the end of Victoria-street.

"In March, 1880, the company asked the Government to purchase the bridge, but the offer was declined. On the 20th October, 1880, notice was given to this department that tenders would be invited in eight days for the purchase and removal of the bridge.

"Mr. Deakin fails to see that the company has any claim on the Government."

Mr. MURRAY SMITH.—There is no argument there; it is merely a refusal.

Mr. I. A. ISAACS said that what he had been reading showed that the matter was placed before the Government twelve years ago, and was carefully considered by that Government. It also showed that there was no such pledge on record as had been referred to by the honorable member for Hawthorn just now. Further, it showed that the company at the time of the erection of the free bridge, in connexion with which it claimed compensation, did not object to the erection of that bridge. (Mr. Murray Smith—"The bridge was not free when it was erected.") At all events, the matter was carefully looked into and considered at the time, and it might be fairly assumed that, having been considered by the then Government, it was dealt with once and for all. He (Mr. Isaacs) found from the papers that, time after time, the company asked the Government to buy this bridge, and the Government as often declined. So matters went on until the question of damage arose in 1891, and that claim was repelled. It appeared that year after year the attention of the company was drawn to the dangerous state of this bridge, and the bridge had been allowed to continue in that condition for a great many years. The Government had been asked repeatedly to take some steps to protect the public interests, and they found that they could not do that under the existing state of the law. Therefore this Bill had been brought in to enable some such steps to be taken, as the bridge was getting worse, and the urgency of the case was increasing. The compensation that was claimed was not, and could not be, claimed for taking down the bridge, and that was the only thing the Government contemplated doing unless the company repaired it. The claim

for compensation was for something else, with which the proposed removal of the bridge had nothing to do. It referred to matters which had been pressed before successive Governments, and rejected by every one of them. He thought, therefore, the company ought not to press any claim for compensation as a condition of the passing of this Bill. If, however, it had any claim, and wished to appeal practically from the decision of previous Governments, it should appeal in the ordinary way by petition to Parliament, and if it petitioned it would receive whatever justice it might be found to be entitled to.

On clause 6, providing that no compensation should be payable on removal of the bridge,

Mr. MURRAY SMITH stated that he had only formally to protest against the passage of this clause. He considered that it was a gross injustice to a company which had been induced by Government to expend money on the faith of an implied promise, which promise had not only not been kept, but had frequently been violated by successive Governments. If the Assembly chose to commit this injustice he could not help it.

Mr. GILLIES remarked that if he understood the Bill correctly, the 6th clause was indispensably necessary to prevent a claim being brought against the Government for removing the bridge. (Mr. I. A. Isaacs—"Yes.") If that clause was to close necessarily every other claim that this company might think proper to make by presenting a petition to Parliament, that would be another story. But as he understood it, if the clause were omitted from the Bill, and the Government proposed under the rest of the measure to remove the bridge, on the company declining to do anything to put it in proper repair, the Government would lay themselves open to an action at law. Under those circumstances, what every one had to ask himself was this—Would he feel justified in allowing this bridge to remain in its present state and risk the lives of the people? That was the whole point.

Mr. MURRAY SMITH observed that if the Government found that the bridge was not in a safe state, surely they would be justified, in the public interest, in removing it without any clause of this sort.

Mr. I. A. ISAACS stated that he had looked into the point just raised, and he thought it was very doubtful. The proper

course, he believed, would be to proceed to indict the company for a nuisance at common law, and that would be a very dangerous proceeding to take.

The Bill, having been gone through, was reported without amendment.

On the motion of Mr. I. A. ISAACS, the Bill was then read a third time.

"GOVERNMENT GAZETTE" MINING NOTICE INQUIRY.

Sir JOHN McINTYRE said that, by leave of the House, he desired to state that the honorable member for Talbot, who agreed the previous evening to act on the select committee which had been appointed to inquire as to how certain information was obtained with regard to the time when an area of mining land in dispute between the South German Gold-mining Company and Mr. Charles Gray, of Maldou, was to be thrown open, had written to him to state that, for personal reasons, he could not see his way to act on the committee. He (Sir John McIntyre) therefore begged to move that the name of Mr. Moule be substituted on the committee for that of Mr. Salmon.

Sir GEORGE TURNER.—There is no objection.

The motion was agreed to.

EDUCATION DEPARTMENT (OFFICERS AND TEACHERS) BILL.

Mr. PEACOCK moved the second reading of this Bill, which he said was to deal with a little difficulty that had arisen in the Education department. In the early history of the colony there were denominational and national school boards. The persons engaged in the work of education under those boards were not then servants of the State. Afterwards the boards were abolished, and in 1862 Parliament passed the Common Schools Act, and took over the officers and teachers. In 1872 the Education Act was passed. Section 22 of that Act provided that—

"Any officer who shall be employed in the Education department, or teacher who shall be employed in any State school, upon having served fifteen years under this Act, or partly under this Act, and partly under any law previously in force shall be entitled to a retiring allowance on the same basis as may hereafter be provided for members of the public service."

It was therein decided by Parliament that those who had been officers and teachers under the denominational and national school boards and under the Common

Schools Act, although never actually servants of the State, should be given the same rights and privileges as those who were servants of the State under Act 160. From the 1st January, 1873, when Act No. 447 came into force, to the 31st December, 1884, the pensions given to those officers who had served partly under the old Act and partly under the new were passed by Parliament in the Appropriation Act year by year, and credit was given for service prior to Act 447 coming into force. In the Public Service Act 1883 the pension rights given to those officers by Act 447 were conserved. No alteration was made until December, 1888, when the officers of the Education department were placed on the same footing as officers in other branches of the public service. Section 70 of Act 773 conserved the rights which section 22 of Act 447 had already given to those officers. At the end of 1888 an amending Act was passed, No. 1001, section 15 of which was as follows:—

“Section 99 of the principal Act shall extend and apply to all officers of the Education department and teachers in any State school in the same way and to the same extent as, but not further or otherwise than, the said section applies to officers in any other department of the public service.”

When that measure was proposed, the honorable member for Delatite said it seemed to him that the Bill as framed would take away the rights already given under section 22 of Act 447, and conserved by the Public Service Act No. 773. The then Minister of Public Instruction, the late Dr. Pearson, in reply to the honorable member, said that the Bill, instead of taking away any of the teachers' rights, would give them invaluable privileges. For instance, they had previously to serve for fifteen years to entitle them to pensions, whereas this measure reduced the period to ten years, and the honorable gentleman assured the House that the Bill would not take away rights, but would preserve the rights already granted by Parliament. Under Act 1001, for the last nine years, in calculating the pensions paid to teachers or officers retiring from the Education department, any service that they had given under the school boards or under the Common Schools Act was included, and the pensions were made a special appropriation. This year the point was raised by the Audit Commissioners as to whether those pensions were legally payable, and after a reference to

the Crown Solicitor, it was decided that this short measure should be introduced to carry out the intentions of Parliament and legalize what had already been done, while preserving to the officers and teachers in question, who now numbered only 320, the rights they were always supposed to possess. (Mr. Higgins—“This Bill is meant to rectify loose legislation.”) No, he would not say “loose legislation.” The Bill was meant to secure to the officers and teachers concerned what Parliament intended them to receive. For nine years the Audit Commissioners had not objected, but now that they had raised the point, although it was a moot point, the Government felt that it ought to be cleared up by the passing of this Bill.

Sir JOHN McINTYRE stated that he could not see any particular objection to the Bill. Things were apparently working all right until the Audit Commissioners discovered some defect in the law which they ought to have discovered nine years ago. Under this Bill justice would be done, and there would be no addition to the public expenditure, because it would merely continue in operation the practice of past years, which had been believed to be in accordance with the law of the country.

Mr. GRAVES said he recollected the circumstance to which the Minister had drawn his attention. It was distinctly the intention of Parliament that the rights of these officers should be preserved. Parliament was under the impression that those rights were preserved, and the then Minister of Public Instruction, Dr. Pearson, assured the House that such was the fact. The Audit Commissioners had taken the opinion of the Crown Solicitor, who advised them that the intention of Parliament was not carried out in the Act passed for that purpose. Under these circumstances it was the duty of the House to pass this measure. In all Public Service Acts the acquired rights of officers were preserved.

Mr. MURPHY observed that the Minister of Public Instruction had not dealt with the unclassified teachers in this Bill. (Mr. Peacock—“It could not be done in this Bill.”) But did the honorable gentleman mean to bring in another proposal for that purpose by-and-by? (Mr. Peacock—“I do.”) Then he was satisfied.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 2, which provided that in the computation of pensions or retiring allowances of teachers and officers, service under the denominational or national school boards or board of education should be deemed to be "service" within the meaning of section 16 and Part 6 of Act 160.

Mr. McCAY said he did not know whether this Bill was to provide for all the teachers' grievances or only one particular set. (Mr. Peacock—"No, only this one.") There were a number of teachers and officers in the department who were known as "twilighters." (Mr. Peacock—"No, they are in the Railway department.") And in the Education department as well. Those persons were students in training at the time the Public Service Act was passed. They then believed, and were led to believe, that they had pension rights, and would not be required to insure their lives in consequence, but they had been more recently informed that their being students in training did not constitute them officers, and that consequently they were not entitled to pension rights. (Mr. Peacock—"This Bill does not apply to them.") But if the Government were going to remedy some wrongs they had better remedy all. (Sir George Turner—"It would take a life-time to do that.") But they might remedy them one at a time. (Mr. Peacock—"That is what we are attempting to do.") The law was against the officers whose case was dealt with in this Bill, and it was also against the officers he had referred to. (Mr. Peacock—"But they never had any rights.") The Government were going to amend the law to give certain officers rights which they were supposed to possess, and if it was to be done in the one case, why not in the other?

Mr. HAMILTON remarked that he also knew of a grievance in regard to pension rights.

The ACTING CHAIRMAN (Mr. MURRAY).—If honorable members are going to refer to all the grievances under which public servants are suffering we shall never get through this Bill. Honorable members should confine themselves to what is actually within the Bill or pertinent to it.

Mr. HAMILTON said that this Bill referred in a marginal note to the case of Kennedy, and he presumed the measure was partly founded on that case. Kennedy joined the service either just before or just

after the passing of the Act of 1883; at any rate, he was granted a pension.

Sir JOHN McINTYRE.—He was under the old system, but during a lapse in his service the new system came into operation.

Mr. LANGDON.—He was a "twilighter" then.

Mr. HAMILTON stated that he did not think Kennedy was a "twilighter." The case he had in his mind was almost on an exactly similar footing to that of Kennedy. The person in question joined the service in 1878, and left it for some reason or another because the department did not want him just then. Afterwards, at the request of the Public Works department, he rejoined the service in 1880 or 1881, and, because he was out again until a few days after the passing of the Act, his previous service was not allowed to count, and he did not get a pension. Curiously enough his name was recorded in the *Government Gazette* as being continuously in the service, and he thought he was to have a pension. He (Mr. Hamilton) had taken a great deal of trouble over the case, but was quite unable to get the man his just rights. Personally he did not believe in pensions, but those who were legally entitled to them under the law as it stood ought to get them. However, he was not prepared to go into all the complexities of the pension question; but, when the honorable member for Castlemaine (Mr. McCay) mentioned one grievance, he thought he was entitled to bring up another. He intended to interview the department again in regard to the case, and ascertain if the man in question would get his pension when this Bill became law. (Mr. Peacock—"No, he was never employed under the old school boards.") He was employed before 1878, but left the service for a brief space of time.

Sir JOHN McINTYRE.—Parliament only preserved the rights of those who were in the service at the time the Act was passed.

The Bill, having been gone through, was reported without amendment.

On the motion of Mr. PEACOCK, the Bill was then read a third time.

MINING DEVELOPMENT ACT 1896 FURTHER AMENDMENT BILL.

Mr. FOSTER moved the second reading of this Bill. He said that last year Parliament passed the Mining Development Act, and put under the control of

the Mining department a sum of £140,000 to aid the mining industry. Experience had shown that by passing the small amendments proposed in this Bill; making the money available for boring, and substituting in certain sections the word "granted" in lieu of the word "expended," the Act of last year could be made far more beneficial than it had proved to be up to the present time. The measure passed last year had for its chief object the encouragement of pioneer mining, and mining members would agree with him that boring for gold was one of the first essentials in pioneer mining. As a rule, boring was the first thing done to locate deep leads, and afterwards shafts were sunk, and mining operations undertaken on a large scale. The Government therefore desired to make a portion of the money granted by Parliament for the development of the mining industry available for boring. He was sure that when the money was voted Parliament desired to see it expended to the best advantage. The substitution of the word "granted" for the word "expended" was necessary, in order to enable money not spent by the end of the year to be available for expenditure during the following year. If this amendment was passed the Government would be able to hand over considerable sums of money to a number of companies whose applications had been granted, and those companies could then go to work. So far the expenditure under the Mining Development Act had been of a very advantageous character. In one case where money had been advanced, the company had spent over £10,000 in purchasing machinery, which was required owing to developments that had been made by means of the Government grant. (Mr. Irvine—"What will be the effect of substituting 'granted' for 'expended'?"") As the Act stood money advanced in any one year, if not spent within that year, lapsed, whereas by substituting "granted" for "expended," the unexpended balance could be utilized during next year. (Mr. Gillies—"You had better look at the Audit Act.") The Audit Act had nothing to do with this matter at all. It was a practical measure, and experience had shown that the proposed alterations were necessary. (Mr. McColl—"This money is simply lent to the companies.") Not in all cases.

Sir JOHN McINTYRE observed that this little Bill did not appear to be a very

alarming measure, but it again showed the House that when Bills were rushed through amendments had afterwards to be made before the intention of Parliament could be carried into effect. That was precisely what had happened in connexion with the Mining Development Act. The attention of the Minister should be drawn to the complaints that were made of the difficulties companies experienced in getting the money that had been granted to them under the Act. (Mr. Foster—"This Bill will remove those difficulties.") He was not sure of it, and he would prefer the word "advanced" to the word "granted." One company in his district had been promised £250, but they could not get the money until they produced bills from the timber merchant to show that a certain amount had been expended in timber, and they could not get help from the storekeepers until they were assured that they would receive the amount that had been promised. However, he presumed that this Bill was intended to remove such difficulties.

Mr. FOSTER.—That is exactly what it is for.

The motion was agreed to.

The Bill was then read a second time, and was afterwards passed through its remaining stages.

VEGETATION DISEASES ACT 1896 AMENDMENT BILL.

Mr. TAVERNER moved the second reading of this Bill. He said—In asking the concurrence of the House with this small amendment of the Vegetation Diseases Act, I desire to say that what I ask for in the short amending Bill now submitted is exactly a clause which the Bill introduced in the last Parliament contained—namely, the clause which gave the Governor in Council power to appoint boards of advice throughout the colony after the colony had been divided into certain districts. I regret to say that the fruit-growers of the colony did not fall in with the opinion which prevailed in this Chamber when the Government altered the Bill to allow the boards to be elected. Out of ten districts only five appointed the full number; the remaining five only appointed four members; so practically the proposal of the measure to have elective boards failed. I now desire to take power to elect or nominate in the different districts of the colony five or seven practical men

who will form boards of advice. I have had interviews with the fruit-growers, who are fully in accord with the proposal. We have a central board of very good men, and a central inspector. If the House will examine into this small amendment, it will find that it is calculated to do a great amount of good to a very important industry.

Sir JOHN McINTYRE.—I should like to know more about this Bill. I understand that it is intended to take the place of the original proposal of the Minister of Agriculture that the Government should have power to appoint these boards. At the time that proposal was made the House thought that sufficient interest was taken in the subject to induce the people to elect boards, but they failed to do so. May I ask what is the intention of the Government in regard to the remuneration of these boards? If any remuneration were allowed, those interested in fruit-growing would take care to elect the boards. It is a very important duty which the boards have to perform. The members have to travel considerable distances, and they are paid nothing for travelling expenses, &c. If the Government are now going to appoint boards, and remunerate them, we ought to know it.

Mr. TAVERNER.—The central board receives no remuneration. We allow the members their railway fare.

Sir JOHN McINTYRE.—It is necessary that the boards should be either appointed by the Government or somebody else. I think the House should now be advised whether the Government are making provision for the efforts of those who are interested in fruit-growing. I have no obstacle to offer to the Bill beyond this. If railway fares had been paid to the members of the boards the result might have been different.

Mr. J. HARRIS.—I regard this as being one of the most urgent measures which have ever been submitted to this House. In my opinion, two fatal mistakes were made in the existing Act. One was in the appointment of the elective boards of advice which it is now proposed to nominate. The second mistake was as to the appointment of inspectors. This Bill does not make provision for the appointment of any such officers. I am the chairman of the central board of advice, and I saw the mistake which was made in the initiation of the existing Act. If the Minister

of Agriculture had met the local boards a little more generously his proposals might have been in operation now. But the members of the boards found that they would not be allowed one shilling of expenses, or even the cost of a sheet of note-paper. I was astonished at the cheeseparing economy of the department. The fruit-growers of the colony want a Bill of this kind badly. There are a few who object to the measure, because they are apprehensive that they may have to pay the cost of inspectors. In New Zealand, South Australia, and Tasmania a similar measure is in force. The New Zealand fruit-growers pay so much into a fund, from which the inspectors are paid. In Tasmania the fruit-growers are rated from 6d. up to 3s. per acre. I want an assurance from the Minister of Agriculture that proper inspectors will be provided. I believe it is the intention of the department to continue this miserable cheeseparing policy, and not appoint a sufficient number of duly-qualified men as inspectors. A few months ago some six or seven men in the public service submitted themselves to the examination of Mr. French, the Government Entomologist, and Mr. McAlpine, the Vegetable Pathologist. Altogether a dozen persons submitted themselves, and only two passed. We want ten or twelve inspectors. The colony cannot be properly inspected unless there is an inspector for each district. The fruit-growers say that instead of ten inspectors twenty are needed. It is necessary that we should have an assurance from the Minister of Agriculture that he will appoint a proper number of duly qualified inspectors before the Bill is passed. The expenditure of £150 a year per inspector would provide duly qualified men. We need men as inspectors who have a knowledge of fruit trees and the diseases to which they are subject. Every day's delay is of great importance. I was very much vexed a few days ago by a statement which appeared in one of the daily newspapers that the San Jose scale had been found in the colony. In America it has cost hundreds of thousands of dollars to eradicate that pest, one female specimen of which, as I have read in one of the Californian journals, will produce 1,080,000,000 of its progeny in a year. If that pest is once established here, we must say good-bye to fruit-growing in Victoria. Of course, the Governor in

Council has power to include that or any other disease in the regulations. I also read the other day in a Californian newspaper that one state has voted 10,000 dollars for the suppression of the brown moth. Our insect pests are becoming worse. Many orchardists who obtain a living by fruit-growing are anxious to do their best for the suppression of pests, but there are hundreds of indolent men who will not assist. I hope that the Minister of Agriculture will take care that a proper number of men are appointed to carry out the provisions of the Bill.

Mr. LANGDON.—I rise to emphasize the particular portion of the speech of the honorable member for South Yarra with reference to the appointment of inspectors. When the principal Act came into operation a number of people in my district registered themselves and elected a board, but the board could not do anything because it had no money, and the Act did not provide any. I am in thorough accord with the Bill.

Mr. MCCOLL.—I am sure that the House generally is gratified to find that a question like this is discussed by an honorable member like the representative for South Yarra, who, having had long experience on the subject, can give us sensible information, which the House can safely follow. When he advocates the passing of this Bill it is not for any one else to disapprove of it. However, I take exception to the words of the Minister of Agriculture when he lays upon the fruit-growers the failure of the Act. If the fruit-growers had been met in a fair spirit by the department the provisions of the measure would have been carried out. A board which was formed in my district travelled from Kerang to Bendigo, the members paying their own expenses, and they did not receive the slightest assistance from the department, which desired to have nominee boards. The House, against the wish of the Government, insisted on elective boards, and in order to make them a failure the department would not give them as much as a sheet of paper. It is very unfair to blame the fruit-growers for the failure of the existing Act. The evil to be met is great. It wants coping with, and we ought not to split straws about small matters. It is very unfair to blame the fruit-growers, who at the present time labour under greater difficulties than any other class in the colony. Fruit is almost

a drug in the market. The supply is greater than the demand, and there is no class of people who work harder or are more deserving of sympathy than the fruit-growers.

Mr. MOULE.—As to the working of the Act now in force, there are certain sections dealing with the eradication of old pieces of orchard which are now waste land, and which have become regular breeding places for all the pests which afflict the fruit-growers. The idea of the Act was that a step should be taken at once to have these little bits of gardens or deserts eradicated. I ask the Minister of Agriculture to state whether any steps have been taken for the eradication of these places; whether that is dependent on the board; or whether the Minister can say that he means to empower the boards under the Bill to take immediate steps in regard to this matter?

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 3, which was follows:—

“On the appointment by the Governor in Council of a local board of advice for any fruit-growing district any local board of advice elected for such district by the fruit-growers thereof shall thereupon without further or other authority than this Act be abolished.”

Mr. TAVERNER said that, with reference to the question of the honorable member for Brighton, the Minister of Agriculture acted upon the advice of the board. He had already said that the boards had failed to do their duty. It was the duty of the board to take the initiative, and the boards had failed because they wanted the Government to give them fees, provide paper and railway fares, and pay the inspectors, which he had declined to do. He intended to nominate a board and to appoint an inspector where necessary, and that officer was to be under the control of the Agricultural department.

Mr. J. HARRIS.—Are the inspectors to be appointed at once, and how many of them are to be appointed?

Mr. TAVERNER remarked that, in the first place, he had to decide the number of districts into which the colony was to be cut up. The central board, whose advice he highly appreciated, recommended that there should be ten districts, and he would consult that board. It was his intention to appoint the necessary inspectors to carry out the provisions of the law without delay.

Sir JOHN McINTYRE observed that the Minister of Agriculture had given a side hit to the honorable member for Gunbowee, who had said that it was no fault of the fruit growers that the boards were not a success, the fault lying in the fact that nothing was allowed them in the way of travelling expenses. The boards were not elected, simply because the Government did not make provision in the way of meeting expenses. That policy was carrying economy to an extreme. The Government wanted the measure to be a success, and if £100 or £200 more had been expended it would have been made a success.

The Bill, having been gone through, was reported without amendment.

On the motion of Mr. TAVERNER, the Bill was then read a third time.

EXPORTED PRODUCTS BILL.

Mr. TAVERNER moved the second reading of this Bill. He said—I need hardly remind the House that last session this Bill passed through this Chamber with only one or two alterations, and without a division. I regret very much to say that when it reached another place it was rejected by two votes. The Bill is of vital importance to the producers of the colony, and the Government feel it to be their duty to re-introduce it at the earliest possible moment for the consideration of Parliament. When the Bill was under discussion in the Legislative Council the great complaint made against it was that it gave altogether too much power to the Minister in regard to the making of regulations. That power was taken after giving every consideration to the interests of the various industries concerned. It was thought to be right that the Minister for the time being should not, in carrying out the details of the administration, be tied up by the provisions of an Act of Parliament. It was therefore proposed to intrust the Minister with ample power to give effect to the principles of the Bill by regulations. As I have said, the Council complained, and we propose to meet them by placing the regulations in the Bill itself, after having discussed the matter with the various parties interested. The regulations will be found in clause 8. The object of the Bill is to prevent unsound food from leaving the colony, and I will venture to say that we could not aim at any higher object. During the tenure of office of the present Government something like £2,862,000 worth of produce

has been exported through the Agricultural department, the average being nearly £1,000,000 a year. This is a trade that has been built up by the State, and the State must do one of two things. It must either direct and control that trade in a proper manner or leave it alone altogether. I take a strong stand, and say that it is the duty of the State to keep a firm hand upon the trade, for the simple reason that the reputation of the colony is involved. This question has been discussed by the Ministers of Agriculture of four of the Australian colonies, and they have come to a common understanding that it is the duty of the State to control and supervise the export trade. Of the total consignment of our butter during the last two seasons we had 2,829 tons that left the colony unbranded, and that left it also in the same ship that carried butter that had been approved by our experts, and that bore the Government brand. I do say that that is unfair to the men who produce a good article. I have not yet had one single complaint from a *bona fide* producer in Victoria about the provisions of the Bill. They recognise that in the past the Government have done a great deal to build up the trade. The history of this trade dates back to the time when the House voted the butter bonuses. From that time up to the present it has been realized that it is the duty of the Government to retain their hold upon the trade, and to do everything they possibly can to maintain the reputation that the colony has gained in the old country. Unless we exercise an efficient control that reputation will be lost. America has had a sad experience in this respect. There, owing to the laxity of control, there was an almost total collapse of the trade, and it is only during the last few years, when the Government have realized their great mistake, that America has come to the fore again so far as the quality of her exports is concerned. With regard to the fruit trade, it was painful to me to be told by the expert that during the season he had had to reject over 800 cases of fruit, and that in spite of that the owner of it had placed it upon the same ship that carried other fruit that had been approved. The voyage to England occupies five or six weeks, and honorable members can quite understand the contamination that must ensue if damaged fruit is placed in a closed-up chamber with sound fruit for so long a time. We were unable to prevent

that fruit from being placed on board of the ship, and I say that so long as the department has not the power to prevent unsound fruit from leaving the colony our reputation must suffer.

Mr. HIGGINS.—Could not you make terms with the shipper?

Mr. TAVERNER.—It is very difficult to deal with the shipper. The shipping people are anxious to get loading. They go for the dollars.

Mr. GRAHAM.—And they get paid beforehand.

Mr. TAVERNER.—Yes. At the same time, we cannot afford to let the shipper or any individual, or any combination of individuals, have any control over our export trade. Either the Government must do the work, and do it properly, or leave it alone. We have reached the stage at which a Bill of this kind should be placed upon the statute-book, and when I tell honorable members that in re-introducing the Bill we have the support of the producers of the colony, I think they will not hesitate to again pass it. I could read to honorable members several reports that I have received both from the old country and from the experts of my department, all of which go to show the necessity for such legislation. I have had letters and telegrams from the different factories throughout the colony. Only yesterday I received a communication from the Broadford Factory urging the Government to bring down the Bill as soon as possible. As the Bill has been fully discussed by the Assembly, it is not necessary that I should detain the House in explaining its provisions. I would remind honorable members that the House of Commons have passed the second reading of a Bill which is known as the Australian Produce Marking Bill. I am not quite sure of the title, but the object of the Bill is to enable all imported produce to be marked. From information that the Ministers of Agriculture of the various colonies received while they were in Sydney, they were led to conclude that if the Parliaments in the several colonies did their duty by passing legislation enabling the Government to control the export trade, that Bill would not be carried any further. I feel quite satisfied that if Parliament, in its wisdom, will give the department the power sought for in this Bill, a great deal will be done to increase the export trade of the colony. It can only be increased by protecting it,

and by improving the quality of our exports, and that we intend to do in every way possible. The Horticultural Board, of which the honorable member for South Yarra is the chairman, thoroughly approve of the provisions of the Bill so far as fruit is concerned, and I think I am safe in saying that the majority of the butter factory managers also approve of the Bill. In fact, the three words used in the Bill, "choice," "good," and "pastry," were agreed to by representatives of the Dairymen's Association, the butter factory managers, and by some members of the Perishable Products Board. I feel satisfied that we must take action in the matter, and I am sure that when another place come to reconsider the Bill they must, after the representations they have received from the producers of the colony, realize that the Government are asking Parliament to do the right thing in helping to build up the export trade. Now, with regard to the Bill itself, honorable members will observe that in clause 3 we exclude the intercolonial trade. I think they will agree with me that we should not interfere with the intercolonial trade, more especially in view of the probable early consummation of the federation of the Australian colonies. We leave that trade entirely free. During the last three seasons, in addition to the butter exported to the old country, something like £500,000 worth of butter was sent to the other Australian colonies. The bulk of the butter went to Western Australia, so I do think that it would be unwise to in any way interfere with our intercolonial trade. The provisions with reference to the appointment of inspectors are exactly the same as in the previous Bill.

Mr. MOULE.—How many new inspectors will you require?

Mr. TAVERNER.—I am glad the honorable member has reminded me of that point, because an impression prevailed in another place that we would require an army of inspectors. I thought "inspectors" the best word to use, but, as a matter of fact, the experts of our department will be inspectors under the Bill. We will have to appoint inspectors at places like Portland, Geelong, and Warrnambool; but with these exceptions, I do not anticipate, unless there is a very great increase in the trade, that we shall have to appoint any additional inspectors. Under clause 5 we take power to declare any building to be a cool store within the meaning and for

the purposes of this Act. That will enable us to deal with such places as Warrnambool, Portland, and Geelong. During the last two seasons the Portland Factory have had an inspector, for whom they have paid. The inspector was approved, in fact nominated, by my department. The provisions relating to the inspection of live stock are exactly the same as in the previous Bill. There is also no alteration in clause 7. In clause 8 we come to a most important part of the Bill. The corresponding clause in the previous Bill was omitted by the Legislative Council. The Governor in Council was to have power under that Bill to frame regulations, but we have now placed the regulations in the Bill itself, and we have done so with a view of meeting the objection of another place, who were desirous of knowing exactly what we were going to do so far as the branding of our exports is concerned. Honorable members will observe that we have substituted for "grading" the word "classing." The word "grading" caused a great deal of misunderstanding in another place. It was thought that the inspectors in my department were going to grade every box of butter, but that was an altogether misleading view. What we do is to classify the butter. As a matter of fact, we classify the butter into two sections—that is, "choice" and "good." The experience of the last three years has gone clearly to prove that good butter in no way deteriorates during the passage home, but that milled or mixed butter in some cases improves slightly, and in other cases loses a little in quality. The word "good" was suggested by Mr. Wilson, and it is a word that will leave room to come and go upon. It will, I think, meet the circumstances of the case. When the butter reaches the old country the real expert comes in, and out of the choice butter he will produce perhaps three grades of choice, whilst out of the good butter he will produce three or four grades of good. I wish it to be distinctly understood that we take no responsibility as far as the grading of the butter is concerned. We do not say that the action of the department increases the value of the butter by 1s., but we take control over the trade, and we satisfy the people in the old country that the butter is sound and good food. Clause 11 was inserted in the last Bill by another place, and the Government have no objection to it.

Mr. Taverner.

Mr. MOULE.—At what place is the butter classified?

Mr. TAVERNER.—At the store in Flinders-street.

Mr. MOULE.—Will every case be opened?

Mr. TAVERNER.—We would not open every case. We shall endeavour under the Bill to follow a practice that has worked very successfully in New Zealand. They there take a sample from each of the churnings. The expert and the butter factory manager make use of a private mark for the churning of each day. A churning generally averages from ten to twelve boxes of butter. The practice in New Zealand is to take one box of the butter which has the private mark upon it, and by examining it to classify the churning of that day. That is considered a very satisfactory means of classifying the butter. It is not proposed to grade it, as was supposed by another place. Clause 11 gives any person who may be aggrieved the right of appealing against the decision of the expert. We thought that that was a fair proposal, and we have accepted it. I desire to urge upon honorable members the importance of the Bill. Having regard to the fact that, with the exception of clause 8, its provisions have already been approved by this Chamber, I trust that honorable members will assist the Government in getting it placed upon the statute-book at the earliest possible moment.

Sir JOHN McINTYRE said he hoped that the Government had no intention of pressing the Bill through its second reading that evening. It had been before the House on a previous occasion, and had been very fully discussed. At the same time, it was of immense importance to the producing interest, and there was a great difference of opinion throughout the country with regard to it. He would, therefore, ask the Government to allow the debate to be adjourned until Tuesday next. (Sir George Turner—"If we postpone everything we shall have no work to go on with to-morrow.") He had no doubt that the Government would be able to find plenty of work for the House to do. There was a desire to get at the bottom of this matter, and to do something in the direction the Government proposed.

Sir GEORGE TURNER stated that he would not object to the adjournment of the debate.

Sir JOHN McINTYRE moved the adjournment of the debate.

The motion for the adjournment of the debate was agreed to, and the debate was then adjourned until Tuesday, November 23.

FRAUDULENT RAILWAY TICKETS BILL.

Mr. H. R. WILLIAMS moved the second reading of this Bill. He said—In 1894 a person manufactured a metal railway pass or symbol, and he was prosecuted, I think, at Footscray, for so doing. It was found then that there was no provision in our law making such an offence as that punishable. The attention of the railway authorities was called to the decision in the case, and it has now been found necessary to introduce legislation to make the offence, which is a glaring one, punishable. In the next place there has been for the last few years a growing traffic in the return portions of tickets available between the capitals of the different colonies, namely, Melbourne and Sydney, and Melbourne and Adelaide. People, instead of going to the railway office, and buying a single fare ticket, are in the habit of going to the brokers who have established this as a business and asking for a single fare ticket to Sydney. The broker, or, as he is called in the Railway department, the "scalper," goes to the railway office, and buys a return ticket for £6 1s. 6d. He then returns, and sells half the ticket for, perhaps, £3 10s. The railway booking clerk could only sell the single fare ticket for the same journey for £4 1s. When the broker sells the portion of the ticket available from Melbourne to Sydney, he forwards the other portion to his agent in Sydney, who sells it therefore also for £3 10s. The result is that a profit of about £1 is made on the transaction. This is a business that is growing.

Mr. MURRAY.—Has any measure of this kind been passed in New South Wales?

Mr. H. R. WILLIAMS.—If this Bill is passed the Government of New South Wales will, I believe, introduce a similar measure. The practice I have described is not only resorted to with regard to our ordinary excursion ticket, but also with regard to Cook's excursion tickets. You can buy a Cook's excursion ticket to Sydney for £3 10s. A person will travel upon such a ticket, not intending to return. When he gets to Sydney, he will go to the scalper and say—"I have the return portion of a ticket for Melbourne; what will you give me for it?" The

scalper may say—"We will give you 5s. or 10s.," as the case may be, for the chance of selling it. Then he may sell the ticket for £2 or £3. Cook's excursion tickets are issued both in Sydney and in Melbourne, and there is a big traffic taking place in the way I have described. The object of the Bill is to put a stop to this sort of thing. It is a punishable offence now to transfer a ticket, and the Bill is intended to make the restrictions a great deal more rigid. The Railways Commissioner states that the matter is one of urgency, and that the Bill should be passed as quickly as possible.

Mr. DUGGAN.—What is the estimated loss to the department?

Mr. H. R. WILLIAMS.—I cannot possibly say. It is an unknown quantity. The railway authorities here and in Sydney believe that there is a large amount of business done by these scalpers.

Dr. MALONEY.—Does not the Railway department get the money all the same?

Mr. H. R. WILLIAMS.—No, the department ought to get £8 2s. for the two single fares. I do sincerely hope that honorable members will assist in making these people do the straight thing. The business that is carried on is an illegal one, and it should be put a stop to.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 5, setting out the penalty to be imposed for unlawfully selling or transferring a railway ticket,

Mr. MOULE called attention to subsection (2) of the clause, which was as follows:—

"Whosoever directly or indirectly purchases or receives from any person not duly authorized as aforesaid any such ticket, pass, or symbol, and who uses the same for the purpose of travelling therewith on any line of railway vested in or under the control of the said commissioner shall, when so demanded (whether accused or convicted or not) by any officer or employé of the said commissioner pay for the journey made by him the fare payable in respect of such journey, according to the class of the vehicle travelled in."

He said he quite agreed that outside people should not be allowed to traffic in railway tickets, but an innocent person might purchase a ticket from a broker quite ignorant of the penalty to which he would render himself liable. The ticket might be purchased by a young woman or an old man without any knowledge of the illegality of the act, and it would be rather

hard upon such a person to require them to pay the full fare on demand.

Sir GEORGE TURNER stated that he would not press the sub-section.

Mr. GILLIES remarked that the Bill had only just been circulated. He did not object to it, but he would like to have an opportunity of reading it. It contained some serious provisions. For instance, a person in possession of any of the tickets referred to was to be guilty of felony. Surely the Government would not ask the committee to pass the last clause, and to report the Bill without amendments that evening, when the third reading could of course be taken. He would suggest that progress should be reported.

On the motion of Sir GEORGE TURNER, progress was then reported.

CHAIRMAN OF COMMITTEES.

Mr. HAMILTON moved—

“That the honorable member for Stawell (Mr. John Balfour Burton) be appointed Chairman of Committees of this House.”

He said—I have much pleasure, Mr. Speaker, in proposing this motion. I have no desire to make any lengthy remarks, as the honorable member is well known to all of us. His experience as a parliamentarian, and his general qualifications, will, I think, fit him for the position, the duties of which he can, I believe, carry out in a most excellent manner. I trust, sir, that Mr. Burton will have this honour added to his many others. He has had a very long experience in other directions, which has well qualified him to carry out this important position. In my opinion the position of Chairman of Committees in this House is an exceedingly important one, and requires a gentleman of great knowledge, of good temper, tact, and ability. I think that all these qualifications are to be found in the honorable member for Stawell. Without any further remarks, Mr. Speaker, I desire to move the resolution standing in my name.

Mr. BURTON.—By leave, sir, I desire, before this proposal goes any further, in order to relieve the House from a difficulty it may get into, to state that, while I am exceedingly grateful for the very nice manner in which the honorable member for Sandhurst has spoken of me, and while I feel grateful to those honorable member whose votes yesterday expressed their intention to support my nomination, this matter came upon me yesterday

as a great surprise. The vote taken at the meeting of supporters of the Government was altogether unsolicited and unsought by me. Since then, many members all round the House, whose opinion I respect very much, have told me that they are very sorry that I consented to accept the nomination, as they hoped to have me with them as a fighting member. I have no desire to be a drone, and I do not think that the Chairman of Committees of this House could be accused of being such, but I am very anxious to take part in the active work of the House, and after mature thought I desire to be permitted, with the consent of the mover of this motion, to withdraw from the candidature for Chairman of Committees. I hope that to do so will be in conformity with the forms of the House. After due consideration, I have come to the conclusion that I shall best consult the interests of the House and my own by remaining a private member and taking part in the debates.

Mr. HAMILTON.—As the honorable member for Stawell has withdrawn his nomination and his consent to stand, I presume there is nothing further for me to do but, with the consent of the House, to ask leave to withdraw the motion.

The SPEAKER.—There is no need for that; the motion is not seconded.

Dr. MALONEY.—To put the matter in order, I beg to second the motion.

The SPEAKER.—The honorable member for Sandhurst has withdrawn the motion, therefore no seconder is needed.

Dr. MALONEY.—I desire to take your ruling upon that, sir. I rose when you called upon the honorable member for Stawell, and I desired to second the motion.

The SPEAKER.—I did not see the honorable member for Melbourne West rise when I called upon the honorable member for Stawell. The honorable member for Sandhurst now declines to go on with his proposition, and I am bound to call on the next motion.

Mr. THOMSON stated that the next motion on the paper was one standing in his name, to the effect that the Standing Orders Committee be requested to consider the desirableness of framing a new standing order to provide that the temporary Chairmen of Committees should be appointed by the House. He begged to request that the motion be postponed. He found that it would be of no use for

him to proceed with it during the present session. There was no hurry in reference to the matter.

The motion was postponed.

PRICES PAID FOR RAILWAY SLEEPERS.

Mr. DUGGAN remarked that the next motion on the paper was one of which he had given notice, expressing the opinion that the fixed rates paid by the Railway department for sleepers were unremunerative to those supplying such sleepers, and should be immediately increased. Since giving notice of the motion he had had a conversation with the Minister of Railways, who had signified his intention of meeting his desires in connexion with the matter. It would, therefore, only be wasting the time of the House to go on with the motion, but he trusted that the Minister would carry out his promise, and that the men who were engaged in supplying sleepers to the Railway department would have no further cause of complaint.

The motion was withdrawn.

SCRIPTURE LESSONS BOOKS IN STATE SCHOOLS (PLEBISCITE) BILL.

On the order of the day for the second reading of this Bill,

Mr. GRAHAM said that he had a conversation yesterday with the Premier, and arrived at an understanding that this Bill should be taken on Wednesday next. He did not wish to break faith with honorable members who had been informed of this understanding, and he therefore desired that the second reading of the Bill might be postponed for a week.

The order of the day was postponed until Wednesday, November 24.

MELBOURNE AND METROPOLITAN BOARD OF WORKS ACT 1890 FURTHER AMENDMENT BILL.

Mr. GRAY moved the second reading of this Bill. He said—In submitting this Bill to the consideration of honorable members I may be permitted to point out that last session I explained the purpose of the measure and its provisions, but as there are some new members in the House who were not present on that occasion it will probably be necessary for me to explain the objects of the Bill again. I desire to call the attention of honorable members to the fact that when the Melbourne and Metropolitan Board of Works Act was passed it provided that a certain

number of members, who should be nominated by the different councils of the metropolitan district, should deal with the expenditure of money, which was mainly, and has been up to the present time, loan money. But that Bill, I wish the House to remember, provided that in case a rate was necessary the amount of money should be provided by the municipal councils, and the board had no power to strike a rate upon the ratepayers. The local councils therefore had the responsibility of collecting the money and paying it over in a lump sum to the Metropolitan Board of Works. That was the argument used as to why the members of the board should be appointed by the councils that had to provide the funds. Now, sir, I wish to point out that since that time a material alteration in the Act has been made by Parliament, whereby at the present time the municipal councils have nothing whatever to do with the striking of the rate or the collection of the money of the Metropolitan Board of Works. The responsibility is now cast upon the board to levy the rates necessary. They have the power to levy upon the ratepayers of the metropolitan district directly, without reference to any municipal council, any rate they may think fit up to 1s. in the £1, and the rate is to be collected by the board's officers. Therefore the municipal council is not at the present time an intermediary in any shape or form between the Metropolitan Board and the people rated. Taking that into consideration, I think it will be admitted that when a body of men have the power to deal with hundreds of thousands—I am safe in saying millions—of money, it is only fair and just, according to our democratic principles of government, that the people rated, who are the principal parties concerned, should have the power to say who should represent them in regard to the striking of that rate. That is the first principle provided for in this Bill. Clause 3 states that the members of the board shall be elected by the ratepayers of the municipalities, as councillors are now elected to their respective councils, instead of being nominated by the councils. The present procedure gives a possibility—nay, such cases actually do occur—of persons chosen as members of the Metropolitan Board not being fairly representative of the ratepayers at all. For instance, take a municipality of say 8,000 ratepayers, divided into a certain number of wards. One ward may have

700 or 800 ratepayers in it. A man might be elected to represent that ward although only 200 or 300 ratepayers elected him. He might be nominated by the council to represent the municipality on the Board of Works, whereas if he had to contest an election of that municipality as a whole, he might not be elected at all. I think it is a right thing that, as the members of the board have the power of taxing the ratepayers of the municipalities, they should be responsible once in three years for the actions of the board. It would therefore be necessary, if this Bill were passed, that each member of the Metropolitan Board of Works should go before his constituents, and give an account of the work he had done, and the reasons why he should be elected to his position again. It may be argued that that would entail a certain amount of expense upon the municipality. But that is got over by the provision of the Bill that the members of the board shall retire, instead of in February as at present, at the time of the annual elections for the municipal councils. So that in August in each third year the members of the board would be elected on the same day, and by the same ratepayers, on the same roll, and with the same polling booths, and the same returning officer doing the work for that election as for the ordinary municipal election. The same principle prevails in connexion with the election of municipal auditors; such elections take place at the same time as the election of municipal councillors. Therefore, this course would not entail any additional expense. If there were three members representing a municipality on the Board of Works, as is the case in my own city of Prahran, one of these three would retire annually, so that they would each have a turn of three years as at present, but there would be an election for one of the members each year. There is a difference in the case of the city of Melbourne as compared with other municipalities in the metropolitan district, inasmuch as all the others working under the Local Government Act have their elections in August, but under the Act of the city of Melbourne the election takes place in another month of the year; and, therefore, I provide in this Bill that the election for the representative of the city of Melbourne on the Board of Works shall take place on the same day as the ordinary municipal elections. I have also copied into this Bill what I consider to

Mr. Gray.

be a very wise provision passed by this House some time ago in connexion with the Harbor Trust, that where a municipality is divided into wards—such, for instance, as South Melbourne—it shall not be possible for any ratepayer who may have a vote in each ward to record more than three votes for that municipality. Otherwise it might be possible—indeed was possible in connexion with the Harbor Trust elections—for a man to exercise as many as fifteen votes, as was the case in South Melbourne. Clause 6 merely provides for a slight alteration in the wording of the present section dealing with the mode of election of members. The Governor in Council is also given power to appoint members in the event of any irregularity in connexion with an election. As for the method of conducting the elections, I have thought it wise to adopt the practice laid down in the Local Government Act. All ratepayers are probably conversant with the provisions therein contained. We thought it just as well to conform to those well-known lines. Clause 7 deals with a matter that has already been dealt with by this House, namely, the reduction of the salary of the chairman of the Metropolitan Board of Works. A motion for the reduction of that salary was passed by the Legislative Assembly and sent to another place some three years ago, but I thought it was only wise that it should be included in this Bill. I am pleased to have had in connexion with this measure the assistance of some honorable members who have had practical experience in municipal work, and I would specially mention the honorable member for Collingwood (Mr. Wilkins). I trust that this Bill will commend itself to the judgment of the House, because it carries out what is a well-known democratic principle, that of taxation and representation going together.

Mr. MURRAY SMITH.—I am glad to hear you say so; it is a useful provision.

Mr. GRAY.—No doubt it is a wise provision. This seems to me to be a measure which is absolutely necessary, and which the ratepayers of the different municipal districts are desirous of having passed into law. As the Metropolitan Board has been carrying on for some time past with borrowed money, and there was no prospect of a rate being placed upon them, the ratepayers have not been keenly interested in those who represented them on the board.

Mr. IRVINE.—You provide for plural voting, I perceive.

Mr. GRAY.—Yes, the same as in the Local Government Act, giving a maximum of three votes. Had I raised other questions, probably I might have been accused, and wisely accused, of breaking ground which I had no right to break in a measure of this sort, and which should be dealt with in a Local Government Act Amending Bill. I am satisfied from inquiries which I have made, and information I have received from municipalities in the metropolitan district, that there is a consensus of opinion amongst the great body of the ratepayers in favour of this Bill, and in support of the principle of the election of the men who represent them on the Metropolitan Board. I have communicated with several of the municipal councils, and while some of them do not think that the present system needs alteration, yet other municipalities have replied to me that they are in favour of the principle of election of the members of the board directly by the ratepayers.

Mr. CARTER.—Which of them?

Mr. GRAY.—I have left the letters upstairs. One municipality, however, which has replied in favour of the principle of the Bill is the municipality of Port Melbourne. I received a letter from that municipality to-day. Collingwood is also in favour of the Bill, and Essendon is likewise in favour of it.

Mr. CARTER.—Melbourne also?

Mr. GRAY.—The corporation of Melbourne replied that they were opposed to the Bill. I should have been very much surprised indeed if the Melbourne Council had replied that they were in favour of it. Undoubtedly, however, the Melbourne ratepayers are in favour of the Bill. I shall be prepared to debate the question before a meeting of Melbourne ratepayers with the honorable member for Melbourne, and I believe that if a resolution were submitted, it would be carried declaring that the ratepayers of the city were in favour of electing their own representatives to the board.

Mr. BROMLEY.—So it would.

Mr. GRAY.—My statement is confirmed by the honorable member for Carlton, who has just come from an election in which the question was repeatedly asked. I am prepared to leave the Bill to the consideration of the House, in the belief that they will see that they would be carrying out the wishes of a number of

the municipalities by adopting the principle of electing the members of the board by the ratepayers—in other words, the principle that the members of the Metropolitan Board of Works should be directly responsible to the people whom they tax, so that the people may have a voice in saying whether in their opinion their money is being properly expended. This Bill does not take away any powers from the board, but rather tends to strengthen that body by making it responsible. Therefore, I trust that the House will have no hesitation in passing the measure.

Mr. CARTER.—If the last statement made by the honorable member for Prahran is a fair sample of the accuracy of the remainder, all I can say is that his statements are utterly incorrect.

Mr. GRAY.—What statement is that?

Mr. CARTER.—That the ratepayers of Melbourne desire to see this Bill passed as it is presented to us now.

Mr. BROMLEY.—A large section do. A question upon this subject was put to me at almost every one of my meetings at the last election.

Mr. CARTER.—There is a large section in any community that you like to name who are prepared to go utterly wrong. There is no doubt about that. It is not true, as the honorable member for Prahran stated, that the ratepayers of the city of Melbourne would be satisfied to alter the mode of electing their representatives upon the Metropolitan Board of Works.

Mr. GRAY.—That is a matter of opinion; I think they would.

Mr. CARTER.—Now the honorable member says it is only his opinion. Formerly he said that I was wrong. Perhaps I may be allowed to point out that for a quarter of a century I have had the honour of being a member of the Melbourne City Council, and throughout the whole of that time I have never had one single contested election—not one from the first day I sat in the council until now.

Mr. HANCOCK.—Have you not been an alderman?

Mr. CARTER.—That is only comparatively lately.

Mr. DEAKIN.—It is your personal charm that does it.

Mr. CARTER.—I was not an alderman 25 years ago. I am not prompted to make this statement in any way boastfully, but merely because I want to say that I think

I may assume that I know the opinions of the ratepayers of the city of Melbourne quite as well as the honorable member for Prahran.

Mr. BROMLEY.—A portion of them.

Mr. CARTER.—Well, I represent the portion who pay the greatest portion of the rates, and the rates which we have paid have gone to make the streets for the benefit of the portion represented by the honorable member for Carlton. Surely we who pay the rates have some right to a voice in the expenditure of the money.

Mr. GRAY.—That is my contention.

Mr. CARTER.—But the honorable member's contention is that the representatives of the city of Melbourne on the board should be chosen by a majority of the people. Those who pay most of the rates are a minority of the people, and the honorable member's proposal would take away from the people who pay the right of saying how the money should be spent, and would give the expenditure of that money to the majority who pay the smallest amount of cash. The Metropolitan Board of Works Act was passed containing a provision for the election of the men who would have to expend the money, providing a certain form of election, and giving the board certain powers. The board has entered into great works. They have taken upon themselves a vast responsibility. Are we now going to relieve them of that responsibility, and hand it over to a new set of men? Surely it is not a good thing to "swop horses while crossing a stream." It is said that the Metropolitan Board of Works may have made mistakes, but it would be a most weak and silly thing for Parliament to do to relieve them of their responsibility in the middle of their work by saying—"We are going to allow some one else to elect your successors."

Mr. WILKINS.—They are continually changing as it is at present.

Mr. CARTER.—But the responsibility rests just the same with the municipal bodies. Surely the municipal councils, who are elected by the ratepayers, are elected because the ratepayers suppose that they are able to carry out works of this sort properly, and also different municipal works properly.

Mr. STYLES.—Not works of this sort. No municipality has anything to do with water supply or sewerage.

Mr. CARTER.—But ever since the Metropolitan Board of Works came into existence the electors have been perfectly

well aware that the councillors they elected would nominate those who were to represent them on that board, and they have been perfectly satisfied. Nobody has objected, excepting a few of those who spring up in every community, and have done so from the earliest history of the world. We have had them all the way through. They are men who know that if they appeal to the ignorant and the unthinking they are sure to get a certain amount of support. And that is what the honorable member for Prahran is doing.

Mr. COOK.—He is appealing to the constituents of the councils—are they ignorant and unthinking?

Mr. CARTER.—He knows perfectly well that the ratepayers, who are the constituents, elect certain men to represent them—for what? Well, to form their city, borough, or town, to expend the rates that are collected, and to represent them on the Tramways Trust, the Metropolitan Board of Works, the Harbor Trust, and in other similar positions.

Mr. BROMLEY.—And a nice mess they have made of all of them.

Mr. CARTER.—I deny that statement. It is untrue to say that they have made a nice mess of things.

Mr. COOK.—They have made a nasty mess of them.

Mr. CARTER.—With the exception of Buda-Pesth in Hungary, I am assured by world-wide travellers, there are no such tramways as ours, and they have been created and regulated under municipal control.

Mr. BROMLEY.—What about the Harbor Trust?

Mr. CARTER.—I did not advocate the Harbor Trust in the first instance, because I thought it might be easier to take Melbourne to the sea than to bring the sea to Melbourne, but Parliament in its wisdom decided to bring the shipping to Melbourne instead of taking Melbourne to the sea-side, and surely the Harbor Trust have carried out that work in a most magnificent manner. What more could they have done? Of course, young men like the honorable member for East Bourke Boroughs (Mr. Cook)—men of two or three and twenty—know more about such things than men of 60 or 70, because, I presume, they have had more experience; but older men who have not had so much experience, but who have seen harbors in all parts of the world, are aware that our Harbor Trust have carried out

their works magnificently, and that those works are a credit to the city of Melbourne, and to the colony of Victoria. And if it please God that the honorable members who are now throwing dirt at the Harbor Trust, the Tramways Trust, and the Metropolitan Board of Works should ever do one-hundredth part of the work those bodies have done, they will have a chance of being remembered instead of being forgotten, as I believe they will be as soon as they leave this Chamber. Why, sir, the metropolis of Melbourne has only existed for some 60 years from its first foundation in 1835. I have seen it when it was a place of mud, and you could not walk the streets without getting up to your knees in mud. I have seen it converted from a city of tents, iron houses, and wooden shanties, into the great city it is at present. I have seen all the surrounding municipalities severed from it, and gradually grow up into importance; and when young men who have never seen anything but what we have created, tell me that the works done by the municipal bodies of Victoria are bad and faulty, I tell them they are merely showing their ignorance, because they have never seen any other place, and they are not able to judge. The growth of the metropolis of Victoria has been something marvellous. It was well described by an able writer as "Marvellous Melbourne." It is marvellous, because its growth has been so rapid and astonishing to all men who have seen cities anywhere else. What other city in the world except San Francisco and Chicago ever grew as rapidly as the city of Melbourne?

Mr. HANCOCK.—Footscray.

Mr. CARTER.—[I was under the impression that the whole of Footscray was being removed until I saw in a newspaper a statement by the honorable member that there was some bridge standing in the way, and that if it had not been for some mechanical obstruction there would have been no Footscray left, because they were all going to clear out.]

Mr. HANCOCK.—That is through the Metropolitan Board of Works.

Mr. CARTER.—Then it shows how useful that board has been in another direction, because evidently but for the board Footscray would have been removed, and if there had been no Footscray, there would have been no member for Footscray to make us happy and contented with our lot.

Mr. HANCOCK.—The world would have been at an end.

Mr. CARTER.—No; Footscray would have been at an end, not the world. I merely wish to point out, and I would urge it in all seriousness on the House, that the Metropolitan Board of Works has been created under a certain Act, that it is in the middle of carrying out very important works, and that it would be very injudicious for us to interfere with the method of the election of the men who are carrying out those works, or in any way with the board. Let them carry out their work. We created the board to do certain things; they have accepted the responsibility, and let them carry it out, but do not alter in any way the mode of their election or their powers, because if you do, whatever mistakes are made they may then say—"We would have done it all right, but you chose to put other men in our places, and of course we are not responsible." With regard to the last clause of the Bill, which provides that the salary of any chairman of the board elected after the passing of this measure shall not be more than £1,000, I would suggest to the House that that is surely unfair. When the present chairman left the service of the corporation of the city of Melbourne he was getting £1,500 a year, and we would have been very glad to have given him £2,000 a year to have kept him.

Mr. GRAY.—That clause does not apply to the present chairman.

Mr. CARTER.—But it will apply to him soon. His term of office will expire, and then he will have to be elected again.

Mr. GRAY.—Then he can choose for himself whether to take it or not.

Mr. CARTER.—Is that straight or fair? A man is induced to leave a certain position to take another with the understanding, not expressed, but understood, that he is not to be put in a worse position, and, soon after he leaves that good position, a proposal is made to cut down his salary to £1,000 a year. I know that honorable members, like the honorable member for Carlton and the honorable member for Prahran, have an idea in their heads that the Angel Gabriel would not be worth £1,500 a year in any position, and that no man is worth anything like £1,000 a year. They measure other men's value by their own, and that is where they make a big mistake. They say—"It does not matter what happens, if there

is an earthquake, a pestilence, a famine, or a general war, we never shall get more than £300 a year, and, therefore, no man is worth more than £300 a year." Well, that is where they make the mistake, because there are many men who I certainly can say are worth a great deal more than £1,500 or £2,000 a year; men who can earn more; men who save more to the business or undertaking which they are controlling. At the same time, I admit that a large number of men would be dear at £300 a year; but it does not follow that another man should be cut down to £1,000 a year. I say that the present chairman of the Metropolitan Board of Works would never have left the service of the corporation of the city of Melbourne for his present position on these conditions. I begged him not to leave it at all, for I knew his value in our City Council, and I regretted he ever left us. I wish to goodness it was only possible we could have him back again; but he left us, certainly on the implied understanding that this was to be an appointment during good behaviour for life, not that the terms should be varied, and that his salary should be cut down. I know that honorable members who have to appeal to the passions and popular feelings of the multitude have to play down very low, and they know there is nothing will take better.

Mr. BROMLEY.—You ought not to insinuate that.

Mr. CARTER.—I do not insinuate it, I say it. Nothing will take better with the 850 odd men who voted against me the other day than to tell them that you are going to cut down some man from £1,000 a year to £100. It pleases them. They hate the excellence that they cannot attain to, and if you want to catch popular votes of that sort, you have only to propose to cut down what are euphioniously termed the "tall poppies." It is very popular to cut down the tall poppies, because those who support such proposals are never likely to be tall poppies or any sort of poppies themselves. Therefore, if you can bring down any man who is in a better position than yourself, there is a feeling of satisfaction about it with a great many men. I know that there are in my constituency, and I have no doubt that there are in Prahran and Carlton, men who would be delighted to bring down your remuneration, Mr. Speaker, and the remuneration of the Minister of Mines, or of His Excellency the Governor, and other

officers' remuneration. The idea is that the man who gets paid more than others can obtain or earn is overpaid.

Mr. GRAY.—You voted for cutting down the public servants' salaries.

Mr. CARTER.—But that was all-round retrenchment. I did not want it to apply merely to what are called the tall poppies.

Mr. GRAY.—And the servants of the Metropolitan Board of Works were cut down with them.

Mr. CARTER.—Certainly; but that has nothing to do with my point. They were not cut down to the extent of one-third of their pay, or to anything like the proportion proposed in the last clause of this Bill. However, this is only one of those light or fire balloons that are sent up occasionally. It costs the honorable member for Prahran nothing to propose to cut down Mr. Fitz-Gibbon's salary, and I have no doubt that at the next election at Prahran the mere proposal to cut down any man from £1,500 to £1,000 a year may gain the honorable member 50 or perhaps 100 votes, and that is the reason this proposal is in the Bill. I know that constituency, because I was a member for it at one time. The honorable member for Prahran is a sufficient judge of human nature and character to know that if a man takes a position like that of chairman of the Metropolitan Board of Works, and is able to perform the duties of the office, he is cheap at £1,500 a year; but if he left that alone and said nothing about it the honorable member would not gain a vote. But if he says he will cut down this man who is worth £1,500 a year to £1,000 a year, it pleases the mob.

Mr. GRAY.—You do not call the Prahran people a mob, do you?

Mr. CARTER.—In every constituency there is a fringe of a mob just as there are a certain number of people who are diseased or silly. Sometimes silly persons are elected to Parliament—in other colonies I will say. In every constituency there are a certain number of people who are always glad when they see a proposal made to cut down the salary of any person who is supposed to be above themselves. A proposal to reduce a salary from £1,500 a year to £1,000 a year will always secure the vote of a certain number of people. I have never played to catch that vote yet, and I never shall. The question of putting 6d. a day on or taking it off a poor labourer's wages has nothing to do with this matter. As far as the question of

wages is concerned, I have always advocated the payment of high wages as much as any member of this House. I have always believed that the higher the wage the better it is for the employer and the community. I am not such an idiot as to suppose that the country can prosper when people cannot earn good wages, but the wages must depend not on the vote of Parliament but on what the work of the wage-earner will produce. In 1853 I paid carpenters and masons 35s. a day, and I should be delighted to see that condition of things back to-morrow, because the higher the wage the better able will the employer be to pay the wage. I have never been in favour of cutting down wages. But the question of wages to the day labourer has nothing to do with my argument. I merely express my opinion that it would be very injudicious to make any change in the constitution of the Melbourne and Metropolitan Board of Works until that body have finished their work. They started under a certain Act of Parliament; let them complete their work under that Act, and afterwards honorable members can make what change they like. As to the chairman of the board, whom we all know and respect, it would be most unfair to adopt the last clause of this Bill.

Mr. STYLES.—The honorable member for Melbourne says that it would be injudicious to swop horses when crossing a stream, yet this House swopped horses under those conditions no longer ago than two or three months on the question as to who should collect the rates.

Mr. CARTER.—Two wrongs do not make a right.

Mr. STYLES.—I am entitled to speak with some little authority, because I am unanimously returned by the council in which I have a seat, time after time, to the Melbourne and Metropolitan Board of Works. The principle of election is, no doubt, an unsound one. I thoroughly believe that my council will retain me as long as I like to serve as their representative on the board, without expecting me to solicit a vote or spend sixpence. When a Bill dealing with the Melbourne and Metropolitan Board of Works was submitted in 1890, it provided that members of the board should be elected by the various municipal councils, and the main reason given for that provision was that the councils could collect the money from the ratepayers and hand it over to the board. Now we are

told that the ratepayers are not to elect the members of the board, though the ratepayers can elect councillors from among themselves. I would like to point out to the House how easy it would be for one of the representatives of a municipal ward to be elected to the board in case of a municipality being subdivided. There are four wards in some municipalities. There may be 3,000 ratepayers on the roll of the municipality, and they are not equally divided among the four wards. I have known a case in which there were only 400 ratepayers in one ward. Those 400 ratepayers returned to the local council one representative, who was on an equality with the representative who was returned by 1,200 ratepayers. The weakest man in the weakest ward may be elected to represent the municipality on the board. He may be appointed by his brother councillors because he is a very nice fellow.

Mr. J. ANDERSON.—Is that your case?

Mr. STYLES.—No; I do not think I am a nice fellow. There are other ways of reaching the Melbourne and Metropolitan Board of Works. Something like a couple of hundred ratepayers out of 3,000 may elect a man to represent the whole town under the present system. That could not possibly happen if it were provided, as is proposed in this Bill, that the whole of the ratepayers shall have a voice in the election of the representatives. The honorable member for Melbourne referred to the Melbourne Harbor Trust, and that is a most unhappy illustration. Originally the members of that trust were appointed by the municipal councils of South Melbourne, Port Melbourne, Footscray, and Williamstown. After several years the system was found not to work well, for some of the reasons which I have just given. Parliament, without any request from anybody, took the power out of the councils' hands and gave it to the ratepayers. That is what the Bill now before us asks shall be done in the case of the Melbourne and Metropolitan Board of Works. It was thought that a change was desirable, and Parliament in its wisdom made that change. I am not aware that the Harbor Trust has lost anything by it. In the present case there is a wide distinction between it and the Harbor Trust. The ratepayers do not have to find the funds for the trust; they only find their share. But the ratepayers of the metropolis have to find

the whole of the funds which are expended by the Melbourne and Metropolitan Board of Works. It is only reasonable that those who find the money should have a voice in the election of those who spend it. We do not know that the elements of the board will be changed by this Bill at all. The object is to hand the power over to the ratepayers, but it will be open to every member of the board and to every member of a council to aspire to any of the positions within the gift of the ratepayers. When the Premier moved the second reading of the Federation Enabling Bill, he deprecated the idea that Parliament should appoint the members of the Convention, saying that it would be unfair to restrict the choice to the few members of the two Chambers. If we had not gone outside the Houses of Parliament Dr. Quick, who is an able member of the Federal Convention, and Mr. Barton, who may be said to be the leader of it, would not have been members. What was the result of the secondary election for the Convention of 1891? Failure. The Bill produced by that Convention fell still-born. Now we have a Convention which was elected by the people of the Australian colonies.

AN HONORABLE MEMBER.—And by the press.

Mr. STYLES.—No doubt the press had some influence. The people are supposed to have elected the Convention, and the Bill it has prepared will be a live one. It will not fall still-born as the other one, which was produced under the secondary election system, did. I know that some honorable members are very fond of referring to what is done in other countries. The London Metropolitan Board of Works was found to be a sink of corruption, and every member of that body was elected by the vestries. Not one out of the 65 members was elected by the ratepayers. It was a nominee board. The Imperial Parliament did not wait to be asked; it swept this board from the face of the earth, and created a new one, giving much larger powers and allowing it direct representation. In the London County Council now 118 members are elected by the ratepayers.

Mr. MADDEN.—And a nice mess they have made of it.

Mr. STYLES.—Their predecessors made a bigger mess, and there was more than a suspicion of jobbery and corruption in the board. We need not go so far away as

London for officers who make a mess of their position. In the London County Council 118 members are elected by the ratepayers and nineteen by aldermen.

Mr. CARTER.—The English Act is going to be repealed because of jobbery.

Mr. STYLES.—I do not know that that is so. I was rather surprised at a remark made by the honorable member for Brighton last session. Coming as it did from a gentleman of his ability, I put it down. It was this:—

“We should pause before we adopt a measure which would constitute the board of members merely responsible to the ratepayers.”

Who are the members of this House and the Upper House? They are all elected by the ratepayers. Who elected the member for Brighton? Why, the ratepayers; and they elected a very good representative too, as everybody admits. If the honorable member does not vote for this Bill after that he ought to.

Mr. MOULE.—Is that a quotation from *Hansard*?

Mr. STYLES.—It is from *Hansard*, and it struck me at the time as being an extraordinary statement for the honorable member to make. Under this Bill, not only the present members of the board, but any other gentlemen who are ratepayers would be eligible for election, and why should not every man have a chance? My own impression is that if the Bill were passed many useful men would accept seats on the board. There are numbers of men who will not take a seat on a municipal council, but who could attend for an hour or two a week at the afternoon sittings of the Metropolitan Board of Works. They do not, however, care to attend meetings of a suburban municipal council in the evenings. I know that there are many such men who would be an acquisition to the Metropolitan Board of Works if they would accept seats upon it, but they will not become members of the two bodies and go through two elections.

Mr. McKENZIE.—That is an argument against yourself.

Mr. STYLES.—I do not think it is. It may be an argument against me personally.

Mr. McKENZIE.—No; against your argument.

Mr. STYLES.—There are two elections now. A man has first to be elected by the ratepayers, and then he has to be elected by the council. I advocate the one election by the ratepayers, who pay the piper.

With respect to the reduction of the pay of the chairman of the board, it is perfectly true that Mr. FitzGibbon was receiving £1,500 a year at the time when he applied for the position. That he did apply, and that he was not invited to accept the position, is clear to my mind, because I still have the circular in which he solicited my assistance, or, rather, set out his qualifications for the position. He was not requested by any one to accept the appointment, but he applied for it as others did.

Mr. J. ANDERSON.—You were a candidate for it yourself.

Mr. STYLES.—I was a candidate.

Mr. J. ANDERSON.—Why did you stand for the position?

Mr. STYLES.—Because I had the best record of any man there.

Mr. J. ANDERSON.—In your own opinion.

Mr. STYLES.—No, in other people's opinion; but I was a stranger. It is perfectly true that Mr. FitzGibbon was at the time receiving £1,500 a year. That had been his salary for about eighteen months. He accepted this appointment, and he has held it for six years up to last June. There are two years of his term yet to run, his eight years expiring in June, 1899. From the remarks of the honorable member for Melbourne, one might imagine that Mr. FitzGibbon, who is a particular friend of my own, is going on for ever. I remember that in 1891, when he was an applicant for the position, he had to state his age, and he gave it then as 65 years. This Bill will, therefore, not affect Mr. FitzGibbon so much as may appear, because by the time the two years he has to run expires he will be at least 73 years. If he were only 63, the chances are that he might hold the position longer. I am not satisfied that Mr. FitzGibbon wants to go on for another term. Now, I would like to state to the House what the duties of the chairman of the Metropolitan Board of Works are, and let honorable members compare them with the duties that the Speaker, or the Chairman of Committees of this House, or any member of the Government, has to perform. Mr. FitzGibbon receives now £1,500 a year, and his duties consist in attending ten hours weekly, and taking the chair. During the time that Mr. FitzGibbon was absent in Great Britain on the business of the board, in 1892, the late Honorable Matthew Lang performed the duties of chairman, and performed them efficiently

and well, for nothing for seven months. At the same time he was Mayor of Melbourne, and a member of the Legislative Council, and he was attending to his own private business.

Mr. J. ANDERSON.—He did not perform the whole of the duties.

Mr. STYLES.—Who did?

Mr. J. ANDERSON.—The chairmen of the various committees.

Mr. STYLES.—The vice-chairmen of the various committees are there yet. There are five committees and five vice-chairmen. Mr. FitzGibbon is chairman of each of these committees. Commissioner Lang, when acting as chairman, was assisted by the engineer-in-chief, the secretary, and the treasurer, three of the higher-paid officers, who are still there. The engineer-in-chief's salary is £2,000 a year, and that should be sufficient to secure a high-class man. The secretary's salary is £1,000, and the treasurer's £800. The London County Council, which has ten times the income and ten times the work of the Melbourne and Metropolitan Board of Works, pays its engineer £2,000, its secretary £1,000, and its controller, whose position is similar to that of our treasurer, £800. The salaries in both cases are the same. I do not complain so much about that, but I want to show that high-class men should be there to assist the chairman, and, of course, to lighten his duties. These duties were well and efficiently performed by Commissioner Lang during the time that Mr. FitzGibbon was out of the colony. Now, to show the difference in the two boards, I may mention that the annual valuation of the metropolis of Melbourne is about £4,300,000, whereas the annual valuation of the area under the jurisdiction of the London County Council is £34,300,000. The President of the Legislative Council occupies a high and honorable position, and his salary is only about half that of the chairman of the Metropolitan Board of Works. What is the Metropolitan Board of Works, after all said and done? It is a magnified and glorified municipal council. To call it a board is a misnomer altogether. It is a magnified and glorified municipal council, that has degenerated into a debating class. Honorable members will have seen from the newspapers that time after time the board has wasted two or three hours in discussing the appointment of some lad at £50 a year. Everybody admits that

the Inspector-General of Public Works (Mr. Davidson) is a good officer, and he receives only £800 a year. I was one of the original members of the Metropolitan Board of Works. I am still there, and am likely to remain there. I am not going to run away at all. I intend to remain, and I think that under the circumstances I can speak on this subject with some little authority. So far as any personal benefit is concerned, the present arrangement suits me very well. I have no trouble and expense in securing appointment, time after time, to the board. I have now said all that I desire to say. I did not know that the matter was to come forward to-night. There are some other matters that I would like to have submitted to the House, but I have not my notes with me, and I will not detain honorable members any longer.

Mr. MOULE.—This Bill was introduced in the last Parliament, and I spoke against it then. I find that I am reported to have made a remark which, taken away from its context, does, perhaps, lay me open to the gibe of the honorable member for Williamstown. The gist of what I said, so far as I can recollect it, was that where you have a number of men to control the management of a large corporation like the Metropolitan Board of Works, it is well that they should be in direct touch with a body that can move at once. The municipal councils, which appoint the members of the Metropolitan Board of Works, can move at a moment's notice, whereas the ratepayers, as a body, could not do so. I am pretty well certain that that was the purport of my remarks, because I remember that some one in the Ministerial corner interjected that the statement would apply to Members of Parliament. I do not think it would, because the two cases are not analogous. That is one of the objections I have to this system of election by the ratepayers. The members of the Metropolitan Board of Works have to deal with municipal matters. Everything that they do affects the municipalities. It is true that under the amending Bill the municipalities, as individual municipalities, have not the same direct control or management, or any direct control or management, in the collection of rates. But it all refers to municipal matters. The councils are deeply interested in the work. They are fully cognisant of the works carried on by the board, and the

collection of the rates affects them directly. Therefore, I say that if you have your municipal councillors electing your representatives on the board honestly, and electing their best men, you will have representing you the best men you can possibly get. Has the present system failed in the case of the honorable member for Williamstown, who is a very old member of the board? It would be a serious matter to change the mode of election. The board has embarked upon very heavy expenditure. They have just adopted a new system of management so far as rates are concerned. And I would ask whether it is right that a private member should introduce a Bill affecting vitally so important a body as the Metropolitan Board of Works? Surely the Government should express their opinion upon the matter? If the Government allow a private member to take up a Bill of this description they are shirking the responsibility which should properly attach to them.

Mr. FOSTER.—This is not a Government question.

Mr. MOULE.—It is a question which affects the Government most materially. Was not the Metropolitan Board of Works Act Amendment Bill of last session a Government measure? I am sure that the Minister of Mines will see that if this Bill is to have any effect it means a most important change.

Mr. FOSTER.—You must know that it is a private member's Bill.

Mr. MOULE.—Speaking with all modesty as a younger member, I would say that it strikes me that this is a Bill that should not be taken out of the hands of the Government. If you are going to change the mode of election of an important body like this, the Bill instituting that change should be introduced by the Government. I would ask honorable members to consider whether there has been any public complaint as to the actions of the board and its present mode of election? We have heard of no complaint. The honorable member for Williamstown has pointed out clearly that the ratepayers elect the councils, and the councils appoint their best men to the board, which consists of the selected of the elected. That, I think, is a very fair way of choosing the members. The honorable member for Prahran has not advanced one single argument in favour of the proposed change. If there is to be such a change, I repeat,

it will be well for the Government to consider what that change really means.

Mr. J. ANDERSON.—It strikes me that the honorable member for Prahran is seized with a mania for attacking a board of which he is in every shape and way clearly ignorant. There has been no request made even from the municipality of the district the honorable member represents for a change in the constitution of the board. There has been no demand from the ratepayers in that direction.

Mr. GRAY.—They have made a demand in my district.

Mr. J. ANDERSON.—I have not heard of it. If there has been a cry it has been a very little one. I know something of the way the business of the Board of Works has been conducted, and I will tell the House what my experience is. One difficulty upon the board is that when a change takes place in the representation of any district for some reason or another, and one member takes the place of another, the new member simply stops the machinery, because he wants to know what has been done prior to his becoming a member.

Mr. GRAY.—Does not that apply to the election of new members of a council?

Mr. J. ANDERSON.—It applies in a different way in this case, because the various councils send representatives who are in close touch with the work of the board.

Mr. BROMLEY.—Not always good ones.

Mr. J. ANDERSON.—Well, perhaps some Carlton people may think that they might have a better representative than the honorable member who interrupts. The members of the board are in close touch with the councils who appoint them, and are supposed to report the deliberations of the board to their respective councils, by whom they can be questioned. My honorable friend the member for Williamstown went on to make some observations regarding the salary paid to Ministers and certain Government officials. I may astonish him by telling him that a member of the present Government is in receipt of £1,000 a year, whilst his secretary gets £1,100. What does the honorable member think of that? The honorable member points to the President of the Upper House, and compares his position to that of the chairman of the Metropolitan Board of Works. But the comparison is absurd. The chairman of the

Metropolitan Board of Works is chairman of all the committees. He takes minutes of the proceedings at every committee meeting; he is quite aware of what is going on throughout the whole system; he is in attendance from nine o'clock in the morning sometimes till ten or eleven o'clock at night five days out of the six, and even then often has to take work home with him, and is engaged upon it until one or two o'clock in the morning. Surely his position cannot be compared to that cited by the honorable member for Williamstown. It is true that my honorable friend was formerly a candidate for the chairmanship. He did not get it. If he had got it I suppose he would not have had an axe to grind, and would have had no grievance. But it ill becomes a member of an important body like that, simply because he also happens to be a Member of Parliament, to attempt to ridicule the proceedings of the board to which he belongs. This Bill has been sprung upon the House. Many members are absent who would have been present had they known it was coming on. Therefore, I think the best thing we can do is to postpone the matter. We are told by the Premier that we have only up till the 16th or 17th of next month in which to get through a large amount of business, some of which is of great importance. I take it that this Bill is not of importance, because the board is well constructed, and its members are properly appointed. So far as I know, no honorable member has given a good reason why the present method of choosing the members of the board should be altered in any way. Considering that we have important matters to go on with, I think that the honorable member for Prahran is ill-advised in introducing a matter of this kind, which will stay some other legislation of greater importance. The Metropolitan Board of Works is now in the middle of its work. If it has done its work well, why should it be disturbed? I do not know whether the honorable member is in favour of having contested elections oftener than he can possibly avoid. Most honorable members would prefer a walk-over. Why, then, should we provide for unnecessary elections? In regard to the choosing of committees, why should not the ratepayers of this country have the appointment of our Railways Standing Committee? Why should Parliament delegate to that committee the important work it has to

do? Why should not the people have a voice in appointing other committees, if the argument of the honorable member for Prahran is sound? I say that this House is a proper tribunal to appoint gentlemen to act as members of the Railways Standing Committee and of other committees. People outside could not fill these positions as well as members of this House, for the simple reason that they would not have the same information, would not have the same experience, would not have the same materials to guide them, as members of this House have; and what applies to this House applies, I take it, to the Metropolitan Board of Works in the same way. I will conclude my remarks by moving the adjournment of the debate.

The motion for the adjournment of the debate lapsed for want of a seconder.

The House divided on the question that the Bill be read a second time—

Ayes	47
Noes	21

Majority for the Bill	26
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AYES.

Mr. Bennett,	Mr. Morrissey,
„ Bowser,	„ Murray,
„ Bromley,	„ O'Neill,
„ Brown,	„ Outtrim,
„ Burton,	„ Peacock,
„ Deakin,	„ Sangster,
„ Dyer,	„ T. Smith,
„ Forrest,	„ Stapleton,
„ Foster,	„ Styles,
„ Gair,	„ Taverner,
„ Graham,	„ Toutcher,
„ Graves,	„ Trenwith,
„ Gray,	„ A. L. Tucker,
„ Grose,	„ J. B. Tucker,
„ Gurr,	Sir George Turner,
„ Hamilton,	Mr. Turner,
„ Higgins,	„ Vale,
„ J. A. Isaacs,	„ Watt,
„ Kennedy,	„ Wilkins,
Dr. Maloney,	„ E. D. Williams,
Mr. Mason,	„ H. R. Williams.
„ McCay,	<i>Tellers.</i>
„ McLean,	Mr. Beazley,
„ Methven,	„ Cook.

NOES.

Mr. J. Anderson,	Mr. McBride,
„ W. Anderson,	Sir John McIntyre,
„ Brake,	Mr. McKenzie,
„ Cameron,	„ Murphy,
„ Carter,	„ Murray Smith,
„ Duffy,	„ Sterry,
„ Gillics,	„ Wheeler,
„ Irvine,	„ Zox.
„ Keys,	<i>Tellers.</i>
„ Levien,	Mr. Duggan,
„ Madden,	„ Moule.

PAIR.

Mr. Hancock.	Mr. Staughton.
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The Bill was then read a second time, and committed.

On clause 3, providing that the members of the board should be elected by the rate-payers of the several municipal districts specified in the 2nd schedule to the principal Act, and not by the councils of such municipal districts, as provided in such Act,

Mr. ZOX remarked that, as a representative of a metropolitan constituency, he had never heard a single complaint made against the present mode of electing the members of the Melbourne and Metropolitan Board of Works, and he did not know what were the motives which actuated the honorable member for Prahran in bringing forward this Bill. As for the honorable member for Williamstown, he had the happy knack, whether he was on the Harbor Trust or the Metropolitan Board of Works, of invariably being opposed to his colleagues.

Mr. STYLES rose to a point of order. He desired to know whether the honorable member was in order in discussing him (Mr. Styles) and his actions? Was the question before the committee his actions or the 3rd clause of this Bill?

The ACTING CHAIRMAN (Mr. MURRAY).—The honorable member for Melbourne East (Mr. Zox) must confine himself to the clause. These personal allusions are entirely disorderly, and should not be indulged in.

Mr. ZOX stated that he did not intend to make any personal allusions, he was only endeavouring to show the committee the motives which appeared to actuate some honorable members in supporting the Bill. However, he would bow to the Acting Chairman's ruling. He would repeat that he had never heard a single complaint made against the present mode of election. The honorable member for Prahran, no doubt, thought himself justified in introducing this Bill, and he (Mr. Zox) could only enter his protest against it. In view of the overwhelming majority in favour of the Bill on the second reading, he could only bow to the decision of the Assembly, but at the same time he must protest against the measure as being ill-timed and unnecessary.

Mr. CARTER observed that he regretted very much that the Government had not given any expression of opinion one way or the other on this very important clause. If he remembered rightly, the amount of liability which could be

incurred by this board was something like £5,000,000 sterling. A great part of that money had been raised in the old country, and the people who lent it advanced the money under an existing Act of Parliament. The House had no right, in his opinion, to vary the circumstances in connexion with that Act, unless the Government was prepared to give a guarantee to the holders of the debentures that, in the event of any mismanagement causing loss, the whole undertaking would be taken over by the State. Of course, Parliament could do as much mischief as it felt inclined to do at any time. This colony had been ruined by droughts and Parliaments, and vermin of various kinds, but surely Parliament, after having passed an Act providing that a trust must be elected in a particular way, and authorizing them to borrow some millions of money, was not going deliberately, before that money was repaid, and after a large portion of it had been spent, to alter the conditions under which the money had been lent. (Mr. Peacock—"That would be an argument against passing the Bill last session.") He was not attempting to approve of what was done last session. The Chief Secretary knew that during the last Parliament honorable members consented to all sorts of iniquities in the hope that the Government might be enabled to pull the country through and balance the ledger. Surely honorable members were not to be taunted now with having approved of everything the Government proposed last session if they did not object to it. What they suggested was that the present was not a time for fighting, and that the country should have the opportunity of resting and recovering itself. He certainly disapproved of many things which the Government proposed, but to which he did not object. The two Houses of Parliament having authorized a trust to borrow £5,000,000, and a Bill being now proposed to alter the mode of electing the members of that trust, the Government should have the courage to say whether they were in favour of the measure or not. Surely the Government must have an opinion of some sort with regard to this proposal—they must be either in favour of it or against it—and some member of the Government ought to tell the committee whether they approved or disapproved of clause 3. If they approved of it, it was their duty to add another provision setting forth that any debenture-holder who was

dissatisfied with his security could come and get Government debentures for a similar amount at the same rate of interest, because British investors had been induced to lend their money to this trust under an Act which provided a certain mode of electing its members, and now it was proposed to take the power of electing that trust from the municipal councils and give it to an irresponsible body whom they had never heard of when lending their money. Even the honorable member for Prahran must see that there was a difference between the expenditure of £5,000,000 being carried out by a body elected by the men in the street and by a body elected by municipal councillors, who were elected by the men in the street. There was a wide difference. No member of this Chamber, if going to England, would leave his property or business to be looked after by the ratepayers. (Mr. Higgins—"But this is the ratepayers' property.") But what had that to do with the question? Parliament was legislating for the protection of the ratepayers. Surely if honorable members wanted a horse shod they would rather go to a blacksmith than to the honorable and learned member of the equity bar. (Mr. Trenwith—"This Bill proposes that the ratepayers shall elect the men who they think will do the business best.") The ratepayers were not as competent to do the business as the men they elected. Under this modern idea, this recent proposal, instead of the captain guiding the ship the crew had to guide it; instead of the schoolmaster managing the school the scholars had to manage it; and instead of the father of the family governing the household the children were to do it. Well, he thoroughly objected and protested against that idea, and as long as he was a member of the Assembly he would always oppose it, and vote against it in every form in which it came up. It was merely carrying out the new-fangled idea that instead of the directors of a company managing its affairs the shareholders were to manage them, which they could not do—that instead of the Trades Hall sending able representatives, like the honorable member for Richmond (Mr. Trenwith), they were to do all the work themselves individually. Every working man was to decide by the referendum whether a legislative proposal was good or bad, instead of leaving it to

his representative to decide. (Mr. Outtrim—"Cut your speech short, and I will propose the referendum.") It did not occur to him that the Referendum Bill was on the notice-paper for the present sitting, but if continuing his remarks for ten minutes would prevent another step being taken towards that iniquity of iniquities, he would certainly detain honorable members for that period, because he would be very sorry to do anything in the short time left of his existence to hasten on anything so utterly damnable as the referendum. Surely some member of the Government had got an opinion on this question. He noticed that one Minister actually crossed over and voted on the opposition side of the House, but surely he was not the only member of the Government who had any feeling of his own on so important a change in the constitution of the Metropolitan Board of Works as was now proposed. Surely, if Ministers supported this proposal, they must have some reason for supporting it; and they voted for it, so that it was only fair he should ask them to say why they were in favour of clause 3. The Chief Secretary had made an interjection or two, and perhaps he would not mind giving them some reason why he defended this proposal. It was a grand and popular thing to appeal to the people, but honorable members who talked so much about it did not do it in regard to their own affairs. If they got sick they did not appeal to the people, but went to a medical man, and when they were injured they went to a lawyer and not to the people. None of the men who advocated these appeals to the people ever trusted the people in any direction where they were personally or pecuniarily interested, and the people did not want it. (Dr. Maloney—"You say that to a public meeting, and they will soon tell you.") He had never been afraid to repeat at a public meeting anything he had said in this Chamber or in private. He was quite prepared not only to state his opinions, but to take the consequences. (Dr. Maloney—"You never do it.") He always did it. The honorable member for Melbourne West was one of those who would gladly support this proposal. What did he care whether the men in London who lent their £5,000,000 had the same security or not? It did not trouble him, but he would go to one of his red-hot meetings and say—"I appeal to you, gentlemen; you are the people who are

Mr. Carter.

trampled on by these aldermen and councillors, and it is quite right that you should elect the members of this Metropolitan Board." As soon as that was carried out, the honorable member would propose that the members of the board should be paid; and the next thing he would do would be to stand for election himself.

Mr. TRENWITH observed that the honorable member for Melbourne had given very excellent reasons why this Bill should be carried in the extreme paucity of argument he had been able to adduce. The honorable member spoke of the people managing this concern as if there was any proposal in the Bill that revolutions in the management of the Metropolitan Board were to be undertaken by the people. The honorable member also talked about the referendum as if there was a proposal in the Bill for the referendum in connexion with it, and asked honorable members, if they were going to have a horse shod, whether they would go to a blacksmith or a lawyer; or whether they would have a company managed by the shareholders as a whole or by the directors. Clearly, there was no proposal in the Bill to do any of the things the honorable member had suggested, but merely a proposal to alter the mode of electing the directors, and the question was whether it was better for the people to choose their own blacksmiths, their own directors, or their own lawyer for the purposes that they wanted them rather than to elect some persons to again elect the persons they wanted to do their work. Was there any instance where a company first of all elected a group of men to elect some other men to manage the company? (Mr. Carter—"It would be a very good thing sometimes if they did.") Perhaps so, but there was no instance analogous to that. The honorable member talked about danger to the security held by those who had lent money to the Metropolitan Board of Works, but while he might very well have talked in that way when Parliament was altering the security of those British money lenders last year, such remarks were out of place in connexion with this Bill. Those money lenders were secured by the rates within the metropolitan area, and last year Parliament did alter the security very much indeed. (Mr. Carter—"I opposed it all I could, but I was out-voted.") There was no reason for

opposing this Bill on that ground, as it only proposed that the managers of the concern should be elected directly by the people instead of by the indirect method that now prevailed. The argument against continuing the present method was that men were elected municipal councillors to do municipal work within their own district, and that there were many men who were admirable municipal councillors who would be altogether unfit to undertake this larger work involved in the management of the Metropolitan Board. Therefore the reason for desiring a wider selection was that men might be selected direct by the people for the work that the people desired them to do, instead of making the selection of those who were to do that larger work from people who were selected to do a smaller and a different work altogether. (Mr. Methven—"The smaller work is as difficult to carry out.") That was so within a limited area. Municipal councillors were elected by wards in some cases, and men were elected because of their interests in particular wards, and of their knowledge of the local requirements, not because they had a large general knowledge, or because they had great capacity as financiers, or because they understood an altogether different or, at all events, very much larger work of the same kind as that which the Metropolitan Board had to do. (Mr. Murray Smith—"Have the selections hitherto been bad?") Well, there had been a great deal of dissatisfaction. (Mr. Moule—"Expressed where, how, and when?") Within his knowledge there had been frequent expressions of dissatisfaction in the only way in which the people had the opportunity of expressing it, namely, at municipal and parliamentary elections. (Mr. Murray Smith—"Has there been any dissatisfaction expressed to you?") He was not standing for the Metropolitan Board of Works. He did not think he possessed the necessary qualifications, but he had heard dissatisfaction expressed in his own electorate.

The ACTING CHAIRMAN (Mr. MURRAY).—I trust the honorable member will address the Chair.

Mr. TRENWITH said he was endeavouring to convince the honorable member for Hawthorn, who was always in a minority, that it would be wise for him on this occasion to vote for this clause, if only for the novelty of being for once in a majority, and on the right side. (Mr.

Murray Smith—"I am not likely to take that advice.") He recognised that fact. He was afraid that the honorable member had become crystallized in wrong notions, and that it was utterly impossible to convert him. He (Mr. Trenwith) would therefore address himself generally to the committee. The object of the clause in question and of the Bill was to provide that the ratepayers should have a voice, not at second hand, but at first hand, as to who should be the men intrusted with the duty of managing this larger municipal work. The argument that the security would be in any way vitiated by the change was absolutely puerile, because there was no provision in the Bill to alter the powers of the board, the security which the board had to give, or to enable the board when differently elected to repudiate any of its present obligations. The Bill merely contained a provision to secure better men on the board all round. With all respect to the board, although there were on it many men of very considerable capacity, who would be returned if the elections were by the whole people, it was also notorious that there were men on it who could not possibly be there if the elections were by the whole people. The latter class were only elected because they had interest in a ward. He knew some men on the board who were altogether incapable of doing the work they had to perform, and who would not be elected if they had to be returned by the whole of their municipality. For these reasons he urged that the measure should be carried quickly, so that the board might secure the confidence of the people, which it did not at present possess. It was all rubbish to talk about the British bond-holder being made afraid, and to ask the Government to give security. The presentation of such arguments was evidence that there was really nothing to be said against the Bill at all.

Mr. MURRAY SMITH observed that the arguments of the honorable member who last spoke were partly inaccurate and wholly irrelevant. The honorable member had no evidence in support of his views, which were only based on the circumstance that somebody had told him that some one else had heard a good deal of objection to the Melbourne and Metropolitan Board of Works. The honorable member had not adduced any argument why the proposed change should be made, nor had the honorable member who was in charge of the Bill given any

reason for it. He (Mr. Murray Smith) was sufficiently old-fashioned to believe that when a board performed its duties well and gratuitously, and there was no widespread dissatisfaction with it, it was just as well to let it alone. The functions of the board were serious and responsible. Surely, if it was to be interfered with, some reason other than that of mere caprice on the part of one of the suburban Members of Parliament ought to be given. The honorable member for Prahran had not assigned any reason why the Bill should be introduced. That honorable member had proceeded on the lines which the Government adopted in regard to their own measures. A Government measure submitted that evening proposed to provide that any person who held an illegible railway ticket, though there was no evidence of felonious intent, should be adjudged to be guilty of felony and liable, on conviction, to imprisonment for a term not exceeding three years, the onus of proof to lie with the party accused. That was the course which was pursued by the honorable member for Prahran and the honorable member for Richmond (Mr. Trenwith) in regard to the Bill now under consideration. Those honorable members proposed that certain changes should be made in the Melbourne and Metropolitan Board of Works, and that the accused party should be expected to submit evidence in the case, and undertake the task which was usually supposed to belong to the accuser. The honorable member for Prahran, who was the principal accuser in the present instance, had not shown that there was any discontent with the proceedings of the board, nor had he made any objection to the proceedings of the board, which had done its duty well and gratuitously. The honorable member stated that he acted on the principle that taxation and representation should go together, and on that ground he (Mr. Murray Smith) would claim the honorable member's vote against the one-man-one-vote principle when it came under consideration. The honorable member had given no reason for the proposed change, and he (Mr. Murray Smith) was old-fashioned enough to vote against it.

Mr. MOULE said the Chief Secretary had stated, when the honorable member for Melbourne was speaking, that the Bill had nothing whatever to do with the Government, which could not prevent a private member from introducing a

measure of the kind. If the Bill meant a change of any description at all it was a serious matter, and if it meant no change there was no necessity for it. All the other measures affecting the Melbourne and Metropolitan Board of Works had been very properly introduced by the Government, because they deeply concerned the whole community. He (Mr. Moule) asked for some announcement from those who were responsible for the working of this great corporation as to the effect of the proposed alteration. The honorable member for Richmond (Mr. Trenwith) had said that certain men were good enough as councillors, but they were not able to manage the class of work required of them as members of the board. Had any complaint been made of the work done by the board? Had not the municipal councillors done the work well? When the honorable member for Williamstown was speaking on the subject he never made a single comment on the work of the members of the board. The honorable member for Prahran did not say a word against them either, nor had he (Mr. Moule) heard any answer to the argument that if a member of the board who was elected by the ratepayers did anything which was not consonant with the feelings of the ratepayers, he could be brought to task before the next election. A member of a municipal council could always be brought to book within a few days of the alleged offence. If any member of the Melbourne and Metropolitan Board of Works acted in any way which was out of accord with the views of those whom he was supposed to represent he could be brought to task at once by the members of his municipal council, who were fully acquainted with what took place at all the meetings of the Melbourne and Metropolitan Board of Works. The honorable member for Prahran had stated that he wanted to make the representative answerable to the persons whom he directly represented. The honorable member must know that direct responsibility existed when there was a body which could be brought together at a moment's notice to consider the acts of the board. If there was nothing in the Bill, why tinker with such an important body as the Melbourne and Metropolitan Board of Works? If, there was something in the measure, every member who was opposed to it was entitled to hear from those who were responsible for the management and control

of this important corporation, which was under the direction of a public Act and the Government, what it was.

Mr. WILKINS remarked that it had been urged that nothing had been stated as to why the proposed change should be made. The Collingwood Council had unanimously adopted a resolution in support of the clause now under consideration. The resolution, which was forwarded to the Government, asked the Government to adopt some steps to bring about a better state of things than existed at present, as regarded the Melbourne and Metropolitan Board of Works. It had been urged by some honorable members that nothing could be alleged against the actions of the board. He had no hesitation in saying that the doings of the board in connexion with the extravagant expenditure of money were of a nature which every one must regret. The very appointments of the chairman and officers went to show that the board had not the interests of the ratepayers at heart. The offices of the board, of which they were only temporary tenants, were furnished at a cost to the ratepayers of some thousands of pounds; and from the commencement of the operations of the board to the present day their work had been one piece of extravagance. (Mr. Moule—"We have not seen any record of it.") It had been shown that the rent and furniture of the offices had cost the board something like £17,000. (Mr. McColl—"What are the councils doing?") The councils were powerless, and a large number of them were desirous that the change now proposed should be made. (Mr. Moule—"What could the ratepayers do between the elections?") His answer to the honorable member was that the ratepayers could send men to the Metropolitan Board of Works, just as they send men to Parliament, who would carry out their wishes. Owing to the good feeling that existed among the local councils, men were appointed members of the Metropolitan Board of Works over and over again quite irrespective of their fitness. If the members were elected by the ratepayers there would not be such extravagance as had been witnessed in the past. The outer area had been relieved from any responsibility in connexion with the sewerage scheme, and yet, as the board was at present constituted, the municipalities in the outer area had the same power as the municipalities

in the inner area. The representatives of the outer area attended at the meetings of the board and voted away large sums of money, although they were not responsible for the repayment of a single shilling. The honorable member for Prahran had acted wisely in introducing the Bill, and he should be supported.

The Bill, having been gone through, was reported to the House without amendment.

On the motion of Mr. GRAY, the Bill was then read a third time.

Mr. GRAY said that he desired to thank honorable members for the assistance they had so kindly given him.

The House adjourned at ten minutes to eleven o'clock.

LEGISLATIVE ASSEMBLY.

Thursday, November 18, 1897.

Pairs—*Government Gazette* Mining Notice Inquiry—Acting Chairman of Committees—Melbourne and Metropolitan Board of Works Act 1897 Amendment Bill—Post Office Act Amendment Bill—Fraudulent Railway Tickets Bill—Vermin Destruction Act Amendment Bill.

The SPEAKER took the chair at half-past three o'clock p.m.

PAIRS.

Mr. HANCOCK stated that he desired to call the Speaker's attention to a matter with regard to the division lists. He found that it was the custom only to supply the press with the division lists, and that no notice was taken of the pairs. The previous night he paired with another honorable member on the Melbourne and Metropolitan Board of Works Act 1897 Amendment Bill, and he found that his name was not recorded in the press that morning. The question was a very important one in his district, and, as the people watched the division lists very anxiously, he would like the Speaker to consider whether the Clerk of the House should not supply the press with a list of the pairs as well as with the division list. He noticed that last night there were three pairs on the Bill, but none of them was recorded in the press. He was aware that the Speaker did not recognise the pair-book, but it seemed very hard that if a member agreed to pair in order to oblige another member no notice should be taken of his having done so.

The SPEAKER.—So far as the pairs are concerned, the House has nothing to do with them; and as to the newspapers publishing division lists, the House has no control over newspapers, which are not bound to publish either the division lists or the pairs. I shall, however, consult with the Clerk of the House as to the expediency of supplying a list of the pairs to the press.

“GOVERNMENT GAZETTE” MINING NOTICE INQUIRY.

Sir JOHN McINTYRE moved, by leave, without notice—

“That the select committee on the *Government Gazette Mining Notice Inquiry* have leave to report the minutes of evidence from time to time.”

He observed that the object of the motion was to enable the committee to allow the press to be present at the proceedings.

Mr. McCOLL seconded the motion, which was agreed to.

ACTING CHAIRMAN OF COMMITTEES.

Sir GEORGE TURNER remarked that, as it would probably be necessary at the present sitting for the House to go into committee on various Bills, he begged to move—

“That the honorable member for Warrnambool (Mr. John Murray) be appointed to act as Chairman of Committees for this day.”

Mr. PEACOCK seconded the motion, which was agreed to.

MELBOURNE AND METROPOLITAN BOARD OF WORKS ACT 1897 AMENDMENT BILL.

Sir GEORGE TURNER moved the second reading of this Bill. He said—During last session a Bill was passed dealing with the Melbourne and Metropolitan Board of Works. There had been considerable disputes with regard to the form that Bill should take, and it was thoroughly discussed and thrashed out by a select committee of this House, and the House then adopted the proposals as approved of by that committee. It is now found that one of those proposals will unnecessarily involve the board in a very heavy expenditure for advertising, while really conferring little, if any, benefit or advantage on any one. Under section 5 of the Act as it was passed, it is provided that—

“The board shall from time to time after sewers have been laid in any street, or part of a street, cause a general notice to be given as

hereinafter mentioned that the board has made provision for carrying off the sewage of each and every property which, or any part of which, abuts on such street or part of a street in which sewers have been so laid.”

Then, after a time fixed by the board, that property becomes what is called a sewered property. Then there is a further general notice to be given. Sub-section (2) of the same section provides that—

“The board may by a further general notice, to be given as hereinafter mentioned, order that the owner of each and every property which, or any part of which, abuts on the said street, or part of a street, if there are any houses or buildings on such property, shall within such time as shall be specified in such further notice, or within such further time as the board may allow, provide such proper water-closet or water-closets, drains, appliances, apparatus, and connexions with such sewer or sewers of the board as may be prescribed by regulations of the board.”

So that the first notice simply says that sewers have been put down in certain streets, and then the second notice tells the owners of properties in those streets that they are bound to connect with those sewers. Then it is provided in sub-section (5) that—

“The general notice shall be given by placards posted up in public in such street or part of street, and shall be advertised in the *Government Gazette*, and at the least four times within four successive weeks in one or more newspapers generally circulating in the neighbourhood, and shall be in the form in the 2nd schedule to this Act or to the like effect. And the said further general notice shall be given by serving the same on the owner of any property which, or any part of which, abuts on such street, or part of street, in manner prescribed with regard to service of notices or orders by section 159 of the principal Act, and shall be in the form in the 3rd schedule to this Act or to the like effect. A copy of every such general notice or further general notice shall be posted by the board to the council of any municipal district within which any sewered property referred to in such notice is situate.”

Then, within a month after the second notice, which is really the important one, “the owner of each and every property abutting on such street, or part of a street, shall, if there are any houses or buildings on such property,” connect his closets with the sewers himself, or else ask the board to do so under certain terms and conditions. Now, the point in connexion with this matter is, that in any sewerage area, say, in Port Melbourne, if the section is carried out in strictness, it will be necessary to mention in this notice every street within that area. Moreover, “street” is defined to mean, not alone

streets, but lanes and passages; so that the board would have to set out in the notice all the streets, lanes, and passages, many of which are unnamed. This would mean an immense document, and if these notices were to be put up in the form of a placard, on such a placard, unless it was very large indeed, the names of the streets would have to appear in such small type that no one could read them without difficulty. The advertising also would, as honorable members can see, amount to a very large sum, as the notices would have to be advertised in the *Government Gazette*, and also four times in one or more newspapers circulating in the neighbourhood. The object of this amending Bill is simply to provide that, in lieu of having to mention every street, lane, and passage, the board in their notices will simply give the boundaries. The notice will describe an area bounded by a certain street on the north, another on the south, and so on. It will give such a description as will enable the people to know what area is being dealt with, more especially as the placard will have to be posted in each street, and as the owners who are called upon to do the work will get special notice of the facts sent to them. The board think, and I agree with them, that it would be a useless expenditure of the ratepayers' money to carry out strictly the proposals of the Act of last session. I may mention that I have submitted the amendment made by this Bill to the honorable member for Essendon, who was chairman of the select committee which inquired into the matter, and he has stated that he sees no reason why the amendment should not be made. Another proposal in the Bill is this: There are certain notices which were given prior to the present Act coming into operation on the 24th of August, 1897. Those notices had been given in pursuance of the principal Act in May and July, 1897, and the work had proceeded under them. It is now proposed to provide that those notices shall be deemed to be notices within the meaning of the Act of 1897. To allow the Act of last year to remain in its present state would not only entail a heavy and unnecessary expenditure of the ratepayers' money, but would give rise to the great danger that some ratepayer, after the work has been done and the cost incurred, might come forward and say that his property was in a certain street, which, by some slip in the board's office, or

perhaps in the printing, had been left out of the notice, and under those circumstances the board would not be able to recover from him for the work done, because the conditions of the Act had not been complied with. I think this is a reasonable alteration to make of the existing Act. It cannot be said that it is simply in the interests of the board, as they gain no benefit by it; it is being done in the interests of the ratepayers, who would have to pay this heavy expenditure. Then, to prevent any doubt arising, it is provided that at the foot of the second notice—the one that is served on the owner—the name of the street in which his property is situated has to be specified, and that the notice has to be served either on the property-owner or left with an inmate of his abode, or if he resides outside the municipal district it can be sent to him by post. Honorable members can easily see the length to which the notice as provided for under the existing Act would extend by looking at the form of it in the schedule to that Act. I allude more especially to the second notice, the form of which occupies almost a page of the Act of Parliament. That is only the notice itself; and in addition to that, in the city of Melbourne, every street and every lane would have to be specified. I think that giving the boundaries will afford sufficient information, seeing that the board will have to post a placard in each street, and that each owner will have a notice sent to him.

AN HONORABLE MEMBER.—Are these suggestions from the board?

Sir GEORGE TURNER.—Yes, they come from the board, and were submitted by me to the honorable member for Essendon, who was chairman of the select committee, and he states that he sees no reason why they should not be adopted.

Sir JOHN McINTYRE.—It appears, from the statement of the Premier in regard to this matter, that this is a Bill which we should accept unanimously if the facts are as he puts them, and I believe they are. I understand that the Melbourne and Metropolitan Board of Works desires this measure to be passed. It is a singular thing that in passing the Act of last session we should not have noticed, from the length of the schedule, the extraordinary expenditure which the board would have been put to in advertising and in posting up notices as provided for in that Act.

Sir GEORGE TURNER.—There was a good deal of friction between the committee and the board at that time. That accounts for the matter not being noticed.

Sir JOHN McINTYRE.—As this Bill is not merely in the interests of the board, but in the interests of the ratepayers, I think we may fairly accept it. There is a large unnecessary expenditure which would be involved if the Act of last session was strictly carried out, and this amendment will to a large extent avoid that. It can do no possible harm, and, above all things, according to the Premier, it is likely to guard against the possibility of litigation by men who would be glad to raise a point in order to save themselves a pound or two. Under the circumstances, I do not see the slightest objection to the measure. No doubt, several of the metropolitan members who are more directly interested in this matter are absent owing to the early hour of meeting, but the fact of their not being present shows, I think, that there is nothing in the Bill they can object to. For my part, I accept the measure as a very excellent amendment of the present law.

Mr. T. SMITH.—There is just one point which the Premier omitted to mention—probably it did not occur to him—that is, that until this Bill be either carried or rejected the work of connecting properties remains almost at a stand-still.

Sir GEORGE TURNER.—That is so.

Mr. T. SMITH.—I have an indirect interest in some property, in connexion with which notice was given to me six weeks ago that the board itself would do the connecting work if we did not. The board then thought they could do the work, but they found immediately afterwards that they would be unable to do it unless they went to considerable expense in carrying out the terms of the Act of last session. After all, it is the ratepayers who would have to pay all this money for advertising, and the expenditure would be quite useless. I believe this Bill meets with the concurrence of all ratepayers who understand it, and it also has the support of the councils around the city of Melbourne.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 4, providing for an amendment of the 2nd schedule of Act No. 1491,

Mr. DEAKIN said that, unfortunately, he had not had the advantage of hearing some

of the remarks which were made on the second reading; but a fellow member of the select committee which sat during the last Parliament to consider this question had informed him that some question had arisen as to how the form of notice provided for in the Act of last session was adopted. Now, the select committee arrived at this resolution on the subject—that the system of giving notice in connexion with the Melbourne Water Supply, which had been in operation for a quarter of a century, with the greatest satisfaction to all parties concerned, should be carried out under the Metropolitan Board of Works. The chief engineer, when examined, stated that, in his experience, the system had worked perfectly satisfactorily, both to the department itself and to its constituents. Under these circumstances, the committee contented itself with a direction to the draftsman whose services were placed at their disposal to embody in the Bill exactly the same procedure as existed under the Melbourne Water Supply. There appeared, however, to have been some ambiguity in this connexion, because, at all events, one very simple form, which was now the common and usual form in the Melbourne Water Supply, was not adopted in the Bill, but another method which was also in the Act was adopted. The method adopted in the Bill, however, was not that which the committee desired or intended. The matter was not one to which the committee themselves attached great importance. They accepted the opinion of the head officer of the board, who had been the head officer of the Melbourne Water Supply, that the system was excellent; and having given a general instruction the committee accepted the technical details sent to them as embodying that system.

The Bill, having been gone through, was reported without amendment.

On the motion of Sir GEORGE TURNER, the Bill was then read a third time.

POST OFFICE ACT AMENDMENT BILL.

Mr. DUFFY (who, on rising, was received with cheers) said he begged to thank honorable members for their kindly reception of him after his travels. He begged to move—

“That this House do now resolve itself into committee of the whole to consider the fees to be charged under the Post Office Act 1890 Amendment Bill.”

Mr. PEACOCK seconded the motion, which was agreed to.

The House having gone into committee, Mr. DUFFY moved—

“That the following fee be charged under the Post Office Act 1890 Amendment Bill :—On registration of a newspaper by the proprietor or printer—any fee not exceeding 5s.”

The motion was agreed to, and the resolution was reported to the House.

Sir JOHN McINTYRE observed that he would like to know what was the meaning of the resolution with regard to charging a fee?

Mr. DUFFY stated that the resolution was merely a formal one. The matter of fee would be explained when dealing with the Bill itself. (Sir John McIntyre—“Would it not be well to explain it now?”) This was only like the first reading of a Bill.

The resolution was then adopted.

Mr. DUFFY moved that the Post Office Act 1890 Amendment Bill be read a second time. He said—Curiously enough, the leader of the Opposition took exactly the same objection when I introduced this Bill two years ago. I then called the honorable member's attention to the fact that the passing of the resolution in committee was merely a formal stage which had to be gone through under our standing orders before any fee could be charged under the Bill, and that when the Bill was before the House the question of fees would be duly considered. The present Bill is practically the same Bill as I had the honour of introducing some two years ago. Honorable members who were then in the House will remember that this Chamber carried the Bill, that it went to another place, and that another place carried the greater part of the Bill, but unfortunately there was one clause—clause 11—with which the Upper House disagreed. That is the well-known clause, founded on the law case of *Hartle v. Campbell*, which extends the power which the Postmaster-General now has of stopping sweep consultations going through the post. The Postmaster-General has at present the power of stopping such letters in Victoria, and that clause proposed to give him power to stop them when going outside of Victoria. This House, in the interests of the higher morality, agreed to the clause without a division, but when it went to the Upper House, unfortunately, that Chamber did not see eye to eye with us in the matter, and struck out the clause. The

consequence was that it being near the end of the session the Bill failed to become law. That same measure, without any material alterations, I am now re-introducing, and asking the House to pass it. Besides that large amendment which the Upper House made in the Bill, there were several other amendments which they considered would improve the measure, and I am happy to say that most of those amendments, though not all of them, I have been able to consent to, and they are now part of the present Bill. This Bill is really a technical measure—more a Bill for committee than to argue upon on the second reading. It is made up not so much of large principles as of a number of minor amendments which experience has shown are advisable or necessary in order that the work of the department may be carried on more satisfactorily to the department and to the public. The bulk of the Bill consists of those smaller technical alterations which may be dealt with more conveniently and better in committee. I would like, however, to call attention to five or six clauses which embody material alterations in the present law. I would, first of all, draw the attention of honorable members to clause 6, which refers to the definition of a newspaper. Honorable members will perhaps consider that there is nothing on earth so easy as to define a newspaper—that a thing is either a newspaper or it is not. But I may say that, after my experience in the Post-office, I do not know anything more difficult. I am every week called upon to define whether something that is placed before me is a newspaper or is not. But ingenious gentlemen in business are not, after the passing of this Act, to be allowed to send through the post at newspaper rates publications called newspapers which are not such at all. We find, for example, that a seedsman will, in a catalogue advertising the beautiful seeds he has to dispose of, put a poem on spring in the beginning, and a few remarks about the weather at the end, and say it is a newspaper. Any quantity of similar cases occur, some absurd, and some so near the mark that it would almost tax the ingenuity of a Philadelphia lawyer to find out exactly what they are. There is also a difficulty with regard to the supplements of newspapers. For instance, some ladies' newspapers send round, or desire to send round, patterns of the various articles their proprietors manufacture, and try to

pass these as supplements to newspapers. I believe that if they got a little more encouragement they would send the articles as supplements also.

Mr. DEAKIN. — Bellamy says in his *Equality* that all our articles of clothing are to be made of paper in the distant future.

Mr. DUFFY. — That may be all for the advantage of the paper makers. The practice I have mentioned has led to a great deal of difficulty, and it is very hard to define what a newspaper is. Honorable members, however, will find a definition given in clause 6. That definition rests primarily on a resolution of the Postal Conference of the colonies held in 1894 in New Zealand, but New South Wales and Queensland having gone rather further than the other colonies, Victoria was compelled to follow their example, and our definition pretty well coincides with the definitions given in Queensland and New South Wales. When the Bill was originally introduced by me it was not quite so stringent as it is at the present time, but the honorable member for East Bourke Boroughs (Mr. Cook) brought before the House the necessity of adding a few words to the measure. Those words were added and passed by this House. Clause 7 deals with the registration of newspapers. That is new in this colony, but it is already the law in all the other Australian colonies. They all charge a registration fee, so that when something is put forward as a newspaper it may be known to the public to be a newspaper. The charge for registration is not to exceed 5s. It may be less. This is where the point referred to by the leader of the Opposition arises. It is in this clause that the registration fee to which he seems to object is provided for. But a similar law prevails in all the other colonies, and I do not see why it should not also prevail here. Clause 8 is also new.

Mr. MOULE. — Is there any power to refuse to register?

Mr. DUFFY. — We will not send a newspaper if the proprietors do not register it.

Mr. MOULE. — Can you refuse to register a newspaper for any reason you like?

Mr. DUFFY. — A publication will not be a newspaper unless it is registered.

Mr. GILLIES. — But have you the power to say—“I refuse to believe that this is a newspaper, and will not register it?”

Mr. DUFFY. — Yes; and the proprietor may then go to the Supreme Court and

endeavour to upset my decision—which he would be very foolish to do.

Mr. GILLIES. — I suppose that is what you call the censorship of the press?

Mr. DUFFY. — Does the honorable member say the sense of the press?

Mr. GILLIES. — No; the censorship of the press.

Mr. DUFFY. — That is a very different thing. Clause 8 provides that anything published as a newspaper elsewhere, and being a *bona fide* newspaper though not registered under this Bill, shall, if carried through our post, be charged at double rates.

Mr. MOULE. — Do the other colonies do that to us?

Mr. DUFFY. — Yes, they do that to us. New South Wales and Queensland both do it. Now I come to clause 11, and that is a clause that has perhaps given rise to more discussion than anything else in this Bill. Honorable members will recollect that years ago, when we had a little more money and a little less sense than we have now, what are called consultations were rife in the land. You could not take up any newspaper—certainly not any evening newspaper—without seeing columns filled with long advertisements relating to these consultations. The thing got to be so outrageous that it was thought wise to suppress the consultations. The public conscience revolted against them, and said that they should not be allowed to take place here at all.

Mr. GILLIES. — What do you call a consultation?

Mr. DUFFY. — I do not mean a legal consultation, but what the honorable member will probably understand as a “sweep.” Sweeps were popularly known as consultations. The honorable member must have seen advertisements about monster sweeps or consultations. The word has come to be used technically in the Post-office as meaning a sweep. They had a great vogue in Victoria for a time. When they were suppressed in this colony they were organized in New South Wales. That colony, however, after a while would not have anything more to do with them, and then they were managed in Queensland. When Queensland got tired of them, they were suppressed in that colony. Then the promoters had to go to Tasmania, and I believe they are still located there. In our original Post-office law, the Post-master-General had power to not deliver any letter containing money or in

any way connected with these consultations, and, of course, that law was sufficient to do away with them in Victoria. But the word used was, "deliver." The law did not say that the Postmaster-General must not "transmit" such communications. So that when Mr. Hartle took action against the then Postmaster-General, the late Mr. James Campbell, he having stopped a letter going to another colony, the court held that, though the Postmaster-General had full power to stop a letter referring to a consultation in Victoria, yet, if the letter was addressed to a person outside Victoria, he had no power over it. What I propose to do in this Bill is to give the Postmaster-General the same power over letters going outside the colony as over letters being sent to any part of the colony. I do not hold any bigoted notions with regard to these sweeps, myself. I do not profess to be much better than other honorable members. But I do hold that if we officially stop these consultations in Victoria, we should also prevent our citizens from sending their money to other places to indulge in such amusements.

Sir JOHN McINTYRE.—Because you cannot do it yourself, you won't allow people to go elsewhere.

Mr. DUFFY.—No, that is not the reason. If you like to make these consultations lawful here, I am not sure that I would not join them, but as it is hundreds of thousands of pounds go outside Victoria to be spent in other colonies, and very little of it comes back here again. That is not conducive either to the interests of morality or of this colony. Therefore I have put this clause in the Bill.

Sir JOHN McINTYRE.—Supposing I sent £1 to put in a consultation and got £10,000 back?

Mr. DUFFY.—That might be a good thing for the honorable gentleman, but a bad thing for the country. I pass on to clause 17. That gives the Postmaster-General a power that the Legislative Council considered went too far. As honorable members will see, it gives power to place wires connected with telegraphs or telephones upon or over any public or private building whatever. That, no doubt, is a very extensive power, and it is not necessary perhaps, or not very necessary, as we are at present situated. But when the happy day comes when all the wires connected with the telegraphs and telephones in Melbourne are—as they should

have been long ago, but our means would not allow it—placed underground, the Post-office will require power, in order to carry out an efficient system, to put their wires upon or alongside buildings in the city. If they do not have this power they will be liable to be stopped by some unreasonable or avaricious person. Of course this power will not be unjustly used. The department is always under public purview, and if it did any wrong in any particular case justice could be, and would be, meted out. I do not think that it can be suspected that the department will do any wrong under this particular power, and it is right that they should have this power in case it is required or thought necessary to place telegraph wires underground. The next point to which I will refer is the 2d. postage. At present, as honorable members know, we have a 2d. postage throughout Victoria. Some years ago the postage was 1d., but when times got very hard we had to raise the price for carrying letters throughout Victoria. We did so for three years, and when that period came to an end we had to carry on the increased rate for another year, and so on, and it has been continued ever since. In this Bill I have provided that the charge may have permanent effect, and if at any future time it is thought desirable to reduce the amount from 2d. to 1d. a new Act will have to be brought in and passed in order to do that. Now, I will call attention to the last clause of the Bill. That deals with Post-office messengers. Under our present law a most unsatisfactory state of things exists as regards messengers in the department. They get at first a salary of £26 a year as lads, and go up to £60 a year, but they cannot get any further. Many of them have no opportunity of being taken on to another class, so that they have to remain at £60 a year; and we have some very excellent officers in the department doing very good work who are still only ranked as messengers, and only being paid £60 a year. This system is unfair to the department as well as to the messengers. It is unfair that we should have to pay £60 a year for what a lad would thankfully do for one-half that amount, and it is unfair to the messengers that they should be kept on year after year, until they grow grey in the service, and not get a suitable salary for the work they are doing. I have endeavoured to provide against that by a clause

stating, first of all, that messengers entering the department need not insure their lives. It is unnecessary that they should be compelled to insure their lives for the short time they might be in the service and the small salary they would get. I next provide that a lad entering at the age of thirteen years, after he has been in the service four years, shall, if there is no opening for him, be compelled to leave. If the state of the business of the department will not allow us to employ more men, it is only right that when a lad attains the age of seventeen years he should go out of the service and try to get better employment elsewhere. Under a normal state of affairs, if there be an opening for him in other branches of the department, he will go on improving his position in the ordinary way, but, if not, he will have to leave.

Mr. HAMILTON.—Will that affect messengers at present employed?

Mr. DUFFY.—No; it will not affect them. It is only to apply to messengers after the coming into operation of this measure. I have now gone through the Bill, but if there are any minor points which are not clear to honorable members, I shall be glad to explain them in committee. There is one other matter about which I should like to say a word or two. It was brought under my notice a few days ago by an honorable member. In Queensland they have a very stringent newspaper law. In fact, some newspapers from the other colonies cannot go into Queensland in the state in which they are printed. Either they must have some advertisements blotted out as though they were newspapers in Russia, containing something not complimentary to the Czar, or they will be rejected. This is done because the Queensland law objects to the circulation of newspapers containing indecent advertisements. It is a shame that such advertisements should be allowed in a land calling itself civilized and Christian. But the difficulty is—where are you to draw the line? What is an indecent advertisement, and what is a merely business advertisement in the ordinary sense? Another point is that it would be foolish and fatal to put into the Post Office Act any prohibition against the Post-office carrying such advertisements in newspapers unless the law of the colony prohibited those advertisements from appearing in newspapers at all. Such is the case in Queensland. There they do not act under any particular Post-office law,

but under what is called the Indecent Advertisements Act. That law contains a clause to the effect that the Postmaster-General shall refuse to deliver to any person any newspaper containing indecent advertisements. When Parliament thinks it right to pass such a law in this colony it will be time enough for the Post-office to refuse to carry newspapers containing advertisements of the description mentioned. Therefore, I thought it inexpedient to put such a clause in this Bill.

Sir JOHN MCINTYRE.—Are not such advertisements just as much immoral as gambling advertisements?

Mr. BURTON.—What about the 9th clause?

Mr. DUFFY.—There is nothing in that. It is simply a re-arrangement of the present law, which is rather curiously expressed. We are endeavouring to improve the wording of it.

Mr. BURTON.—According to that clause we can send unstamped letters at present?

Mr. DUFFY.—Certainly. The honorable member does not know half the privileges he possesses.

Sir JOHN MCINTYRE.—I think, with the honorable gentleman who has introduced the Bill, that it is possibly one that can better be dealt with in committee than by long speeches at this stage. But I desire to point out that the honorable gentleman must not take it for granted, simply because we agree to the second reading now, and let the measure get into committee, that criticisms will not be made and alterations suggested then. I drew attention to the registration fee to be charged for newspapers, not with a view of objecting to it at all. What surprises me is that the honorable gentleman is so lenient. I would draw the attention of the House to clause 6, the marginal note of which is "Newspapers defined." The definition states that a newspaper is—

"A publication consisting wholly or in substantial part of political or other news, or of articles relating thereto, or to other current topics, with or without advertisements."

During his speech the Postmaster-General was asked a question, and he replied that he is to determine according to his own will and right what a newspaper is. If that be so, how is it that a newspaper is defined in this Bill? Of course, the word "may," which occurs in the beginning of the clause, may give him the right; but what is the meaning of this definition

if the Postmaster-General himself is to be the censor?

Mr. DUFFY.—I am to decide according to law.

Sir JOHN McINTYRE.—What law?

Mr. DUFFY.—This law.

Sir JOHN McINTYRE.—Does the word "may" make the Postmaster-General a law unto himself?

Mr. DUFFY.—Not at all; it is the proper expression.

Sir JOHN McINTYRE.—I think that that clause will require some attention and discussion in committee. It is entirely new. The honorable gentleman is very anxious about the gambling business, but I do not see why he should refuse to take revenue from that source if he can get it. If we look after our own morality it will be just as well. And, talking of morality, the Postmaster-General has not told us a word about that high-kicking business.

Mr. DUFFY.—It is time to say that we have had enough of that. We are here to do business. We are not in a pot-house; we are in a Parliament.

Sir JOHN McINTYRE.—The honorable gentleman is about the best "jokist" we have in this House, and yet he objects to a joke at his own expense—or a joke which, after all, as I am reminded, is not really at his expense at all, but at the expense of somebody else. I am likewise reminded that the Premier made a special point of that high-kicking business in his speech at St. Kilda after his return from England, and the Postmaster-General was present. I observe that the temporary Chairman of Committees, the honorable member for Warrnambool, is showing the Postmaster-General a copy of the *Australasian*. Do I understand that the honorable member is pointing out some other immorality in that publication?

The SPEAKER.—The Serjeant-at-Arms will be good enough to have those papers removed from the chamber.

Sir JOHN McINTYRE.—Would such a paper as the honorable member for Warrnambool has shown to the Postmaster-General come under the censorship of the honorable gentleman under this Bill? However, I am quite willing that the measure should go into committee, but when we come to these new clauses there will have to be some explanation about them. There will certainly have to be some discussion with regard to clauses 11 and 6.

Mr. VALE.—I think that this is one of those Bills which are sprung upon the

Chamber without sufficient information being given to those persons whose interests may be involved. From my experience, the Post-office, is day by day granted greater privileges. In other words, they are taking a monopoly of the small carriage work of the community. This Bill is extending the privileges which the Post-office has hitherto been allowed. We will take, in the first place, the definition of a newspaper. It is purely a postal definition. I think it will be found that some of the most valuable newspaper properties in the world would scarcely come within the definition here given of a publication—"consisting wholly or in substantial part of political or other news or articles relating thereto." I will venture to say that some of the most profitable and extensively circulated newspapers in the world contain no reference whatever to political matters. I take it for granted that this Bill should not be run through without men whose interests are involved being consulted. I refer particularly to clause 6. In every country increased facilities are offered by the postal departments for the circulation of newspapers. We allow, at the reduced rate of 1d. per lb., two copies to be placed in one cover. This Bill proposes to diminish that privilege, and now not less than four copies are to be placed in one cover in order to be carried at 1d. per lb. I trust that the Postmaster-General will be content to take the second reading to-night, and allow the newspaper proprietors and those engaged in the trade to have some opportunity of expressing their opinion upon this Bill before it is passed through Parliament.

Mr. LANGDON.—I desire to express my regret that the Government has not seen fit to reduce the rate of postage. I think that the present rate is a tax on the intelligence of the people, and almost a reversal to the customs of the dark ages. I believe that the necessary revenue might be raised from some other sources. I also desire to call the attention of the Postmaster-General to the case of youths employed at country post-offices. I do not see any clause in the Bill relating to their case. They are employed until they become effective officers, and then they are set on one side. It seems to me that these youths in the country are treated with great injustice in being turned adrift at a moment's notice, although they are engaged by postmasters

with the sanction of the department. I have had my attention particularly called to this matter, and it is my duty to bring it under the notice of the Postmaster-General.

Mr. HIGGINS.—I am very sorry to see that an attempt is now being made to make permanent the 2d. rate of postage, not only throughout the country but in the large towns, although a 1d. rate of postage should be ample to give a large profit. If it be impracticable to allow 1d. postage throughout the country, I do not see why the towns, which would give a good profit by means of a 1d. post, should suffer also. I do not want the department to be carried on at a serious loss to the State greater than at present; but why on earth there should be this special tax on shopkeepers who have to send a number of letters to customers and others throughout the towns, I cannot see. It has been shown that if in the big centres of population you had a 1d. rate of postage, you would get a big profit from it. There is no other colony in the group that has such a barbarous system as this. In New South Wales, where I was a few weeks ago, I found that they had a 2d. rate of postage for the distant parts of the colony, but in Sydney only 1d. is charged for the carriage of letters. It is the same even in Tasmania. But here in Victoria we appear to have become the most backward colony with regard to the incidence of taxation. When we get into committee, I intend to move an amendment so that that imposition of 2d. postage, at all events in the towns and within a certain radius of the metropolis, shall come to an end at the date already fixed—namely, the 30th June, 1898.

Mr. MCKENZIE.—Don't you wish you may get it?

Mr. HIGGINS.—The honorable member for Anglesey, of course, represents a country constituency, and does not consider that an amendment to this effect would be in the interests of his constituents. He does not see why the people in the towns should be relieved of this extra tax. But I hope the House, as a whole, will take up broader views than the honorable member. I do not wish to add any burden to the country, but this is an unfair tax, which is a burden upon the shopkeepers of the towns.

Sir GEORGE TURNER.—On the one point of the 1d. or 2d. postage it may be as well to end the matter at once.

To begin with, would it be fair or reasonable to ask the farmers in the country to pay 2d. on all their letters, and to charge bankers and merchants and insurance societies only 1d.? It is just as important to the men in the country that they should have their letters delivered once or twice a week, as it is to the bankers and merchants and the insurance societies that they should send out their circulars by the thousands. In addition to that, we are not out of the wood yet.

Mr. HIGGINS.—Why do you propose to reduce the income tax?

Sir GEORGE TURNER.—I have not proposed to reduce the income tax. I am imposing exactly the same income tax as before, and I have never said that I would reduce the income tax this year.

Mr. HIGGINS.—That was the impression.

Sir GEORGE TURNER.—That could not be the impression, because what I said was that after this year, if the revenue allowed it, I would propose to reduce the income tax gradually until it reached the rates at which it was originally fixed. The penny postage, if applied to the whole colony would, according to the officers of the Postal department, on whom we have to rely for information, mean a loss of £75,000 a year, and, if applied to the metropolis, a loss of £40,000. Honorable members will see from the returns that have been published that in October we had a falling-off in the revenue of £46,000, which more than swallowed up the increase that we had in the previous three months, and left us with a deficit. The revenue for the first week of November showed a falling-off of £20,000. I estimated that I would receive £170,000 more this year than last, but, having regard to the circumstances, I have had to send circulars to the heads of every department saying that they are not to spend any money without my sanction, excepting to meet the ordinary and fair expenditure. I have had to do that so that I may not find myself landed with a deficit. No one can tell how the returns will work out. We all anticipated a splendid harvest, which would have insured us a good revenue, but that appears to be failing us. Is this a time to seriously ask us, seeing the difficulties the Treasurer has yet to face, to give up £40,000 of revenue? I say at once that I cannot for one moment agree to any such reduction.

Mr. E. D. WILLIAMS.—Some honorable members may have been led to believe

from the remarks of the honorable member for Geelong (Mr. Higgins) that the 2d. postage is a very heavy burden on the commercial community. It is well known that the great bulk of the correspondence of the commercial community consists of invoices and receipts, which are now carried for 1d. The reduction of the postage to 1d. would, therefore, afford only a small measure of relief to commercial people. I will venture to say that ten-twelfths of their correspondence consists of invoices, which are carried for 1d., and which would not be carried at any lesser rate if the proposed reduction were made. I shall, therefore, support the Bill so far as it provides for the retention of the present rates of postage. I think that a little injustice is being done to certain of the employés in the Telegraph department. A number of messengers have been employed for the last eighteen months or two years. They were taken on for a few weeks, and then sent off again. Their appointment has been kept back until after the passing of this Bill, and there are numerous vacancies waiting to be filled. The Bill may mean a saving to the department, but, at the same time, I think that an injustice has been done to these youths, and there does not appear to be any probability now of the injustice being remedied.

Mr. McCOLL.—I desire to call attention to what I am given to understand are the very unsatisfactory relations at present existing between the Railway and the Postal departments. When it was necessary to make retrenchments throughout the country, a large number of post-offices in connexion with which there was telegraphic or telephonic communication were removed and attached to railway stations. The Railway department is becoming a close corporation, in fact a bureaucratic institution, that one cannot approach now. It not only controls its own business, but also to a large extent the business of the Post and Telegraph department, and privileges and conveniences that are absolutely required are refused, simply because the consent of the Railway department is withheld. I will mention a case in point. Telephonic communication was required between two townships in my district, Tragowel and Macorna. A large national work, the Macorna channel, exists there. The bailiff resides at Macorna, and he desires to be in touch with the department. There are also two or three

irrigation trusts, and they desire to be in touch with the bailiff. A request was made that telephonic communication should be provided between Tragowel and Macorna, and that request was indorsed by the Water Supply department. It was forwarded to the Railway department, and the only reply I have received is the following letter, which was addressed to me by the Deputy Postmaster-General:—

“Adverting to your letter of the 13th ult. applying for the establishment of telephonic communication between Macorna and Tragowel, I have the honour to inform you that this matter has been referred to the Railway authorities, who advise on the subject as follows:—‘As this accommodation is not required by this department the application cannot be entertained.’”

It is time that matters were straightened between the two departments. I believe that there is a great deal of friction going on, and that the Railway department is very exacting in its demands on the Postal department. It is very well known that a large part of the increase that has been shown in the revenue of the Railway department during the last two years has been due to charges made on other departments for services rendered. This does not bring money into the Treasury although it swells the railway revenue. It seems to me just as reasonable and fair that the Postal department should be paid for every letter it carries for other public departments as that the Railway department should be paid for every letter it carries for the Postal department. These are the two great carrying departments of the State, and I have always held the opinion that they should be under the one head and worked as one department. The public convenience would then be much facilitated. The present condition of affairs is extremely unsatisfactory, and I do not think that for the mere purpose of economy, or of swelling the railway revenue, the railway officials should have the power of saying that any necessary postal, or telegraphic, or telephonic communication should not be given to the public. I propose to refer to the matter again when the Bill is in committee, with a view of submitting an amendment that will meet the case.

Mr. HAMILTON.—The remarks made by the Treasurer will naturally cause some surprise to a large number of honorable members, and particularly his statement that a reduction of the postage from 2d. to 1d. would mean a loss of upwards of £75,000 per annum. I have at

different times taken some trouble to try to find out whether there would be any such loss, and I think that the matter is exceedingly doubtful. The estimate is based on unsatisfactory data. Some years ago the postage was reduced from 2d. to 1d., and the department, anticipating a very large increase of business, doubled the staff in the mail branch. The Postmaster-General can probably tell me whether that is correct or not.

Mr. DUFFY.—It was before my time.

Mr. HAMILTON.—It was, I think, in 1886 or 1887. The postage was then reduced to 1d., and the reason a loss was shown was that the expenses of the mail branch were immediately increased to an enormous extent. I have heard, on very good authority, that there was absolutely no reason for so largely increasing the staff. Of course, those were the good old times, when Governments were at their wits' end to know how to spend money fast enough. It was important above all things that there should be a large number of civil servants, and this offered a rich field for the enterprising civil servant. The consequence was that large numbers of new appointments were made, and the expenses of the mail branch were enormously increased. When the department came to tot up the figures they found that the penny postage caused a heavy loss. Even at the present time it is stated that the staff in the mail branch, leaving out the postmen, could do more work. I am not prepared to say absolutely that that is so, but that is what I have been told. I do, however, think that it is highly improbable that there would be a loss of over £75,000 per annum if the postage were reduced to 1d. In the first place, there would be a much larger number of stamps used. There are thousands of persons who will not send letters now because the postage is 2d. If the postage were reduced to 1d. they would send letters. Then, again, so far as stamps are concerned, I think in the old times it was necessary to put a 2d. stamp on a receipt; I am not sure whether it was a 2d. stamp or a 1d. stamp.

Mr. DUFFY.—A 1d. stamp.

Mr. HAMILTON.—The stamps put upon ordinary receipts are the same as those used on letters, and, therefore, it is impossible to tell how the revenue is obtained. Tens of thousands of circulars are sent out every year by the financial institutions on which the postage is 1d. I do

not think that the honorable member for Geelong (Mr. Higgins) intends to propose that there shall be a universal penny postage. All he asks is that the postage should be reduced to 1d. in the metropolitan district.

Mr. DUFFY.—That would mean a loss of £40,000 per annum.

Mr. HIGGINS.—How is the estimate made up?

Mr. HAMILTON.—That is the point.

Mr. DUFFY.—It is the estimate made by the responsible officers of the department.

Mr. HAMILTON.—The estimates of the Postal department are often rather shaky. It must be an exceedingly difficult matter to make up such an estimate. To a large extent it can only be based on guesswork. It is certain that if the postage were reduced there would be a very large increase in the number of letters sent through the Post-office; but what the actual increase would be no man can say. I recognise that there will be very great difficulty in attempting to create a differential rate of postage as between the city and the country. For instance, such cities as Ballarat and Bendigo have a large postal delivery, and would naturally want the same facilities as Melbourne. Then the Premier asked why the farmer should be compelled to pay 2d. for his letters whilst the bankers, the merchants, and the insurance societies are allowed to send their communications for 1d. I take it that if the bankers, the merchants, and the insurance societies send these circulars to places outside the metropolitan district they would, under the proposal the honorable member for Geelong intends to submit, have to pay a postage of 2d. The honorable member's amendment, I take it, will only apply to the metropolitan area and to such other cities as might have a just claim to the reduction. The statement made by the Premier may, therefore, be very heavily discounted. It does seem absurd that one should have to pay a postage of 2d. for a letter that has to be delivered, say, at 352 Bourke-street, and a postage of only 2½d. for a letter that has to be carried to London. Whether we can make a reduction in our postage without serious loss I am not prepared to say. I admit that there are great difficulties in the way of the proposal the honorable member for Geelong intends to submit, but he tells us that the same principle is in force in New South Wales. If so, why cannot we have

it here? I am not prepared to say anything further on the subject now, but I do think it is unjustifiable to make the bald statement that we should lose over £75,000 a year by reducing our postage to 1d. when it is morally impossible to tell how much we should lose, or whether, after all, there would not be a gain.

Mr. TRENWITH.—This question is one about which we may very easily fall into error. If you consider the payment for a service in proportion to the value of the service, it does appear to be extremely anomalous that the department should charge 2d. for carrying a letter across the street, and charge only 2½d. for sending a letter round the globe. There are circumstances in connexion with this question that make it extremely desirable that we should not consider simply the cost of the service, but rather the object of the service. It should be made as easy as possible for people to send letters from point to point of the colony. In a new country like this, where districts are continually being settled remote from population, if a charge were made in proportion to the service rendered it would be impossible for many of the settlers to make use of the post-office at all. It is highly probable that in parts of the colony it costs 1s. or more to deliver a letter.

Mr. McCAY.—In some cases 2s.

Mr. TRENWITH.—It would be extremely undesirable to say that these people should be cut off from postal communication altogether unless they paid the full value of the service.

Mr. HIGGINS.—No one proposes that.

Mr. TRENWITH.—The one thing in a measure involves the other. If the reduction of the postage in the city entailed a loss of £40,000 per annum that loss would have to be made up somehow. There is a loss on the Postal department already. The honorable member for Sandhurst (Mr. Hamilton) says that any calculation as to the loss must be largely if not entirely guesswork.

Mr. HAMILTON.—No, I was referring to the number of letters.

Mr. TRENWITH.—The estimated loss in the metropolis is £40,000. That is possibly incorrect, but I should say that, with the knowledge they possess, the officials of the Postal department should be able to estimate the loss within £1,000 or £2,000, and that should be sufficient for our purpose. The business people who have to send letters away

very frequently and in large numbers have practically the penny postage now, that is for a certain kind of communication. I think, therefore, that the honorable member for Sandhurst is wrong in assuming that there would be any very large increase in the number of letters, supposing the postage were made 1d. I cannot conceive of a man sitting down and writing a letter that he would not otherwise write simply because he was going to save 1d. on the cost of postage, and I cannot conceive of a man who desires to send a letter refraining from doing so because the cost of the postage is 2d. instead of 1d. It is highly improbable, supposing the postage were made 1d. in the metropolitan area, that there would be any considerable increase in the number of letters that would be written and despatched. Then again, there is an arrangement now by which persons can secure the secrecy of a sealed letter for 1½d. by using a letter card.

Mr. DUFFY.—No, it is 2d. now.

Mr. TRENWITH.—Then I cannot use that argument. The real point, however, is this—that the business people within the city who have a large correspondence are not seriously handicapped by the 2d. postage, as most of their communications are of the nature of invoices, which are printed, and can be sent for 1d. I know from my own experience that the Postal department administer this regulation very liberally. They do not object to a little writing in any such communication if the body of it is printed. If it is an account, the amount and the name of the firm may be written. Sufficient latitude is allowed, at any rate, to enable commercial people to take advantage of the regulation, and no hardship is entailed upon them. It would be a serious thing if we were to create another loss-producing institution, having regard to the heavy loss that is already sustained in connexion with the railways. With regard to the remarks made by the honorable member for Gunbower, it seems to me that the Railway department are justified in demanding from other public departments payment for any work that they do. The Railway department have had to endure an immense amount of odium because of the heavy deficits that have occurred in the railway revenue.

Sir JOHN McINTYRE.—There is a heavy deficit in the revenue of the Postal department also.

Mr. TRENWITH.—It is a poor argument that does not cut both ways. If the Railway department has to be paid for what it does for the other departments, clearly those other departments should be paid for what they do for the Railway department, so that we might be able to ascertain the cost of management of each department, and where the deficiency arises. We could then determine whether the convenience furnished warrants us in enduring the loss and making it up from the general revenue. With reference to telephonic communication in remote districts, I can easily conceive that there may be places where, if the Railway department requires telephonic communication, the Postal department can arrange to work with them; but, where the Railway department does not require that communication, the Postal department cannot undertake to provide it. This is probably why it is that in some instances the Railway department exercises an influence in the decision of the Postal department, and it does not seem to me to be at all unreasonable.

Mr. MCKENZIE.—You would find it to be unreasonable if you represented a country constituency.

Mr. TRENWITH.—If I represented a country constituency I should adopt the same course that I adopt now in representing a town constituency. If I thought my constituents were unreasonable I would say so. Only recently a deputation waited upon me, and asked me to urge the Postmaster-General not to close a certain post-office in my district. I said to them—“I think you are very unreasonable—that post-office is not required. I will go with you, as it is my duty to do so, but if I speak I shall urge the Minister to close the post-office.”

Sir JOHN MCINTYRE.—Did you speak?

Mr. TRENWITH.—No, they waited on the Minister without me.

Mr. MCKENZIE.—It is not a question of the people demanding what is unreasonable, but of the Railway department refusing what is reasonable.

Mr. TRENWITH.—A district is badly represented if it cannot get the Railway department to comply with a reasonable request. There is one provision in the Bill which is important, and which will, I think, fail if it is passed. I refer to the clause which has for its object the checking of what are known as consultations. We have tried this before, and

all our efforts have been attended by failure. The people who “consult” appear to have been able to circumvent the department. They could not have done so, if there had not been direct connivance to a large extent on the part of the people of the colony. It seems to me, therefore, that the people desire these consultations. The object of legislation is to give to the people what they desire.

Mr. MURRAY.—Do not you think that if we prohibited the advertising of consultations in newspapers that they might by that means be to a large extent stopped?

Mr. TRENWITH.—I do not know. All I say is that it seems to me unwise to have this provision in the Bill. We have purged ourselves of the reproach of having a monster gambling shop inside the colony. A large number of people have followed that gambling shop from point to point. They have followed it to various cities, and even followed it into the Bay and into the ocean. We shall probably only make ourselves ridiculous if we try again to interfere with what appears to be a widespread and pronounced public demand. I should therefore, like to see the clause which provides for the detention of these letters struck out. I have a very great horror of the detention of letters. There is a very proper feeling that an enclosed written communication carries with it a degree of sanctity, and that persons ought to have the power of communicating privately without any one having the right to interfere with their communications. Of course, when it is proposed to publish the letters the law may step in, but communications between man and man should as far as possible be held sacred. The Bill now before us proposes to infringe that, and to allow letters which are addressed to a certain person to be opened.

Mr. DUFFY.—I can do that now, but the necessity never arises.

Mr. TRENWITH.—The Postmaster-General's right to do that is so hedged round that he cannot give effect to it; but the clause I am now referring to permits the opening of letters which are suspected, and it is highly probable that letters which should not be opened will be opened, though not through any person's intention to do wrong. For that reason, when clause 11 is before us in committee, I shall vote against it. I think it is desirable that every honorable member should say that he wishes to maintain in our postal system

the principle of giving to the people as cheaply as possible the services which ought to be rendered to the people. I do not say that the payment should be in proportion to all the services rendered, but rather that the services should be rendered to all that require them.

Mr. ZOX.—It is somewhat of an anomaly to me that while in nearly every other part of the world the penny postage system has been adopted, we do not have it here. It is most extraordinary, as the honorable member for Richmond (Mr. Trenwith) has remarked, that if a man wants to send a letter to Bourke-street he has to pay 2d. postage, while for 2½d. he can send a letter to England. An agitation is even on foot to apply the penny postage system to letters between England and Australia, and I have not the slightest doubt that that system will be adopted in course of time.

Mr. TRENWITH.—It is possible that the penny postage system between England and Australia might pay, while the charge of 2d. on letters in Victoria might be insufficient.

Mr. ZOX.—No doubt the Postmaster-General endeavours to obtain the most authentic information he can from the officers of his department as to the loss which would accrue if the former charge of 1d. on letters was resorted to. The honorable gentleman says that, taking the issue in letters in Victoria at 10,000,000, a return to the penny postage system in the metropolitan area will make a difference of £40,000 per annum, and as regards that I differ from him materially. I maintain that the cheaper the postage is made the more profitable will the business be to the department. On looking over the last returns of the Postal department I find that the loss accruing to the Post-office is very little less than that which occurred when the penny postage on letters was in existence. Cheap postal communication always increases the number of letters which are posted. Every man who has any knowledge of commerce knows that the merchants of Melbourne do not post vast numbers of their letters in the metropolitan district; they employ a number of boys to deliver them, and the cost of delivery is thus far less than 1d. per letter. No doubt the Postmaster-General is animated by the laudable ambition to make his department pay, but I think he is not going about the matter in the right way to accomplish his object.

Mr. DUFFY.—I am not raising the postage.

Mr. ZOX.—The honorable gentleman ought to take the matter into his serious consideration. He says that a reduction to 1d. in the metropolitan area will involve a loss of £40,000 per annum, but I do not agree with him. In New South Wales, in England, and in other parts of the world the penny postage system obtains, and why cannot we adopt the same system? If we did, we should reduce the loss which at present occurs in the Postal department. The honorable member for Richmond (Mr. Trenwith) has alluded to the despatch of consultation letters. No honorable member in this House wants to encourage gambling of a kind which will be detrimental to the rising generation, or to the great bulk of the people; but why should we stop consultation letters while we allow our wives, daughters, and sons to go down to the race-course and openly bet with the book-makers? There is no consultation fee with the book-maker.

Mr. TRENWITH.—The rule is that you pay him the whole lot.

Mr. ZOX.—That is so. If a proposal were made to prevent this from being done there would be something in it. Consultation letters are allowed in Tasmania and in other colonies, and why should we lose the revenue which they bring in unless we come to some understanding with the other colonies to the effect that they will also stop the consultation letters. I do not see why the other colonies should benefit at our expense. The Postal department would pay much better if the Postmaster-General would take into consideration the suggestions which have been made from all parts of the House with the object of reviewing the financial position of the Post-office, and of endeavouring, as far as possible, to make it a payable institution.

Mr. MCKENZIE.—I feel that the argument of the honorable member for Geelong (Mr. Higgins), if carried out to its logical conclusion, as suggested by the honorable member for Richmond (Mr. Trenwith), would mean that a charge should be made by the State for letters in accordance with the cost of delivery in different parts of the colony. It has been contended that in the city and suburbs a charge of 1d. per letter would pay. If that plan were carried out, it would mean that the cost of the postal service would

be increased, and that if it were increased the charge for delivery of letters in country districts would have to be added to. I think that this service must be regarded as a whole. In some parts of my district each letter costs 1s. 6d. to deliver, and the delivery of these letters is of the greatest consequence to the people who receive them. When urging the desirability of postal extension to outlying places, I have been met with the statement that the loss to the department would be so great that the Government could not see its way to grant the concession because it would increase the loss. If the proposal I am now referring to were adopted, this argument would be urged by the department with greater force against the extension of postal facilities to outlying districts. Those who are not acquainted with such districts cannot appreciate the necessity of these people having postal communication. I trust that the proposal I have referred to will not be agreed to. We all regret that it was necessary to raise the charge on letters from 1d. to 2d. As to the argument that the Postmaster-General exaggerates the loss which occurs, I think that the honorable gentleman has very good ground to go upon, because when the charge was increased from 1d. to 2d. the returns were increased very materially. There is absolute proof as to what the loss would be if the reduction were made. There cannot be any doubt that if the charge were reduced to 1d. the loss would be very great indeed, and I do not think that it has been over-estimated by the Postal department.

Mr. HIGGINS.—It would mean a loss of 1d. on each of 10,000,000 letters per annum. The estimate is ridiculous.

Mr. MCKENZIE.—The Postal department has the experience of the increase which took place in the returns when the postage was raised to 2d., and it ought to be able to make a very exact estimate. With reference to the differences between the Railway and Postal departments, I think there is a great deal of force in the remarks of the honorable member for Gunbower. These departments are frequently in collision, and do not work together with that harmony which might reasonably be expected. Cases have occurred in this colony in which the Railway department has demanded a heavier charge for the conveyance of mails than the Postal department considered to be reasonable. The Postal department has employed

private persons to convey mails along roads running parallel with the railways. The Postmaster-General will not contradict that.

Mr. DUFFY.—I cannot.

Mr. MCKENZIE.—That clearly involves a distinct loss to the country. The whole of that money could have been saved and have been transferred, so to speak, from one pocket of the State to another, instead of which it was an absolute loss. That state of things ought not to exist. The letter which was read in this House this afternoon by the honorable member for Gunbower is a very great reflection on the Railway department for taking upon itself to refuse to meet the public convenience, though the request was backed up by the demand of the Water Supply department. The Railway department said that because it did not suit the convenience of that department to grant the request, it must be refused. It is a monstrous thing that the Railway department should consider what suits its officers rather than the benefit of the State. The honorable member I refer to deserves very great credit for bringing before the House a matter which demands investigation. Departments ought not to be allowed to be in collision, to the detriment of the public interest. I hope that this matter will be fully investigated.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 1, which provided, *inter alia*, that the Act should come into operation on the 1st day of _____, 1898,

Mr. DUFFY moved that the blank be filled up by the insertion of the word "January."

The amendment was agreed to.

On clause 6, defining publications which should be deemed a newspaper, and capable of being transmitted by post,

Mr. COOK observed that the Postmaster-General had somewhat taken the wind out of his sails with reference to an amendment which he placed before the honorable gentleman on the previous day. He (Mr. Cook) had suggested that it would be much better, instead of endeavouring to stop sweep consultations, &c., to try and prevent the insertion of indecent advertisements in the newspapers. Perhaps it was hardly worth while for him to proceed with his amendment, as the Postmaster-General had indicated that the Government

would oppose it. The amendment which he wished to submit was practically embodied in the Queensland and South Australian Acts at the present time. In those colonies the Postal department could prevent the transmission and delivery of newspapers through the post if they contained obscene, blasphemous, or indecent advertisements. He believed that what was really required was an amendment of the Crimes Act of 1891. At the same time, if an amendment of the kind were made in the measure now before honorable members, it would almost accomplish the same end. The Crimes Act prohibited almost everything in the way of obscenity, blasphemy, or indecency except as applied to the newspapers. Section 55 of that Act said—

“Whoever affixes to or inscribes on any house, building, wall, hoarding, gate, fence, pillar, post, board, tree, or any other thing whatsoever, so as to be visible to a person being in, or passing along, any street, public highway, or footpath, and whoever affixes to or inscribes on any public urinal, or delivers, or attempts to deliver, or exhibits to any inhabitant or to any person being in, or passing along, any street, public highway, or footpath, or throws down the area of any house, or exhibits to public view in the window of any house or shop, any picture or printed or written matter which is of an indecent or obscene nature shall, on summary conviction thereof before two justices, be liable to a penalty not exceeding 40s., or in the discretion of the court to imprisonment for any term not exceeding one month, with or without hard labour.”

Section 57 of the same Act was as follows:—

“Any advertisement relating to syphilis, gonorrhoea, nervous debility, or other complaint or infirmity arising from or relating to sexual intercourse shall be deemed to be printed or written matter of an indecent nature within the meaning of the two foregoing sections of this Act, if such advertisement is affixed to or inscribed on any house, building, wall, hoarding, gate, fence, pillar, post, board, tree, or other thing whatsoever, so as to be visible to a person being in, or passing along, any street, public highway, or footpath, or is affixed to, or inscribed on, any public urinal, or is delivered, or attempted to be delivered, to any person being in, or passing along, any street, public highway, or footpath.”

Thus almost everything but the newspapers was provided against, and the newspapers were the most easily accessible things for advertising matter of the kind. The publication of such advertisements naturally did a great deal of harm. A well-known medical officer in Melbourne made to him the other day the astonishing statement that he was satisfied that fully one-half of the operation cases in the city

women's hospitals were rendered necessary by illegal practices on the part of women themselves, owing to these quack nostrums being advertised. He (Mr. Cook) begged to move that the following paragraphs be added to the clause:—

“(d) Does not contain any picture or printed or written matter which is of an indecent or obscene nature, or any picture or printed or written matter relating to syphilis, gonorrhoea, nervous debility, or other complaint or infirmity arising from or relating to sexual intercourse.

“(f) The Postmaster-General may remove from the register any publication which contains any picture or printed matter which comes within the provisions of the foregoing section.”

The section of the Queensland Act was hardly so specific, but the Government of that colony had great power under the regulations. The section of the Queensland Act bearing on the subject was as follows:—

“The Postmaster-General may refuse to transmit or deliver any publication containing seditious, blasphemous, or obscene words, and may revise the register, and may remove therefrom any publication a copy of which is posted as a newspaper and which is not a newspaper as hereby defined, or a posted copy of which contains seditious, blasphemous, or obscene words.”

Another section of the Queensland Act provided that no action should lie against the Postmaster-General for any course he might take under the preceding section. He (Mr. Cook) knew, as a matter of fact, that newspapers printed in Victoria and containing objectionable advertisements were stopped when they reached Queensland. They were stopped if they contained such advertisements as those of Dr. Williams' Pink Pills. One of the leading newspapers in Melbourne had its parcels sent up by train, and another newspaper blotted out the objectionable advertisements when it sent its parcels to Queensland. The effect of the publication of these objectionable advertisements was that people were tempted to do things which they would not otherwise do. (Mr. Deakin—“This is distinctly a bachelor's question.”) He did not like the subject, but he was desirous of doing the best he could for the people of the colony. He had found the following advertisement in one of the country newspapers:—

“Ladies' Safeguard (Registered). — French Safety Pills—The quickest, surest, and best medicine for restoring regularity, no matter why or how long delayed. They never fail! Use no others! May be taken at any time by the most delicate lady. Box, sent free from.

observation, 7s. 6d.; extra strong, 21s. Guaranteed A1. Address: Professor Hautmont, R.M.D."

The initials R.M.D. were calculated to trap the unwary into the belief that the advertiser was a doctor of medicine. (Mr. Deakin—"He may be brought to book by the Medical Board.") The letters R.M.D. might make that impossible. Though the amendment ought properly to be inserted in the Crimes Act, in view of the thousands of Victorian newspapers which were sent to places outside of Victoria, the insertion of the amendment in the present Bill would be a beginning of the end in view. If he knew that the Government proposed to amend the Crimes Act he would not move in the matter now. The newspapers, which were the one mode of publication which ought to be guarded against, were not included in the Crimes Act. A well-known medical man had told him that the publication of these things had a very bad effect on the public generally, and it ought to be stopped. Newspapers like the *Age* and the *Argus* ought to exclude them.

Mr. MURRAY SMITH.—I do not think you will find any such advertisements in either the *Argus* or *Age*.

Mr. DEAKIN.—Certainly not.

Mr. DUFFY remarked that he fully sympathized with the object of the honorable member for East Bourke Boroughs (Mr. Cook), as the whole of the committee must, but the present measure was hardly the proper place in which to insert such an amendment. It would be something like putting the cart before the horse. The first step which should be taken was to prohibit any newspaper from inserting objectionable advertisements, and that ought to be done by an amendment of the Crimes Act. That was the course which was followed in Queensland. In that colony the honorable member's proposed provisions were not introduced in a separate measure, or in one relating to the postal law, but in consequence of other legislation regarding an Act, section 4 of which provided that any person who published any newspaper containing any indecent picture or indecent matter should be subject to penalties. That was really the offence. He would ask the honorable member not to overload this Bill with the present amendment, but rather wait till an opportunity occurred of amending the Crimes Act. He was glad that the honorable member had called the attention of the country, through

the committee, to this matter, on which, however, he was not empowered to pledge the Government, as it had not previously been raised. (Mr. Cook—"If it were put in the Crimes Act it should still be in the Post Office Act.") After it was put in the Crimes Act. He would not attempt to stop letters to people who held "consultations" if it were not illegal to have consultations in Victoria. The first thing they should do was to cleanse their own house by prohibiting such advertisements. (Mr. Higgins—"When you have stopped their publication this amendment will not be required.") Except that newspapers containing those advertisements might come here from other countries. The law should be able to say, in such cases—"We do not allow our citizens to publish these things, and we will not allow them to be imported from foreign parts." That was what Queensland did. It said to its own newspapers—"You must not insert these advertisements," and to foreign newspapers—"We will not allow you to do what we do not permit our own newspapers to do." This Bill was not the proper place to insert the amendment, and the honorable member would only damage his own cause by persisting in it.

Mr. MOULE said he would suggest that the Postmaster-General should promise, on behalf of the Government, that the honorable member for East Bourke Boroughs (Mr. Cook) should have an opportunity of introducing a Bill dealing with the matter this session, as a private member.

Mr. DUFFY.—Yes, there will be no difficulty about that.

Mr. COOK remarked that, on the understanding that an opportunity would be given by the Government to put through a Bill amending the Crimes Act in this respect, he begged to withdraw the amendment.

The amendment was withdrawn.

Mr. MOULE asked the Postmaster-General whether the definition of a newspaper given in clause 6 would in any way conflict with the definition in the Printers and Newspapers Act, and thereby bring about confusion? He had not had an opportunity of comparing the two provisions.

Mr. MURRAY SMITH stated that he would like the Postmaster-General to explain why the definition of "newspaper" had been altered from that in the Act of 1890?

Mr. DUFFY observed that he explained that matter when moving the second reading of the Bill. At various postal conferences, especially the one held in 1894, in New Zealand, this question of the definition of a newspaper was considered—and following the decision of the conference, the definition in clause 6 was adopted by Queensland and New Zealand—in fact, they went rather further than the conference originally proposed. The honorable member for Hawthorn could not realize what a nuisance it was to the department not to have some accurate and proper definition of a newspaper. The definition in clause 6 was only for the purposes of the Post Office Act, but he did not think it would conflict in any way with the definition in the Printers and Newspapers Act. However, he would make a note of the point and look into it before the Bill passed another place.

On clause 7, requiring Victorian newspapers to be registered at the General Post-office,

Mr. MOULE said that the Postmaster-General had power to revise the register of newspapers, and to remove any which, in his opinion, was not a newspaper, but surely he ought to have power to remove even newspapers from the register for good reasons; for instance, if a newspaper was a scandalous publication. (Mr. Duffy—"I could say it was not a newspaper.") But if the Postmaster-General said that till he was blue in the face it would not make the publication less a newspaper, and his decision might be appealed against.

Mr. DUFFY.—I will take an opportunity of putting in some words to meet the honorable member's objection.

On clause 8, providing that one month after the commencement of the Act double rates of postage must be paid on newspapers printed and published outside Victoria,

Mr. MURRAY SMITH asked if this provision was also adopted by the other colonies?

Mr. DUFFY.—Yes, by New South Wales and Queensland.

Mr. McCOLL inquired if this clause meant that any newspaper coming into the colony would be charged double postage when reposted within the colony? (Mr. Duffy—"Yes.") That was not the case at present. (Mr. Duffy—"No, but under this Act it will be.") Was that a wise proposal? It seemed to him to be very unfair. (Mr. Duffy—"I thought

you were a protectionist.") (Mr. Moule—"It is not a question of protection but of revenue.") Why should such newspapers have to pay double postage? He would oppose this clause and call for a division on it.

Sir JOHN McINTYRE remarked that under this clause if he got a newspaper from the old country he could not send it through the post to a friend in Victoria unless he paid double postage. (Mr. Duffy—"You would have to pay 1d. instead of $\frac{1}{2}$ d.") But why should double postage be charged? (Mr. Duffy—"There are very few posted.") There must be thousands. (Mr. Duffy—"No, there are not.") Could the honorable gentleman give the committee any idea as to the actual number? (Mr. Duffy—"I cannot.") There was really something in the objection to this clause.

Mr. DUFFY said he would consider the point, and see if any number of these outside newspapers were reposted here. He could probably provide for an exception. (Mr. McColl—"We had better knock the clause out at once.") No, he could not agree to that.

Mr. MOULE expressed the opinion that something ought to be done in the matter now. There was no question of protection and free-trade involved; it was a mere question of convenience to the public. Victorian newspapers would not be robbed of any revenue if newspapers from outside the colony were allowed to be reposted here at the ordinary rate, and why should a tax be put on this class of literature at all? There was far more in this clause than met the eye at first sight.

Mr. DUFFY said he saw the point made by the honorable member for Gunbower and the honorable member for Brighton, and thought he could meet the difficulty, but he would like some time to consider it. He would promise to have an amendment submitted in another place to meet what the honorable members desired.

Mr. MADDEN observed that the matter was so simple that it could be dealt with at once, and it ought to be. He saw no reason why this charge should be levied on the literature people got from England and other parts of the world, when they reposted it to their friends in distant parts of the colony. For instance, he got some most beautifully illustrated papers sent to him, and when his people had looked at the pictures he posted the

papers to friends in the bush. Why should double postage be charged in such cases, seeing that it would probably result in depriving many people of the pleasure of seeing such papers. The better course would be to press for a division on this clause.

Mr. DUFFY.—Oh no; I cannot let the clause go.

Mr. MCKENZIE stated that the imposition of double postage on newspapers printed and published outside Victoria would not protect the local newspapers in any way, because English or other outside newspapers did not come into competition with the Victorian newspapers, not being the same kind of publications. There was another point to be borne in mind. The people who received papers from the old country and elsewhere would never think for one moment that the Legislature of this colony would be guilty of such an extraordinary act as to charge double postage on these papers, and consequently they would only put on the usual postage, so that their friends who received the newspapers would have to pay double postage.

Mr. DUFFY.—It is all right; I will withdraw the clause. The honorable member has convinced me.

The clause was negatived.

On clause 17, providing that telegraph wires might be attached to buildings by direction of the Postmaster-General,

Mr. E. D. WILLIAMS asked the Postmaster-General to consider the desirability of providing direct telegraphic communication between large centres of population like Melbourne, Ballarat, Bendigo, Castlemaine, Kyneton, and Geelong. At present if a commercial man telegraphed from Bendigo to a friend to meet him at Castlemaine, the message was sent to Spencer-street station, retransmitted to the General Telegraph-office, and then despatched to Castlemaine. Surely the cities and towns he had mentioned were places of sufficient importance to have direct telegraphic communication. It would be a great convenience to commercial men and the travelling public.

Mr. DUFFY said that he would consider the suggestion.

Mr. MURRAY SMITH inquired if this clause would confer a new power on the Postmaster-General. (Mr. Duffy—"Yes.") Well, it was a very stringent power. He would not like to wake up in the morning and find his chimney hung round with

telegraph wires by direction of the Postmaster-General, and yet any unfortunate householder in town or country might be subjected to that sort of annoyance. He had always thought that an Englishman's house was his castle. (Mr. Duffy—"Inside; we are not going inside.") But he objected to power being given to the Postmaster-General to authorize telegraph wires to be attached to buildings.

Mr. DUFFY stated that he explained the reason for this provision in moving the second reading of the Bill. When the telegraph wires in Melbourne were placed underground, it would be necessary to carry them up along and over buildings from one house to another, and if the department had not this power to attach wires to buildings, any avaricious or stupid person might stop the whole business.

Mr. McCAY remarked that honorable members were bound to consider how this provision would affect policies of fire insurance. Those policies contained many stringent conditions, and if the conditions were broken, the fire insurance companies, being business companies and not philanthropic institutions, would not pay compensation for injuries or damage done. If Parliament gave this power to the Postmaster-General, it might very seriously affect the security of existing fire insurance policies, which ought to be protected, or otherwise they might be voided.

Mr. STAUGHTON said that this was a matter for serious consideration. (Mr. Duffy—"Are you also going to object to this clause?") Yes. (Mr. Duffy—"Then I will let it be struck out.") Very well.

The clause was negatived.

Discussion took place on clause 23, which provided that—

"The 2nd schedule to this Act shall be substituted for, and shall be deemed to be and may be cited as, the 2nd schedule to the Post Office Act 1890."

Mr. HIGGINS moved the addition to the clause of the words "until the 30th day of June, 1899." He said he would, later on, propose an alteration in the schedule which would limit the 2d. letter postage to the remote districts, and provide the 1d. postage for the populous districts after June, 1899. The existing Act continued the 2d. postage until the 30th of June, 1898. Under his proposal the 2d. postage would be continued all over the colony until the 30th June, 1899, and the House could hereafter determine whether it was

to be subsequently continued or not. Clause 23 proposed a serious departure from the practice of the past few years. It would stereotype and make permanent the increase of the letter postage from 1d. to 2d. Several Acts had been passed in late years increasing the letter postage to 2d. for a limited time, but if this clause became law the 2d. postage would have to be paid on all letters until an amending Act was passed, even on letters from one part of Bourke-street to another. (Mr. Staughton—"Quite right, too.") But he felt that if the 2d. postage was to be continued it should only be under protest, and for a limited time. It ought not to be made a permanent impost. He hoped that by the end of June, 1899, the finances would be in such a condition as to allow the Treasurer to reduce the rate of postage from that time forward. If it was still impossible to reduce the postage to 1d. all through the colony, they might at least reduce it in populous districts. Certain misapprehensions had arisen in the course of the debate. He had no desire to increase the rate of postage in country districts as the honorable member for Anglesey supposed, although he knew there was a loss on the postal service in country districts; in fact, the whole of the loss on the Postal department was owing to the country districts. However, honorable members did not grudge that. It was unavoidable. In a newly-settled country a loss on the postal service in the thinly-peopled districts was to be expected. If the rate of postage in thickly-populated districts was reduced from 2d. to 1d., there was no idea of increasing the rate from 2d. in country districts. They wanted to leave that as it was. The Premier had stated that if the penny postage was adopted within the populous areas it might involve a loss of £40,000 a year, but the honorable gentleman must "tell that to the marines," after the calculation of the honorable member for Melbourne East (Mr. Zox) that a loss of £40,000 would mean a loss of 1d. per letter on nearly 10,000,000 letters. That fact had only to be stated to show how ridiculous that estimate of the loss must be. Where did the Premier get the figures from? In the annual report of the Postal department for 1894 it was stated that—

"It should be understood that no reliable estimate of the postal revenue can be obtained from the statement of receipts, owing to the use of uniform stamps for both fees and stamp duties."

Then how was the estimate of £40,000 obtained? It was, evidently, a mere statement, loosely made in the House, without anything to support it, and, with all respect, he must ask for something more definite in the way of a departmental estimate before he would believe that 10,000,000 pence would be lost each year by reducing the letter postage in the suburban radius, and in other populous areas, from 2d. to 1d. He had ascertained, upon good authority, that plenty of syndicates would be very glad to take up the delivery of letters within the populous areas of this colony on the condition that they were not to charge more than 1d. per letter, and they would be sure to make a profit out of the business. If the State undertook the postal service, and had a monopoly, as it had, it ought to see that that service, as long as it paid, was not made more expensive to the people than was absolutely necessary. (Sir John McIntyre—"Hear, hear; as long as it pays.") He had very good information, which led him to believe that the penny postage would pay within the populous areas of the colony. (Sir John McIntyre—"Yes, that is in private hands.") In private or public hands. He had no doubt whatever on the point, from what he had learnt, and if the leader of the Opposition wanted information he would give it to him. He (Mr. Higgins) wished the State to keep the postal service, but he contended that the State could easily make a profit out of the 1d. postage within the populous areas. (Mr. Hancock—"The Postal department do not pay their employés too much.") No. The estimated loss of £40,000 a year was a myth. He was sorry the Premier had appealed on this, as on the last occasion, to what he must call the selfishness, or assumed selfishness, of the less populous districts. He did not think that the members of the Assembly who represented the thinly-populated parts of the colony were so selfish as to try to get imposed upon the populous areas a tax which was beyond the value of the services the State rendered to the people of those districts.

Dr. MALONEY stated that he would support the reduction of the postage in the populous areas from 2d. to 1d. In New South Wales a 1d. stamp carried a letter to any suburb in Sydney, and the same thing applied to Adelaide. He was under the impression that it was also the case in

Western Australia. Melbourne, with its population of one-third of the colony, ought to have letters delivered for 1d. each. It was absurd to charge 2d. for carrying a letter from one side of Bourke-street to the other, in face of the fact that for 2½d. a letter was carried to Europe. The estimated loss of £40,000 was proved to be completely wrong by the fact that it could only be incurred if there were 10,000,000 letters carried at 1d. instead of 2d. each within the year. Large business firms who had a great number of letters to send out were heavily handicapped in these bad times by the additional postage levied on their letters. This colony would never permit the Post-office to get into the hands of private individuals. In 1854 a letter could be sent here from the United States of America for 1 cent, and yet four times that rate was charged at the end of the 19th century to carry a letter across Bourke-street. Adams' express, in America, delivered letters as carefully and safely as the United States post, but they had no such express here, and were not going to have one. He very much regretted that the Government could not see their way to bring the price of telegrams down from 9d. to 6d. The extra charge prevented many telegrams from being sent.

Mr. VALE said it seemed to him that in matters of business an awful lot of nonsensical sentiment was often talked. He took it for granted that the Post-office was simply one of the services of the State, and should be paid for as such. His complaint against the department was that it so higger-muggered its accounts that no one could ascertain to £100,000 what the revenue and expenditure were. He put some months of work into an inquiry to that end, and came to the conclusion that the Post-office was worked at an enormous loss. It was impossible to ascertain what stamps were used as duty stamps and what for postal purposes. But they knew for certain that the Post-office did not pay, and that the 2d. rate did not cover the expense of collecting and delivering letters. The committee of the Cabinet of which he was a member made some inquiries with regard to the reduction of the postage rate, and the conclusion they came to was that of the letters posted from 85 per cent. to 90 per cent. were purely commercial letters. If any class would save by the reduction of the postage rate it was the commercial class, which ought to be able to pay for

the service rendered. (Mr. Staughton—"They are not charged 2d.") If the Postmaster-General had shown any sign of weakness it was when he "knuckled down" by carrying circulars for 1d., when those who sent them could well afford to pay 2d. If any alteration was to be made, it should be in the direction of charging a uniform rate for all envelope work. If the Treasurer could afford to reduce the revenue, it could be reduced in a manner more conducive to the welfare of the colony than the way suggested. If the Treasurer had any money to spare, instead of giving it to insurance and banking companies, he (Mr. Vale) would like to have a share of that surplus spent by way of an additional grant to the Ballarat School of Mines.

Mr. DUFFY stated that the honorable member for Geelong (Mr. Higgins) seemed to put his own knowledge against that of the officials of the Post-office in regard to statistics. He (Mr. Duffy) would not think of putting his own knowledge in that respect against the knowledge of practical and experienced officials whom the Treasurer had quoted. The honorable member for Geelong knew, as all honorable members knew, that these accounts could not be made up to the last farthing, or the last pound, or even the last thousand pounds; but there was sufficient experience in the department to show what the loss would be likely to be if the penny postage were reverted to. Did the honorable member for Geelong know how many postage stamps were sold in a year? During 1896 £567,000 worth of stamps were sold, and of those the sale of 2d. stamps amounted to £204,000. The honorable member might rely upon it that the greater portion of those 2d. stamps were used for postal purposes. Although he was not able to make an affidavit upon the point, he had sufficient evidence to satisfy him that the assurances of the officials were, within reasonable limits, quite correct. He did not agree with the honorable member in his main principle. In a newly-populated country like this, where they were continually extending mail services to all parts at a great loss, it was only fair that some average should be struck between the town and country districts as to the price paid. He trusted, however, that when times improved the Government would be able to reduce the postage rate to 1d. all round.

Mr. MOULE remarked that the honorable member for Geelong (Mr. Higgins) simply drew attention to the fact that the Government were putting in an Act of Parliament this provision with regard to the 2d. post. What the honorable member wanted was that it should not be put in an Act of Parliament, but that when the present period fixed for the continuance of the 2d. post expired, the House should have an opportunity of dealing with the matter. (Mr. Shiels—"You will have your opportunity of moving then.") It did not seem to him that the honorable member's suggestion was an absolutely outrageous one to make. It was only right that an opportunity should be given to get an absolute statement from the Postmaster-General, verified by affidavit, with regard to the figures furnished by the department. He (Mr. Moule) would not wish to do anything to prejudice the exchequer, but he felt inclined to vote for the amendment as matters stood.

The committee divided on the amendment—

Ayes	...	...	...	13
Noes	...	...	...	50

Majority against the amendment 27

AYES.

Mr. Burton,	Mr. Stapleton,
" Hamilton,	" J. B. Tucker,
" Higgins,	" White,
" Kirton,	" Zox.
Dr. Maloney,	<i>Tellers.</i>
Mr. Moule,	Mr. Cook,
" Sangster,	" Deakin.

NOES.

Mr. J. Anderson,	Sir John McIntyre,
" Bennett,	Mr. McKenzie,
" Best,	" McLean,
" Bromley,	" McLeod,
" Cameron,	" Morrissey,
" Duffy,	" O'Neill,
" Duggan,	" Peacock,
" Dyer,	" Shiels,
" Forrest,	" Murray Smith,
" Foster,	" T. Smith,
" Gillies,	" Staughton,
" Graham,	" Taverner,
" Graves,	" Toucher,
" Gray,	" Trenwith,
" Hancock,	" A. L. Tucker,
" Harris,	Sir George Turner,
" Irvine,	Mr. Turner,
" I. A. Isaacs,	" Vale,
" J. A. Isaacs,	" Watt,
" Kennedy,	" Wilkins,
" Keys,	" E. D. Williams,
" Madden,	" H. R. Williams.
" J. W. Mason,	<i>Tellers.</i>
" McBride,	Mr. Bailes,
" McCay,	" Beazley.
" McColl,	

On clause 24, which was as follows:—

"Notwithstanding anything contained in the Public Service Acts, every telegraph messenger appointed after the commencement of this Act shall be under no obligation to have his life insured whilst holding such office, but shall retire from the public service immediately on attaining the age of seventeen years, unless in the meantime he shall have been transferred or promoted to some other position in the public service,"

Mr. MCCOLL said that he would like to know whether this clause was absolutely necessary? It seemed to be a great hardship that young fellows must be turned adrift when they might have nothing else to do, although they might desire to remain on in the service. (Mr. Duffy—"That is what we want to avoid.") Would the honorable gentleman explain why this clause was required?

Mr. DUGGAN.—To stop sweating.

Mr. DUFFY stated that, as the honorable member for Dunolly had interjected, the object of the clause was really to put down sweating. As it was, messengers were kept on in the department at salaries which the State should be ashamed to pay, and the department wanted to say that if they could not find room for a messenger when he attained the age of seventeen years, he might be told to look for employment elsewhere.

Mr. HAMILTON remarked that he was desirous of either moving an amendment upon this clause or else submitting a new clause. The amendment which he desired to move was to the following effect:—

"Notwithstanding anything contained in the Public Service Acts, every telegraph messenger now in receipt of £60 per annum shall be eligible for promotion to any non-clerical office for which he may be qualified in the opinion of the Public Service Board, and on such appointment shall be entitled to receive from time to time the salary attaching to such office."

The ACTING CHAIRMAN (Mr. MURRAY).—The honorable member will have to move that as a new clause, to follow clause 24.

Dr. MALONEY said that he wished to see the public service so conducted that when any one entered it he would have a right to rise to the highest position in it. But it seemed to him that this provision would give an opportunity of choosing from the telegraph messengers, and of selecting some and leaving others "high and dry" to find work wherever they could. If there were a form of examination for messengers to pass in order to enter higher branches of the service he

could understand it. If this clause gave every one an equal chance he could understand it.

Mr. DUFFY.—As I understand it, the honorable member thinks that under this clause messengers will not have fair play as compared with other public servants?

Dr. MALONEY said it seemed to him, from the wording of the clause, that some messengers would be selected for promotion and others left out. (Mr. Duffy—"I can assure you that it would have no such effect.") Would it give every one an equal chance of rising in the service?

Mr. DUFFY.—Certainly; they have it already.

Mr. GRAY remarked that if this clause were passed in its present form different conditions would apply to lads entering the Post-office and those entering other branches of the public service. The former would be at a disadvantage in comparison with the latter. (Mr. T. Smith—"They need not join the service then.") Quite so; but it seemed to him that the point raised by the honorable member for Melbourne West had force in it. The clause certainly gave rise to a possibility that certain lads might be picked out for promotion and others left to retire at the age of seventeen. This offered a chance of injustice being done.

Mr. DUFFY observed that the honorable member for Prahran seemed to forget that the Post-office employed hundreds of boys in doing boys' work. It was work which boys could do much better than men, and they were employed at a salary at which men should not be asked to work. This was the only department that employed so many lads. With regard to their chance of promotion, as far as any one knew, they would not be in a different position to other lads entering the service. If, however, there was no chance of promotion, they would retire at the age of seventeen.

Mr. SANGSTER stated that it appeared to him that the action of the Post-office in the past, in keeping on messengers till they became old men, and still paying them only £60 a year, was a mistake, but he did not think that this clause afforded a proper remedy. It stated that lads should be compelled to retire at the age of seventeen unless they had been transferred or promoted to some other position. That virtually meant unless some of them had friends in the department who would give them a lift up. (Mr. Duffy—"Oh, no.") But they knew how it had been in the

past, and this was not the only branch of the service which engaged lads in the same way. The Railway department was going in for encouraging the employment of lads and doing away with men, promoting the lads so gradually that they would be old men before earning men's wages. It was proposed to do away with that in the Post-office, but they were going to leave it open to some to get promotion whilst others would be thrown in the street. If the Postmaster-General would make the clause provide that there should be some competition or some regulation by means of which the lads would all have an equal show, it would be all right. (Mr. Duffy—"That is provided for in the Public Service Act.") But that Act was not very perfect. Any one who had watched promotion in the different branches knew very well that those promoted were not always promoted for any special ability, but through having friends in the department. All he wanted was that lads entering the service should have an equal opportunity of rising, and that no favour should be shown. He did not want to have favour shown to some, whilst others were thrown on to the streets. (Mr. Duffy—"I am sure that is not the intention.") He was satisfied that that was not the object the Postmaster-General had in view, but it had been the result in the past, and would be in the future. In the Railway department, at the present time, there were instances which proved what he said. There were some whose relatives were heads, or close to the heads, of branches, from whom they had had the office when there was likely to be retrenchment in certain branches, and so they had been able to get into other branches, whereas others had been shoved into the streets.

Mr. TOUTCHER stated that he had great pleasure in indorsing the remarks made by the honorable member for Port Melbourne. He had not the slightest doubt that if this clause were allowed to remain in the Bill the greatest favoritism would be the result in regard to many young fellows who, as the honorable member for Port Melbourne pointed out—and he (Mr. Toutcher) could emphasize the honorable member's remarks, because he had had considerable experience in Government departments—if they had no friends at their backs, would have to "walk the plank," whereas a youth with influence, official or political, would get promotion.

Mr. DUFFY stated that, if there was so much objection to the proposal, especially from the honorable member for Ararat, who had had so much experience of the public service, he would agree to strike out the words which gave offence.

Mr. T. SMITH.—Perhaps there will be a different view expressed by other members.

Mr. TOUTCHER said the clause appeared to indicate that when a telegraph messenger attained the age of seventeen years he would be eligible for promotion to some other position, but, if he might say so with all due respect, it was a rather clumsy provision. As he had said, some youths might have social and official influence, and be enabled to secure promotion, whilst other youths who were, perhaps, the sons of poor unfortunate persons without any influence, would be neglected, and at the age of seventeen would have to “walk the plank.” This would be an injustice. The Bill would not give the telegraph messengers the same tenure of office as other messengers in the public service had. A messenger in any other branch had a chance of being promoted to any other position, and had not to leave the service when he attained the age of seventeen years. Of course, it might be said that a youth would accept the position with his eyes open, but the attractions of the public service were so strong that these positions would still be sought after. A youth would spend, perhaps, the best years of his life—the years in which he might have been learning a trade—in the position, and would then have to leave simply, perhaps, because he had no friends at court. The proposal seemed to him to be an unfair one, and if it could not be set out in some plainer terms that the messengers should be promoted at the age of seventeen years, he would like to see the clause eliminated, so that every telegraph messenger would feel that he had open to him any position in the service. The clause differentiated between one class of public servants and another. It was for that reason he would like to see it either amended or struck out of the Bill.

Mr. BAILES observed that the honorable member for Port Melbourne had referred to the position of the boys in the Railway department, and stated that they would be very old men indeed before they received anything like an ordinary man's wage. But these boys were very much better off than the boys who were employed in the Telegraph department.

There were persons there who were classed as telegraph messengers who were 25 years of age, and who were doing men's work for boys' wages. The clause would apparently open the door to favoritism, although he believed that in the case of any boy being promoted he would have to pass an examination. Would it not, however, be fairer to let all boys have the same chance of promotion, as they had at the present time? They knew now that they had very little prospect of advancement, and that they might never secure any promotion at all. Parents were, however, anxious that their boys should get into the Telegraph department first as messengers in the hope that eventually they would rise to be Deputy Postmaster-General. But they must be aware of the fact that the opportunities for promotion were very few, and that their sons might be old men before they got more than a boy's wage. It would be better to allow things to remain as they were, and to leave it to the good sense of parents to say whether they would allow their boys to enter the service with the uncertain prospect that was before them.

Mr. T. SMITH remarked that he failed to see that there was anything unfair in the clause. It simply provided that boys who entered the service after the passing of the Bill should, when they reached the age of seventeen years, unless they had in the meantime been transferred or promoted, retire from the service. Surely it should be as competent for the Government as it was for any private employer to engage a few message-boys, and telegraph messengers were simply message-boys. (Mr. Toutcher — “Why should a distinction be made between one class of boys and another?”) No distinction whatever was made. These boys would enter the service with their eyes open. They would understand that they entered the service simply as telegraph messengers, and that they were not to be there for the term of their natural life. Of course some of them might be transferred or promoted. A good deal had been said about official and social influence, but how was it possible to prevent the exercise of some influence? Was there any honorable member who would not use his influence to obtain a lad's promotion if he thought he would be successful? Every boy could not be taken into the public service. As a matter of fact, too many boys had already been admitted to the public service, and a state of affairs had

been brought about that ought not to exist in any country like Victoria. Honorable members all sympathized with the telegraph messengers who had wives and families to maintain on a salary of £60 or £65 a year. Attention was called to this matter year after year on the Estimates, but the Postmaster-General could only say that he would provide for the men as vacancies occurred. That was a slow process, but what could be done? (Mr. Hamilton—"Their salaries might be raised.") He would be in favour of raising their salaries. (Mr. Madden—"If the value of the work does not warrant it?") He did not say that he would raise the salaries to any inordinately high amount. The bad practice that had hitherto been adopted should not be continued, and he hoped the Postmaster-General would not give way with regard to the clause. If the present practice was continued lads of ten, twelve, or thirteen years of age would be taken into the service and would grow up to manhood without having any prospect of advancement. He was surprised, and yet he was not surprised, at the number of lads who were always available for positions of this kind. The idea was prevalent that once a person entered the public service he was to remain in the public service. He did not know why that sort of thing should continue. The honorable member for Ararat had alluded to the attractions of the public service. He would be very glad if the service possessed no attractions at all, or less attractions than it seemed to possess at the present time. People were heard to say—"If I could only get into the public service I would be all right," but what about the poor unfortunates who were compelled to get a living as best they could? Honorable members talked about favoritism and influence, but, after all, was it not partly influence and partly luck that got any lad into the public service? (Mr. Toutcher—"There are competitive examinations.") Yes; but every boy who passed a competitive examination could not get into the service. Some months ago, when the Railway department advertised for a number of boys, a very large number passed, but not one-half of them were required, and were not likely to be required. If this clause were agreed to it would reduce the attractiveness of at least one branch of the service, and when the Postmaster-General required a few lads as messengers he would be able

Mr. T. Smith.

to obtain them in the same way as would any private employer.

Mr. J. A. ISAACS (*Ovens*) said he could not quite appreciate the objections that had been raised to the clause. It was designed to cure an existing evil. It would not afford any relief to the telegraph messengers, but it would prevent the hardship from which they were suffering from being perpetuated. It had been stated that official influence might be exercised on behalf of some of the messengers to secure their promotion. The probabilities were that these positions would be filled by boys whose parents were of a humble and deserving class. It had really been argued that under the clause some of the messengers might be promoted and others might not get fair play, and that, therefore, there should be no promotions at all. In his opinion the clause had been devised in the interests of the telegraph messengers, and it would be a mistake on the part of the Postmaster-General if he did not persevere with it. It might, however, be modified in some respects. Why should it be made obligatory on a telegraph messenger to leave the service when he attained the age of seventeen years? It might be left optional with him either to retire or to remain. (Mr. T. Smith—"It is optional now.") If the department wanted messengers, he saw no reason why they should compel them to leave when they attained the age of seventeen years, and engage others to take their places. He hoped that the Postmaster-General would do something to relieve the present telegraph messengers from the hardship under which they suffered. In his own district there were messengers receiving only £60 a year who were acting as operators and doing general work, for which they would not be overpaid if they received £200 or £250 a year. That was an anomaly that ought to be removed.

Mr. McCAY remarked that he did not understand some of the objections that had been raised to the clause. He would remind honorable members of the evil that it was designed to meet. Lads went into the Postal department as telegraph messengers. They attained to manhood, and no vacancies occurred to which they could be promoted. The work they had to do was only worth a small salary, and the Government should not be compelled to employ men to do boys' work. In some few cases he believed these young fellows, who were classed as telegraph messengers,

were actually acting as operating messengers. They were doing the work of a higher class without any additional pay, and that was certainly unfair. There was another state of things that was very unsatisfactory. There were nearly 140 vacancies for telegraph messengers in the Postal department. The positions were at present filled by temporary messengers who were receiving 7s. 6d. a week. These boys had not been permanently appointed under the existing Act, for the reason that if they were so appointed they would be there for life, and that would simply increase the existing anomaly of having men doing boys' work. The employment of temporary messengers was very unsatisfactory, and for this reason: Under the Public Service Act they could only be employed for nine months continuously. They had then to go off for six months, so that when a boy knew the work thoroughly he was sent away. He could after that be employed for 21 days in each month, and the result was that there were three boys doing two boys' work. That was a cumbersome arrangement, and it was absolutely necessary that the vacancies that existed should be filled by permanent employes. If the positions of these boys were made permanent under the existing Act, it would, however, only exaggerate the present evil. There were objections to the plan of retiring the boys at the age of seventeen years compulsorily, but the arguments in favour of this provision outweighed the objections. The clause was in the interests of the State, and in the interests of the boys themselves. The provision that a boy should retire unless he had been transferred or promoted was simply intended to give the telegraph messengers a prior claim to any vacancy that occurred. They would not then have to leave the service and to take their chance with outsiders. This prospect of promotion would be an inducement to boys to serve as telegraph messengers. It would, however, be useless to say that they must have promotion when there was no promotion to give them. Honorable members did not want to perpetuate the anomaly of having men 24 and 25 years of age, and some of them married men with families, receiving £60 a year for work which, in some cases, could be done by boys for 10s. or 12s. a week.

Mr. HAMILTON observed that the clause would be an improvement, but there was one point that he thought had been

overlooked. It was absurd that a great public department like the Post-office could not employ a few boys as messengers at 7s. 6d. a week, without having to retain them in the service whether they were competent or not. The clause said that every telegraph messenger should retire on attaining the age of seventeen years, unless in the meantime he had been transferred or promoted to some other position in the public service. He desired to ask the Postmaster-General whether, in the event of a lad being transferred or promoted, he would have the full rights and privileges of the Public Service Act 1890, and would be a permanent employé of the State? (Mr. Duffy—"That is the intention.") The clause did not say so. (Mr. Duffy—"That is the meaning of it.") He thought the clause should be made clearer on that point, but of course he must take the assurance of the Postmaster-General. It seemed to him, however, that under the clause a messenger might be transferred to a merely temporary position. (Sir George Turner—"He need not accept it unless he likes.") He knew that. (Sir George Turner—"There will be twenty applicants for every appointment; the more we can do to prevent boys from coming into the public service the better for ourselves.") He agreed with the Premier. If he had a son he would do his utmost to keep him out of the public service. He did not agree with those honorable members who thought that under the clause all these boys would not be placed on an equal footing. It appeared to him that the department would simply have the right of discharging such of the boys as did not do their work well, and that those who were efficient would be retained and would have a chance of promotion to a permanent position in the service.

The clause was agreed to.

Mr. McCOLL proposed the following new clause:—

"Should the Postmaster-General deem it necessary to establish telephone communication between stations on any line of railway he may authorize such communication to be established, and the officers of the Railway department shall control and work such communication."

He stated that clause 22 of the Bill gave the Postmaster-General certain authority in the Railway department with regard to telegraph posts and wires. He simply desired to extend that authority a little further for the benefit of the public. At the present time the public convenience

was suffering very much in consequence of the friction between the Postal department and the Railway department, and that was a condition of things that should not be allowed to continue. A public department should consider first the public convenience, and the idea should be discouraged that the officers of any department were simply to do the best they could for that department, regardless of the public convenience. All the public servants should be made to understand, no matter what position they held in the public service, that it was their first duty to study the interests of the public. During the debate on the second reading of the Bill, he mentioned a case in his own district in which a request was made for telephonic communication between two stations, and the curt reply was received from the Railway department:—"As this accommodation is not required for this department the application cannot be entertained." That was a state of affairs that the House ought not to suffer at all. If the officers of any department were simply going to study the interests of that department without regard to the public convenience, it was time for the House to say that, in a case like that he had mentioned, the Postmaster-General had certain duties to perform, and that, consistently with economy, he should see that the public convenience was considered, and proper accommodation provided. In the instance to which he had alluded there would have been no loss of revenue. A very fair business would have been done, which would have covered any increased expenditure incurred. All that was necessary was that a wire should be put on the poles, and, although the request was supported by the Postal department and the Water Supply department, the Railway department refused to comply with it. He, therefore, thought that the clause he proposed was necessary. He did not see that the amendment would give any more authority than clause 22, which was as follows:—

"Notwithstanding anything contained in section 54 of the Railways Act 1890, all telegraph posts and wires erected by the Postmaster-General, whether before or after the commencement of this Act, on any lands vested in the Victorian Railways Commissioners, are hereby vested in and shall be maintained by the Postmaster-General, and may, at any time, be repaired or removed by his order."

Mr. H. R. WILLIAMS said that, of course, the honorable member for Gunbower would see that if his amendment

were agreed to it would not be within the right of the railway manager to have any voice whatever in the matter. With regard to the station referred to by the honorable member, during the wet season the station-master, who would have to be intrusted with the duty contemplated, would be continually engaged in railway work, looking after all the signalling, shunting, and every matter of railway service, while that was the very time at which he was wanted to perform the services asked for by the amendment. If the Postmaster-General was to say that this officer, or any other officer who was fully engaged, was to undertake this additional work, what would become of the railway manager and his authority in the matter? Such a thing would destroy his authority altogether, and it could not be carried out. He (Mr. Williams) was well acquainted with the station referred to. The Government had determined that in cases in which there was little work at a station the postal and railway duties should be combined under one officer of the Railway department, but to say in the case of a busy station that this additional work should be put on the railway officers would mean that they would have to employ an additional hand to carry it out. If that were done, and the Postal department were charged with the salary, it would no doubt be fair enough. The Premier had been called upon to arbitrate in many such matters, and solutions had been arrived at. The Government were quite as alive as the honorable member for Gunbower was to the necessity of meeting the views of the people who did business with the Railway and Postal departments. (Mr. McKenzie—"What about the letter which has been read?") There were railway telegraph offices for the purposes of the railway service. They were not there to do the general work of the public, though the public might now and again use them for a telegram. Where it was not necessary from a railway point of view, and where the officers were fully employed, for the Postmaster-General to say that this extra work should be done, regardless of the officers' other railway work, would be an absurdity. (Mr. McKenzie—"Those arguments do not apply to the case referred to by the honorable member for Gunbower.") He thought they did.

Sir JOHN McINTYRE stated that the Minister of Railways had admitted the

importance of the letter which had been read, and had said that both the departments in question worked harmoniously. The letter which had been read by the honorable member for Gunbower contained the sentence "As this accommodation is not required by this department the application cannot be entertained." Thus, notwithstanding the statement in regard to the harmony of the two departments, the public was not allowed to be inconvenienced. (Sir George Turner—"What is the date of the letter?") The 15th of the present month. The work which the honorable member for Gunbower wanted to have done by railway officers did not require to be done perpetually, but only occasionally. (Mr. McColl—"The Postmaster-General will not ask for anything unreasonable.") (Mr. H. R. Williams—"It is absurd to say that the Postmaster-General may issue a direction.") Why should not the Postmaster-General give a direction if the public required it? The extraordinary spectacle had been revealed of two Ministers quarrelling so as not to help the public. (Mr. H. R. Williams—"The Postmaster-General does not know what the duties are.") The Postmaster-General understood the matter from his own departmental stand-point perfectly well. When a convenience like that referred to by the honorable member for Gunbower was asked for, and the services of a railway officer were required, a delay of only two or three minutes would be involved until that officer was disengaged. (Mr. Peacock—"Then the member for the district will come down and complain of delay in sending the message.") If permission were given to the Postmaster-General to act as was desired, he would take advantage of it in such a way as to inconvenience the public without inconveniencing the Railway department. He (Sir John McIntyre) asked the Postmaster-General to state that he could see his way to carry out the proposal of the honorable member for Gunbower with the utmost ease without doing any injury to the railway service.

Sir GEORGE TURNER observed that no doubt if the proposal could be given effect to without any chance of friction there could not be much objection to it, but if authority were once given to the Postal department to do work in the Railway department there would be never-ending friction. He had laid down the

rule that wherever the railway officers could be fairly and equitably called upon to do postal or telegraphic work for the Post-office they must do it. When a dispute arose as to whether the duty ought to be done by the railway officers or not, the whole facts were referred to him for his decision. For the officers of one department to have the right to interfere with the affairs of another department would be detrimental to a large department like the Railways. Where there were cases in which the proposal now under consideration could be given effect to without injury to the working of the Railway department it would be done. But where it could be shown that it would be unwise in the interests of the travelling public that a railway officer should be called away from his very important duties it would be most unfair to impose on him this duty. (Sir John McIntyre—"The letter says that the application could not be entertained because the Railway department did not want what was asked for.") That was an isolated case. The department must have had some very good reason for its action. Surely the Government must leave some discretion to the department. If this matter were of such importance to a district as to justify its being provided for in an Act of Parliament he would promise the honorable member for Gunbower that, on the facts being referred to him, if he found it to be a proper thing to ask the Minister of Railways to comply with the proposal, he would do so; but there was no necessity to bring in a sledge hammer to crack a little nut.

Mr. MCKENZIE said the principle was that public departments should work together for the benefit of the State. (Mr. Deakin—"Is that a principle or an ideal?") He was afraid that at present it was an ideal. (Sir George Turner—"The departments throughout the service work in harmony very well.") The letter which had been read did not say that the application was refused on the ground of inconvenience to the officers of the department, but because what was asked for was not required by the department. The matter was not put on the ground of inconvenience to the officers. (Mr. Peacock—"Perhaps the request was not put well.") (Sir George Turner—"Who is to pay the cost of constructing a telephone?") He had had experience in regard to a telephone line in his own district, and he

found that the Railway department was not at all anxious to have the work done. However, after having an interview with some of the officers it was done. At the same time, there was a great deal of difficulty in connexion with it. He found that the Postmaster-General was not able to direct the work to be carried out. He (Mr. McKenzie) had to attend to the matter himself, and that was not as it ought to be. He was acquainted with the station in question, and he was informed that a woman had been in charge of it for months, though a man was temporarily employed during the busy season. In most of the stations of that kind a woman was in charge. The largest cheese and butter factory in the north-western district was near the station in question. There were also two irrigation trusts in the locality, in which a great many important matters required attention. Macorna and Tragowel ought to be connected. There were only four trains a day there. No doubt the present Premier would see that matters were properly conducted between the departments, but future Premiers might not be as strict as he was. The colony had never had a Premier who had gone more strictly into matters of the kind than the present one. (Mr. Peacock—"Why do you not come and sit behind me?") It did not follow because the Premier went strictly into matters of the kind that he should sit behind the honorable gentleman. He was sure that the Premier would investigate the matter. His only reason for supporting the amendment was a desire that the matter should be put upon a proper footing, and that the departments should be compelled to work in harmony in the interests of the colony. He had already that afternoon referred to the fact that mail contracts were let to private individuals even when the routes were parallel with the railway, because the Railway department demanded what the Postal department considered to be an excessive amount for carrying the mail. That was a scandalous state of things. Money was paid by the State for the carriage of letters in that way when trains were running with plenty of room in the guard's van. That was an entirely unnecessary loss to the country; and on that ground he would support the amendment.

Mr. LEVIEN said he would like to know whether the Postal department urged the Railway department to establish the telephonic communication which

had been referred to? He could quite understand the Railway department saying that, as they did not require telephonic communication, it was not their business to establish it; but if they had declined to listen to the request of the Postal department, it was clearly necessary that some statutory power should be given to the Postmaster-General: Would the Postmaster-General state whether his department pressed the matter upon the Railway department, and that they declined to agree to the request? If the request was simply from an outsider, and the Railway department did not require a telephone, he could quite understand a refusal being given.

Mr. DUFFY remarked that the correspondence which had taken place spoke for itself. He did not pretend to be able to carry all the details of such matters in his mind, but he had no doubt that the Postal department asked the Railway department to establish telephonic communication, and the reply was on record.

The clause was negatived.

Mr. HAMILTON moved the insertion of the following new clause:—

"Notwithstanding anything contained in the Public Service Acts, every telegraph messenger now or hereafter in receipt of £60 per annum shall be eligible for promotion to any non-clerical office for which he may be qualified in the opinion of the Public Service Board, and upon any such appointment shall be entitled to receive the salary from time to time attached to such office."

He observed that there were a large number of telegraph messengers who, as the House well knew, were receiving £60 a year, while they were doing superior work, which ought to be paid for at a much higher rate. They were doing operators' work of a character which entitled them to a much higher salary. That had been a standing grievance in the House for three years. It was nothing short of a disgrace that men of 25 years of age and upwards, some of them being married and having families, were receiving such a wretched amount of pay while they were called upon to do work which was worth a much higher rate of remuneration. If they were doing ordinary messengers' work there would perhaps be some excuse for the position. The men in question had been kept on year after year with promises. It had been stated to them that as times improved their position would improve, and vacancies would arise in

higher grades, to which they would be promoted. But nothing of the kind had been done, and large numbers of them did work which was worth £3 a week, while they only received £60 a year. The question had been ventilated in the Assembly many times, and he hoped that the Government would see its way clear to accept his amendment. It was a glaring injustice that these men should be made to do work for £60 a year for which other officers were receiving £130 a year. (Sir George Turner—"They are not made to do anything.") If the men he referred to were not doing this higher class of work the State would have to employ others at a higher rate of pay. He referred to letter sorters, letter carriers, and operators. They ought to receive a decent rate of pay, and he earnestly commended the facts to the attention of the Government.

Sir GEORGE TURNER remarked that an immense amount of the time of the Assembly was taken up by matters relating to the public service instead of in discussing the important affairs of the country. If the Government were in the position of an ordinary employer they would employ a servant when they wanted one and not otherwise. In the case of an ordinary employer if the servant were not satisfied he left, and if the employer were not satisfied he had to leave. But in the Government service the persons employed had permanent positions, and year in and year out, whenever an opportunity arose, the grievances of public servants were urged by member after member. It was nearly time that that sort of thing was stopped. No doubt there were anomalies in all the departments which had arisen in consequence of the necessities of the State in regard to retrenchment. He had already said that the Government intended to have a board appointed by Parliament to inquire into all those things. Then all the anomalies would be dealt with by impartial men, who would hear both sides, and arrive at a decision which would not give rights to one class of men only and create difficulties among all the others who had just as strong claims. The warders in the gaols and lunatic asylums had just as much claim to consideration as any Post-office employes, and they had much more difficult work to perform. He must ask the committee not to insert a clause of the kind now proposed in the Bill. The board he had referred to would be appointed as quickly as possible. It

would investigate all the matters requiring attention, and so put an end to this continual coming to Parliament with grievances. Public time, which ought to be devoted to public measures, was lost in discussing the grievances of some particular individuals. (Mr. Higgins—"Will the board sit during the recess?") It would. Some time ago he endeavoured to investigate the matter of the grievances of public servants, and if he had persevered for another couple of weeks he would have wanted some of the warders to whom he had first referred to look after him. Only a few of these cases came before honorable members, while there were hundreds, if not thousands, of them to be dealt with. There was in his office a pile of letters relating to them nearly as high as the Chief Secretary was now sitting. He (Sir George Turner) struggled with a number of individual cases until he found it would be useless to go on, because he knew that whatever decision he arrived at it would not be satisfactory. If he had determined that one particular man should not get his increment, a dozen Members of Parliament would have said—"Cannot you do something in this hard case?" Honorable members were continually coming to the Ministers to persuade them to do something which they had already refused to do, and it was time that sort of thing was stopped. The proper way to deal with the matter was to have an impartial board, in which the public servants had confidence, which would hear all sides, and go fully into the matter. Single cases could not be dealt with in the departments without creating jealousies and heart-burnings. With a board of the kind he had indicated, the matter would be placed on such a foundation that for some years to come nothing would be heard of these public servants' grievances.

Mr. DEAKIN said that he did not think he could very well be numbered among the Members of Parliament who troubled the Premier with grievances on behalf of public servants. He sympathized very cordially with the underlying principle and substance of the honorable gentleman's remarks, but he did not think that the Premier quite saw the particular issue as it was now presented to the committee. The honorable member for Sandhurst (Mr. Hamilton) had not brought this case forward on his own motion. The Government had introduced a Bill dealing with the Post-office, which contained a special

clause having relation to future telegraph messengers. By their action in proposing to amend the existing Public Service Acts in regard to this class of employes, the question was fairly before the committee; and he thought that that justified the step which the honorable member for Sandhurst had taken. There were other circumstances within the knowledge of the Premier which would render it reasonable and fair for the committee to adopt the amendment now submitted. Though there were numerous anomalies in every department of the public service, there was none with which he (Mr. Deakin) was acquainted which had been so fully debated and recognised as the one relating to the telegraph messengers; and it was not proposed to redress the anomaly by any further imposition of expenditure worth mentioning on the part of the State. If the Premier had spoken as Treasurer, and had shown that the amendment, if adopted, would involve considerable expenditure, honorable members would have been bound to hesitate before taking the step; but, very wisely and judiciously, the Premier chose his ground as a good tactical general would, and put the merits of the case aside. The honorable gentleman put aside the fact that the committee was bound to deal with this special branch of the department in question. The Premier also put aside the fact that what was asked for would not, if granted, be any injustice to any person, raise any conflicting claims, or involve him in any difficulty. Now, if the Premier realized that, he would see that this was not what he called one of the customary attempts made to get advantages for the public servants. The telegraph messengers were too small a body to affect any single constituency, so that there could not possibly be a political motive for this proposal. He was not aware whether there was one telegraph messenger in the district he represented. The point was this—at present these men were face to face with an absolute bar to promotion, no matter how long they remained in the service, or how efficient they proved. (Sir George Turner—“They joined the service with that bar before them.”) That was perfectly true. (Mr. Peacock—“And several of them have been transferred to other branches of the public service.”) He was not unmindful of that fact. (Sir George Turner—“We have done everything we possibly could to find them better positions—paid the

Mr. Deakin.

passages of some of them to Western Australia—and yet they are not satisfied.”) He was well aware that Ministers had done a great deal for individual members of this class, and he did not know whether they were satisfied or dissatisfied, because he had not been approached by them, nor did he know whether the honorable member for Sandhurst (Mr. Hamilton) had been urged to take this action in their behalf. (Mr. Hamilton—“Certainly not; but I have known their grievances for years.”) That was precisely his own position. He had not been urged to take this action, and for aught he knew the telegraph messengers might be satisfied, but he could not conceive it possible that men would be satisfied with £60 a year while discharging duties for which other men received double that amount of pay. The Premier would see that all that was proposed was to give the Public Service Board the power, if it chose to exercise it, of appointing these men to vacancies in other branches of the public service. (Mr. Peacock—“And then how can you refuse the claim of the junior warders in the lunatic asylums, whose case is exactly similar?”) It would be quite proper to submit a proposal with regard to them if the Chief Secretary brought in a Bill affecting them. (Sir George Turner—“We will not deal with the public service piecemeal under any circumstances.”) All that this proposal would do would be to withdraw the bar to promotion which prevented the Public Service Board from appointing these men to vacancies in other branches of the service, and how could anybody be injured by that? (Sir George Turner—“That bar must have been put there for some good reason; why, without full inquiry, take it away?”) It was supposed, when these men entered the service, that they would only remain for a few years, and then get other employment. (Sir George Turner—“But they will not leave; they stick on.”) Because of the diminution of the opportunities of getting employment outside, and because they cherished the hope that, sooner or later, Parliament would do them justice. (Mr. Hamilton—“And they have had a promise made to them.”) Yes. The Premier proposed to do them justice along with the rest of the public service, but when honorable members were confronted with a special case in which they were not asked to give anything except the opportunity for merited promotion, which these men were

only to get when they were the best available applicants for vacant positions, what objection could there be to such a proposal? It would simply widen the area of selection—it would not increase the number of appointments, or add to the cost of the public service. Although he could quite understand and appreciate the Premier's feelings, he felt that the right honorable gentleman might have lent a more sympathetic ear to the proposal, and have made this little concession.

Mr. BAILES stated that, while agreeing very much with what the Premier had said to the effect that a good deal of the time of the House was taken up in discussing claims of public servants, he did not think that was any justification for allowing the wrongs and injustices of even such a small body of men as the telegraph messengers to be overlooked. Those men had made efforts from time to time to get their claims properly considered, and opportunity had very properly been taken of this Bill to try to get them justice. As vacancies in the letter-carrying branch arose from time to time, they were not filled up in the ordinary way, but senior telegraph messengers in receipt of only £60 a year were required to act as letter-carriers. Some of them had been doing that work for the last five years, and although some of them were married men with families, they got only a little over £1 a week for services for which other men were paid at a very much higher rate. What right had the State to expect men to work at the starvation rate of £60 a year, while the State was paying other men in the service a proper rate of wages? The same thing prevailed in various other branches of the public service. The telegraph messengers would be very well satisfied, no doubt, with the Premier's assurance that a board would be appointed to put things on a proper basis.

Mr. TRENWITH said he would point out to the Premier that all that was asked in this proposal was to place these telegraph messengers in as clear a position in reference to appointments in other branches of the service as men outside the service. (Sir George Turner—"They cannot be in a worse position than the men outside.") The clause only provided that they might be appointed to other positions in the public service if the Public Service Board considered them eligible. (Sir George Turner—"If it will not give them a preference it is useless to put it in the

Bill.") But it could not do any harm to put it in the Bill. No doubt the Government had done all they could under the circumstances to find opportunities for these men elsewhere. (Sir George Turner—"If you do what you call justice to these telegraph messengers you will do injustice to others in the non-clerical division.") This clause simply proposed to open an avenue to other branches of the service to such of these men as were fit for other positions in the opinion of the Public Service Board. (Mr. Peacock—"That is not what they want.") (Mr. T. Smith—"Had we not better find out what they want first?") He did not think that Parliament ought to be guided by what these men wanted, or they would all want to be Postmaster-General. (Mr. T. Smith—"So would we.") Honorable members ought to be guided by what was fair under the circumstances. These men were being employed at an unfairly low rate of pay. Of course they could leave the service, but, as the honorable member for Essendon had pointed out, the opportunities for outside employment were now very few. The clause proposed seemed to be completely harmless, and there ought to be no objection to adopting it. (Mr. Irvine—"What is the effect of the amendment?") It would remove the bar which prevented these men getting into other branches of the service. (Mr. Peacock—"They are being transferred, and get increased pay.") (Sir George Turner—"And then there is heart-burning on the part of others.") Of course promotion would be of no use to them unless it carried better pay. (Sir George Turner—"The pressure that is brought to bear by the public service is enough to drive a man mad.") The public servants were under the management of Parliament. (Sir George Turner—"They ought not to be.") He (Mr. Trenwith) would take the liberty of saying that they ought to be. (Sir George Turner—"They ought to be under the management of an independent board; that is the only way in which they can be properly dealt with.") He earnestly hoped that the public service would never be under the control of an irresponsible board. The duty of honorable members, as managers of the affairs of the people of this colony, was to treat the servants of the State in the manner in which the people would like to have their servants treated. (Sir George Turner—"You have not this trouble as I have it, or you would take

up exactly the same position as I do; one-third of my time is occupied with questions relating to the public service.") He could not say what he would do if he were in the Premier's position, but he was sure that he would try to do right all the time, although he would probably fail, as others had done. However, that was not the question. They had to consider what they ought to do in regard to this proposal, and it seemed to him that they ought to provide an opportunity of promotion to these men, who were scandalously underpaid. He did not blame anybody for the fact that they were scandalously underpaid. (Mr. Bromley—"That is nonsense; you must blame somebody.") He did not blame any individual. The adoption of this clause would enable these men to get into better positions, where they would be properly paid for their services.

Mr. PEACOCK expressed the opinion that there was some misapprehension with regard to the case of these telegraph messengers, with the details of which he was as well acquainted as any honorable member. He admitted that many of them were doing work far in excess of the remuneration they were receiving. While the Premier was in England, the Cabinet appointed a committee, of which he (Mr. Peacock) was a member, and from what he learnt while on that committee he could bear out the statements of the Premier. Honorable members had waited on him (Mr. Peacock) in connexion with an anomaly affecting a class similar to that which the honorable member for Sandhurst was trying to benefit. Some of these telegraph messengers, who got only £60 a year—that was the maximum—were supporting widowed mothers, and others had got married in anticipation of securing promotion. They desired to be transferred to other departments, and the Public Service Board had willingly conceded that request. Vacancies for warders occurred in the Lunacy and Penal departments, to which some of these men were transferred. Now, the remuneration paid for junior warders in that department was £54 per year. For many years past, owing to retrenchment, there had been no opportunity of giving them any increments. That had been a grievance. The telegraph messengers transferred to the department got £60 a year, the salary they were previously receiving, and rations and quarters in addition. Immediately they were transferred those who had been

working for years in that department and receiving only £54 per annum petitioned for increased pay, and pointed out that, although they were specially selected for that particular work, they were not paid as well as men who were taken over simply because of retrenchment, the Premier having firmly adhered to his decision not to appoint any persons outside the service whilst there was a surplus of employes in any department of the service. The Public Service Board recommended the Cabinet to give an increase of £6 on the £60, so that there were some receiving £54, some £60, and some £66. (Mr. Trenwith—"Some get rations while others don't.") The transferred telegraph messengers got rations, and honorable members would see that by transferring them an anomaly had been created. That bore out the Premier's statement; and he could personally say that the case of the junior warders in the lunatic asylums was quite as hard as the case of the men alluded to by the honorable member for Sandhurst. Personally he felt quite as strongly for those men as the honorable member, because he knew some of the individual cases. (Mr. Hamilton—"I do not know any of them.") The honorable member put their case very well. The honorable member for Essendon argued that this proposal was properly brought forward at the present time because the Bill contained a clause relating to future messengers, but on the same ground honorable members might have brought up the grievances of the teachers when he submitted the Bill which the House passed the previous day relating to the pensions and retiring allowances of officers and teachers in the Education department. There were grievances in all the departments, and now that the honorable member for Sandhurst had ventilated this particular grievance, and in view of the Premier's promise that a board should be appointed to report on the anomalies in the public service, the clause should be withdrawn.

Mr. MADDEN stated that he intended to support the Government in this matter, because he had an intimate knowledge of the case of the warders, whom he represented. There were some great anomalies in the Lunacy department, but it was a huge mistake for honorable members to try to manage the public service on the floor of this chamber. The Premier had promised to appoint a board to inquire

into the anomalies in the various branches of the public service, and if that board brought in a report with which honorable members could not agree they could then discuss and deal with the whole subject. If they attempted to deal with it piecemeal they would only do harm to the service. It was a pity for honorable members to bring up this question just now, seeing that the whole subject was to be dealt with by a special board in the near future.

Mr. HIGGINS remarked that he would like to take this opportunity of expressing a few thoughts on this subject which had been suggested by the statement of the Premier. Ever since he (Mr. Higgins) had been a member of the House the most troublesome matters he had had to deal with had been matters relating to the public service, and the more he had studied the question the more certain was his conclusion that this was really owing to the fault of Ministers—he did not mean to say of this particular Ministry—the heads of departments, and the Public Service Board. It seemed to him that until the public servants could get pressure brought to bear from some quarter, Ministers, heads of departments, and the Public Service Board never took any action at all to remedy public servants' grievances. It had come to be the regular course for those who had the control of departments, whether as responsible Ministers or otherwise, to wait until they were pressed in some direction before acting. He had known cases of grievances which any man of common sense and business habits would have put right in two minutes left unremedied until pressure was brought to bear by Members of Parliament. Personally, he had always refused to interview any departmental officer, and always would. He did not think he had the least right, as a Member of Parliament, to interfere with any officer of a department, but of course Ministers were responsible to Parliament, and he felt justified in speaking to them on the subject whenever he saw what seemed to him to be a grievance. Ministers would bear him out in saying that he had not been very urgent in his representations to them, and he had not spoken to departmental officers on such subjects because he felt that they ought to be independent of Members of Parliament. It was because the Premier had raised this large question that he wanted to intimate that the board which

was to be appointed ought to go not only into the rectification of anomalies, but into the question of devising some effective means of putting a stop to any interference, whether political or social, with the officers of the departments. The whole object of the Public Service Board was to prevent interference on the part of politicians. His experience led him to believe that Members of Parliament were under the very painful obligation of interfering as much as ever, although they found it harder than ever to get grievances remedied. While he was very glad that a board was to be appointed to rectify anomalies, he did not think that was sufficient. If necessary, Ministers ought to take a firm stand, and intimate by statute or otherwise that they would not listen to any suggestion from any honorable member. What was a member to do under present circumstances when he saw a clear grievance on facts put before him? (Sir John McIntyre—"Vote against the Government.") He was not saying one word against this Government more than against any previous Government. They were all tarred with the same brush. Every honorable member was aware that the public service was permeated with the feeling that unless they brought influence to bear they could not get their rights. (Sir John McIntyre—"This is bringing influence to bear now—powerful influence.") Well, the best place to bring parliamentary influence to bear was on the floor of this chamber. It was far better to do that than to button-hole a Minister or any other person outside. On broad principles the honorable member for Sandhurst (Mr. Hamilton) was quite right in presuming that this was the proper place to bring in a proposal dealing with the Post-office employés. He (Mr. Higgins) did not profess to know the merits of the case of the telegraph messengers, but he was certain that all this badgering and taking up the time of the Premier by public servants was the fault of the system, and of Ministers—not this Ministry particularly—and heads of departments in not remedying grievances of their own accord.

Mr. LEVIEN said that, while he sympathized a good deal with these telegraph messengers whose case had been so well put by the mover of the clause, he felt it his duty to support the Government in resisting any legislation that would give new legal rights to these men and boys until he could see how it was going to

affect other branches of the public service. (Mr. Trenwith—"This is not to give a new right, but to remove a bar.") But it would give these men a new right which would be very prejudicial to a large number of men whom he (Mr. Levien) and the honorable member represented. A very large number of men who had served under the Discipline Act—militiamen and others—had the right of entry into the non-clerical division of the public service after a given time, and those men were now seeking fulfilment of their legal rights, but he was sorry to say they had not yet obtained the rights which the law entitled them to. The grievances of the public service were to him a Chinese puzzle, which he did not profess to understand. A large number of trainees had been permitted, not to enter the service, but to become in some way affiliated with the service, and had thereby practically obtained the right of appointment to the non-clerical division over the heads of those who were legally entitled to appointment. He was glad to hear that the Government proposed to appoint an impartial and competent board to deal with the Herculean task of putting the public service on a proper footing. There was a strong feeling amongst public servants that unless they obtained the assistance of Members of Parliament they could not get justice. That was a most deplorable thing. He had done all he could to dispel the notion from their minds, and had urged them to communicate with the proper authorities. He hoped that in future they would get justice as far as possible, and that the Government would not delay the appointment of the proposed board, as reform was absolutely necessary in the present state of the public service. The Public Service Act, the Railways Act, the Education Act, and the Police Act ought to be brought more into line on general principles than they were now, in justice to the various branches of the service.

Dr. MALONEY observed that the Premier's words were weighty and to the point. The necessity for the appointment of a board to investigate grievances and anomalies in the public service was recognised by every member of the Assembly, but he felt that the Government ought to limit the period of its investigation, so that Parliament might look forward to having the board's report, say, within a year. (Sir George Turner—"It will be a board of three, who will be anxious to get

the work done as quickly as possible.") The honorable member for Sandhurst (Mr. Hamilton) had taken the first opportunity of seeking a remedy of the grievance of the telegraph messengers. This difficulty would not have arisen if a minimum rate of wage had been fixed, but no honorable member would say that £60 a year was enough for a man with a family to live on honestly. The Chief Secretary had stated that the case of the warders in the lunatic asylums was even worse than that of the telegraph messengers. Let there be a basis that when an adult, whether a man or a woman, reached a certain age, they should receive at least a minimum living wage for their work. Otherwise, how could the Government honestly ask outside employers to do what it refused to do? He hoped the honorable member for Sandhurst would go to a division on the clause, which he (Dr. Maloney) would have much pleasure in supporting. He thought it was fitting that in that Chamber they should enunciate what they considered to be right, and that they should render justice to those who needed it, and who were suffering under a wrong.

Sir GEORGE TURNER stated that he must appeal to the honorable member for Sandhurst (Mr. Hamilton) to withdraw the clause. He felt so strongly that the proposal would create disturbances throughout all the other parts of the service that if the committee were to insist on passing the clause he would feel that he could not go further with the Bill. He had made a promise that all these anomalies were to be investigated. He knew all the circumstances better than any other honorable member could know them, because the cases had all been centered in him during the last three years. He would ask the honorable member, as a good Government supporter, not to press the matter any further, as it would put him (Sir George Turner) in a difficult position, and compel him to do something which he did not want to do.

Mr. HAMILTON said he had no desire to put the Government in an awkward position, but it seemed to him that the Premier had taken up a somewhat unreasonable attitude. He could not help thinking that the Government had to some extent mistaken his meaning in this matter, and that a large number of other honorable members had also mistaken it. However, it was satisfactory that the Premier had promised that before this

session ended a board would be appointed by Parliament to deal with these matters. If that board was appointed by Parliament to rectify the anomalies in the public service, he certainly thought that many anomalies would be rectified. It was gratifying to know that the board was to be appointed by Parliament. He felt very strongly on this question. He felt that in some respects the committee ought to go to a division upon it, but out of respect for the Premier, who had stated that the clause would put the Government in an extremely awkward position, he would withdraw it for the time being, while still remaining firm in this conviction that a wrong existed which should be remedied at the very earliest opportunity.

The clause was withdrawn.

On the 2nd schedule, setting forth the postage rates to be charged,

Mr. HIGGINS drew attention to the item—

“Inland letters—for every ounce or fraction thereof, 2d.”;

and moved the insertion, after “thereof,” of the words “within populous districts, to be described and defined by the Governor in Council, 1d.; elsewhere.” He observed that as the Assembly had resolved that the 2d. postage rate for letters was to be a fixed and permanent thing, not lasting merely for a year or two, it became still more important to see that there were reasonable limitations placed upon this 2d. rate. The rate having been fixed as a permanency, it would be very hard indeed to get any alteration made in it hereafter. There was, however, a strong feeling of grievance on the part of the people in populous towns that they should have to pay 2d. for sending a letter from one part of the town to the other when 1d. would pay, so far as all calculations showed. There had not yet been any authentic calculation brought forward to show that a 1d. postage rate would not pay in populous districts. It would be observed that his amendment would leave a large area of discretion to the Governor in Council, who certainly would not declare a district to be a “populous” district for the purposes of the 1d. postage unless the lower rate would pay in that district. He desired to give the Governor in Council a large discretion in the matter. He did not wish that there should be a loss to the revenue from the 1d. postage; but, having regard to all the information in his possession, he believed that the 1d. postage in populous

districts would pay well—just as well as the express messengers in Collins-street paid.

Mr. T. SMITH remarked that he felt as strongly as any one upon the question of the 1d. postage within the limits of the colony, and he had always had something to say when this matter had been brought before the Assembly. At the same time, he had agreed with the proposition, first of all, that the 1d. rate which had existed for some two or three years should be given up for the previous rate of 2d., and he had afterwards agreed with two propositions made by the present Government for continuing the 2d. rate. While he held his views in favour of the 1d. postage as strongly as ever, he was convinced that the Premier meant every word he had said that evening; and, presuming that the figures supplied by the officers of the department were correct, he (Mr. Smith) could see at once that they were unable at present, at any rate, to reduce the rate to 1d. The amendment of the honorable member for Geelong (Mr. Higgins) to provide for a 1d. rate “within populous districts” would, if adopted, give a great deal of trouble to the Governor in Council in defining what was a populous district. This would be a very difficult job indeed, and if the Governor in Council left out fairly-sized towns which were well represented in the Assembly there was little doubt that the members representing those places would very soon want to know why their towns were not considered “populous districts.” He did not think the system would work out at all. When the 1d. postage was in existence, a letter posted in one part of the colony could be delivered in any other part at that rate; but this was going a good deal further than many honorable members desired, and he thought that when the time came for an alteration it should be in this direction—that a letter posted in one part of a municipal district could be delivered in any other part of the same municipal district for 1d. However, he was convinced that at the present time the colony was not able to afford the luxury proposed by the honorable member for Geelong.

The amendment was negatived.

Mr. GURR drew attention to the following item:—

“PACKETS.—Inland—Wholly printed matter (no writing whatever except the address on the exterior or cover of the packet being permitted), for each packet—every 2 ounces, or fraction of 2 ounces, $\frac{1}{2}$ d.”;

and moved the insertion, after the word "permitted," of the following words:— "which may be delivered at the Post-office in parcels of 100 and, after the first 100, portions of 100, upon payment of a bulk sum equalling."

He stated that at the present time there was some difficulty about getting parcels away to the country districts. If these words were inserted it would do away with the difficulty, and would not interfere with the revenue in any shape or form. (Mr. Duffy—"But it does.") He understood that it did not interfere with the revenue at all. In Melbourne these parcels were accepted and were stamped at the Post-office, but outside Melbourne stamps had to be placed upon them.

Mr. DUFFY expressed the hope that the honorable member for Geelong (Mr. Gurr) would not persevere with his amendment. The honorable member must surely see the inconvenience that would be caused in some country districts by carrying out the plan he proposed. What was desired could easily be done in Melbourne and some of the larger towns, but in the outlying places there was really no check on the postmasters or the postmistresses when actual stamps were not used. The department desired to do what the honorable member wished whenever they could, but to carry out his desire generally might, in the opinion of the department, lead to a great loss, whilst at the same time it would put temptation in the way of officials in the outlying parts.

Mr. GURR stated that there was a misconception as to what he desired. It was not in the small post towns throughout the colony that what he proposed was desired to be done, but in such large centres of population as Geelong, Bendigo, and Ballarat. Surely the Postmaster-General did not mean to assert that postmasters were dishonest in country towns. He (Mr. Gurr) contended that they were as honest in the country as in Melbourne, and he did not think that the honorable gentleman should cast a slur upon any officers in his department. As a compromise, he hoped that the Minister would allow of what was asked being done in the large towns. (Mr. Duffy—"Put in Geelong at once; will that do?") No; what he wanted was to suit the convenience of all cities and towns. He was informed that what was asked was already done in Bendigo.

Mr. DUFFY.—We will do it in all places where it is convenient. If the honorable member puts a case before me I dare say that what he wishes will be carried out.

Mr. GURR asked why the provision should not be put in the Bill? (Mr. Duffy—"Because it will be putting in too much.") Then he would ask the committee to insert the words.

The amendment was negatived without a division.

Mr. MOULE said he desired to ask, for information, a question with regard to a paragraph in the schedule which stated that commercial papers, not exceeding 2 ounces, posted to foreign parts, were to be charged 3d. Why was the price increased? Another point about which he desired to ask a question was the definition of a packet. Though the Post-office officials might know what a packet meant, there was some difficulty on the part of outside people. Even in the Post Office Act a packet was defined by saying that it was a packet. He supposed that the Post-office knew what the term meant, but the public were not fully cognisant of its full meaning.

Mr. DUFFY stated that a packet was a packet—that was to say, it was something that happened to be a packet, and did not happen to be anything else. He was afraid that he could not define it in better terms. Probably the honorable member was aware that most of the matters mentioned in the schedule were regulated by Orders in Council. As the Government were bringing in a Bill dealing with the Post-office, they thought it just as well to make it conform with Orders in Council.

The Bill was reported with amendments, and, on the motion of Mr. DUFFY, was then read a third time.

FRAUDULENT RAILWAY TICKETS BILL.

The House went into committee for the further consideration of this Bill.

Mr. MURRAY SMITH stated that he had to request that the committee might be permitted to go back to clause 4. There was a matter in that clause which had slipped the notice of his honorable friends in the opposition corner owing to inadvertence. If there was no objection to going back he would take the liberty of calling attention to the matter to which he alluded. (Sir George Turner—"The honorable member can do it in a few minutes, when we reach the report stage.")

The point only arose last night at half-past eight, just as private members' business was about to be commenced, and it was really a serious question.

The CHAIRMAN. — The honorable member can attain his end on the report stage. What he asks for is frequently done, but as there is an objection we must go on to the next clause, which is clause 5.

Sir JOHN McINTYRE expressed the hope that no objection would be raised by the Premier with regard to so small a matter. It was monstrous that there should be any objection. The Premier knew that the Opposition desired to facilitate the progress of business. If they had wished to do so they could have brought objections against many Ministerial measures.

Sir GEORGE TURNER remarked that the House had rules of procedure, and one rule was that in committee they must not go back. If he allowed the honorable member for Hawthorn to go back, how could he refuse a similar request made by any other member? He could not consent to go back, but he would promise to recommit the clause later on.

Mr. MURRAY SMITH observed that it was quite true that there were rules of procedure, and one was that a Bill should not be amended and carried through its final stages on the same night. Almost as a matter of course Ministers asked the committee to allow Bills to be taken through all their stages, although to do so was a violation of the rules of procedure. Time after time he and others had acceded to such requests made by Ministers. They would take care that they would not allow the rules of procedure to be violated again.

Discussion was resumed on clause 5, which imposed penalties for unlawfully selling or transferring railway tickets.

Sub-section (2) was omitted.

Mr. J. B. TUCKER called attention to sub-section (3), which was as follows:—

“Whosoever, without reasonable excuse (the proof of which shall lie on the party accused), directly or indirectly purchases or receives from any person not duly authorized as aforesaid any such ticket, pass, or symbol, or uses, or attempts to use, for the purpose of travelling therewith on a line or lines of railway vested in or under the control of the said commissioner, any such ticket, pass, or symbol so purchased or received, shall be guilty of an offence, and shall, in addition to paying the fare as hereinbefore provided, be liable, on conviction, to a penalty not exceeding £20.”

He stated that the objection he had to the sub-section was that a person might purchase such a railway ticket as was

mentioned in the provision without any fraudulent intent whatever. For instance, he might be travelling from Melbourne to a country station with the intention of coming back again. He might purchase a return ticket, and use one-half of it, but when he got to his destination he might change his mind about coming back, and the other half of the ticket would then be of no use to him. In a country place, under such circumstances, the probability was that he would turn round and say to another man—“I will sell you this half-ticket to go to Melbourne.” If that man bought the ticket he would be liable to a penalty of £20 for purchasing it, whereas the seller would probably not be liable. (Sir George Turner—“But he is liable.”) But the seller might never be caught. The poor unfortunate person that bought the ticket from him would be victimized. (Sir George Turner—“Not if he has any reasonable excuse.”) In such a case there would be no fraud, and he did not see why the holder of the ticket should not be at liberty to sell it. He might purchase a return ticket with the *bona fide* intention of using the return half, but for some unexpected reason he might be prevented from doing so. Was it right that he should lose his money absolutely? He did not think it was, and he considered the clause to be unfair and unjust.

Mr. IRVINE observed that sub-section (3) stood in the same position as sub-section (2), which had been struck out. (Sir George Turner—“No.”) The only distinction between the two was that sub-section (3) provided for a penalty. (Sir George Turner—“It also says, ‘without any reasonable excuse.’”) What was a reasonable excuse? The only excuse a person could have in such a case would be that he did not know that he was doing wrong. (Mr. I. A. Isaacs—“Or that he had reason to believe that he was buying a ticket from a person who was properly authorized to sell it.”) He did not think that that was what was meant by the sub-section. The object of the Bill was to stop the traffic that was taking place in railway tickets, but that could be done by imposing a penalty on the seller of the ticket. (Mr. H. R. Williams—“People go deliberately to the scalpers and buy these tickets.”) These people knew that they were doing wrong, and if the Bill was to meet such cases why had the Government struck out sub-section (2)?

Dr. MALONEY stated that a person purchasing a railway ticket was in the same position as a person who purchased a pound of cherries. The ticket became his property. He could not see why, if he took a return ticket to Sydney, and he found when he got to Sydney that he could not use the return half, he should not be at liberty to sell it. The Bill would not be necessary if return tickets were abolished altogether. (Mr. Bailes—"Why should a person who wants to make the return journey have to pay two single fares.") The Railway department could charge for the single fare half the return fare. In any case it should as a matter of justice be provided that any return tickets that could not be used might be placed in an hospital box, and their value be paid by the Railway department to the hospitals. An additional one or two passengers would not add 10s. to the expense of running a train from Melbourne to Sydney. For the reasons he had stated he would certainly vote against sub-section (3). The penalty was an excessive one, and he was disposed to move as an amendment that "£20" be omitted, with a view to the substitution of "£1." He would ask the Minister of Railways to consider whether it would not be better to do away with return tickets altogether. In Hungary, Switzerland, Denmark, and Holland the zone system had been found to work satisfactorily. The Melbourne Tramway Company did not issue return tickets, excepting from some of the northern suburbs to the sea beach, and their rates were much lower than those charged by the Railway department. (Mr. Murray Smith—"The system you refer to has been adopted also in America.") He believed it had been adopted in some of the states, but, unfortunately, America had not the same control over the railways as had some of the continental nations. In Germany and France, for example, the railways were practically national. If sub-section (2) were struck out sub-section (3) should also be omitted. So far as he was concerned, if he had a return ticket which he could not use he would not hesitate to give it away or to sell it if he could. He would regard it in the same light as a theatre ticket or a tramway ticket.

Mr. McCAY observed that there were words in sub-section (3) referring to sub-section (2), which would now have to be omitted. The insertion of these words

showed that the two sub-sections were intended to stand together. As sub-section (2), which was the peg, had gone, sub-section (3), which hung upon it, should also go.

Mr. H. R. WILLIAMS moved the omission from sub-section (3) of the words "in addition to paying the fare as hereinbefore provided."

Mr. MURRAY SMITH said that he would ask the committee to strike out the whole clause. Clause 3 was an absurdity, as were also clauses 4 and 5. The Attorney-General seemed to be labouring under an almost demoniacal desire to create fresh crimes, instead of adopting the far better remedy of liberty.

The ACTING CHAIRMAN (Mr. MURRAY). — We are dealing now with the amendment moved by the Minister of Railways. The honorable member can speak to the clause as a whole afterwards.

The amendment was agreed to.

Mr. MURRAY SMITH observed that return tickets were issued for the purpose of facilitating traffic, and surely the right of the purchaser of a return ticket to dispose as he liked of the unused half would facilitate traffic. In all probability that would be very much to the benefit of the railways. A different system had already, as the honorable member for Melbourne West had said, been tried in various countries with complete success. Why should it not be tried here? The Government were labouring under an absolute mania for creating fresh crimes. It was provided in one clause of the Bill that the man who was in possession of a railway ticket from which a single letter had been obliterated was, unless he could prove his innocence, to be guilty of felony, and to be liable to imprisonment for a period of two years. Did any one ever hear of such insane legislation? The remedy was close at hand. It was to make every railway ticket a personal possession. The Tramway Company would sell to any man a dozen tickets at a discount on the ordinary price, and they did not insist on his not transferring those tickets. He might burn them or eat them if he liked. No company in Melbourne had been more carefully managed than the Melbourne Tramway Company, and yet this system answered their purposes. Was it beyond the energies of the Railway department or the Minister of Railways to make some experiment in that direction, instead of setting to work to create a parcel of new crimes, which

would make it impossible for any man to walk down a street without unintentionally finding himself guilty of a felony and liable to imprisonment for two years. A person was to be guilty unless he could prove his own innocence, and he would have to prove his innocence under a definition that no one could supply. Of all the absurd legislation that was ever brought forward this was the most absurd.

Mr. J. ANDERSON said he desired to ask whether, if he took a return ticket to Sydney, and when he got to Sydney he found that for some unexpected cause he could not return, the department would give him money value for the unused half? (Mr. Murray Smith—"No, they will give you two years' imprisonment.") He would like to give the person who drafted the clause four years' imprisonment. If a person took a ticket he entered into a contract with the department for a certain journey. It was immaterial to the department whether they carried him on that journey or some other person. Where was the difference? If the purchaser of a return ticket could not obtain money value for the return half, and he was unable to make use of it himself, the contract was one-sided. Why should it be one-sided. (Mr. H. R. Williams—"Because a concession is given to the purchaser; the single fare to Sydney is £4 1s., and the return fare is £6 1s. 6d.") The Railway department should at least refund the value of the return half of the ticket if it were unused. He had seen commercial travellers using the half of a return ticket as a tooth-pick. Any person doing that might obliterate a portion of the ticket, and under this Bill he would be liable to two years' imprisonment. No more ridiculous legislation could be proposed.

Sir JOHN McINTYRE remarked that the honorable member for Melbourne East (Mr. Anderson) had suggested an equitable solution of the difficulty. If the cost of a return ticket to Sydney was £6 1s. 6d., and the purchaser was unable to use the return half, the Railway department should refund to him the difference between the cost of the return ticket and the single fare. If the Bill were passed without some such provision being made it would simply cause loss to the department. It certainly would not bring the department more customers. (Mr. H. R. Williams—"It will bring us more money.") In his opinion it would not. If the Premier would apply his common

sense to the question he would see that the Bill was one that should not be placed upon the statute-book. It would make a person liable to two years' imprisonment. And for what? (Mr. H. R. Williams—"For forgery.") It was not forgery at all. (Mr. H. R. Williams—"Yes, it is.") Was it forgery to sell the return half of a ticket? (Mr. H. R. Williams—"No.") And yet a person doing so would be liable to two years' imprisonment. (Mr. H. R. Williams—"No; he would only be liable to two years' imprisonment for forgery.") He asked the Government to accept the suggestion of the honorable member for Melbourne East (Mr. Anderson), that the balance of the cost of the unused return ticket should be returned to the person who purchased it. (Mr. H. R. Williams—"That would amount to reducing the fare.") The purchaser should be charged the full fare in the first instance, and then he should get back the difference between the single and the double fare. (Sir George Turner—"Like most of the suggestions of honorable members, it means a loss of revenue.") Under the proposal the Government would receive full fare as regarded the portion of the ticket which had been travelled on.

Mr. J. B. TUCKER asked, if it was absolutely necessary to continue the use of return tickets, and the holder of one at the end of his journey one way was unable to go back, would it not be possible for the Minister of Railways to make a refund of the difference between the cost of the return ticket and the single fare? If that could be done there would be no necessity for people to sell a half-used return ticket, and no injustice would be done to the original purchaser. The fact of half the ticket being in a man's possession would be proof that he must have purchased it. If a clause to that effect were inserted, it would do away with nearly all the objections which had been raised, and also abolish the scalpers who had been referred to.

Dr. MALONEY observed that in Europe there were two well-known firms of tourists' agents—Cook and Son and Gaze and Company. It was the invariable rule with both those firms, when an individual did not use a portion of his ticket, to return the amount of the unused portion, less 10 per cent. That was an honest course, while the course proposed by the Minister of Railways was dishonest. The honorable gentleman ought to withdraw

the Bill and hang his head for shame. (Sir George Turner—"The tourists' agents sell the ticket to some other person, and make a profit.") He referred to the unused portions of tickets. (Sir George Turner—"The tourists' agents do not receive back a ticket if it has been broken.") They did, and he knew it from personal experience, while they did not sell the ticket to any one else. Cook and Son always issued tickets in the form of a complete book, and in the United States of America it was the custom to issue 1,000-mile railway tickets, the passenger tearing off a portion as he went along. (Sir George Turner—"The ticket cannot be transferred to any one else.") The railway companies never used any check in the matter. (Sir George Turner—"What we complain of has become an abuse.") As the honorable member for Hawthorn had said, the Bill was calculated to create new crimes. The example of Austro-Hungary, Switzerland, Denmark, and Russia, which had a modification of the zone system and used only one ticket, ought to be followed.

Mr. J. B. TUCKER asked the Minister of Railways to answer his remarks. If something were not done in the interests of the return ticket holders, it would be taking a mean advantage of them.

Mr. H. R. WILLIAMS stated that he would bring the matter under the notice of the Railways Commissioner. The tickets in question bore on their face a notification that they were not transferable. (Mr. J. B. Tucker—"We do not want them to be transferable.") The honorable member wanted the department to pay back to the holder of the ticket the amount represented by the unused portion, and he (Mr. Williams) certainly could not consent to that without further consideration. (Mr. McKenzic—"We want to have returned the difference between the single and the return fare.") It was a matter which involved a considerable amount of money to the department. The tickets in question were sold to people who believed at the time of purchase that they were going to return to Victoria, and they obtained the ticket for £2 1s. less than the cost of two single fares. They had got to take the chance as to whether they would come back to the colony or not.

Mr. MCKENZIE observed that the Minister of Railways had said that the department would lose money if the proposal

was agreed to, and at the same time the honorable gentleman had practically admitted that his method of dealing with the question meant taking advantage of the unfortunate position of persons who bought return tickets intending to come back to Victoria and who afterwards found that circumstances prevented them. The department then unjustly insisted on its pound of flesh. The department ought not to attempt to take from the public money which the railways had not earned. The department should be content to take only what was due for value received. If the department was paid at the rate of a single fare, it could not for a moment contend that it was losing money. The Government ought not to attempt to do more than what was fair and just.

Mr. H. R. WILLIAMS.—The practice has been followed for twenty years.

Mr. STYLES remarked that in the case of the private railway companies of South Australia it used to be the practice to issue undated return tickets, which were available for any line at either end. A passenger could take a ticket from Adelaide to Glenelg, do half the journey, and complete the other half a long time afterwards; and he (Mr. Styles) was not aware that the railway company ever complained of any loss. (Mr. I. A. Isaacs—"What was the length of the railway?") Six or seven miles; but the principle must be the same. (Mr. I. A. Isaacs—"The great trouble occurs between the capitals—Melbourne, Sydney, and Adelaide.") If the principle applied to one line it ought to apply to another. If the practice answered in the case of a private railway company why should it not answer in the case of a Government railway? Inquiry ought to be made as to whether the practice he referred to was still in force in South Australia, and as to whether it entailed any loss.

Mr. McCOLL said the restrictions imposed by the Railway department of late were simply ridiculous and most annoying to travellers. If a person took a ticket which empowered him to break his journey at any intervening station he was not allowed to leave that station without giving up his ticket and applying for it again when he resumed his journey. For instance, a man travelling from Echuca to Melbourne got out at Goornong to go to his own place, which was near, and then went to Bendigo by trap, but he had to go back from Bendigo to Goornong to get his

ticket again. In another case, a woman who took an excursion ticket from Kerang to Melbourne stopped at Kyneton because her child took ill, and decided to give up the journey to Melbourne. She returned home on account of the illness of her child, and the department charged her full fare back from Kyneton to Kerang, because she had not completed her full journey to Melbourne. (Mr. McCay—"That was a farmers' excursion ticket.") Yes. (Mr. McCay—"That is quite true.") Although the department had carried the passenger a less distance than they contracted to do, they would not allow her to return on that ticket. (Mr. H. R. Williams—"Because the price of the farmers' excursion ticket is less than the ordinary fare.") These restrictions were making the department the laughing-stock of the colony.

The committee divided on sub-section (3)—

Ayes	25
Noes	27

Majority against the sub-section 2

AYES.

Mr. Bennett,	Mr. Peacock,
„ Best,	„ T. Smith,
„ Burton,	„ Taverner,
„ Duffy,	„ Toucher,
„ Foster,	„ Trenwith,
„ Graham,	Sir George Turner,
„ Higgins,	Mr. Turner,
„ I. A. Isaacs,	„ Watt,
„ J. A. Isaacs,	„ Wilkins,
„ Kennedy,	„ H. R. Williams.
„ Mason, J. W.	<i>Tellers.</i>
„ McLean,	Mr. Bailes,
„ Morrissey,	„ Cook.

NOES.

Mr. J. Anderson,	Mr. McBride,
„ Beazley,	„ McColl,
„ Bromley,	Sir John McIntyre,
„ Cameron,	Mr. McKenzie,
„ Craven,	„ McLeod,
„ Duggan,	„ Moule,
„ Forrest,	„ O'Neill,
„ Gray,	„ Sangster,
„ Gurr,	„ Murray Smith,
„ Hamilton,	„ Styles,
„ Hancock,	„ J. B. Tucker.
„ Irvine,	<i>Tellers.</i>
„ Keys,	Dr. Maloney,
„ Madden,	Mr. McCay.

Sir GEORGE TURNER said that in view of the alteration which had just been made, and which he considered a serious one, he begged to move that progress be reported.

The motion was agreed to, and progress was reported.

VERMIN DESTRUCTION ACT
AMENDMENT BILL.

Mr. BEST moved the second reading of this Bill. He said its object was to cure a technical defect which had been discovered in consequence of a decision in the Supreme Court in December last. Section 55 of the Vermin Destruction Act provided that—

“On receiving any loan or instalment from the Governor in Council every council shall expend the whole amount thereof in purchasing and obtaining materials for wire netting or other rabbit-proof or vermin-proof fencing, and shall furnish or offer to furnish such materials to the owners of the lands in the special area for the benefit of which such loan was granted proportionately to the requirements of such land.”

Then it went on to state that—

“When furnishing or offering to furnish such materials to any owner, the council shall notify such owner of the amount of value of such materials.

“Thereupon such amount (whether the materials be accepted by such owner or not) shall become a debt due to such municipality by such owner.”

Some councils, it appeared, had neglected to give this notification at the time they were furnishing the materials, and in December last it was held in the Supreme Court that where a municipal council had supplied an owner of property with wire netting, the notification by the council of the amount of value of the wire netting was a condition precedent to the recovery of its value from the owner; and in cases where councils had failed to give that formal notification, they could not recover the value of the materials from the persons who had actually received and utilized them. This Bill would enable any council who had committed that mistake to give the formal notice before the 1st April next, so that then they might recover from the owners of the lands, and repay the Government in the terms of the Act.

Mr. IRVINE stated that he thought this Bill was necessary for the purpose which the Minister of Lands had just explained, but there was one point that he would like to bring under the honorable gentleman's attention. It was certainly desirable that the persons who had got wire netting supplied to them by the municipal councils should be made liable to pay for it, and that this formal defect, which might have passed by without notice, ought to be made good. But section 55 of the Vermin Destruction Act went on to provide that after that particular notice

was given the amount of the value of the wire netting not only became a debt due by the owner but also a charge on the land. It might happen that many years ago, when the Act first came into operation, wire netting might have been supplied to the then owner, and he might not have paid anything. It did not become a charge on the land, and he might have sold the land when the charge did not exist. Under these circumstances it would be a very hard thing indeed if the purchaser or subsequent owner who bought the land free from charge, and possibly after the wire netting had been removed, should find this new charge now placed on the land. He would like to hear some explanation from the Minister of Lands on this point. Whilst the general principle of the Bill was good, he thought that an exception ought to be made in favour of the purchaser of land sold since the wire netting was put on, when that purchaser received it without notice of any charge.

The motion was agreed to.

The Bill was then read a second time, and committed.

Discussion took place on clause 2, which was as follows:—

“Where before the passing of this Act a shire council has furnished or offered to furnish to any owner of land materials for wire-netting or other rabbit-proof or vermin-proof fencing, and omitted when so furnishing or offering to furnish the said materials to notify such owner of the amount of value of the said materials, the council may at any time before the 1st day of April, 1898, notify the owner for the time being of the said land of the amount of value of the said materials, and thereupon such notification shall be deemed to have been duly given when the council furnished or offered to furnish the materials aforesaid.”

Mr. IRVINE said he would like to hear some statement from the Minister of Lands with regard to the point he (Mr. Irvine) raised on the second reading.

Mr. BEST observed that it was quite possible a case of the kind mentioned by the honorable member might occur. (Mr. Irvine—“Hundreds of cases may have occurred.”) He did not think that could be. It was thoroughly known that the land was subject to the charge of the cost of this wire netting. (Mr. Irvine—“But it is not subject until this notice is given.”) Until the case he had mentioned had occurred it was not known that this technical difficulty existed, and really all substantial justice was done in the matter by the Bill. He thought that the case

raised by the honorable member must be regarded as, to some extent, a hypothetical case. It was a mere technicality that was sought to be removed by the Bill.

Mr. IRVINE stated that what he meant was this: Any one purchasing land would ask naturally what rates and what charges were unpaid and existed on the land. He might employ a solicitor to make inquiries, but the solicitor would find out that there was no charge on the land at all. The owner of the land would not have been paying any of his interest, because, until the notice was given, no interest was due, and the matter might have been going on for years without any instalments having been paid. (Mr. Best—“If the solicitor made inquiries from the shire council, he would soon find out that money was due.”) He would ask whether notice was given. (Mr. I. A. Isaacs—“He would ask whether anything was owing on account of wire netting.”) There was no charge on the land. If any solicitor, or any man who wished to buy land, looked into the matter, he would see that by the plain language of the section no charge was created until “the amount of value of such materials” was notified to the person who got them.

Mr. BEST.—It assumes that he has made inquiries as to whether all these notices were given, or whether this particular notice was given at the particular time the material was furnished.

Mr. IRVINE remarked that the debt did not become a debt due at all until the notice was given. The case he raised was hypothetical, to the extent that he did not know of any particular instance of the kind, but he had heard of many cases in which wire netting had been put on the land, and had afterwards been removed altogether. The purchaser who bought that land would have bought it free from charge, but now, by giving notice before April next, the charge was revived, and the purchaser would find his land liable to pay for wire netting which was put on many years ago and had since been removed.

Mr. MADDEN said he would point out to the Minister of Lands that there were certain cases in which wire netting was supplied, and was never put on the land at all. Was the purchaser of that land now to be told that he was to pay for that wire netting, which had not even been put on the land? Then the clause did not say to which owner the notice was to be given.

It inferred that it was to the man who owned the land at the time the material was supplied, but in many cases the previous owner was now in Western Australia, and there was a new owner. (Mr. I. A. Isaacs—"The Bill is clear that the owner for the time being is meant.") Then did the Minister really intend that a man should be called upon to pay for wire netting that he had never heard of, and which another man had sold, and put the price in his pocket? The Government certainly picked out a very suitable day for this measure to come into operation—the 1st of April. That date was very suggestive indeed of the proceedings of those shire councils which gave away wire netting without accompanying it with the statutory notice. In his opinion, it was extremely improper to pass a law which might inflict a terrible injustice on innocent men.

Mr. McBRIDE stated that he had supplied many thousands of pounds' worth of wire netting. He knew some farmers holding more than one block of land who applied for wire netting, and after giving security over one block put the netting on the other block. Now, supposing that farmer sold the block over which he had given security—the Government now proposed to give notice to the man who had bought it, but who had really no wire netting on the land. While the farmer who had bought the wire netting got out of the difficulty, the man who had bought the block of land on which there was no wire netting would be called upon to pay.

Mr. McCOLL observed that the more the matter was discussed the clearer it became that a gross amount of injustice and hardship would be done under the Bill. (Mr. I. A. Isaacs—"The whole of the ratepayers may have to pay the money otherwise.") In consequence of the carelessness and laches of shire councils scores of innocent people might be required to pay for the fault of others. If a shire council had made mistakes, they should stand by their mistakes. Where the original owner was on the land it was quite right that he should be made to pay. (Mr. I. A. Isaacs—"If this is not passed the whole of the ratepayers will have to pay.") Then let them pay. That was better than that an injustice should be done to innocent persons. If this matter was discovered in December, 1896, why was not something done to rectify it before this? During the last twelve months,

in the wire-netting districts, scores if not hundreds, of people had moved off the land to New South Wales, and other persons had come on the land in their place. He would repeat that a great deal of hardship and injustice would be inflicted on innocent persons unless some provision was inserted to protect them.

The Bill, having been gone through, was reported without amendment.

Mr. BEST moved that the Bill be read a third time.

Mr. McCOLL said he would ask the Minister of Lands to consider the important points which had been raised in committee. The honorable gentleman must see that a gross amount of injustice might be done under the measure, and it was not right to proceed with it until it was amended. Perhaps the Minister would consider the desirability of introducing in another place some amendment by which innocent persons would be prevented from suffering.

Mr. BEST remarked that he admitted that technically there might be a hardship of the kind suggested by the honorable member. But it was quite true that, assuming that the notices had been duly given, all the evils and hardships that had been suggested and contemplated would actually occur in those cases also. (Mr. Irvine—"In such cases a man would buy subject to an existing charge.") The charge could always be found out by the usual course of applying to the shire council as to whether charges did or did not exist on the land. (Mr. Irvine—"There is no charge until the notice is given.") He might state that he would have great pleasure in conferring with the honorable member for Lowan and the honorable member for Gunbower on the subject, and if they could suggest any amendment that would meet their views, while duly carrying out the objects of the Bill, he would consider the advisability of adopting it.

Mr. MADDEN expressed the opinion that it was the duty of the Government, when they proposed to place a Bill on the statute-book, to put it there in perfect form. It was not right to place a measure on the statute-book even with a technical doubt in it, and this was a great deal more than a technical doubt. The Opposition had sometimes been upbraided that they did not assist the Government to put measures on the statute-book in the best possible form. They had been told that it was their duty to do that, and he

admitted that it was their duty. They had tried to hinder the passing of this Bill until it was placed in proper form, and they asked that it should be delayed until it could receive further consideration. The Assembly ought not to have the stigma placed upon it that measures had to be put in proper form in another place. No doubt, if the Bill was sent up to another place in its present form it would be criticised and altered, but it was no credit to the Assembly to send up measures to another place which had to be properly framed there. In the present case the difficulties were recognised before the Bill had left the Assembly; they were not difficulties which turned up after the Bill had been passed. The honorable member for Kara Kara had stated from personal knowledge that he had sold a vast amount of wire netting which had not gone to the destination for which it was intended. Within his (Mr. Madden's) own personal knowledge men had received wire netting, and instead of putting it on the land had sold it, and some of these men were now in Western Australia. The innocent holder for value should be protected, and was always protected by law. It was one of the rules of law that a man who bought for value without notice should be protected. All that was asked was that such a man should be protected; and they should not put a measure upon the statute-book which would be a disgrace to Parliament.

Mr. KENNEDY expressed the opinion that the proper course to pursue where municipalities were advancing money for wire-netting purposes was to have a registered mortgage upon the land upon which the wire-netting was used, so that any person dealing with that land would know exactly where he stood. He had known many instances where wire netting had been put upon land and taken away again. Afterwards the land had changed hands, and the people who bought it had come into occupation not knowing that there was any charge upon the land, and became liable for the netting. It was unfair to them if they did not know there was a charge upon the land. If there were a registered mortgage any person purchasing land would be aware of a charge existing upon it. (Sir George Turner—"It is rather late to ask for that to be done on account of money that was lent seven or eight years ago.") He knew that, but in future the course he suggested would be the suitable one to pursue.

Mr. McBRIDE stated that he would suggest the advisability of holding over the third reading of the Bill until the Minister had time to prepare a suitable amendment.

Mr. BEST observed that, in deference to the wish of honorable members opposite, who wished to arrive at the same object as he did, he would agree to hold over the third reading of the Bill. He was anxious to meet the wishes of honorable members as far as possible.

Mr. IRVINE moved the adjournment of the debate.

Mr. MOULE seconded the motion, which was agreed to, and the debate was adjourned until Tuesday, November 23.

ORDER OF BUSINESS.

Sir GEORGE TURNER said that, before the House adjourned, he desired to mention that, as far as he could see, they ought to finish the Government business remaining upon the list on Tuesday next. He proposed to give up the whole of Wednesday under any circumstances to private members, and he hoped also to give up the whole of Thursday to them. He mentioned this fact now, so that honorable members might be ready to go on with their Bills, and because once the House started upon the discussion of the Hospitals and Charities Act Amendment Bill it would be a great pity to interfere with the discussion by allowing private members' business to intervene. By taking the course he suggested, he was giving private members a chance of having their Bills passed into law.

CRIMES ACT AMENDMENT BILL.

Mr. COOK stated that, by leave of the House, he would like to move for permission to introduce a Bill to amend the Crimes Act, in order that the measure might be discussed next week.

The SPEAKER.—The honorable member will be aware that under the sessional order no new business can be taken after half-past ten, and I cannot allow even a suspension of that sessional order now, because the motion which the honorable member desires to move is new business. The honorable member can do on Tuesday what he proposes to do to-night.

The House adjourned at thirty-five minutes past ten o'clock, until Tuesday, November 23.