that there would be some difficulty, as women in the country districts have not sat upon hospital Committees, but at the same time I feel we can trust the Treasurer to do his very best in the matter, to meet the spirit of the amendment and to get the best persons possible to act. There is one alteration that the Premier has suggested in the amendment that I do not think will meet with approval, namely, that two at least of such persons shall be women. The honorable gentleman does not wish that.

Mr. WATT.—Why not?

Mr. M. K. McKENZIE (*Upper Goulburn*).—The honorable gentleman was against one, and why should he ask for two at least?

Mr. HANNAH.—To arrive at what I desire, I move—

That all the words after the word "two" (line 1), in the amendment be omitted, with the view of inserting the words "at least of such members shall be women conversant with the administration of charitable institutions."

Mr. WEBBER.—This amendment means making a distinction between the two sexes. It is saying in effect that the women must be conversant with hospital management, whilst the men need not be. I intend to vote against the amendment.

Mr. WARDE.—If the amendment is carried, does it mean that we reject the proposal of the honorable member for Hawthorn? Before the proposition of the honorable member for Hawthorn is added to the Bill it will have to be submitted again to the Committee. I want to be clear on this.

Mr. WATT (Premier).—Honorable members are now asked to strike out practically all the words of the amendment proposed by the honorable member for Hawthorn except the word "two." The Committee will be subsequently asked to insert something in lieu thereof. Then they will be asked to vote on the question that the proposed new sub-clause be inserted.

Mr. McLEOD.—We are asked to provide that the two women must be conversant with charitable work, whilst the men need not be at all.

Mr. SNOWBALL.—I trust that the honorable member for Collingwood will not put us in a difficult position. It will compel us to attach to women a distinction which is not attached to the men. It will compel us to vote for the amendment moved by the honorable member for Hawthorn if we wish to avoid a difficulty.

Mr. WATT (Premier).—Honorable members are complaining about being in a difficulty. Some of us saw that that was inevitable. When you supersede a clearly defined proposition, and you unite a number of men for different reasons to destroy the original number, you are bound to have them making proposals that will tangle themselves. I am not content with the decision in regard to the number of the members of the Board, and I propose to give honorable members a chance to review the situation. When the Government think the Committee have gone far enough the Government will tell them plainly. With the object of letting honorable members think the matter out I move—

That progress be reported.

The motion was agreed to, and progress was reported.

The House adjourned at twenty minutes to ten o'clock p.m.

LEGISLATIVE COUNCIL.

Wednesday, October 8, 1913.

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

CLOSER SETTLEMENT.

The Hon. H. F. RICHARDSON moved—

That there be laid before this House a return showing—

1. The total area of lands purchased for closer settlement purposes.
2. The dates when such lands were purchased.
3. The amount paid per acre for each property purchased.
4. The amount of land in connexion with such property not yet allotted.
5. The total amount of arrears in connexion with each settlement.
6. The interest that has accrued in connexion with unallotted portions of the estates.
7. Whether it is intended to capitalize the arrears of interest or write it off.
8. The present return from the unallotted portions of the estates.
9. What aggregation has taken place in connexion with each estate purchased for closer settlement under Part IV. of the Land Act 1901.

He said the information he was asking for was required in connexion with the discussion that was likely to take place this afternoon on the Closer Settlement Acts Amendment Bill. When he (Mr. Richardson) was speaking on the motion of Mr. Frank Clarke a fortnight ago, he quoted certain statistics in connexion with closer settlement which he had obtained from the press, and the Attorney-General then stated that the figures quoted were not correct. Therefore, he would like the House to have the information first hand —information which would be correct, and which neither the Attorney-General nor any one else could dispute.

The Hon. J. D. BROWN (Attorney-General) said that the whole of the information asked for by Mr. Richardson, with the exception of item No. 7, which was a matter of policy, was contained in the annual report of the Closer Settlement Board. That report was now in the hands of the Government Printer, and copies of it should be available within a few days. The return asked for by the honorable member would be supplied, but he would ask the honorable member not to press for item No. 7.

The Hon. H. F. RICHARDSON said that even if the report of the Closer Settlement Board contained the information he desired, it was not easy to pick out that information from a long report of that kind. He hoped the return he was moving for would be furnished when the House met next week.

The Hon. A. ROBINSON said that the information that was given in the report of the Closer Settlement Board was fairly complete, but it would take a long time to extract from the report the particulars that were asked for by Mr. Richardson. Take, for instance, the total amount of arrears in connexion with each settlement. Last year he brought before the House the reports for five successive years, and he ventured to say it would take a skilled accountant a considerable number of hours to extract that information if it was possible to extract it at all. As for the interest that had accrued in connexion with unallotted portions of the estates, he did not think it would be ascertainable at all from the report of the Board. It was true that item No. 7, to which the Attorney-General objected, was a matter of policy, but he (Mr. Robinson) thought the other questions should be answered in the shape of a return.

The PRESIDENT.—I do not think the House should pass a motion for a return which is to state the intention of the Government. Will the honorable member who is in charge of the motion withdraw that question?

The Hon. H. F. RICHARDSON.—Yes. By leave, I will withdraw item No. 7.

The motion, as amended, was agreed to.

STATE INSURANCE OF WORKMEN'S HOMES.

The Hon. W. J. EVANS moved—

That there be laid before this House a return showing—

(*a*) The number of policies applied for, accepted, and refused (if any) or otherwise dealt with for each month since the honorable the Premier made his promise respecting State insurance of workmen's homes buildings under the Closer Settlement Board.

(*b*) The number and value of premiums received, and for which no policies have been issued.

(*c*) What steps have been taken by the Board to protect those applicants for policies who have paid their premiums, but to whom no policies have been issued.

He said that he had recently asked a question on the subject, and the information supplied him was of an unsatisfactory nature. Seeing that the matter was of great importance, he hoped that the House would agree to the motion.

The motion was agreed to.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by the Hon. J. K. MERRITT, from certain electors in Hawthorn, Kew, Prahran, Windsor, and other districts (two petitions); by the Hon. D. E. McBRYDE, from certain electors in Lilydale; by the Hon. J. Y. McDONALD, from certain electors in Magpie and Sebastopol; by the Hon. A. ROBINSON, from certain electors in Prahran, South Yarra, and Windsor; and by the Hon. W. J. EVANS, from certain electors in Fairfield, Greensborough, and other districts.

IMPRISONMENT OF FRAUDULENT DEBTORS ACT AMENDMENT BILL.

The Hon. R. BECKETT moved the second reading of this Bill. He said that the measure dealt with a matter affecting the procedure in Courts of petty session. It was intended to bring that procedure

into line with what was the law in the County Courts and the Supreme Court. The matter had called for attention for many years, and if the House could see its way to pass the Bill expeditiously, the advantage would be gained of having it incorporated in the Consolidated Statutes. It was a distinct gain to have the whole of such laws set out in one Statute. The Acts on this subject were being consolidated, and the Bill could be put in its appropriate place. The principal Act was divided into three parts, dealing respectively with Courts of petty sessions, County Courts, and the Supreme Court. With regard to the County Courts and the Supreme Court, the provisions were similar to those in this Bill. It was really proposed to insert almost the exact words from the sections dealing with the other Courts in the provisions dealing with Courts of petty sessions. As a matter of fact, what were popularly known as fraud summonses came before the justices in larger number than was the case in the other Courts. The present practice caused considerable expense. It would be observed that the Bill was intended to give the Courts of petty sessions power to make an order under the Act, firstly, in a case where a defendant did not choose to put in an appearance; secondly, if he did attend and refused to answer the questions put to him; and thirdly, if he attended and gave answers which were not satisfactory to the justices. As the law stood to-day, a man need not pay any attention whatever to a judgment summons being served upon him. In order to bring a man before the Court so that he might be examined as to the circumstances in which a debt was incurred and his means to pay, the practice had been to serve a subpœna upon him. That was a difficult and unnecessary procedure. There was a fee for the issue of the subpœna, and also a witness fee. Then if the man did not attend he was fined, not on account of the judgment summons, but for not attending under the subpœna. The case would be adjourned, and a fresh subpœna taken out, involving further fees. If the man did not attend on the second occasion, the Court could not make any order on the judgment summons, but could again only fine him for disobeying the subpœna. There had been cases in which there had been three or four postponements of this kind, and the only hope of getting the man before the Court was to continually increase the fine. Now, the fines did not go to the creditor, but to the Consolidated Revenue. All the while the creditor was left without his case being heard at all. It had been felt by the profession for a long time that it would be an advantage if this difficulty were removed by legislation. Since he had introduced the Bill last week, he had noticed in the columns of the *Age* the report of a case in South Melbourne. A teacher was served with a summons, and paid no attention to it. Then he was fined £2 for not attending on the subpœna. A fresh subpœna was issued, and again he did not attend. A fine of £5 was then imposed, and still the case was not heard. A third subpœna was taken out, and the report of the hearing appeared in the *Age* of 2nd October. That was a case which he had casually observed in the paper after he had laid the Bill on the table of the House. It was all wasteful expense, and quite unnecessary. The Bill was intended to make it quite clear that in future the justices should have the same power as the Judges in the other Courts if a man did not attend, or if he attended and refused to be examined.

The Hon. J. D. BROWN (Attorney-General) moved—

That the debate be now adjourned.

He said directly he saw the Bill in print he referred it to the officer in his Department conversant with such matters, and asked him for a report. He would certainly have that report in a week.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Wednesday, October 15.

CLOSER SETTLEMENT BILL.

The debate (adjourned from October 1) on Mr. Robinson's motion for the second reading of this Bill was resumed.

The Hon. FRANK CLARKE said he did not propose to say a great deal about this Bill, as he thought honorable members covered a great deal of the ground in connexion with a motion he brought before the House a few weeks ago, and also because he thought the speech which Mr. Robinson had made in introducing the measure covered the ground in the most remarkable way, and made the case complete for what he set out to prove. But, apart from the grievances of the present settlers, and the endeavour that was now being made to

remedy those grievances, section 69 of the Act of 1904, and the restrictions in the Closer Settlement Acts, had a wider range.

The PRESIDENT.—I do not think the honorable member can go into anything that is not in the Bill, unless he intends to propose an amendment. This is a Bill to provide that the provisions of section 69 of the principal Act shall not apply to certain conditional purchase leases. The honorable member can argue in favour of the Bill, or against it, but he cannot go into other restrictions unless he intends to propose an amendment.

The Hon. FRANK CLARKE said he did not intend to propose an amendment, but he would like to ask the President if he could argue as to the rights of the present settlers, who were discontented with the conditions which it was proposed to remove?

The PRESIDENT.—Yes.

The Hon. FRANK CLARKE said he would endeavour to point out that the present settlers, who were complaining of the restrictions under which they suffered at the present time, had justification, and if he might do so, he would show that those restrictions were preventing other people from taking up blocks. Was that in order?

The PRESIDENT.—I do not think it is. Unless the honorable member intends to argue that, because these particular persons do not get relief, it is restricting other persons from taking up the land, the honorable member cannot argue that section 69 restricts other settlers.

The Hon. FRANK CLARKE said that was practically the point he wished to take up, and possibly he should have found out beforehand that he would be restricted in that way. He would just say, shortly, that he had had many letters from constituents of his own pointing out that they felt very gravely the hardship under which they were suffering; that they would not have come here had they been properly informed as to the restrictions under which they would be placed, and further, in many cases, they added that they had been compelled to advise others not to take up blocks here. The whole scheme of closer settlement, so far as he knew, arose out of the desire of this country to get more people into the country, and he fancied that the Government, in refusing to give these men what they claimed to be their rights, were to a certain extent forgetting that main principle. They were forgetting that it was better to have men here who were contented than to have no men at all, even if it implied the surrender of a principle which the Government believed to be sound. If they would only remember, as a root principle, that the country adopted the policy of closer settlement, and adopted whatever the Government of the day and Parliament recommended without fully understanding how the restrictions would act, he fancied they would be willing to yield the lesser in favour of the greater. Men from all over the world had come here in the past and looked at the blocks. Many of them had gone away because of what they had heard as to the restrictions. Many of the men who were at present on the blocks were threatening to surrender them. Some of the settlers had surrendered their blocks. The whole policy of closer settlement, he believed, was failing through section 69, and he would therefore urge the Government, before the evil became irremedial, to give way, and to recognise that contented settlers were the best assets that we could possibly have. Owing to the limitations under which he was put, he would not say a great deal more. He believed that the Government were endeavouring to fit a square peg into a round hole, and he did not believe that they would have success, either with the present settlers or future settlers, if they persisted in their ideas. Honorable members would see, if they toured the country, that every prospect was favorable with this one exception. They would see rich lands and fine conditions. They would see many men being admirably successful for the time being, and he trusted that they would recognise after that that it was worth while encouraging other men to come in in multitudes to take up the land. If he thought that they would have no chance of success, he would not urge that. It was because we had such admirable prospects in front of us that he urged that these men should be given justice and made contented.

The Hon. J. D. BROWN (Attorney-General) said that this was a Bill to alter a contract entered into by the Crown with a certain number of Crown tenants—some 4,000. It was a Bill which, in his opinion, was a private Bill, but, having regard to the wide range of subjects, which he thought had, in the past, been

dealt with improperly in public Bills, he was not going to take that objection, although he was entitled to do so. Guided by constitutional opinion, he thought that it was a sound view that the Bill ought to have been introduced as a private Bill. Following that argument, he wanted to bring to the minds of honorable members that they were not sitting to-day in connexion with this matter as legislators. They were sitting in a judicial capacity, and, before they could properly pass the Bill, they must be satisfied that there had been ample evidence produced to show that the complainants had a right to what the Bill proposed to give them. He would read a short extract from *May*, whose authority was taken on all matters of parliamentary procedure. In Book 3, chapter 25, page 672, *May* said—

> Bills for the particular interest or benefit of any person or persons are treated, in Parliament, as private Bills.

This was a Bill for the particular benefit of 4,000 odd people, the vast majority of whom had made no complaint at all. They had not asked for any alteration of the contract. All but some 400 odd were quite satisfied, so far as the Government knew, with the contract into which they had entered. There had not been a single word of complaint from them. The complaint came from a limited number of settlers, and from a limited number of estates. The gentleman who was appointed as a Royal Commission to investigate the complaints said—

> I held 63 sittings, and took the evidence on oath of 476 witnesses, viz., 457 settlers, 4 who made declarations on behalf of settlers, 2 witnesses called by settlers, and 13 officers of various Government Departments who are, or were, connected with closer settlement matters.

The number of settlers complaining, including the four witnesses who made declarations on behalf of the settlers, was 461 at the most, out of 4,000 odd tenants of the Crown who held their lands under conditional purchase leases.

An HONORABLE MEMBER.—How do you know the others are satisfied?

The Hon. J. D. BROWN said he was not there to answer questions. He was going to put his case before the House in the best way that he could, in order that honorable members might not get into a false position. *May* continued—

> Whether they [private Bills] be for the interest of an individual, or a public company or corporation, or of a parish, city, county, or other locality, they are equally distinguished from measures of public policy; and this distinction is marked in the very manner of their introduction.

It was obvious that the Bill should have been brought in as a private Bill—

> Every private Bill is solicited by the parties themselves.

Only an infinitesimal number of the settlers—one-eighth of the total—had been asking for this Bill—

> Every private Bill is solicited by the parties themselves who are interested in promoting it, being founded upon a petition which must be duly deposited in accordance with standing order.

There was no evidence before the House that any one of these settlers had asked for the Bill. They had certainly complained of certain matters, and he believed, before he sat down, he would satisfy every reasonable-minded member of the House that beyond the shadow of a doubt there was no justice for these complaints. At page 686 *May* said—

> Passing now to existing practice, the proceedings of Parliament, in passing private Bills, are still marked by much peculiarity. A Bill for the particular benefit of certain persons may be injurious to others; and to discriminate between the conflicting interests of different parties involves the exercise of judicial inquiry and determination. This circumstance causes important distinctions in the mode of passing public and private Bills, and in the principles by which Parliament is guided. In passing public Bills, Parliament acts strictly in its legislative capacity; it originates the measures which appear for the public good; it conducts inquiries, when necessary, for its own information; and enacts laws according to its own wisdom and judgment. The forms in which its deliberations are conducted are established for public convenience; and all its proceedings are independent of individual parties, who may petition, indeed, and are sometimes heard by counsel, but who have no direct participation in the conduct of the business or immediate influence upon the judgment of Parliament. In passing private Bills, Parliament still exercises its legislative functions, but its proceedings partake also of a judicial character. The persons whose private interests are to be promoted appear as suitors for the Bill; while those who apprehend injury are admitted as adverse parties in the suit. Many of the formalities of a court of justice are maintained; various conditions are required to be observed, and their observance to be strictly proved; and if the parties do not sustain the Bill in its progress, by following every regulation and form prescribed, it is not forwarded by the House in which it is pending. If they abandon it, and no other parties undertake its support, the Bill is lost, however sensible the House may be of its value. The analogy which all these circumstances bear to the proceedings of a court of justice, is further supported by the payment of fees which is required of every party promoting or opposing a private Bill, or petitioning for or opposing any particular provision.

Not one of these people had approached Parliament and paid fees. No fees had been paid at all.

It may be added that the solicitation of a Bill in Parliament has been regarded by courts of equity so completely in the same light as an ordinary suit that the promoters have been restrained, by injunction, from proceeding with a Bill, the object of which was held to be to set aside a covenant, or which was promoted by a public body, in evasion of the Towns Improvement Act 1847.

It was exactly the same in this case. Here were people who were not interested in this tenure coming to Parliament and asking that Parliament should set aside a provision in the law. Not one of the 4,000 tenants had appeared to ask that that should be done; but people who had no interest but political interests, to break down the policy of this country, came forward in the matter. Not one single person who had been heard speaking about it had any interest in the question at all.

Parties have also been restrained, in the same manner, from appearing as petitioners against a private Bill pending in the House of Lords. Such injunctions have been justified on the ground that they act upon the person of the suitor, and not upon the jurisdiction of Parliament; which would clearly be otherwise in the case of a public Bill. And, acting upon the same principles, Parliament has obliged a railway company, under penalty of a suspension of its dividends, to apply in the next session for a Bill to authorize the construction of a line of railway which the company had pledged itself to make, and in good faith to promote it. This union of the judicial and legislative functions is not confined to the forms of procedure, but is an important principle in the inquiries and decision of Parliament, upon the merits of private Bills. As a court it inquires into and adjudicates upon the interests of private parties; as a Legislature, it is watchful over the interests of the public. The promoters of a Bill may prove beyond a doubt that their own inerests will be advanced by its success, and no one may complain of injury or urge any specific objection; yet, if Parliament apprehends that it will be hurtful to the community, it is rejected as if it were a public measure, or qualified by restrictive enactments, not solicited by the parties. In order to increase the vigilance of Parliament in protecting the public interests, the Chairman of Committees in the House of Lords, and the Chairman of Ways and Means in the House of Commons, are intrusted with the peculiar care of unopposed Bills, and with a general revision of all other private Bills.

He wanted to impress on honorable members that in considering this matter and deciding upon it, they were not acting in their legislative capacity, but were sitting as judges or jurymen, and had to be fully satisfied before giving a vote in favour of the Bill, as a Judge or jury would be in giving judgment or returning a verdict. He said that by way of preliminary observation, in order that honorable members who might not be quite conversant with the matter could be sure of the position. So far as his researches went, this was the first time in the history of the State that such a thing was asked to be done. It, therefore, behoved them not to create a precedent which would be a wrong one to follow. If these people, or any one of them, were of opinion that they had been misled—he did not think they alleged that it had been done wilfully—their course of action was clear; and if they were able to establish, as a fact, that this matter was wilfully withheld, or carelessly withheld, they might launch an action for the rescission of the contract. Then they would be put upon strict proof, and would have to satisfy a court of justice. He would ask honorable members to show that one single man affected had asked for this Bill.

The Hon. H. F. RICHARDSON.—I will bring the honorable gentleman a deputation of 100 if they are wanted.

The Hon. J. D. BROWN said he thought he would be in order in acquainting the House with the origin of this provision. He would do that with the view of satisfying honorable members that nothing was kept secret. The measure was publicly debated, and was reported in the newspapers. The provision was objected to, but honorable members opposing it did not face a division. He might put this forward to satisfy honorable members that nothing was kept back from the people of Victoria. The Act containing this section was passed in the full light of day. It came before the Council upon the 3rd November, 1904, and discussion took place on what was now section 69, but which was then numbered as clause 67. It read the same as at present, with the exception of two or three words. Mr. Sachse was in charge of the Bill. This particular section originally provided—

Every Crown grant of an allotment shall contain a condition providing in effect that the owner for the time being of such allotment shall personally, by himself or any member of his family, reside on such allotment or on any part of the estate of which such allotment formed a portion, or on any land adjacent thereto during each and every year, unless prevented by illness certified to the satisfaction of the Board, and that in the event of any breach of such condition the Crown may at any time re-enter upon the said allotment, and hold, possess, and enjo- the

same as fully and effectually to all intents and purposes as if the Crown grant had never been made.

Mr. Sachse moved—

That the words "as hereinbefore provided" be inserted after the word "reside."

This amendment was agreed to. Discussing the clause as amended, Mr. Manifold then, as now, took objection to it. Mr. Sachse stated—

It was desired that the lands taken up under this Bill should be occupied. The desire of the Government was that there should always be some one looking after the land. It need not necessarily be the owner, for some one representing him might be in charge. The whole object was to effect closer settlement by providing the people with homes. If any man did not wish to retain his allotment, and neglected it, then under this clause the Crown could take possession of the allotment. He was most strongly opposed to the omission of this clause. There was very good and substantial reason for allowing this provision to stand. The whole principle underlying this Bill was closer settlement. They wanted to put people on what were comparatively waste lands in small allotments with a view to their working the land. What was desired was permanent settlement. The Government did not want to see these allotments sold at the end of six years, and aggregated into large holdings. Whoever bought one of these allotments would buy it with the knowledge that he or his representative must live on the land. If this clause was struck out, there would be a clear opening for fraud, which it would be very hard to punish. If settlers need not live on their allotments, aggregation was certain to result.

The Hon. R. B. REES.—This clause does not require residence on the allotment.

The Hon. A. O. SACHSE said a settler must either reside on his allotment, on some part of the estate, or on land adjoining the estate. The Government were bound to provide against the land in these closer settlements being turned into sheep-walks again. Occupancy for eight months in the year was one of the fundametal principles of the Bill.

Then the late Mr. Harwood spoke in opposition to the Bill. He was followed by Mr. Rees, who said—

He was rather astonished to hear Mr. Harwood speak in the way he had just done with regard to this clause. The honorable member seemed to want the settlers under this Bill to be able to do exactly what the measure was designed to prevent. It was not necessary for a settler to reside on the particular allotment he took up, because he could reside on any part of the estate or on land adjacent thereto. If the boundaries of the estate were contiguous to a small country village, a settler who acquired an allotment of land under this measure could reside in that village. So that there was ample latitude allowed as to where a settler could live. The object of the measure was to create a prosperous peasantry, by inducing people to leave the towns and cities and take up allotments of land for cultivation. The clause was sufficiently liberal and elastic.

The next speaker was Mr. Ritchie, a man well versed, no man better, in questions about land and settlers. He stated—

This was the most difficult clause in the whole Bill. He quite appreciated the Minister's position. The object of this measure was to make the land acquired under it produce something more than it yielded before it was purchased for closer settlement. Any settler who took up an allotment under this Bill knew the condition with regard to residence, and if a man was not prepared to live in the country he should not take up an allotment. A settler who complied with all the conditions with regard to improvements would find that at the end of six years he had sunk about £600 on his allotment, providing he erected a decent dwelling thereon, and a man who made such an investment of his capital was not in a position to scuttle away, but would probably remain on the land. It might be better if the Government would provide in this Bill that if a settler wanted to leave his allotment, rather than subject him to any penalty, he should be able to sell his land to the State at a valuation, and the State should sell it to somebody else who was willing to hold it on the stipulated conditions. If the Minister would agree to the omission of the latter part of this clause and insert a provision for the State to resume the land, making a fair allowance for improvements, that would be an advantage in many cases, but no good object was to be gained by striking out this clause.

The late Dr. Embling said—

He did not like this clause, but honorable members must recollect that the Bill was a compulsory measure, and if an estate was to be taken from the owner, and cut up for closer settlement, it was necessary to insist on conditions that would secure the permanent occupation of the land. This was by no means novel legislation, because the principle of requiring the owner of land to live on his holding dated back to the Norman period.

Mr. Cain said—

The Crown lands along the St. Kilda-road and also at Royal Park were sold subject to certain conditions, one of which was that only a specific class of buildings could be erected thereon.

This particular section of the Closer Settlement Act had been spoken of as something perfectly new, but, as a matter of fact, every Crown grant issued by this State contained some conditions. No one could do as he liked with the land. There were many acres of privately-owned land in England over which people could walk. They could walk over the fields in front of the owners' mansions, and he had done it himself. He had walked through a beautiful park in which there was a herd of deer and a fine mansion. The public could not be prevented from walking over these lands. Another speaker on this matter was the late Mr. Balfour, who was not a Radical, although he was a very

liberal-minded man in many respects. That gentleman said—

It must be remembered that there had always been great difficulty in preventing dummying in land, and in preventing the object of the Legislature from being defeated by persons who took up the land under certain conditions, and then attempted to evade those conditions.

That was exactly what was happening now. Mr. Balfour went on to say—

He admitted that this clause was open to a great deal of doubt, but at the same time he gave credit to the Government for attempting to get over difficulties that had never yet been surmounted satisfactorily. It was true, as Mr. Baillieu pointed out, that the owner of this land would pay full value for it; but, though he did that, he obtained it on peculiarly easy terms—terms which enabled a man without means to acquire a valuable piece of land, which he could never do in any other way. It must also be remembered that the settler would be allowed to sell the land on the condition that the buyer fulfilled the same conditions.

The Hon. T. C. HARWOOD.—Who would buy it?

The Hon. J. BALFOUR said that perhaps no one would pay the same price for it as they would for land with a clear title, but people would always be found ready to buy good land. Then, again, the condition set out in the clause would be complied with if any member of the settler's family resided on the allotment. It was certainly desirable to give the owner a clear title, but it was also desirable that he should be forced to carry out the conditions under which the land was sold to him.

That applied to-day.

The Hon. A. ROBINSON.—Mr. Balfour voted for the repeal of section 69.

The Hon. J. D. BROWN said that Mr. Balfour voted for the Bill. The settlers should be compelled to carry out the conditions, and all but a small minority were quite willing to do so. Mr. J. M. Pratt said—

He had been very much impressed at the outset with the objection to this clause that was raised by Mr. Manifold, but he felt, like the last speaker, that the more one studied the clause the more apparent the necessity for it became. It was really the key-note of the whole Bill, because the object of it was to bring about closer settlement. The person taking up this land would be told, "If you wish to have the advantages of this Act, this is one of the conditions you must accept."

The Hon. W. S. MANIFOLD.—They were not told that.

The Hon. J. D. BROWN said he was going to show beyond the shadow of a doubt that the settlers had an opportunity of obtaining the information. If they were not told, then they had good ground for going to a Court of Equity. Mr. Pratt went on to say—

Mr. Cain had already referred to the fact that the titles to certain allotments of land on the St. Kilda-road and at the Royal Park contained building conditions that were analogous to the condition laid down in this clause . . . . . At first he was inclined to think that the operation of this clause should be limited to the period during which the payments were to be made, but the more he looked into it the more he saw the difficulty of making any amendment. This condition would no doubt be a blot on the title, but it must be remembered that these were to be closer settlement allotments, and the Crown grants to them would have a character of their own, so that any person dealing with them would know that special conditions were attached. There was no doubt that this would be a bar to the borrowing of money on the land, because no one would lend money on a security of which he could not take possession in case of default. At the same time, he believed that the clause was essential to the success of the scheme. The Government proposed to resume land for the benefit of certain persons, and those persons who received the benefit must be prepared to fulfil the conditions.

The Bill passed on the voices, and became law. There had been no objection to it, except by a small minority of settlers, urged on by some speculative people. The whole of the agitation was engineered by two or three people in Melbourne.

The Hon. R. B. REES.—In solicitors' offices.

The Hon. J. D. BROWN.—Probably. Owing to the action of certain honorable members last year, when, in a hurried manner, declarations were obtained from a certain number of settlers and placed on the table, he, on behalf of the Government, said that he would have a Commission issued to some competent gentleman to inquire into this matter—to inquire into the truth or otherwise of the allegations in the declarations. He selected Mr. Dickson, because Mr. Manifold had suggested that a police magistrate would be the proper officer to appoint. That was why he (Mr. Brown) advised the Cabinet that Mr. Dickson should be asked to make the inquiry. The Tasmanian Government had specially asked the Victorian Government to lend Mr. Dickson to them to hold an inquiry into a land matter there. Honorable members knew Mr. Dickson well. Mr. Dickson was appointed—

To inquire into and report as to the truth or otherwise of the complaints contained in or to be inferred from statutory declarations made by certain persons (whose names and addresses are set out in the Schedule attached hereto) and presented to the Legislative Council of Victoria, on the 31st day of October and the 12th day of November, 1912, respectively, by the Honorable

Arthur Robinson, a member of our said Legislative Council, but limiting, nevertheless, the scope of your inquiry and report to the case of such of the several persons so complaining who, after notice by you given to him or her of your appointment hereunder, and of your preparedness to take his or her case into consideration, if required, shall in due course present himself or herself for examination or produce before you evidence in support of his or her complaint as disclosed in or to be inferred from the particular statutory declaration made by him or her.

That was the Commission, but Mr. Dickson had not adhered to it. He had inquired into all sorts of things. It would be seen from the report that the question had not been answered. The Commissioner said, on page 8—

I am satisfied from the evidence—

(1) That when the settlers referred to applied for and were granted allotments they were unaware of the existence or substance of section 69 of the Closer Settlement Act 1904.

(2) That the said section was not particularly disclosed to the said settlers by the Closer Settlement Board or its officers, and its alleged nature and effect were not explained to such settlers by the said Board or its officers. It was not the practice of the officers to inform intending applicants that the condition of residence embodied in a lease would also be one of the conditions of a Crown grant. Certain instructions were, for a time at least, observed that "undue prominence" was not to be given to the condition of residence enacted by section 69.

There was no evidence from beginning to end to justify that finding. He disagreed with Mr. Dickson, and he would appeal to the House to review Mr. Dickson's decision. On the evidence, Mr. Dickson, who was an estimable gentleman, had come to the wrong conclusion. County Court, and even Supreme Court, Judges had, time after time, given wrong decisions, and their decisions had been reversed. Mr. Dickson also found—

(3) That the said settlers were told, either by the printed conditions issued by the said Board or verbally by the officers of the Department of Lands or of such Board, that such settlers could obtain a Crown grant at the expiration of twelve years on payment of the balance of purchase money.

There was no proof of that in the evidence. The proof was sought to be found in certain declarations submitted to the House. He thought he was not incorrect in saying that more than nine of the declarations were withdrawn, the settlers stating that they were not told by any officer that they had not to comply with the residence condition. Mr. Robinson had never seen the evidence. There were only two typewritten copies of the evidence in existence, one of which was attached to the report, whilst he had the other.

The Hon. A. ROBINSON.—There was a third copy that the settlers paid for.

The Hon. J. D. BROWN said he asked the Secretary of the Commission how many copies of the evidence were typed, and the Secretary said "Two." He asked the Secretary if any other shorthand writer took notes, and he said "No; except at the sitting in Melbourne." Then a Mr. Hill, who was a perfectly competent shorthand writer, took the evidence down. That evidence differed in some respects from the evidence reported by the Government shorthand writer. There was some difference in the two transcriptions. Members were asked to decide this question without having the evidence before them. He (Mr. Brown) had read every page of the evidence, and proposed to read portions of it to the House in order to show that the men who made these declarations had knowingly or unknowingly—he believed knowingly—made false statements with regard to the officers. He was not going to allow the officers of a great public Department to be treated in that way. He proposed to call to the bar of this House every one of those officers, so that honorable members might see them, and hear what they had to say, and thus be able to judge who were telling the truth.

The Hon. A. ROBINSON.—We will have Mr. Dickson here, too.

The Hon. J. D. BROWN said he could not find anything in the evidence to justify the finding which Mr. Dickson arrived at. He disagreed with it altogether. Mr. Dickson appeared to have sought the opinion of quite a number of these witnesses as to their interpretation of Acts of Parliament, as to the wisdom of those measures, and as to their own desires. All he was asked to do was to inquire into the statements contained in the affidavits. He held sixty-three sittings in all parts of the State, and had come to a decision on the facts submitted to him. He (Mr. Brown) came to a totally different decision, and he was going to ask the House to review Mr. Dickson's findings. Honorable members would be given an opportunity of cross-examining every one of the officers who had given evidence to see whether

there were any officers in the Service who would do what it was alleged these officers had done. During the discussion that had taken place in this House a suggestion appeared to be made, although not in so many words, that not only the Minister and the members of the Closer Settlement Board, but practically all the officers under that Board, had conspired together to keep back information.

The Hon A. ROBINSON.—No suggestion of that kind was ever made.

The Hon. J. D. BROWN said it was probably not made in actual words, but it was suggested time after time that the officers had deliberately kept back information.

The Hon. A. ROBINSON.—That they had made a bungle.

The Hon. J. D. BROWN said it was put much more strongly than that—that they were either fools, or had deliberately kept things back. It was suggested that they were told not to give information.

The Hon. A. ROBINSON.—Who said that?

The Hon. J. D. BROWN said it was suggested in this House.

The PRESIDENT.—There are too many interjections.

The Hon. J. D. BROWN said that whether that had been said or not, he believed there was no officer in our Public Service who would be guilty of such practices, and he was sure he would have the approval of honorable members in calling these officers to the bar of the House. He had stated a moment ago that a large number of declarants had withdrawn, when examined by Mr. Dickson, the statements they had made in their affidavits, and had stated that they were not true. Honorable members were now sitting as judges, and must have before them evidence to justify them in coming to one conclusion or another. It would be tedious work going through all this mass of evidence, but he thought honorable members would be startled when they heard the answers which some of these men gave to the Commissioner. The declaration made by these settlers was as follows:—

1. That I am the holder of a Closer Settlement Allotment on the Estate.

2. That when I applied for and was granted an allotment, I was unaware of the existence of section 69 of the Closer Settlement Act 1904.

3. That the said section was not disclosed to me by the Closer Settlement Board or its officers, and its nature and effect was not explained to me by them.

4. That I was told by the Closer Settlement Board and (or) its officers that I could obtain a Crown grant at the expiration of twelve years on payment of the balance of purchase money, and I naturally concluded that I would eventually obtain an unencumbered title.

The sting of the whole affidavit was in paragraph 4. Man after man appeared before Mr. Dickson, and said, "I was told nothing of the kind." Several of them said, "I never saw an officer; I was never in the office." He (Mr. Brown) noticed that in examining the first few witnesses the Commissioner did not appear to ask the witness the explicit question, "Who told you that?" But later on that question was asked in nearly every instance. That, of course, was the proper thing to do. In passing, he might remind honorable members that every one of these tenants, when making their applications, made a solemn declaration before a justice or a Commissioner that they knew all the conditions and were prepared to comply with them.

The Hon. H. F. RICHARDSON.—They always do that.

The Hon. J. D. BROWN said that some very strong comments were made the other day by one of our Judges upon that kind of thing, adding that it was about time that steps were taken to prevent people from swearing to a pack of lies. The foundation of the whole of the charge that was made in this matter was that the officers of the Closer Settlement Board had told these men certain things. An examination of the evidence would show that nothing of the kind was done. One witness said—

I do not consider I am bound by anything I signed unless my attention was drawn to it.

Quite a number of the settlers blessed the Act, and said that it was the best thing that could be done for them.

The Hon. R. B. REES.—The whole thing was engineered by a lawyer in Melbourne.

The Hon. J. D. BROWN.—The following were some of the questions and answers with regard to paragraph 4 of the affidavit. This was part of the evidence of one witness—

You say that section 69 was not disclosed to you by the Closer Settlement Board?—Yes, I say that.

Who told you this (*reading paragraph* 4)?—I cannot tell you whether that would be Mr. Fricke or one of the other clerks. I was there more than once. My impression is I was told that, at the end of twelve years, if I paid my money and complied with the conditions, I would be entitled to have an unencumbered title.

Are you quite serious in saying that some one in the office told you you would have such a title?—I would not say those exact words. That was my impression.

Another witness—

You cannot say who gave you that information to the effect that you could obtain the Crown grant in twelve years without the residence condition?—I fancy it was general information.

Were you ever at a Land Board where you heard any public announcement about the conditions?—No.

Another witness—

As to paragraph 4, who told you that?—I talked the matter over with Mr. Bassett. I don't know whether he actually told me straight out. . . . I took it from what he said that we would get a complete title to the land.

Another witness—

Who told you that (*reading paragraph* 4)?—I do not know who the officers were, except those who were in the office.

You were told that in the Melbourne office?—I cannot give the gentleman's name. I was in the office several times. I never saw Mr. Fricke.

You cannot fix on him?—Certainly not.

Another witness—

Who told you this (*reading paragraph* 4)?—I cannot fix it on any one. I met so many Government officials. I met Mr. Bassett, Mr. Fricke, Mr. Weir, and other gentlemen in the enquiry office.

What did any one tell you?—I cannot remember what they told me.

In October, last year, the same settler positively swore that he was told certain things by the Closer Settlement Board or its officers. Later on he (Mr. Brown) would give the House a graphic description of how these affidavits were signed on one estate at least. Another witness—

What were you told?—That we should have a free title at the end of twelve years after the land was paid for.

Is it not a free title?—No, I think it is an encumbered title.

Another witness—

As to paragraph 4, do you remember any one telling you that?—Mr. Billis told me that in the Old Country.

In the report of the evidence given by other witnesses, the following pasages occurred:—

This is paragraph 4 of the Declaration of Complaint (*reading same*)?—That is so. I got papers in Canada one called "Victoria for the settler," and these papers were sent out by the agents in Vancouver. We thought after we had paid for the block it would be our own to do as we liked with.

This is your declaration of complaint (*showing declaration of complaint, Exhibit* No. 14) is that correct?—One of the paragraphs I do not think is quite correct. I only understood that from the bulletins.

This is paragraph 4 (*reading same*)?—That is quite correct—that is information I got from the bulletins.

You were not told by the Board?—Not by any individual.

This is paragraph 4 (*reading same*)?—That was told by Mr. Bassett in the Rochester Hotel about that date. I was one of a party, including Mr. Holman and Mr. Druce. Mr. Bassett said that after thirty-one and a half years the land became your own to do what you liked with it. That was about 4th July, 1911.

Honorable members should hear what Mr. Bassett said about that—

This is your declaration of complaint (*reading declaration of complaint, Exhibit* No. 16)?—Yes. That is all correct except the last thing. I was not told that. I read that in the pamphlet.

You made no inquiries?—No. I was told nothing. I did not consider it was necessary to make any inquiries after reading the pamphlet.

When did you first hear of this trouble?—Last April.

What did you do then?—The association made inquiries about it on account of something that happened at Shepparton. They then wrote to Melbourne and got a copy of the Closer Settlement Act.

This is paragraph 4 (*reading same*)?—I was not told that in the office; I got that from the pamphlet of the Board which I got from Captain Jenkins.

What did you do?—I did not do anything until I signed that declaration. I was not a member of the association.

This is paragraph 4 (*reading same*)?—I cannot say they told me; I understood that.

You were not absolutely told it?—No, I understood that.

This is paragraph 3 of your declaration (*reading same*)?—I cannot remember it.

You do not remember ever being told about it?—No.

This is paragraph 4 (*reading same*)?—That is what I understood from Captain Jenkins—that we would get a Crown grant in twelve years and could do what we liked with the land. I may have misunderstood him, but that is how I took it.

This is paragraph 4 (*reading same*)—Who told you that?—I heard Captain Jenkins say in the hall that a Crown grant could be issued at the end of twelve years.

This is paragraph 4 (*reading same*)?—That is not what you thought, but what you were actually told?—I was told that in the Closer Settlement Board office. I was told that the £1,500 restriction would be the only restriction apart from mining rights or water channels.

This is paragraph 4 (*reading same*)?—I heard that on more than one occasion.

Where and from whom?—I could not say.

From anybody in authority?—Whether it was in the hall that night in connexion with Captain Jenkins' lecture I could not say. I have heard it once or twice.

Were you at the Land Board in the Shire Hall?—Yes.

At the opening?—I think I was. I could not exactly say.

Do you remember Captain Jenkins saying anything then when announcing the conditions?—I may have heard him. I never took any heed.

You do not remember what was said at the Land Board?—I could not remember.

Is paragraph 4 correct (*reading same*)?—Yes.

Who told you, do you remember?—Captain Jenkins said it that night. I never asked anybody else. I took it for granted from what I read in the different circulars.

This is paragraph 4 (*reading same*)?—Did anybody tell you that?—I asked in Melbourne when paying my deposit. I could not tell you the man's name. I was doing the most of my business with Mr. Murphy. I do not think it was he who answered the question. I asked when I would get a Crown grant. He said at the end of twelve years, after paying up, I would get a Crown grant.

This is paragraph 4 (*reading same*)—Is that correct?—Yes, we understood Captain Jenkins to say so that night.

This is paragraph 4 (*reading same*)—Who told you?—It was told me in the bureau in Melbourne. I was talking at that time to Mr. Blore and two other gentlemen—I do not remember their names.

Was it Mr. Weir?—Mr. Fricke came round with me to see the land. I feel sure Mr. Fricke said the same thing when going round. I could not swear positively to that. Mr. Fricke came from Melbourne and went round in the coaches. Mr. Roy was around also.

Did any or all of them tell you you could obtain a Crown grant at the expiration of twelve years?—I was told in ordinary conversation amongst them. I cannot fix any particular one—it was just the ordinary conversation in the office.

Did you attend any Land Board when Mr. Weir dealt with your application?—I did not go before any one in Melbourne except Mr. Weir and Mr. Blore. I went into one or two offices to get papers.

You were not here when the speeches were made?—No.

This is your declaration of complaint (*showing declaration of complaint, Exhibit No. 28*)—Is it all correct?—Quite. The Closer Settlement Board's officers came here with rather a big shipment of land seekers. We were dealt with *en bloc*. I am not referring to any particular officer. I think about 30 of us were put through on the same day.

You cannot refer to any particular officer?—We were dealt with by so many.

Was a public statement made by any officer?—No.

When you went to the office, did you see Mr. Weir?—The only time I remember seeing Mr. Weir is when I signed the permit. I think I dealt with Mr. Fricke, Mr. Blore, and Mr. Moore. I think Mr. Bassett was the man who brought me up—the man I really conversed with more than anybody.

You cannot fix on anybody here?—No. I fix on Mr. Billis and Mr. Mead in the Old Country. I had a number of conversations with them.

This is paragraph 4 (*reading same*)—Who told you that?—I have had conversations with Mr. Roy in regard to selling land, and from what he has told me and others I concluded until I found out from Mr. McIvor that I could do so. At the time I applied nobody definitely told me.

You had a conversation with Mr. Roy?—I cannot give you the exact words. He left me with the impression that the land would be mine after that time. He may not have intended to convey that, but that is the impression he left with me. He did not definitely tell me I could obtain a freehold absolutely clear. He did not say so in so many words.

This is paragraph 4 (*reading same*)—Who told you that?—I was told by the officer presiding at the Land Board—Mr. Weldon.

Where at?—Rushworth.

Did he make a public statement?—Yes. There was a big assembly.

Do you remember what he said?—I think I can almost repeat his statement word for word. I am not absolutely certain of the date; it was some time in May, 1907. He read the conditions out which were on the back of our application form, and which we had signed. He also included some other statements which were not on the back of that form. I have an application form. The one I received on the day I went to the Land Board I used. I went to the Closer Settlement Board and got this one to take its place—(*showing pamphlet*)—in connexion with the subdivision of the Colbinabbin estate). I would like to say that on the day I went to the Board and got this form (*produced*)—the day I came to the Land Board or the day before—I asked if there were any other conditions. I asked the officer who was in charge. Several came to me. I fancy it was Mr. Bramwell.

The Hon. W. S. MANIFOLD.—I suppose you are going to call all the settlers as well.

The Hon. J. D. BROWN said they could have every one of these witnesses here if they liked. He would read further extracts from the evidence—

This is paragraph 4 (*reading same*)—Who told you that?—Those at the Board in Rushworth.

Do you remember who was there—was Mr. Weldon there?—He was one.

Did he say it publicly or tell it to you yourself?—He made a public statement.

Do you remember what he said?—It was a long time—a bit too long to remember.

That was the impression you got?—That was the impression—I was led to believe that.

This is paragraph 4 (*reading same*)—What member of the Board or officer told you that?—The officer at the Board at Rushworth, I think.

Were you present when he made a statement?—Yes.

What did he say?—I can hardly remember what was said.

This is paragraph 4 (*reading same*)—I always considered I would get a free title—Who told you that?—I always considered that by other titles.

You say, "I was told by the Closer Settlement Board or its officer that I could obtain a Crown grant at the expiration of twelve years on payment of the balance of the purchase money, and I naturally concluded that I would eventually obtain an unencumbered title." That would be at Rushworth, at the Board, was it?—Yes.

What was said?—I do not remember exactly; it is a good while, now.

Was it stated publicly?—I went to the Board and made my application. Something was said about conditions; I do not remember what was said.

What gave you the impression you would get a free title?—By other titles. I always considered we would be free.

This is paragraph 4 (*reading same*)?—That is right.

Who told you that?—One of the officers in Melbourne.

Do you know who it was?—No.

What did he say?—He told me that at the end of twelve years I could get my Crown grant if I wanted to clear the land—if I could borrow money—if I never got a free title I could sell the land. Instead of that you cannot, you must live on the land always.

This is paragraph 4 (*reading same*)?—It is not very clear to me what the Board told me.

Did you attend a Land Board?—Yes, at Rushworth.

What was said?—I went before the Board, and they questioned me. I was late at the Board. I did not hear the opening remarks. I only heard what was said at the table.

Were you not told that?—I cannot say that I remember being told or otherwise; I may have been told.

Earlier in the evening he stated that he would ask leave to call certain witnesses to the bar of the House for the purpose of affording every honorable member the opportunity to ask any questions he pleased. Honorable members would be able to get any information they desired, in order that they might come to a proper decision. By leave, he moved—

That Thos. Kennedy, Jas. Elliott Jenkins, Chas. Weir, Wm. McIver, Ebenezer Burgess, Albert York Bramwell, Jas. Roy, Mentagh Murphy, Geo. Moore, James Walter Butler, Chas. Alfd. Robinson, Geo. Thos. Blore, Robt. Weldon McIntyre, and Frank Bassett, be summoned to the bar of this honorable House on Thursday next to answer such questions as may be asked them in reference to the Closer Settlement Acts Amendment Bill.

The Hon. W. S. MANIFOLD said this seemed a somewhat extraordinary proceeding. He did not want to interfere with the Government conduct of business, but what was the position? The Government had appointed the Commissioner, who took certain evidence and came to a certain conclusion. The Attorney-General now proposed to call certain of the witnesses who were examined by the Commissioner to explain their evidence.

The Hon. J. D. BROWN.—No.

The Hon. W. S. MANIFOLD. — Most singular of all, the honorable gentleman did not propose to call Mr. Dickson. He supposed, as a matter of courtesy to the Government, this House would probably consent to this inquiry being held; but if the whole matter was to be re-opened, as the Government desired, by examining the witnesses on one side only, in common fairness they ought to call some of those who gave evidence on the other side. He certainly thought that Mr. Dickson's name should be added. He moved—

That the name of Mr. William Dickson be added.

The Hon. J. D. BROWN (Attorney-General) said it seemed a very extraordinary thing to call a Judge to the House to explain his decision. He (Mr. Brown) had no objection to Mr. Dickson being called, but it would lead to an awkward position. He would suggest that Mr. Manifold should not press his amendment to-night, but take time to consider it. A Judge of an inferior Court would never be asked to give evidence before a superior Court in regard to a matter he had heard. He was submitting the desirability of these officers being in attendance, so that any honorable members who desired to get further light could obtain it by asking questions. The Government courted a complete inquiry into this matter. He did not propose examining witnesses on one side or the other. These were public servants, whose actions had undoubtedly been challenged, and in fairness to them they should have the opportunity of being heard.

The Hon. D. MELVILLE said if names could be added, he wanted certain other people to be called, but he could not supply their names at the moment. He wanted to be in the position to call men who had asked to be called.

The Hon. J. D. BROWN.—I have no objection to that personally.

The Hon. D. MELVILLE said the Standing Orders would not permit of that being done. He wanted to secure the same rights as the Attorney-General was procuring for his own side. There must

be two sides to the question. Could names that he furnished afterwards be added?

The PRESIDENT. — The honorable member at a later stage can move that other witnesses be called, naming them. He will either have to give notice of that motion or move it by leave. The passing of this motion does not preclude him from moving that other witnesses be called at another time; or, if the honorable member is ready with the names now, after the present amendment is disposed of, he can propose the addition of other names.

The Hon. R. B. REES said he would ask whether leave had been granted for the whole proceeding. He thought notice should be given of it.

The PRESIDENT. — Leave was given before I stated the question.

The Hon. A. ROBINSON remarked that he thought this was a most extraordinary proposal. The objection the Attorney-General had taken was that Mr. Dickson was a Judge, and that this House was also engaged in a judicial capacity. The whole statement of the case was most misleading. The House was not, in this case, acting in a judicial capacity more than it was on any other Bill. The House was discussing a Bill to amend a preceding Act of Parliament, and to say that there was something in this Bill that differentiated it from other Bills was most extraordinary. As to Mr. Dickson being called, if anybody was to be called, Mr. Dickson was the very first man who should be, and the last man also. Here was a man who had gone from the Murray to the sea, and from Sale to Casterton, seeing the witnesses and hearing them. Honorable members who had the slightest experience of Courts of petty sessions knew that the demeanour of witnesses was a very relevant circumstance. Mr. Dickson had heard the witnesses, and had had the best opportunity of judging whether they were right or wrong, and now this officer, who had heard both sides and every scrap of evidence, was not to be called, on the ground that he was a Judge. The people who gave evidence against what was asked for were to be called, but not this officer, who examined into the matter. That would be a most wretched precedent.

The Hon. D. E. McBRYDE said he approved of the suggestion that Mr. Dickson should be called, for the simple reason that his evidence was necessary in order to give the true state of affairs.

The amendment was agreed to.

The Hon. R. B. REES said, if the motion as amended was carried, would an honorable member have the right to propose additional names before the inquiry took place? He thought some of the people who had given evidence should be called. It was difficult to think of names now, and he thought the matter should be adjourned, so that honorable members could decide on the names of certain people in the country who should be called.

The PRESIDENT.—On another occasion any honorable member can move that other witnesses be called. He will have to give notice of that motion, or get the leave of the House to move it. In one way or the other, in future any number of witnesses can be called if the House desires.

The Hon. R. B. REES said he had considerable experience of people being brought to the bar of the House to give evidence, and he had taken part in the cross-examination of witnesses. His experience taught him that it was a very futile proposition. He had not seen anything adduced which had convinced a single member of the House that he should alter his vote. As Mr. Robinson pointed out, a Commissioner was appointed to take evidence. This Commissioner was probably as good a man as could be found in Victoria. He had travelled all over the country taking evidence, and had come to certain conclusions. The conclusions were unfavorable to the Government, and to his (Mr. Rees') view of the question, but he would not now go behind that Commissioner and try to get evidence other than that which had been heard, and upon which the Commissioner's findings were based. He thought it was a wrong proposition for the Attorney-General to bring these people to the bar. The House had already made up its mind, and he did not think that further discussion on the question would alter one vote. He would vote against the motion.

The Hon. A. ROBINSON said he quite agreed with Mr. Rees, who was against him on this particular Bill. Mr. Rees' remarks must carry weight with honorable members. He (Mr. Robinson) did not think that taking evidence affected a solitary vote. He ventured to say that it would not affect the vote of any honorable member. If evidence was to be taken, it was necessary, in all fairness, that the evidence of representative settlers should

be taken. He would not ask that the whole of those who had made declarations should be called, but to say that the officers alone should give evidence, and that the men who complained that a certain fact was not disclosed should not be heard was a most extraordinary proposition. He had just turned up the report in *Hansard* when the question of holding an inquiry was discussed, and he found that on the 20th December the Attorney-General, at page 4206, stated—

> Last night he (Mr. Brown) promised that there would be an independent inquiry into the complaints with regard to this matter by an independent gentleman or a Board, altogether apart from the departmental officers.

On the 19th December, the Attorney-General, on behalf of the Government, also spoke on the question, and it was indicated that the House agreed not to press its views on this particular clause if an independent inquiry was made. Now honorable members were asked to go behind the independent inquirer, a gentleman who had the confidence of the Government, and to hear one side of the evidence, and on that side of the evidence to discard the decision of the gentleman appointed by the Government. On page 4034, the Attorney-General, dealing with the clause that he (Mr. Robinson) got the House to agree to, said—

> Having regard to what had transpired in this House, he would promise, on behalf of the Government, that an investigation would be made into the complaints which had been brought before the House. He moved—
>
> That the House do not insist upon this amendment.

Mr. Manifold took part in the debate, and stated—

> He thought it would be better to accept the compromise offered by the Attorney-General of an inquiry by a properly qualified Board, absolutely independent of the Department. Of course it would be preferable if the inquiry was conducted by a Judge, or Police Magistrate, or somebody like that. No matter how the Board reported, it would then be for Parliament to take such action as it thought fit. Up to the present it had been proposed to take action before the cases were proved. He thought an investigation before action would be a fair system to go upon.

In reply to a remark by Mr. Russell Clarke, the Attorney-General stated that the inquiry would be held by a body that Parliament would approve of. A body was appointed by the Government, and members were told in advance that it would be one that Parliament would approve of. Now the House was asked to take up the extraordinary position of hearing evidence against a gentleman whose conduct was alleged to be impugned. No attack was made on the officers referred to. It was only said that bungling had occurred. He thought that the House would be acting wisely in rejecting the motion, otherwise honorable members would get into a terrible bog. If evidence was taken from one side, it was pretty certain that an insistent demand would be made for settlers to be brought to the bar of the House from all parts of the State at the expense of the Government. At any rate, it would be expected that representatives from the various settlements affected would be called to give evidence. If the House heard one side, it must hear the other side. Under the circumstances it would be wise to reject the motion.

The Hon. J. D. BROWN (Attorney-General) said his only desire in this matter was to assist honorable members in coming to a proper conclusion. He wished to withdraw his motion.

The motion was withdrawn.

The Hon. W. S. MANIFOLD said he wished to withdraw his amendment.

The amendment was withdrawn.

The Hon. J. D. BROWN (Attorney-General) said he would give some further extracts from the evidence. One witness was asked—

> You said you were told?—I heard the usual conditions, I never heard anything about perpetual residence. That is what I heard at the Land Board in Rushworth. Mr. Weldon gave it out—that is what I took out of it.

Another witness—

> Who told you that?—I was led to believe we would get a clear title by the Board.
>
> You were at Rushworth?—Yes, when the Board opened.
>
> Do you remember what was said?—No, I do not remember the exact words. I was under the impression we would get a clear title at the end of twelve years.

Another witness—

> This is paragraph 4 (*reading same*)?—We expected we would get a Crown grant at the end of twelve years.
>
> Did any member of the Board tell you that?—I could not say for a certainty.
>
> Were you ever told?—I expect I was. If I was told it would be at the office. I cannot remember being told.

Another witness—

Who told you that?—An official of the Lands Department. Mr. Weir was the official I saw. He told me exactly as I have said.

Another witness—

This is your declaration of complaint. Paragraph 4 is as follows (*reading same*)—who told you that?—I cannot say who told me. We have made our home on the estate. I have no objection to the residence clause in the Crown grant.

Another witness—

This is paragraph 4 (*reading same*)?—I have that knowledge from the bulletin given to me by the Agent-General. In bulletin No. 1 it was printed in italics that a complete title is given, and on the title page of the bulletin it is stated that Ministers accept full responsibility for the statement, and that everything will be carried out.

Another witness—

This is paragraph 4 (*reading same*)—who told you that?—I got that from the application form.

Did you ever consult any one about it?—No.

Another witness—

You were not told of it?—No, Mr. Moore did not mention it. I did not raise the question.

You were not actually told by anybody?—No.

Not by the Land Board?—No.

Another witness—

Who told you?—I do not know. I think the subject came up in a general way while I was talking to Mr. Moore. I would not swear to this. I have an idea he said:—"You have to fulfil the conditions—You have the right after six years to sell the improvements, and after twelve years you can pay the balance of the purchase money, and make it a freehold."

Another witness—

Who told you that you would eventually obtain an unencumbered title?—I was told down in Melbourne.

By whom?—By Captain Jenkins, of the then existing Board. Captain Jenkins distinctly said that I could get a Crown grant after six years.

Another witness—

Where did you get your information?—I got it from Mr. Ward, one of your men in the Treasury buildings.

What did they tell you?—They just gave me an application form, which says—"I can lease, sub-let, transfer, or mortgage after six years." I knew nothing about the twelve years.

Another witness—

Who told you that you would obtain an unencumbered title?—I would not be at all certain, but I think it was Mr. Moore told me that. I do not know whether it was Mr. Moore or Mr. Weir.

They both told you you would get the grant after twelve years?—I would not say for certain, but I think so. I thought it was at the end of six years—I did not know anything about twelve.

Another witness—

You say you were told by the Board, or its officers, that you would get a Crown grant at the expiration of twelve years on payment of the balance of the purchase money, and you naturally concluded that you would eventually obtain an unencumbered title—who told you that?—I understood it from what I read.

No one actually told you?—No.

The following were other samples of the evidence of various witnesses:—

You say you were told by the Board, or its officers, that you would get a Crown grant at the expiration of twelve years on payment of the balance of the purchase money, and you naturally concluded that you would eventually obtain an unencumbered title—who told you that?—Mr. Weldon.

What did he tell you. Do you remember?—I just remember that we were to get a title at the end of twelve years, but, according to the Act, I see there are conditions. . . .

Well, now, take paragraph 4, which says that you were told by the Board, or its officers, that you would obtain a Crown grant in twelve years on payment of the balance of the purchase money—who told you that?—Well, of course, I noticed that word "told," but I considered that after hearing Mr. Jenkins in the way I did, I was justified in inferring that. I did not ask him the direct question, because I had no suspicion, but I considered, after what he said, that it was calculated to give me that impression. . . .

You say you were told by the Board, or its officers, certain things—who told you—were you told by anybody in person?—At the present time I could not call to mind who it was who told me; there were so many at the Land Board. . . .

In paragraph 4 you say you were told by the Board, or its officers, that at the expiration of twelve years you would obtain a Crown grant, and you naturally concluded that you would eventually obtain an unencumbered title—who told you that?—I never heard any mention of it at all.

It was not told you?—No. . . .

Do you think it is any great hardship, this section 69?—Not now, I do not.

Your principal complaint is that you did not know about it at the time?—Yes.

And now that you do know all about it, it does not look so serious?—No; that is right. . . . . .

Here is your declaration. Did you discuss the matter with any of the closer settlement officers?—No.

You say here you did not know anything about section 69?—That is quite correct.

Well, now, take paragraph 4. You say you were told by the Board, or its officers, that you would get a Crown grant at the expiration of twelve years on payment of the balance of the purchase money, and you naturally concluded you would get an unencumbered title—who told you that?—I could not name any one, but Captain Jenkins went through some details in the first place. . . .

Well, now take paragraph 4. You were told by the Board, or its officers, that at the expiration of twelve years you would obtain a Crown grant on payment of the balance of the pur-

chase money, and you naturally concluded you would obtain an unencumbered title—who told you that?—I saw it there in the declaration.

But if it was not correct—you were not required to sign it just because you saw it there; is it correct that you were told by the Board?—No.

No particular officer of the Board actually told you so?—No.

Why did you make that declaration?—I made a mistake there. . . .

Paragraph 4 says you were told by the Board, or its officers, that you would obtain a Crown grant at the expiration of twelve years on payment of the balance of the purchase money, and you naturally concluded you would eventually obtain an unencumbered title—is that correct—who told you?—This pamphlet was posted to me. I wrote for some of the conditions, and this was sent to me.

It was not anybody in person. It was only what you read?—Yes.

Witness after witness said almost the same thing.

The Hon. W. S. MANIFOLD.—It is all the same whether a man is told a thing verbally or in writing.

The Hon. J. D. BROWN said it was alleged that these settlers were told that they were to get an unencumbered title.

The Hon. W. S. MANIFOLD.—They were told in print, in the pamphlets. It is only hair-splitting.

The Hon. J. D. BROWN said that another witness was asked—

You say you were told by the Closer Settlement Board, or its officers?—I cannot remember who told me.

But you said last October that you were told?—I have just said I overlooked that.

Another witness, when asked who told him that he would get an unencumbered title, replied—

I got it from those pamphlets. I had several of those, and I concluded that they were issued from the Board. I did not ask any of the officers any questions about it, either at the Land Board or in Melbourne.

Another witness, in answer to a similar question, said—

I do not know that I was told by anybody in person. I did not notice that at the time I signed that paper, because I would not perjure myself over it. I do not know that any one actually told me. I got my information from the map.

In his opinion, the evidence given right through this inquiry was conclusive that there was no concealment at all on the part of the Department, and yet certain honorable members would still vote to vary a contract which had been entered into. This was purely a political matter, engineered by speculators in Melbourne. One of the gentlemen who moved in this matter actually confessed that his real desire was to alter the law. He did not think that gentleman put it seriously that any actual injustice had been done, but simply he did not like the law, and desired it to be altered. There were some ninety odd estates, and complaints had only been heard, and that after considerable pressure had been brought to bear on the country people by the city organizers, from a very small proportion of the settlers. It seemed to him that the House would do a very wrong thing if it confirmed the action of certain interested people in this matter. If the Bill had been drafted on the same lines as the Bill that had been introduced in another place, the position would have been different. Parliament was at liberty at any time to alter the law, and the Bill in another place adopted the proper method of dealing with this matter. It was quite a different thing to come to a House of Parliament, not moved by the people interested, but moved by political motives, without any petitions being received, or any suggestion of complaint on the part of at least eight-tenths of the settlers.

The Hon. W. S. MANIFOLD.—I have had lots of letters about it, including letters from associations in my own province.

The Hon. J. D. BROWN said that the honorable member had always expressed himself as opposed to section 69, and stated so when the Bill of 1904 was before the House, but the majority was then against him.

The Hon. W. S. MANIFOLD.—We did not know then how it would work out.

The Hon. J. D. BROWN said the provision was supported at that time by the acknowledged leaders of the House, and there was no division upon it. He felt that it would be useless for him to occupy the time of the House in making any further remarks, because — and he was sorry to say it of a deliberative assembly —the majority of honorable members had apparently made up their minds to cast a vote on this question without any evidence at all. He could quite understand honorable members asking to have the evidence printed so that they should have the whole matter before them, but they did not do that. They did not care a straw about the evidence. They did not care a straw about the facts.

The HON. W. S. MANIFOLD.—Oh!

The Hon. J. D. BROWN said he would withdraw that statement, but he ventured to think that honorable members had not considered the facts. They were dealing with the matter simply according to their political views.

The Hon. W. S. MANIFOLD.—I do not think the Attorney-General should say that.

The Hon. J. D. BROWN said he did not think there was anything offensive in saying that. Honorable members ought to carefully consider the material that was available. He would be glad to allow any honorable member to read through the evidence. He would say no more now on the question, except to ask the House not to pass the Bill.

The Hon. R. BECKETT expressed the opinion that this question had been unduly laboured by the Attorney-General, because the question involved in this little amending Bill was not nearly so wide as one would imagine from what the honorable gentleman had said. He considered that some of the reflections which the Attorney-General had passed on honorable members whose views on this subject did not agree with his own were not justifiable at all. In the first place, it seemed extraordinary that the Attorney-General should endeavour to argue that this Bill was a private Bill, and not a public measure. How any Bill dealing with the land of this State could be considered a private measure was difficult to understand.

The PRESIDENT.—I may say that if I had thought it a private Bill, I would have so ruled.

The Hon. R. BECKETT said the Bill was very much on a par with the Wonthaggi Land Bill which was passed last session, and which gave further privileges to those who had taken up leaseholds at Wonthaggi. All that the present Bill provided was that section 69 of the Closer Settlement Act should not apply to applications for leases that were granted before a certain date. Then, again, it seemed most unusual that the Attorney-General, who himself selected Mr. Dickson as the Commissioner to undertake this inquiry, should now seek to repudiate the findings of the Commission. The honorable gentleman still spoke of Mr. Dickson as being a fair, impartial, and judicially-minded man, yet he now turned round and declared that Mr. Dickson's decision was utterly wrong, and was not founded on the evidence.

The Hon. J. D. BROWN.—All I say is that on my consideration of the same evidence I disagree with Mr. Dickson. I do not cast any reflection on that gentleman—far from it—but I say that on the evidence given I come to a totally different conclusion.

The Hon. R. BECKETT said that the Attorney-General first of all spoke of Mr. Dickson in commendatory terms, and afterwards said that Mr. Dickson had not considered the evidence properly.

The Hon. J. D. BROWN (Attorney-General) said he rose to make a personal explanation.

The PRESIDENT.—I do not think the Attorney-General can make a personal explanation now.

The Hon. R. BECKETT said the Attorney-General spent a great deal of valuable time in going through volume after volume of evidence in order to show that Mr. Dickson had misconceived the evidence placed before him, and had come to an erroneous conclusion. For that to come from the gentleman who chose Mr. Dickson for this very task seemed very extraordinary. Then the Attorney-General appeared to contend that, because these witnesses, when they were examined before the Commissioner, could not name the individual who had given certain information to them, the declarations they had made were untrue, and of no value. Surely that was straining the whole question. As Mr. Manifold had pointed out in an interjection, it was a perfectly straightforward statement to say, "I was told that such was the case." Information could be conveyed, not only by verbal communication from an officer of the Department, but also by the reading of pamphlets or circulars issued by the Government. The question was—Did the Government communicate certain facts to these people which led them to a certain belief, and did they, as a consequence of that, act in a way that had turned out to their own prejudice? On all these points the conclusions of Mr. Dickson were clear and definite, and there was no getting away from them. Mr. Dickson was the one who heard the evidence, and was able to judge as to the demeanour of the witnesses, and the way in which the questions were answered. That was a point upon which our Judges, especially in appeal cases, laid very great

stress. Surely any honorable member would be much more satisfied with the findings of a man like Mr. Dickson than they would be with any conclusion they could themselves come to on reading these volumes of evidence. That evidence would not convey to them any fair impression of the way in which the evidence was given by particular witnesses. It was quite impossible for honorable members to read hundreds of pages of evidence, and then declare, as the Attorney-General had done, that they utterly disagreed with the findings of the Commissioner. As the Attorney-General had stated, Mr. Dickson had been engaged in work of this kind before. He was retained by the Tasmanian Government on one occasion to make an important inquiry in that State. When a man of such experience had sifted the evidence of over 400 witnesses, and had given his decision in a clear and definite form, it was impossible for this House to say that he was entirely mistaken, and that it must not respect his findings in any shape whatever. There was no ambiguity at all about the findings. There was none of the doubt which judicial officers occasionally felt when coming to a decision. He put it straight out—

> I am satisfied from the evidence that when the settlers referred to applied for and were granted allotments they were unaware of the existence or substance of section 69 of the Closer Settlement Act 1904.

That was a plain, straightforward statement. There was no question whatever about it. In addition, there was the fact that, in some cases, section 69 was not in force at the time. To contend that the applicants were anticipating that section 69 was going to be passed after they had taken up the land, and that they knew all about it in advance, was a most extraordinary position. The report went on to say—

> In the case of the Maddingley and Warrnambool estates the declarants produced the printed sheet containing the conditions under which they applied for their blocks in 1903, *i.e.*, prior to the passing of the Closer Settlement Act 1904.

There were clearly some cases where men took up land before the section was passed into law. The statement that they knew nothing about it was the only thing consistent with the truth. It should not be forgotten that a large number of settlers were not permitted to give evidence. The Attorney-General read the terms of the Royal Commission. They strictly confined the Commission to those who made declarations. He thought the Attorney-General should admit that that shut out scores, if not hundreds, of others——

The Hon. J. D. BROWN.—Who made no complaints.

The Hon. R. BECKETT said they made continual complaints. He had received a letter from a gentleman who was an old colleague of his on the Camberwell Town Council, and who afterwards became President of the Shire of Lilydale. Selling out his property at Lilydale, he went to Colbinabbin. When he (Mr. Beckett) was elected to the Council, that gentleman wrote him a congratulatory note, and then in his letter went on to say—

> I took up land here some six years ago for my two sons and daughter, and have sunk a large portion of my earnings on their behalf in the necessary improvements incidental to working their blocks and making their homes, and only within the last few months have learned that the title we are to get at the end of twelve years, after paying the full, if not more than the value of the land, will only give us the right to occupy so long as we permanently reside. I can assure you that, had I known of the existence of such a condition, I would not have invested a penny on such security as this offers. My son Rupert, in his sworn evidence before the Royal Commission, stated that he specifically inquired of the Board's officers before lodging his application whether there were any other conditions than those set forth in the pamphlet issued to him, and was told "none whatever." Mr. Dickson has found, after exhaustive inquiry, that the settlers took up their land in ignorance of the flaw in the title to be issued to them. Two courses are open to the Government to do us justice—either return to us the money they have taken and compensate us for the expenditure of time, labour, and material on the improvements we have effected to their property or else give us a clean, unencumbered Crown grant.

For many years the writer of that letter was a magistrate. He was a well-educated man, and had conducted a grammar school. He was a man of keen intelligence, who knew what he was writing about, and who was thoroughly trustworthy. If a man of that superior type could be misled in this way, it was not surprising that hundreds of others who had made declarations should also have been misled.

An HONORABLE MEMBER.—I cannot understand why he should have been misled

The Hon. R. BECKETT said he supposed Mr. Taylor, the writer of the letter, had, with others, placed confidence in the officers of the Lands Department, and in public circulars. As far as people on the

other side of the world were concerned, the case was very much stronger. It might be said that intending settlers here could have obtained legal assistance, and waited on the steps of the Government offices so as to ascertain everything about the conditions, although that was an unreasonable position to take up. People on the other side of the world, however, were wholly dependent on the information supplied to them, so that their case was very much stronger.

The Hon. R. B. REES.—They are all restricted titles in England.

The Hon. R. BECKETT said the honorable member was not correct in making that statement. He (Mr. Beckett) professed to know something about titles issued in connexion with land in the Old Country, and he challenged the honorable member to find any class of title carrying such an encumbrance. They were discussing now a title with a condition which to a stranger might seem most extraordinary, binding the settler down to the soil like a serf.

The Hon. R. B. REES.—There are conditions in all our titles.

The Hon. R. BECKETT said if Mr. Rees could point to a title in England with a condition of that kind there might be something to induce immigrants to inquire whether a similarly extraordinary title would be encountered when they arrived here. We had invited a number of people on the other side of the world to come here, and they could not possibly get the detailed information which might be obtained by a close study of our land laws and by visits to the Lands Department. When they reached Victoria they asserted that this extraordinary condition, binding them to live on these allotments, had not been made known to them. If the pamphlet issued in 1910 was looked at, it would be found that it was laid down plainly that "the lessees must reside on the allotment," and that they could or could not do other things. After dealing with the leases, reference was made to the Crown grant, an entirely different instrument. It said "A Crown grant may be issued to the lessee," and so on. That was the very spot where one would expect them to go on and say, "but such Crown grant will contain a condition binding the Crown grantee to reside on the property." There was not a word about that. To his mind, it lacked the candid statement of the position which ought to be made to anybody whom we sought to bring out to make his home here. Whichever way the matter was looked at, it seemed to him that Mr. Dickson's finding was amply justified by the evidence of witnesses, and particularly the officers of the Lands Department. A careful decision was given after the whole of the evidence was sifted. The question arose as to what was the proper remedy in a case of this kind. They were not dealing with a case where men knew all about the conditions, and wanted to repudiate them. They were dealing with a case in which no disclosure was made, and the evidence and the findings were in favour of the settlers. Although there might not be what lawyers would call fraudulent concealment, the evidence showed that there had been what might be called studied reticence. The remedy for that in any Court in which there would be fair dealing would be to let the men have the option of giving up their property and receiving compensation for what they had done. That did not exhaust the whole position, because the law was able to meet, as between citizen and citizen, cases of that kind. It would be found that a Court of Equity could declare where a vendor in the position of the Crown was able to make good his representations, and to supply a title such as the one which the purchaser honestly thought he was going to get, that the vendor should be compelled to give such a title. It was like the case of a property with building restrictions, the vendor of which did not let the purchaser know anything about the restrictions. The purchaser, having erected a house which did not fit in with the restrictions, could compel the vendor to give him a title free from restrictions which were never disclosed if the vendor had turned round and wished to take steps in the matter. Now, in this case, the Crown was able to give these men what they thought they were going to get. Nothing was said that would lead them to expect anything different, and if the Crown could give it to them it should do so. This amending Bill would put these people in the position of getting what they had a right to expect. In such a case, for the good name of the State and fair fame of our country, absolute faith should be kept with these people. One would like to think that the Attorney-General, who, in most parts of the British Dominions, was

the guardian of the honour of the country, should be the first to step in and say, "I will not wait for anybody, but, in my position as guardian of the honour of this country, I will bring in a Bill to deal with the matter." It was unfortunate that it was left to a private member to rehabilitate the good name of the State.

The Hon. J. D. BROWN (Attorney-General) said he wished to make a personal explanation. He hoped that no other honorable member had drawn the same conclusion as Mr. Beckett had from his remarks. He passed no reflection whatever on Mr. Dickson. He said that he had had an opportunity of reading the evidence, and that, on reading that evidence, he had come to a different conclusion from Mr. Dickson. That cast no reflection whatever upon Mr. Dickson. He did not want honorable members to have any lingering doubt about that.

The Hon. A. O. SACHSE said that, after the forensic and somewhat lengthy address of the Attorney-General, one naturally hesitated about speaking upon a section of an Act in the basic principle of which one might believe, though one might feel that in the administration of that section, an injustice had been done to certain people. He would not have spoken to-night had not the Attorney-General referred specifically to the address he (Mr. Sachse) delivered when introducing the Bill of 1904, which became an Act. He still believed in the principle contained in section 69 of that Act. The principle was sound, and he saw eye to eye with the Attorney-General in the fine argument the honorable gentleman gave in favour of it. The question had become one of administration only—not maladministration as far as the Government themselves were concerned. But things had arisen since Mr. Robinson introduced the matter into this Chamber which must disturb any person with a sense of justice.

The Hon. F. HAGELTHORN.—You want to alter a good law because it has been badly administered?

The Hon. A. O. SACHSE said he did not want to alter the law. He believed he was with the Minister of Public Works, and that he was not far distant from the Attorney-General. He thought the Attorney-General's argument was a very fine and clear one. He entirely agreed with the first part of the Attorney-General's argument, and intended to follow him on that, but there had been injustice undoubtedly in the treatment of some—he would not say all—of the settlers. The original idea was that people should go on the land, fulfil certain conditions, and pay certain moneys, and that after a time they would be granted a Crown grant. A number of people took up the land with the idea that after they had fulfilled certain conditions they would get a Crown grant. There was no mention of any encumbrance on the title, and that was the weak spot in the whole thing. He quite agreed that the Attorney-General had not said one word derogatory to Mr. Dickson. On the contrary, the honorable gentleman spoke in the highest terms of Mr. Dickson personally, but he said that he had read the evidence, and that, as a lawyer, he did not think Mr. Dickson's report was justified by the evidence. He (Mr. Sachse) felt very strongly that the Government should not have appointed a civil servant as a Commissioner. He thought that was the feeling of most honorable members. When the question was first raised on the floor of the House hundreds of statutory declarations were presented. Although he (Mr. Sachse) was not a lawyer, he had legal training for some years in a lawyer's office, and he knew that a statutory declaration was regarded as being evidence in many Courts. Had the declarations been the other way about, stating that the people did understand about section 69, no doubt the Attorney-General would have accepted them as evidence. There were not only ten or twenty declarations, but some hundreds. Were honorable members to assume that all those persons committed perjury?

The Hon. J. D. BROWN.—No.

The Hon. A. O. SACHSE said each of the declarations concluded with the words, "I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of Parliament rendering persons making false declarations liable to imprisonment for wilful and corrupt perjury." Were honorable members to disbelieve these hundreds of people?

The Hon. J. D. BROWN.—They qualified their statements on investigation.

The Hon. A. O. SACHSE said that the Government, instead of appointing a Supreme Court Judge, who would have been acceptable to everybody, to make the inquiry, decided that they would appoint a civil servant, and he (Mr. Sachse) supposed that they could not have made a better selection than Mr. Dickson, the Secretary of Mines. A more fair-minded and better man in the Public Service could not have been selected, and honorable members gave credit to the Government for appointing Mr. Dickson as Commissioner. The Attorney-General to-night defended Mr. Dickson's appointment, and said, "We appointed the best man we could." But, while defending the appointment of Mr. Dickson, the honorable gentleman said, "We do not believe in his report." That was a distinct contradiction. The Government believed that Mr. Dickson was capable of weighing evidence as a police magistrate, and then said that they did not believe in his report. He (Mr. Sachse) gave the Government credit for appointing a most excellent gentleman—a gentleman most skilled in analyzing evidence and drawing up reports. He believed in the appointment of Mr. Dickson, and, naturally, as he was consistent, he agreed with Mr. Dickson's report. In his report, Mr. Dickson said, in effect, "I have taken evidence, and I find, amongst other things, that the officers were instructed not to give undue prominence to the fact that the Crown grant contained a certain encumbrance as to residence." Let honorable members reason out why such an instruction was given at all.

The Hon. J. D. BROWN.—It is denied.

The Hon. A. O. SACHSE said he was saying what was stated in Mr. Dickson's report. The Government believed in Mr. Dickson, appointed him as Commissioner, and ought to believe in his report. The Attorney-General believed in the judge that he appointed, but he did not believe in his findings.

The Hon. J. D. BROWN.—Judges have been overruled.

The Hon. A. O. SACHSE said he was prepared to bow to the honorable gentleman's legal experience, but, if out of a service of 10,000 or 20,000 people he had selected the man who he thought was the one man who had the finest sense of justice to try a case for him, he would accept his decision. The House, though it objected to the appointment of a civil servant as Commissioner at all, agreed that Mr. Dickson was a fair-minded man. They objected to a civil servant being appointed, because it might be that he would be subservient to the Ministry of the day, but the Commissioner had boldly come forward and made the honest statement that, in his opinion, the instruction was given that undue prominence was not to be given to the fact that there was an encumbrance on the titles. It could only be assumed from that that there was a distinct direction given by somebody that no undue prominence should be given to that fact, and that meant to keep it dark. Why should the direction be given not to give undue prominence to a thing if it were not meant to keep it back? He (Mr. Sachse) was quite willing to admit that a number of the people who made declarations were biased, and that they would all reap an advantage from the passing of the Bill. That might make honorable members somewhat suspicious, and justified to some extent, but only to some extent, the Attorney-General's opposition to the measure. Surely there must be a great number of those persons who made declarations who were honest.

The Hon. J. D. BROWN.—Hear, hear!

The Hon. A. O. SACHSE said these men were promised a Crown grant if they did a certain amount of work. Surely that implied that after their labour should come their refreshment, and that they should get their reward. They were told that by the officers, according to the opinion of Mr. Dickson and the evidence of Captain Jenkins, on whose word he (Mr. Sachse) implicitly relied, and in whom he had the fullest confidence, because he had a great deal to do with that officer at the time he introduced the original measure.

The Hon. R. B. REES.—Now you are speaking against the measure you introduced.

The Hon. A. O. SACHSE said he still believed in the principle.

The Hon. R. B. REES.—Do you still believe in section 69?

The Hon. A. O. SACHSE said he believed in section 69 being carried out when it was thoroughly understood by

those people who took up the land. For the sake of argument, supposing that out of those numbers of declarants only 50 per cent. were honest, was it not better for the reputation of Victoria to give them the indulgence that Mr. Robinson suggested in clause 2 of the Bill.

The Hon. W. J. EVANS.—What about those coming in after?

The Hon. A. O. SACHSE said those coming in after would not participate in the advantages of the amendment, because they would clearly understand that they were going to be given a title with an encumbrance upon it. He was surprised that honorable members should hesitate in doing justice to a number of honest men because of some who might not be quite so honest, and who were taking advantage of the ignorance of the honest ones. Supposing that these men were given the indulgence that was not going to be given to the new settlers. There was still section 70 to fall back on. Would very much harm be done? These people were on the land; they were fulfilling the conditions, and section 70 would prevent them from transferring their blocks to anybody else. The one basic principle he had in view when introducing the original Bill was to try and get the House to pass that clause, so as to get the men on the land.

An HONORABLE MEMBER.—What about those who knew of section 69?

The Hon. A. O. SACHSE said that people who took up land on that understanding should have to carry their burden, but if, on the other hand, the agreement was one-sided, and the encumbrance was disguised from them, they should be given relief. It must be remembered that small farmers were not skilled lawyers. They were not able to analyze an agreement, and had to take what they were told. They found themselves in such a position that they felt that they had been deceived. He believed there were some dishonest ones amongst them.

An HONORABLE MEMBER.—Who can pick them out?

The Hon. A. O. SACHSE said that was where the difficulty of the Ministry came in. He appreciated the difficulty of the Attorney-General and other Ministers. But he did not care if half were rogues; the other half should get justice. If they all got what they asked for, the rogues included, they could only transfer the land to another person who had no land, and no harm would be done. With section 70 as a safeguard, he did not see what harm could happen by doing what might be regarded as an act of justice in passing this Bill. The Attorney-General was always striving to do what was just and right, and this would be doing an act of justice to a number of people. None of this land could be disposed of except to a person who at present had no land, and therefore aggregation could not occur while section 70 was in the Act.

The Hon. R. B. REES said he was rather surprised at the address delivered by Mr. Sachse. He did not think that eight years would have made such a wonderful change in the convictions and policy of an honorable member. It would be rather interesting to read what Mr. Sachse said on this clause in 1904.

The Hon. A. O. SACHSE.—The Attorney-General has already read it.

The Hon. R. B. REES said the Attorney-General had not sufficiently emphasized the excellent points which the Minister then in charge of the Bill made, and which affected the House so much that it carried the clause in the face of the opposition of Mr. Manifold and others. He was sure that the excellent arguments used by Mr. Sachse in 1904 led to the clause being carried. His (Mr. Rees') opinion was that it should not be expediency, but conviction, that should govern our actions. When a man had formed a firm and clear conviction on a certain point, a period of eight or nine years should not alter it so materially as it had altered that of Mr. Sachse. Of course, the honorable member was now in favour of conciliation. But when he was sitting on the Government side of the House, there was not much conciliation in his argument. It was a case of bullocking a measure through. That was the time that he had the President at his back as a colleague, with the great strength the President had as leader of the House. When they pressed their measures through, a number of honorable members, including the present unofficial leader, were very much opposed to them.

The PRESIDENT.—I do not think the honorable member is speaking to the question.

The Hon. R. B. REES said he was only elaborating this point.

The PRESIDENT.—The honorable member need not elaborate.

The Hon. R. B. REES said that if he was going to be restricted in his elaboration, he supposed he would be restricted in his peroration later on. It would be interesting to read what Mr. Sachse said on the introduction of this clause—

It was desired that the lands taken up under this Bill should be occupied. The desire of the Government was that there should always be some one looking after the land. It need not necessarily be the owner, for some one representing him might be in charge. The whole object was to effect closer settlement by providing the people with homes.

The crux of the honorable member's argument was occupation. The honorable member was then Minister of Public Instruction, and he felt, as all honorable members felt now, that to build schools and other conveniences in the back parts of the State for these people, and for them afterwards to leave, was a mistake. The aggregation of people in the cities was recognised by Mr. Sachse, and was pointed out by him as a menace to the country, as it was to-day. The honorable gentleman continued—

If any man did not wish to retain his allotment, and neglected it, then under this clause the Crown could take possession of the allotment. He was most strongly opposed to the omission of this clause. There was very good and substantial reason for allowing this provision to stand. The whole principle underlying this Bill was closer settlement. They wanted to put people on what were comparatively waste lands in small allotments with a view to their working the land. What was desired was permanent settlement. The Government did not want to see these allotments sold at the end of six years, and aggregated into large holdings. Whoever bought one of these allotments would buy it with the knowledge that he or his representative must live on the land.

Was not that absolutely opposed to what the honorable member said now?

The Hon. A. O. SACHSE.—No; it is entirely consistent with it.

The Hon. R. B. REES said the honorable member had just stated that there was a conspiracy of silence—a kind of *suppressio veri*—on the part of the officers of the Department—that when a man applied for an allotment, they simply suppressed information that was really required about his having to reside on the land perpetually, or find somebody else to reside on it.

The Hon. A. O. SACHSE.—That is the finding of the Commissioner.

The Hon. R. B. REES said he did not agree that the Commissioner did find that exactly. The honorable member continued—

If this clause was struck out there would be a clear opening for fraud, which it would be very hard to punish.

The honorable member now said that this section could be knocked out, and that section 70 would be sufficient, although in 1904 he stated that if it was struck out, there would be a clear opening for fraud. He added—

If settlers need not live on their allotments, aggregation was certain to result.

The Hon. A. O. SACHSE.—The Bill is not to strike out the section, but only to restrict it.

The Hon. R. B. REES said the honorable member stated that there appeared to have been misrepresentation — it was not proved by-the-bye—by officers, and that section 69 should be wiped out, and that we should rely on section 70.

The Hon. A. O. SACHSE.—I never said such a thing.

The Hon. R. B. REES said the honorable member stated the House should pass the Bill, and that meant that people who had taken up land under the Act would be placed in the same condition as people who went on land bought in the open market.

The Hon. A. O. SACHSE.—I say only as to these people.

The Hon. R. B. REES said there was a lot more in Mr. Sachse's statement, which had put things more clearly and concisely than he (Mr. Rees) could have stated them, showing why section 69 should be passed. His remarks had such an effect that the clause was passed in face of the hostile criticism of the then unofficial leader and the present unofficial leader.

The Hon. A. O. SACHSE.—I still believe in the section.

The Hon. R. B. REES said the Attorney-General had read a good deal more of the debate on the clause, including some very pertinent remarks by himself (Mr. Rees). When he came to a definite conclusion on a subject, eight or nine years of experience and argument did not alter his conviction, and he was as convinced to-day as he was in 1904 that section 69 was necessary for the maintenance of closer settlement in the back country of Victoria. He begged to move—

That the debate be now adjourned.

The motion was agreed to, and the debate was adjourned until the next day of meeting.

The House adjourned at seventeen minutes to ten o'clock, until Tuesday, October 14.

LEGISLATIVE ASSEMBLY.

Wednesday, October 8, 1913.

The SPEAKER took the chair at twenty-five minutes to four o'clock p.m.

STAMPING OF JEWELLERY.

Mr. ELMSLIE asked the Premier—

If it is the intention of the Government to introduce a Bill this session relating to the stamping of jewellery?

Mr. WATT (Premier).—The Bill referred to by the honorable member has been drafted, and, in practically the same shape, was introduced into this House on a former occasion; but it depends, to some extent, if not wholly, on legislation being concurrently adopted by New South Wales; and I am afraid, from the outlook of political probabilities there, that there will be no legislation on the subject in that State this session. However, if it is thought necessary to take earlier action in Victoria, we are prepared to introduce the Bill this session.

FINES IMPOSED UNDER ACTS OF PARLIAMENT.

Mr. PRENDERGAST moved—

That there be laid before this House a return, in continuation of the return furnished in 1912, showing separately all fines imposed under (*a*) the Milk and Dairy Supervision Act; (*b*) the Pure Food Act; (*c*) the Factories and Shops Acts, specifying—Name of person or firm fined, nature of offence, amount of fine, locality where offence committed, together with totals, and with summary of offences, fines, &c., under each Act, as furnished in page 2 of the return presented to this House on the 10th December, 1912.

The motion was agreed to.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by Mr. PRENDERGAST, from residents of North Melbourne; by Mr. GRAHAM, from residents of the Goulburn Valley; by Mr. COTTER, from residents of Richmond; by Mr. BOWSER, from residents of Rutherglen; by Mr. CAMPBELL, from residents in the electoral district of Glenelg; by Mr. MENZIES, from residents in the electoral district of Lowan; by Mr. LEMMON, from residents of Williamstown and Newport; by Mr. McLEOD, from residents of Daylesford; by Mr. JOHNSTONE, from residents of Beeac and Warrion; by Mr. McPHERSON, from residents of Hawthorn; and by Mr. LEMMON (in the absence of Mr. Solly), from certain residents of Carlton and elsewhere, connected with the Melbourne University.

A petition was presented by Mr. McLEOD, from residents of Daylesford and surrounding districts, praying that shorter hours and a weekly half-holiday be extended to the liquor trade throughout the State.

MINERS' STRIKE AT BENDIGO.

USE OF A REVOLVER.

Mr. TUNNECLIFFE.—By leave, I desire to draw the attention of the Chief Secretary to a paragraph which appeared in this morning's *Age* with regard to the miners' strike at Bendigo. It is headed, "Strike Leaders Fined—Assault on Non-Unionist—Striker Threatened with Revolver." It goes on to say—

A miner named William Harris, one of the strikers, grabbed the reins and endeavoured to stop the horses in the cab. Encouraged by the cheers of his comrades, Harris held on to the reins, and was dragged along for some distance. The driver, William Martins, whipped the horses into a gallop, and it was only when one of the miners, Arthur Place, who was sitting in front of the cab, produced a revolver and threatened to shoot him, that Harris relaxed his hold.

This occurred on 29th September, and, although the man Place was undoubtedly in illegal possession of firearms, no action was taken by the police. Will the Chief Secretary see that action is immediately taken to prosecute this man for threatening the life of another man?

Mr. MURRAY (Chief Secretary).—This is the first time my attention has been directed to this matter. From what the honorable member has read, I should say there were faults on both sides, and that if a prosecution is undertaken against the man who threatened the other with a revolver, the other people concerned should certainly not be allowed to go free.

Mr. TUNNECLIFFE.—They have been prosecuted and fined.

Mr. MURRAY.—I will make inquiries, and see what the facts are. At the present moment I shall commit myself to no promise about it.

MELBOURNE TRAMWAYS TRUST BILL.

Mr. WATT (Premier) moved for leave to introduce a Bill to amend the Melbourne Tramways Trust Act 1903.

The motion was agreed to.

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

AUCTION SALES (INTER-STATE) BILL.

Mr. WATT (Premier) moved for leave to introduce a Bill to authorize the issue of auctioneers' licences for Victoria to auctioneers resident in other States of the Commonwealth of Australia, and for other purposes.

The motion was agreed to.

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

WORKERS' DWELLINGS BILL.

Mr. J. CAMERON (*Gippsland East*—Honorary Minister) moved the second reading of this Bill. He said—This measure is a very small one as regards the number of its clauses, but it is very important to a large number of deserving people, who are compelled to occupy dwellings at a rental out of all proportion to their earnings, and it is not because there is no land available. Any one taking a run around the city in a motor car will be struck, as I have been, with the large area of land lying unoccupied in the various suburban municipalities, held evidently by speculators for higher prices. If honorable members will look at a map which I have in my possession, they will see great, white blanks, which indicate the land not occupied in the metropolitan area. Of course, some of it may be connected with large mansions, but, in the true sense of the word, it is not occupied.

Mr. J. W. BILLSON (*Fitzroy*).—What proportion do the white blanks constitute?

Mr. J. CAMERON (*Gippsland East*).—I could not say what the proportion is exactly, as I only had the Bill handed to me yesterday afternoon, but there is no question that a large extent is unoccupied. I do not blame any one for buying land and holding it in order to secure higher prices, but I feel that the Government would be failing in its duty if it did not bring in a measure such as this to enable the municipalities to secure land at present values for the purposes of the Bill. High as these values are, they must go still higher, in the near future, with the electrification and the extension of our railway and tramway systems and the steady increase of population in the metropolitan area. Therefore, a measure of this kind, to enable the municipalities to purchase land at present values, has not been brought in too soon. The Bill is, to a great extent, the outcome of a deputation from the Trades Hall Council, which waited on the Premier twelve months ago. They asked for four different things—the establishment of a Fair-rent Court, the floating of a loan for house-building purposes, the compulsory assessment of rates on the unimproved value of the land, and an amendment of the Local Government Act, to enable the municipalities to build houses. After hearing the deputation, the Premier's answer was to this effect:—"I will take to Cabinet the one question I think you are most interested in, whether the municipalities should be given power to deal with the housing problem by extending their borrowing powers, and will recommend it favorably." I find that such an Act exists in New Zealand and Queensland, and, to some extent, in New South Wales. Of course, in New South Wales the matter is in the hands of the Government.

Mr. LEMMON.—Don't we give our Government power in the Closer Settlement Act?

Mr. J. CAMERON (*Gippsland East*).—Yes.

Mr. LEMMON.—What has become of that power?

Mr. J. CAMERON (*Gippsland East*).—It is being used. I have a tabulated statement, showing how it is working out. It is as follows:—

POPULATION AND ARREARS ON THE VARIOUS WORKMEN'S HOMES ESTATES.

Workmen's Homes.	Resident Population.	Arrears at 30/6/13 (Principal and Interest).
		£ s. d.
Brunswick ...	164	34 3 1
Cadmans ...	237	44 18 8
Dal Campbell ...	350	55 16 3
Footscray ...	459	89 6 11
Glen Huntly ...	1,030	168 0 6
Penders Grove	740	293 13 8
Phœnix ...	250	28 9 5
Tooronga ...	531	34 5 7
	3,761	£748 14 1

Mr. LEMMON.—When did the Government buy the last estate?

Mr. J. CAMERON (*Gippsland East*).—I have not got that information. I think it is only fair to say that some of the estates were bought almost recently, so that they have not had time to work themselves straight.

Mr. J. W. BILLSON (*Fitzroy*).—Which of them were bought recently?

Mr. J. CAMERON (*Gippsland East*).—That I could not say either.

Mr. J. W. BILLSON (*Fitzroy*).—Could you tell us how many blocks are not taken up?

Mr. J. CAMERON (*Gippsland East*).—Only a very few, so I was informed in the office. The information was to have been sent to me, but it has not yet come to hand. I think the results which I have given, showing that there are 3,761 persons residing on the estates, and that the total indebtedness is only £748, are very good indeed.

Mr. WARDE.—They have to erect places of a certain value?

Mr. J. CAMERON (*Gippsland East*).—Yes.

Mr. HAMPSON.—How much has been lent?

Mr. J. CAMERON (*Gippsland East*).—Captain Jenkins was to send that information along.

Mr. HANNAH.—I am surprised you have not got it.

Mr. J. CAMERON (*Gippsland East*).—This Bill was handed to me late yesterday afternoon, and if I had had more time I would have been able to get the whole of the information together.

Mr. HAMPSON.—It deals with the metropolitan area?

Mr. J. CAMERON (*Gippsland East*).—The Bill will apply more to the metropolitan area than elsewhere.

Mr. HAMPSON.—I thought it would apply to the whole of Victoria.

Mr. J. CAMERON (*Gippsland East*).—That is so, but it will apply more to the metropolitan area than the country.

Mr. ELMSLIE.—I thought it would apply everywhere.

Mr. J. CAMERON (*Gippsland East*).—Yes, but it will be more used in the city. Coming to the Bill itself, honorable members will see that clause 1 provides that the Bill shall be read and construed as one with the Local Government Act 1903, and any other Act amending the same, and is applicable except where stated. With regard to clause 2, I may say that there is no power in the Local Government Act to purchase or take compulsorily land for the purposes of this Bill. This clause gives councils the necessary power to purchase land, and also extends the provisions of Part XVII. of the Local Government Act so as to enable a council to compulsorily take any land suitable for dwelling houses and for leasing to persons who are not owners of dwelling houses in Victoria or elsewhere, and are not in receipt of incomes of more than £200 a year. Clause 3 sets forth the works that the councils may carry out under the Bill. It is understood that the same works are included in a Workers' Dwellings Act in New South Wales. Under section 354 of the Local Government Act it is provided that a council before proceeding to borrow money shall cause to be prepared—

(*a*) Plans and specifications, and an estimate of the cost of such works and undertakings.

(*b*) A statement showing the proposed expenditure of the money to be borrowed.

Such plans have to be open for inspection of the ratepayers for one month after publication of notice to borrow, but it is not necessary to submit them for the approval of the Governor in Council. Clause 4 of this Bill, however, provides that such plans, &c., shall also be submitted for the approval of the Governor in Council, together with such sections, elevations, and other matters necessary to show the nature and extent of the works proposed. Clause 5 is also an addition to the provision in the Local Government Act, and requires plans to be submitted for the approval of the Governor in Council showing the classes of houses to be built, and the manner in which land is to be subdivided. Section 236 of the Local Government Act limits the power of a council to lease lands vested in it for not more than seven years, but under clause 6 of this Bill a council may, notwithstanding anything in the Local Government Act, lease dwelling houses for such periods and on such terms as it thinks fit. A council is therefore not restricted as in the Local Government Act, but may lease dwelling houses and buildings for any period. Clause 7 enables a council to make by-laws with

the approval of the Governor in Council, and is necessary for carrying out the provisions of the measure. With regard to clause 8, I would point out that there is no power under the Local Government Act to borrow money for the works specified in the Bill. Sub-clause (1) of clause 8 is therefore necessary in order that the purchase and taking compulsorily of any land under the Bill shall be deemed to be "permanent works and undertakings" within the meaning of Part XIV. of the Local Government Act, as a council is not empowered to borrow money for works not deemed "permanent works and undertakings." Under section 348 of the Local Government Act a council may borrow money, but the amount shall not exceed ten times its average income for three years, terminating with the yearly balancing of accounts next preceding the *Government Gazette* notice of such loan. Sub-clause (2) of clause 8 empowers a council to borrow any sum or sums of money not exceeding £50,000 in excess of any amount that a council is authorized to borrow under the Local Government Act with the approval of the Governor in Council. Right through the Bill provision is made for the approval of the Governor in Council.

Mr. WARDE.—Would it not be as well to do away with the Bill, and to leave it all to the Governor in Council.

Mr. J. CAMERON (*Gippsland East*). —Hardly; the municipal councils have some say in the matter under the Bill. Sub-section (2) of section 264 of the Local Government Act states that no rate made by a council shall exceed 2s. 6d. in the £1. Under clause 9 a council may, out of the Municipal Fund, advance moneys required for the purposes mentioned in the Bill, and may for such purposes increase, if necessary, the general rate, notwithstanding the statutory limit of 2s. 6d.; but, so far as is practicable, all moneys shall be repaid to the Municipal Fund out of any profits arising therefrom. It will be seen that a council is not restricted as to the amount that the general rate may be increased to, and the Parliamentary Draftsman states that it is not practicable to fix a limit, as in the event of a council having exhausted its borrowing powers under the provisions of the Local Government Act the only security a council would offer to lenders would be by an increased rate. It is doubtful if there will be any profits, and there is, therefore, a small chance of any money advanced being repaid to the Municipal Fund. Clause 10 of the Bill provides that no money shall be borrowed without the approval of the Governor in Council. This provision is considered essential in a new venture of this kind, and would insure that any application to borrow would be thoroughly investigated and satisfactorily reported on before being approved. Clause 11 simply extends and applies the provisions of the Bill to the cities of Melbourne and Geelong. A great deal could be said in favour of the Bill.

Mr. GRAY.—Why not say it?

Mr. J. CAMERON (*Gippsland East*). —I do not want to waste the time of the House.

Mr. HANNAH.—We are here to discuss measures.

Mr. J. CAMERON (*Gippsland East*). —I am here to lay the Bill before the House. The explanation I have given is, I think, all that is necessary in lodging a Bill of this sort.

Mr. GRAY. — Will the buildings be rated?

Mr. J. CAMERON (*Gippsland East*). —They will be subject to a rate the same as buildings in other parts of the municipalities.

Mr. GRAY.—A municipal council cannot rate itself.

Mr. J. CAMERON (*Gippsland East*). —A municipal council can certainly rate the tenants.

Mr. GRAY.—The owner is the person ultimately responsible for the rates.

Mr. J. CAMERON (*Gippsland East*). — A municipal council could turn the tenant out, and put some one else in his place.

Mr. MURRAY. — A council need not charge rates.

Mr. J. CAMERON (*Gippsland East*). —Councils can remit rates, and have done so on many occasions.

Mr. ELMSLIE. — I must ask for a reasonable adjournment of this debate. Will the Minister in charge of the measure agree to an adjournment for a week or two?

Mr. J. CAMERON (*Gippsland East*).—A week or two for a little thing like this?

Mr. ELMSLIE.—The honorable gentleman may be thoroughly acquainted with the details of the Bill, and I know a person, when he is conversant with a

matter, thinks that every one else should be. Still some of us would like a little time to go through the Bill so that we may know exactly what it provides. I move—

That the debate be now adjourned.

Mr. MURRAY (Chief Secretary).—Would it not be an agreeable exception to the almost invariable rule observed lately by this House not to ask for the adjournment of a very simple Bill like this, of which we have had a very lucid explanation? The whole of the provisions can be described in two or three sentences. There is no compulsion on any of the municipalities. Some honorable members might like to convert the word "may" into "shall," so as to compel the municipal bodies to undertake this work. The passage of the measure would give a number of councils throughout the country the opportunity of availing themselves of the powers it contains. We surely have sufficient intelligence among ourselves to grasp such a measure as this without having any further inquiries or report upon it. I believe there are possibilities of very great good to the most deserving and helpless part of the community from such a measure as this. We find that older countries that are thought to be somewhat behind us are carrying out successfully the work of housing the poor. If you go to the great commercial metropolis of Scotland —Glasgow—you will marvel at the amount of work done by the municipalities.

Mr. J. W. BILLSON (*Fitzroy*).—Are you speaking to the adjournment?

The SPEAKER.—I was just going to remind the honorable gentleman that he is making a second-reading speech.

Mr. MURRAY.—I think I am quite within my rights in saying that this is a policy that ought to be adopted in this country, and in endeavouring to strengthen that view by citing illustrations of what has been done in other lands. If I am out of order, the opportunity of pressing such a point as this——

The SPEAKER.—I did not say the honorable member was out of order, but he is speaking to the main question, and if he wants to speak again on the Bill I will have to stop him.

Mr. MURRAY. — I am not at all anxious to speak again on the Bill. I am rather in the humour to speak a little this afternoon. It was a great national misfortune, and I am astonished honorable members did not notice it, that the honorable member for Collingwood and myself were both at the same time suffering from somewhat indifferent health. I do not know how the House managed to get on with its business without the pair of us. What I propose is that, as there is a possibility of private members' business lapsing this evening, we should adjourn the second reading of this Bill until later in the day.

Mr. GRAY.—Who is in charge of the Bill?

Mr. MURRAY.—The House is in possession of the Bill at the present moment. My colleague who introduced the Bill is in charge of it. Would the honorable member for Swan Hill have no sympathy with his desire to proceed with the measure? When the honorable member has one of his trumpery little Mildura or Mallee Bills, he is irrepressible in his desire to proceed with the measure, to the exclusion of other business. I will admit that there is a measure of Socialism in this Bill—municipal Socialism, which has always been regarded as the safest kind of Socialism that a country can embark upon. It is safe, for the reason that, guiding the municipal destinies of this country, are men who are selected, as a rule, on account of their great business capacity. This Bill, in a measure, is socialistic; but, more than that, it is a proposition that is fraught incidentally with the possibilities of conferring unspeakable, immeasurable, and far-reaching benefits upon the toiling thousands we have in this State; and not only upon those, but, if our immigration policy is as successful as we hope it will be, and as it deserves to be, it will make provision for the toiling millions who are to come after us. That opens up a vista along which honorable members may take a delight in gazing. But I am not going to talk at any great length. Speaking most seriously, we find that there is, in some of these smaller measures of a few clauses, a potentiality for good that is sometimes absent from larger and more pretentious measures. I am perfectly certain that if honorable members direct their intelligence upon this Bill, it will meet with their approval. It is a step in the right direction. It enables municipalities to carry out work that ought long ago to have been part of their duty.

We hear a great deal about slums, and about the congestion of people in many parts of the metropolis. If the municipalities had such power as this, and exercised it, many of the problems that have been created, or may be created, in this country, would have been obviated, and we should not have found ourselves in the position of the older cities of the world, where these problems are of such a gigantic character, and present so many difficulties, that the wisest statesmanship is required to deal with them. I think honorable members ought to agree to the second reading of the Bill.

Mr. ELMSLIE.—How can we give the second reading when we have not had time to read the Bill? We only saw the Bill about ten minutes ago.

Mr. WARDE.—I am surprised that the honorable gentleman should feel disposed to refuse the adjournment of the debate. This Bill has not been circulated for the consideration of honorable members. Surely we are beginning to legislate in a slip-shod fashion, if a Bill of this importance is to be read a second time when it is sprung on the House at a moment's notice. The Chief Secretary's reason for desiring the debate to proceed is that the Bill is a matter of urgency, and that the municipalities should have had the power proposed to be given in this Bill five or six years ago. Surely, if this is a matter of urgency, the fault rests with the Government that some alleviating legislation was not introduced previously. The Minister in charge of the Bill read out a long list of persons who are in Government homes and on workmen's blocks, and he pointed out that there was some £700 owing as a deficiency, while there was some thousands of pounds of security in the possession of the Department. If the Government of the day have so much solicitude for the housing of the people and removing them from the slums, they should have done something in that way after that successful venture. But it is five or six years since the Government did anything to try to remove these conditions. The Government in office before the present Ministry was mainly instrumental in purchasing land for this purpose. The present Chief Secretary has been in office ten or fifteen years, with a slight intermission, and he is, to some extent, responsible for legislation not being introduced before. The Government would go far towards alleviating the position if they carried out successful workmen's holdings. The most successful portion of closer settlement administration up to the present has been in settling artisans in homes for themselves amidst healthier and purer surroundings than they lived in previously. Honorable members are entitled to time for further consideration of this Bill; and the Government, instead of talking about an emergency, would be better engaged in purchasing more land and settling people in healthy homes under the successful conditions read out by the Minister in charge of the Bill this afternoon.

Mr. GRAY.—I also join in the request for an adjournment, so that we may have an opportunity of discovering what the Bill intends to do. It appears only to carry out the same work that the Closer Settlement Board has already successfully done, as the honorable member for Flemington stated. Whether it is for the purpose of giving the municipalities, instead of the Board, power to borrow money, I do not know. Then I see it fixes the income a man may have who is to take advantage of this legislation. There are various matters in the Bill that honorable members want to know something about. We want to look into it and compare it with different portions of the Local Government Act, and examine its provisions with regard to borrowing, rating, and the payment of rates, and the amount each man's house is going to cost. I do not suppose it is the intention of the municipalities to build houses for wealthy people.

Mr. J. CAMERON (*Gippsland East*).—There is a limit.

Mr. GRAY.—There is no limit to the amount which may be spent on the house. This only shows that there is a good deal in the Bill which requires consideration.

Mr. WATT (Premier).—I was not, unfortunately, in the chamber when the request was made for an adjournment, and I do not know from what source it emanates. If the desire is to have a day or two to consider the proposition, the Government are perfectly willing. The more it is looked at, I think, the more feasible it becomes from every stand-point. I should be glad if honorable members would give attention to the Bill in the course of the next two or three days, as I am anxious to pass the Bill into law as early as possible.

Mr. ELMSLIE.—I have no desire to block business, but I would offer a suggestion that the Bill should be in the hands of honorable members before the Minister rises to explain it. If the Bill had been in our hands a day or two, we would have been in a position to go on with it now.

Mr. WATT.—Then the press would have got it.

Mr. ELMSLIE.—If the honorable gentleman takes up that position, he is bound to give honorable members time to consider these Bills when they ask for it.

Mr. WATT.—That is preferable to the other course.

Mr. ELMSLIE.—We certainly cannot discuss the Bill intelligently under the present circumstances.

Mr. J. CAMERON (*Gippsland East*—Honorary Minister).—A number of questions have been asked, and certain information sought for. I shall have the information ready by the time the Bill comes on again.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, October 14.

SOUTH MELBOURNE MARKETS BILL.

The debate (adjourned from August 21) was resumed on the motion of Mr. H. McKenzie (*Rodney* — Minister of Lands) for the second reading of this Bill.

Mr. ELMSLIE.—First of all, I desire to express my regret that the Minister of Lands, who introduced this Bill, is not present. I particularly regret the cause of his absence, and I hope that he will soon be well, and amongst us again. This is rather a peculiar Bill. It sets out to do a certain thing, but the most important feature in connexion with it is in the title of the Bill. We are told that it is a Bill "to provide for the exchange of certain allotments of private land in the city of South Melbourne for certain allotments of Crown land in the said city, and for other purposes." If it were a Bill of that character alone, the whole aspect of the proposal would be altered, and I would not be opposing it; but in clause 1 we are told that, "This Act may be cited as the South Melbourne Markets Act 1913." That opens up a very wide question indeed. Clause 2 deals with the exchange of certain lands that were held by the firm of Holt and Company, and there is a little history attached to that. The firm was carrying on a noxious trade under licence from the city of South Melbourne. That city had given them notice that they would not be allowed to carry on any longer, and would have to remove. That was done. This particular trade was being carried on on the site on which the Government propose to erect the markets. I am glad to know that a noxious trade has been removed into a district where it will not affect people in the surrounding locality. Consequently, I am not opposing this clause. There are other lands that were obtained by the Government, to which anything of that character does not apply. The land was purchased by the Government solely for the erection of markets. I am totally opposed to the erection of this proposed market. The Government have entered into a contract in respect to the purchase of these lands, and if the Bill is rejected, it may lead to some complications. Still, that should not trouble those opposed to the Bill, because the Government must take the responsibility of their actions. The transfer of certain lands, and the payment of the money, is a responsibility of the Government.

Mr. GRAY.—Is the contract not subject to approval by Parliament?

Mr. ELMSLIE.—I do not know what the contracts are. I know that land has been purchased, that some buildings have been removed, and that money has been paid over. That has been admitted by the Treasurer and by the Minister of Lands. Clause 5 states—

> The monetary consideration paid in respect of the allotments specified in the Second Schedule to this Act (which said allotments have been transferred to the King) and the monetary consideration which has been paid, or may hereafter be paid, in respect of the allotments specified in the first column of the First Schedule to this Act, shall be repaid to the Treasurer of Victoria out of any moneys provided by Parliament for the purpose.

We were told by the Minister of Lands, when he moved the second reading of the Bill, that a certain sum of money had been paid over, and that there was still a matter to be dealt with as far as the firm of Holt and Company are concerned. We have no conception what the amount will ultimately be, and we have not received any information since. The £10,000 that has been spent already in connexion with the proposed erection of markets may be materially added to. That fact ought to be taken into consideration.

Mr. GRAY.—It does not appear from the Bill that the land has been transferred to the Crown.

Mr. ELMSLIE.—Clause 5 states that certain allotments have been transferred to the King, and I take it that they have been transferred, and are now in the possession of the Crown. The people who were carrying on business on the land have removed to other localities. They have erected buildings there, and are now carrying on their business there. It was admitted by the Minister of Lands that the whole question of the erection of markets is bound up in this matter, and no doubt it is. It would be much better if we had the proposal of the Government in a more concrete form, and if the proposal appeared before us without any complications such as there are. Before entering into the merits or demerits of the proposal of the Government, I should like to refer to some remarks made by the Minister of Lands in moving the second reading of the Bill. By quoting the report of a deputation that I accompanied to the Minister, advocating the erection of markets in South Melbourne, the honorable gentleman sought to convey the impression that, at that time, I was in favour of the erection of these markets, and that now I was opposed to the proposal. Let me examine the two proposals. The proposal made by the deputation that I accompanied was for an expenditure of £50,000. There was no proposal to construct a railway to connect the market with the existing railway system. There was no proposal to close up six streets in South Melbourne. There was no proposal to take possession of Hanna-street, and to destroy a very valuable avenue of trees and beautiful gardens laid out at the expense of the South Melbourne City Council. The main drain for the city of South Melbourne runs along Hanna-street, and into the Yarra. It is only a few feet under the surface. There was no proposal then to damage the main avenue of drainage from the city of South Melbourne by the construction of a railway. For these reasons I do not think it is fair to say that I was in favour of this proposal at one time, and am now against it. Certainly I was in favour of the proposal as far as it went, but after reading the report of the Railways Commissioners, and thoroughly understanding the proposals of the Government, I have no hesitation whatever in strenuously opposing the project. But even supposing that the proposal submitted at the time I have referred to was the same as the proposal submitted now, if I had changed my opinion I would have no apology to make after that lapse of time. I would not apologize for altering my opinion if I thought that I would be serving the public interest. It is only dead men who never change their opinions. However, in this particular case it cannot be said that I have been guilty of changing my opinion. Clause 6 provides—

> On the commencement of this Act—
>
> (1) (*a*) Such portion of Dorcas-street, in the city of South Melbourne, as lies between Hanna-street and Wells-street; and
>
> (*b*) the street between sections 101 and 101A in the said city; and
>
> (*c*) the rights-of-way which intersect sections 100, 101, and 101A in said city
>
> shall, notwithstanding any Act, proclamation, dedication, or user, cease to be public highways.

In addition to destroying Hanna-street, and making level crossings, or crossings of some kind over the railway it is proposed to construct along that street, the Government propose to close up Dorcas-street, which is one of the highways from South Melbourne to the St. Kilda-road. Any one who looks at the plan will see that the closing of these streets would be most inconvenient, especially in view of the fact that at the same time the free traffic on six other streets that lead into South Melbourne will be interfered with. The proposal to close up one of the main avenues is a serious matter to the city of South Melbourne, part of which I have the honour to represent. We must remember that owing to the Port Melbourne and St. Kilda railways, and to the Yarra itself, the avenues to and from South Melbourne are very restricted. Under this Bill the Government propose practically to isolate South Melbourne.

Mr. WATT.—The idea of another opening is developing—a bridge from Clarendon-street to Spencer-street.

Mr. ELMSLIE.—The sooner it develops the better, because if we do not have a bridge there, and this market proposal is carried, the prosperity of South Melbourne will be very materially affected. The closing of the streets I have mentioned will greatly reduce the value of property in the locality. So far as I can see from the Bill—I do not know what the

proposals are for the future—the Government are going to steal rights and privileges and values from the people who own property on each side of the market site. It can be easily understood that the closing up of Dorcas-street—one of the main streets of the city of South Melbourne—will materially depreciate the value of the property which people have purchased in that locality. The Government are going to resume all the rights-of-way, and easements, and everything else. When it is proposed to take away from people what they have paid for and legally obtained, there should be some provision that they shall be reimbursed for what they lose.

Mr. WATT.—I think it will be found that if these streets and rights-of-way are closed we will not be taking any easements.

Mr. LANGDON.—Are not public markets beneficial?

Mr. ELMSLIE.—Public markets would no doubt be beneficial if they were erected in a proper locality. While I am offering no objection to the erection of public markets to serve the consumers and producers of this State, I am endeavouring to show that the erection of markets on the proposed site will place a burden on the taxpayers, and that they cannot be a financial success, or give relief to any material extent to either the producers or the consumers. In introducing the Bill the Minister of Lands admitted that the success or failure of these markets will depend on whether they are connected by a line with the railway system. The following is an extract from the honorable gentleman's speech in *Hansard*—

> Of course, honorable members will recognise that, in selecting a site for a retail market, we must select one in a central position. It would be useless to have a retail market in a position that is not approachable by the majority of the people.
>
> Mr. GRAY.—Or if you could not get a railway to it.
>
> Mr. H. MCKENZIE (*Rodney*).—Yes.
>
> Mr. SNOWBALL.—That is not essential, is it?
>
> Mr. H. MCKENZIE (*Rodney*).—It is absolutely necessary.

I want honorable members, in considering the proposals of the Government, and the evidence I shall submit later on, to bear in mind the fact that the Minister of Lands said that it is absolutely necessary that the markets should be connected by rail. I propose to show the difficulties directly surrounding the construction of the proposed railway from the Railways Commissioners' point of view. I am going to show why the estimate submitted by the Railway Department, in my opinion, is altogether insufficient; and I am going to endeavour to show that this proposal is not a sound one on commercial lines, and that the proposed market cannot possibly pay. Another point the Minister of Lands made was that increased market accommodation was required. I do not propose to attempt to rebut that statement. I do not say that increased accommodation is not required. I take up a perfectly neutral position on that point; but my endeavour will be to show that, if another market is required, the scheme of the Government, if carried out, would have a disastrous effect. I would like to refer to the points which the Minister did not make, and which this House ought to have been placed in possession of. Right through the honorable gentleman's speech he gave no opinion as to the probable cost of the proposed market. Neither did he say anything about the unsuitability of the site proposed. I have here the "Conditions of Competition" that were drawn up when architects were invited to submit designs for the proposed market. The following paragraph shows that the officers of the Department, or the Minister, knew that the ground to be dealt with presented difficulties in connexion with the erection of large buildings—

> All the buildings are to be erected of fireproof materials, brick and iron preferred. The foundation and floors are to be specially designed to suit the nature of the ground, as it will affect the cost of the building.

That is the point I wish to emphasize. The nature of the ground will have a very important bearing on the cost of the railway that it is proposed to construct. The Minister did not tell us anything of the effect the carrying out of the Government's proposals would have on the streets of South Melbourne. He certainly did give us a rough estimate as to the cost of the railway. He said that he had obtained an estimate from Mr. H. O. Sheeran, Assistant Chief Engineer for Railway Construction, and went on to say—

> When I sent for this estimate the other day, the Chief Engineer for Railway Construction was not at home, and I have not his certificate as to the correctness of this; but I feel sure that this estimate is based on a survey that has been made, and I think honorable members can take it as fairly correct.

I am not going to say whether the estimate is correct or incorrect, but the City Surveyor of South Melbourne, a capable and expert officer, who has a thorough knowledge of the ground over which it is proposed to construct the railway, tells me that the cost of construction is more likely to be £80,000 or £100,000 than the £60,000 estimated.

Mr. SNOWBALL.—That is a matter that would have to be referred to the Railways Standing Committee.

Mr. WATT.—The South Melbourne City Surveyor surely would not put his experience against that of the railway construction authorities.

Mr. GRAY (to Mr. Elmslie).—Does the £60,000 cover the new bridge as well?

Mr. ELMSLIE.—That has nothing to do with the new bridge. The Minister of Lands did not take the House into his confidence on another matter. If the proposed railway is constructed, branching off from the St. Kilda line, there are more properties that will have to be resumed. My complaint is that the honorable gentleman did not give us any estimate, with the exception of the estimate for the construction of the railway, which he himself admits is a rough estimate, as to the cost of the proposed market, as to the revenue expected, as to the estimated cost of working expenses, or anything of that kind. His speech left us absolutely in the dark on those points, and consequently we have had to search in other directions to get some idea as to how much the Government propose to expend. I think I am altogether underestimating the ultimate cost when I say that the taxpayers will ultimately be called upon to find at least £300,000.

Mr. WATT.—Where do you get that estimate from?

Mr. ELMSLIE.—The honorable gentleman in one Loan Bill asked for £200,000 towards the erection of a market at South Melbourne.

Mr. WATT.—And you have added 50 per cent.

Mr. ELMSLIE.—No; I have taken the railway into consideration, because, as far as I am aware, there was no proposal for a railway at that time.

Mr. WATT.—It was always a railway proposition.

Mr. ELMSLIE.—When designs for the building were called for the architects were notified that a sum of £200,000 would be spent on the building.

Mr. WATT.—The Chief Architect, when he advised that we should call for competitive designs, said, "You must give some idea of the amount to be spent," and £200,000 was mentioned as the likely sum.

Mr. ELMSLIE.—I went by newspaper reports and by the fact that the Treasurer asked for £200,000 in his Loan Bill. It is a fair assumption to add to that the proposed expenditure in connexion with the railway. I think I am well within the mark in saying that these proposals, if carried, will cost the taxpayer at least £300,000.

Mr. PRENDERGAST.—It is entering into competition with affairs which are under public control.

Mr. WATT.—We did not want that, and called a conference, and offered it to them, and they declined.

Mr. ELMSLIE.—If the money was borrowed at 4 per cent.——

Mr. PRENDERGAST.—Where can it be got at 4 per cent.?

Mr. ELMSLIE.—I am taking a very low estimate, and giving the proposal the benefit in every direction I can.

Mr. WATT.—The honorable member's generosity is manifest.

Mr. ELMSLIE.—It always is. Taking the rate of interest and wear and tear, and allowing so much for depreciation and sinking fund, it is not too much to say that we shall be called upon to pay 6 per cent. on that £300,000. That means £18,000 per annum.

Mr. WATT.—Two per cent. depreciation and sinking fund is ridiculously heavy for a well laid-down proposal of that kind, especially if it is maintained.

Mr. MACKINNON.—A sinking fund is not required on the land.

Mr. ELMSLIE.—The trouble is that the land is sinking land, and that will increase the depreciation and repairs very much. As I say, I think it would require £18,000 annually. Let us take the revenue now derived from the Queen Victoria markets and the South Melbourne markets, the two principal markets with which this will compete. Their revenue in the wholesale and retail business together will scarcely amount to £20,000.

Mr. WATT.—Where do you get that?

Mr. ELMSLIE.—Those are the figures of the town clerk of South Melbourne and the town clerk of the city of Melbourne.

Mr. WATT.—I suppose you spent some time in studying the council's balance-sheet?

Mr. ELMSLIE.—I did not spend any time over it. I forget to mention the Western Market.

Mr. WATT.—There is nothing much in the Western Market. There is the Prahran market.

Mr. ELMSLIE.—I am not taking the Prahran market into consideration. The revenue from those three markets is about £20,000. If the proposers of the new markets think that they are going to get that revenue to the new markets they are making a big mistake. From the situation of the proposed markets it must be evident that, from the retail point of view, they will not affect the takings of the Queen Victoria market.

Mr. WATT.—Is that why the City Council opposes this so vigorously?

Mr. ELMSLIE.—I think the profit derived from the South Melbourne market is £4,600 or £4,800. Does the Government think that all the revenue derived by the South Melbourne market will go over to the new proposal? Of course, they do not. Where is the revenue to be derived from to provide the interest, without taking into consideration a penny of the working expenses? I think that is a question the Ministry must answer, and that the supporters of this market proposal must answer. It is no use saying, especially in view of the evidence I shall submit, that these markets are going to create an enormous trade that does not obtain to-day. They cannot possibly do it. Let us consider the question of the railway, which is a very important point. We have three highly-paid experts at the head of our railway system. We have the advantage in this matter of having had the opinion of the present Commissioners and the present Chairman on this proposal, and also the opinion of the late Chairman of the Railways Commissioners, Sir Thomas Tait. Not one of these gentlemen has a single word to say in favour of the construction of this railway. Rather I find that no stronger condemnatory language could be used in regard to a railway proposal than the Railways Commissioners used in regard to the construction of this particular line. In addition to that, honorable members will see that most of these opinions were unsolicited by the late Government or the present Government. That is an important point. The Railways Commissioners, watching over the interests of the railways and of the people, felt so strongly as to the hollowness of this proposal from the railway point of view, that they offered their advice on the subject, without being asked for it, to the present Government and the late Government. I think that is a pregnant fact. They were so fully seised of the rottenness of the proposal that they came forward to save themselves from future trouble, and, as they state in one of their communications, to save the Premier of the time from making a huge blunder he might afterwards be sorry for. I propose to read the opinions of these gentlemen to whom I have referred. The first communication is dated 22nd January, 1912, and it is stated there:—

> It has been observed from the press that the Cabinet has decided to establish a central market at South Melbourne, in a location accessible by railway facilities, and in order that any future disappointment may be averted, the Commissioners, in confirmation of the intimation which was orally conveyed to the honorable the Minister some months ago, and subsequently to a sub-committee of the Cabinet by the Chairman, have the honour to furnish hereunder an explanation of the insuperable difficulties that preclude the provision of a service that will admit of anything beyond a small portion of the perishable consignments arriving from the country being delivered by rail at a market situated in such a position.
>
> Most of the fruit forwarded from the inland parts of the State is carried over the various branch lines by mixed trains, which form a connexion with the main line night trains for Melbourne, but as the latter are purely passenger trains the trucks of fruit are detached at the junction points and despatched thence by following goods trains—an arrangement which meets all reasonable requirements of the producers, as it provides a service which enables orchardists, for instance, to pick their fruit late in the day and insures the transport of the consignments to Melbourne within a reasonable period. There is, however, very little time left after the arrival of the fruit at the junction station to enable it to be landed in Melbourne for delivery during the very early hours of the morning, and this will be the more clearly understood when it is reflected that passengers arriving at the junction stations by the trains which convey the fruit over the branch lines and travelling thence by entirely passenger trains do not reach Melbourne until late at night, the last train arriving after 11 p.m.

He gives some more on the subject, but I will not trouble honorable members with it. Here is another extract:—

> As it is, therefore, so difficult to land such consignments at Spencer-street for delivery in time for the existing market, it will be quite impracticable to arrange for their reaching Melbourne soon enough to admit of their transfer to the proposed central market at South Melbourne at

an hour that would be suitable to the general body of purchasers, because, in order to give delivery at Spencer-street, the trucks have simply to be gravitated into suitable roads, whereas delivery at South Melbourne involves picking out the various consignments intended therefor, assembling the trucks, and despatching them by a special train or trains at a time when the suburban passenger service had started, or arrangements for its commencement had begun.

That points out the unsuitability of the site. It is signed by Mr. Fitzpatrick.

Mr. WATT. — All of which a little analysis shows to be entirely wrong. That document was not at all impressing. The Cabinet was not affected by those arguments, because the same arguments were applied to every site suggested except the little place in Dudley-street.

Mr. ELMSLIE. — They pointed out difficulties.

Mr. WATT.—In every site.

Mr. ELMSLIE.—But they did not say that all the other sites were impracticable.

Mr. WATT.—It applies in the same way.

Mr. ELMSLIE.—I read it differently.

Mr. WATT. — The honorable member has not gone against them to see what they mean.

Mr. ELMSLIE.—That has not been my privilege yet. Here is another communication dated Melbourne, 12th October, 1910:—

DEAR MR. WATT,

I noticed in the morning press recently a paragraph to the effect that a syndicate which has been formed to erect a central fruit market at South Melbourne had waited upon you and laid before you the outline of its scheme, and that you intended to inspect the site and take any steps you considered necessary to safeguard and promote the interests of the fruit-growers and others connected with the industry.

I am therefore writing to point out that it would be totally impracticable to provide a satisfactory railway service to such a market in the position in which it is proposed to be placed, and in this connexion I enclose herewith copies of memoranda which I have already written on the subject to the honorable the Minister and to the late Sir Thomas Bent, when he was Minister of Railways, and which explain our view of the matter.

Yours faithfully,
THOMAS TAIT, Chairman.

It was impracticable before, and now it is insuperable. The following is the memorandum:—

Victorian Railways,
Commissioners' Office, Spencer-street,
Melbourne, 19th August, 1909.

Memorandum.

In connexion with the proposal to establish a Central Fruit Market at South Melbourne, in rear of the Victoria Barracks, the Commissioners enclose, for the information of the Honorable the Minister, copies of two letters written on 26th July, 1906, and 23rd June, 1908, to the Honorable the then Premier of the State.

Apart from the insuperable difficulty of providing a satisfactory railway service to delivery of fruit, vegetables, &c., which come to Melbourne by rail, at the proposed market at suitable hours, as explained in the former letter, the Commissioners beg to point out that, as will be seen from the enclosed plan showing the proposed site for this market and the St. Kilda railway line, a very large expenditure indeed would be involved for the purchase of the necessary land and the construction of a siding from that line to the market.

THOS. TAIT,
Chairman.

Mr. GRAY.—Could they not get all the traffic over the bridge?

Mr. ELMSLIE.—Only when the other trains were not running. Another letter to the late Sir Thomas Bent from the Chairman of the Railways Commissioners is as follows:—

Victorian Railways,
Commissioners' Office, Spencer-street,
Melbourne, 23rd June, 1908.

Dear Mr. Bent,

In connexion with the enclosed extracts from the papers about the establishment of a new vegetable market in South Melbourne, I send you a copy of a letter which I wrote you on 26th July, 1906, from which you will see that it would be impracticable to give a satisfactory railway service to a market on this site.

If the new market is to be for general purposes, *i.e.*, for vegetables, &c., brought to Melbourne by rail as well as by road, the best site for it would be in the vicinity of the Spencer-street Goods Yard.

Yours faithfully,
THOS. TAIT,
Chairman.

Mr. WATT.—They do not admit that now.

Mr. ELMSLIE.—I do not require to be told that. I stated that I was not arguing as to whether there was a more suitable site, but that I was endeavouring to show that the South Melbourne site is unsuitable from every point of view. The Premier, by his interjection, conveys the impression that the Railways Commissioners have backed down from the position taken up. When the Minister of Lands was introducing the Bill, if he had anything to submit to counteract the statement of the present and the previous chairmen of the Railways Commissioners, it was his duty to submit it.

Mr. WATT.—The Railways Commissioners have not always been right.

Mr. ELMSLIE.—They are, like all other people, including the Premier, liable to make mistakes sometimes, but

they are paid high salaries in order to manage our railways, and to give us expert advice. They are recognised as worthy of credence in giving expert advice, and they have condemned in no unmeasured terms the proposal of the Government to erect markets on this site. They say that it would be impracticable to carry out the proposal of dealing properly with goods at such a market.

Mr. WATT.—The reasoning behind that statement is fallacious.

Mr. ELMSLIE.—We have no evidence that the reasoning is fallacious. I shall listen with interest to any member who speaks on behalf of the Government to see if any arguments can be advanced to refute the reasons advanced by the Railways Commissioners. There is another thing in connexion with this proposal from a railway point of view. According to the rough estimates of the Minister, this railway is likely to cost £60,000. Why, then, has not the proposal been submitted to the Railways Standing Committee for examination and report? That Committee is our safeguard in regard to railway construction proposals throughout the State, and the House has accepted its recommendations on every occasion. If this proposal is such a sound one, why was it not submitted to the Railways Standing Committee in accordance with the law? In a Loan Bill submitted by the Treasurer, special provision was made that this proposal, and many others, should not be submitted to the Railways Standing Committee for examination and report.

Mr. WATT.—I do not recollect it.

Mr. ELMSLIE.—If such provision had not been made in the Loan Bill to which I have referred, the Premier would have heard something about the gravitation works at Tottenham.

Mr. WATT.—I shall be glad if you will show me where I made such a proposition.

Mr. ELMSLIE.—The provision is in the measure I have referred to. I have a plan here showing where the railway would go along Hanna-street. If such a railway is constructed, we shall have level crossings or bridges in six streets. Hanna-street is one of the main arteries of South Melbourne, and provision is made there to carry the enormous traffic from the South Wharf along the Yarra and away to St. Kilda, Prahran, and other places. The ground is of such a character that ordinary macadam is of no use whatever. As the metal is put down, it disappears. The South Melbourne Council, knowing the rotten nature of the ground, have had the street pitched from one end to the other, that it may be able to carry the traffic. The construction of a railway, and especially if a portion of it is to be overhead, on ground of that character would cost an enormous sum of money. You cannot have an embankment running along the street. This line would come away from the St. Kilda railway line, which stands a considerable height above the surrounding land. There would have to be a bridge over City-road, and then the railway would have to fall gradually. It would not do to have an embankment, because it would absolutely close up all the streets. An open passage must be left for some of the streets. It would mean having level crossings in the middle of a thickly populated centre, where children play about in hundreds, and would be liable to accidents. If the railway is fenced off, there will be great trouble in opening and shutting gates. We must remember the large traffic from all the factories, for this area is in the centre of the factories and timber yards. The traffic will have to diverge for miles, and the streets will be blocked up by the opening and shutting of gates. It will depreciate the value of property, and will ultimately lead to those who now carry on these huge industries removing to some other locality. The land is of similar character to that on which the viaduct is erected, and we know the expense and trouble that were involved in putting in foundations to carry that viaduct.

Mr. WATT.—Do you say the ground is the same?

Mr. ELMSLIE.—Yes. There is a large drain, owned by the South Melbourne Council, running down the street, and there is a sewer, constructed by the Melbourne and Metropolitan Board of Works, which I am told is practically floating in many places. In this rotten and soft ground, which is an old swamp that in days gone by was filled with silt, you have to go down from 16 to 20 feet to get a foundation. In making foundations for the railway, the main drain of the city of South Melbourne will be destroyed, and probably also the sewer I

have referred to. When they were constructing the drain and the sewer, the foundations of the buildings in the vicinity were affected.

Mr. WATT.—I tremble to go down there now, for all the big brick buildings there may fall upon me.

Mr. ELMSLIE.—There are not many big brick buildings in Hanna-street, because the ground is too soft.

Mr. WATT.—There is the brewery.

Mr. ELMSLIE.—If you look at the buildings on the other side of the street, you will find that, from top to bottom, they are riven and rent. There are large cracks in them owing to the nature of the ground.

Mr. PRENDERGAST.—The Government will have to spend twice as much on the foundations as the place is worth.

Mr. ELMSLIE.—That is quite true.

Mr. WATT.—What a terrible, criminal proposition this is growing to be.

Mr. ELMSLIE.—I do not say it is a criminal proposition, but it is an extremely foolish one, and one that is most unbusiness-like.

Mr. WATT.—All for £4,000 a year taken away from the South Melbourne Council.

Mr. ELMSLIE.—The Premier interjects that the opposition I am raising to this proposal is because the present South Melbourne markets are going to lose £4,000 of revenue.

Mr. PRENDERGAST.—Even supposing it were true, it is a very serious item.

Mr. ELMSLIE.—The Premier's statement is absolutely untrue. I am looking at the matter from a broader aspect than that. I am looking at it from a State point of view, and I do not want to see the State saddled with a white elephant, which this market, if it is constructed, will undoubtedly be. It is all very well to hold out glowing pictures to the consumers and producers, but when those pictures have faded the markets will remain a white elephant.

Mr. KEAST.—The honorable member should not forget that a private syndicate wanted to take it over.

Mr. ELMSLIE.—A private syndicate was supposed to make an offer, but the proposal of that syndicate was nothing like the proposals we are dealing with today.

Mr. KEAST.—It was practically the same.

Mr. ELMSLIE.—It was nothing like the same. Does the honorable member imagine that there are any business men of any reputation whatever who would put their money into a proposal of this kind?

Mr. WATT.—I can assure the honorable member that they were not only ready to do so, but are still ready.

Mr. KEAST.—The proposition was practically underwritten.

Mr. WATT.—We have had two different sets of proposals, the last one being a strong financial proposition which the Government thought wrong because it would give private privileges over public rights.

Mr. ELMSLIE.—I should like to see those proposals before I swallow them.

Mr. GRAY.—I do not think any private individual would put his money into a market on this site, and expect to make a profit.

Mr. ELMSLIE.—The profit which might be expected to be derived from these markets amounts to a little over £20,000, and the interest charges alone will amount to £18,000.

Mr. WATT.—No.

Mr. ELMSLIE.—I say yes. Let the Premier refute my figures later on if he can.

Mr. WATT.—I will do it easily.

Mr. ELMSLIE.—So much the worse for me. I am allowing 6 per cent. on £300,000, and that is £18,000, while the total revenue will be £20,000, leaving only £2,000 to come and go on.

Mr. TUNNECLIFFE.—Even if the new markets get all the business.

Mr. ELMSLIE.—Yes; and they will not get one-fourth of the business. It is idle to expect that they will get a huge wholesale business, because it is well-known that the wholesale trade follows the retail trade.

Mr. KEAST.—They will get both.

Mr. ELMSLIE.—I venture to differ from the honorable member.

Mr. WATT.—Wait until the honorable member for Dandenong turns his artillery on you.

Mr. PRENDERGAST.—The Government propose to give the Metropolitan Council control of all the markets, and yet they are now proposing to erect a new market in opposition.

Mr. WATT.—If the honorable member had read the Bill he would not make such a superficial observation.

The SPEAKER.—I must ask honorable members not to talk all over the House.

Mr. WATT.—The honorable member for North Melbourne is always doing it.

Mr. PRENDERGAST.—Not so much as the Premier.

Mr. J. W. BILLSON (*Fitzroy*).—I think the two speeches running together are interesting.

The SPEAKER.—It may be interesting, but it is quite out of order.

Mr. ELMSLIE.—The Premier cannot help it.

Mr. WATT.—When I hear statements that are incorrect, I just hint that they are incorrect.

The SPEAKER.—Will the honorable member for Albert Park address the Chair?

Mr. ELMSLIE.—I would ask your protection. It is impossible to address the Chair while the Premier, who ought to be the leader of the House, not only in its business, but in its conduct, is continually interjecting. If there were no other criticism against this measure; if nothing whatever was said about finance, and if we knew nothing at all about the cost, I think the reports of the Railways Commissioners are sufficient in themselves to condemn, lock, stock, and barrel, the proposals contained in this Bill.

Mr. KEAST.—Unlike the leader of the Opposition, I rise to support the Government proposal, and I think before I sit down I will be able to prove to the House and to the country that it is a very fine proposition, not only financially, but in the national interests of our producers. The leader of the Opposition in dealing with the scheme has never for a moment said that this market is not required. This is a Bill for the exchange of certain lands at South Melbourne, and for other purposes, and bound up in that exchange is the question later on of erecting markets, which will be provided for in a separate Bill altogether. I take it that that is the position in which the matter now stands.

Mr. GRAY.—I take it that if we pass this Bill, we are bound to pass the other.

Mr. KEAST.—To a certain extent I should say we are.

Mr. WATT.—No, we are not.

Mr. KEAST.—The Premier must know a great deal better than I do.

Mr. ELMSLIE.—The Minister of Lands said that that was so.

Mr. WATT.—No, he said that no doubt in connexion with this Bill honorable members would discuss the question of erecting markets on this site.

Mr. KEAST.—The objections of the leader of the Opposition to this Bill are about three in number. First, that the proposition to spend £300,000 is too big; next, that it is going to take away certain privileges with regard to certain streets at South Melbourne; and, thirdly, that the railway proposition is not a sound one, and that the Commissioners are dead against it. In order to deal fairly with the proposal, which has been engaging attention for a considerable time, I will have to occupy some time in showing why this market is required. In 1904 the first public meeting was called to consider the question of asking the Government to erect new markets. That meeting was attended by over 200 market gardeners, and a committee was formed to go into the matter. In June, 1905, I asked for an interview with the Premier on the subject of building new markets at the back of the Homœopathic Hospital. That was the site chosen by the market gardeners' committee as being the best available site in or around the suburbs of Melbourne.

Mr. ELMSLIE.—Why have you shifted?

Mr. KEAST.—We have not shifted. As a matter of fact, the South Melbourne Council, which the honorable member represents, were going to build these markets, but they backed out of it.

Mr. WATT.—They had a Bill prepared.

Mr. KEAST.—On 7th June, 1905, the South Melbourne City Council asked for an interview on the subject of acquiring an area of land near St. Kilda-road for the purpose of building a wholesale market. This was the same site as that chosen by the market gardeners' committee. On the 15th June, 1905, Messrs. Elmslie and Sangster, together with Councillor Baragwanath, of the South Melbourne Council, saw the Premier, and set forth the desirability of building a wholesale market. The market gardeners were very anxious that a market should be built on the site proposed by them, and it was proposed to spend from £15,000 to £20,000 in providing the necessary accommodation for about 1,700 stall-holders. The granting of a lease was discussed with the Premier, but he would not agree to lease the land. In November, 1905, the Victorian Fruitgrowers' Association waited on the Premier, accompanied by Messrs. Elmslie and

Sangster. In December, 1905, the South Melbourne Land Act was passed by this House, providing authority to sell for £13,500 an area of 15 acres 1 rood 13 perches to the South Melbourne City Council for market purposes. That is exactly the same site as the one chosen by the Government here.

Mr. ELMSLIE.—It is not the same site.

Mr. WATT.—It is the same area.

Mr. KEAST.—That is the only Government land that there was in the locality. They had to buy other lands in addition to that. I explained then to the Premier that negotiations had been carried on with the South Melbourne Council in the matter, but they had fallen through since the project to join the Melbourne City Council had been taken up. Mr. Kennedy, M.P., on behalf of the Chamber of Agriculture, supported the proposal. Various fruit-growers also spoke on the subject. Numerous letters from various growers followed. The Bacchus Marsh Agricultural and Pastoral Society and the Romsey and West Bourke Society supported the proposal. The Chamber of Agriculture at three successive annual conventions approved of the proposal to build new markets at South Melbourne. On the 14th October, 1908, a deputation from the Market Gardeners' Association saw the Premier, and urged the desirability of establishing a new central wholesale market at South Melbourne. That deputation was introduced by myself, and there were also present Messrs. Elmslie, Cullen, J. Cameron, and Langdon. I will read the following paragraph from the report—

> Mr. Elmslie, M.L.A., said that he thought the proposed new market would be a splendid thing in the interests of the producer, and a great convenience to the consumer. He assured the Premier that he would render every assistance should this matter be brought before the House.

Mr. ELMSLIE.—That was a different proposal from the present one.

Mr. KEAST.—It was a question as to the erection of new markets at South Melbourne. Then there was another deputation which waited on the Premier on the 21st July, 1909. It was a large deputation, introduced by myself, and accompanied by Sir Frank Madden, Sir Thomas Bent, and Messrs. E. H. Cameron, Thomson, Robertson, Cussen, Harris, Cullen, Gray, and Carlisle, besides Mr. McBryde and Mr. Balfour, M's.L.C. That deputation represented the market gardeners and fruit-growers of Victoria. It asked the Premier that the Government should erect buildings for a market, together with cool storage, and also construct a loop line of railway to the proposed site at South Melbourne. There were also negotiations for a private syndicate to build markets. Now a private syndicate was practically floated, but, in the interests of the State, the Premier wisely turned the whole proposition down. We do not want the market gardeners to bear the charges which a private syndicate would impose. All we desire is to get proper accommodation for our producers at a moderate charge—not the charge which is being made by the City Council of Melbourne to-day.

Mr. CHATHAM.—What do you call a moderate charge?

Mr. KEAST.—A charge covering the cost of building and maintaining the markets, and a sinking fund.

Mr. ELMSLIE.—And the railway.

Mr. KEAST.—I do not think the railway should be included, because that is for carrying the produce into market. In June, 1911, there was a Conference of the Minister of Lands, the Minister of Agriculture, and the Minister of Railways, and the Chairman of Railways Commissioners and the Surveyor-General attended. The matter was discussed at great length by the councils, who strongly opposed the syndicate or company proposal, and turned it down. It was suggested that the Melbourne and South Melbourne Councils might act conjointly, and work out a scheme. It was further suggested that the proposal should be for a wholesale market only, and it was agreed that the market should be municipally controlled, or controlled by the Government. Then, last year, a Loan Bill was brought before Parliament, and it was objected to in the Upper House.

Mr. ELMSLIE.—We have not had a Bill yet.

Mr. WATT.—There was an item in the Loan Application Bill last year, and we withdrew it rather than sacrifice the rest of the schedule.

Mr. KEAST.—That is so. The question we have to ask ourselves is: Do we want a market? I have no hesitation in saying that we do. Then, the question arises: Will it reasonably pay the taxpayers of this country? I think I can

prove that it will. We not only want a new market, but I consider that it is absolutely necessary in the interests of the producers. After a few years I think it will pay handsomely. I do not say that it will pay at the outset. It would hardly be possible for a new project of this kind to pay from the outset, when other markets are already established.

Mr. ELMSLIE.—Apologizing already?

Mr. KEAST.—I am not apologizing for anything. Later on, I will show that the market will pay handsomely.

An HONORABLE MEMBER.—Even the Commonwealth Bank does not pay.

Mr. KEAST.—The Commonwealth Bank, which was run by the party to which the leader of the Opposition belongs, made a loss of £46,000 last year. I will show that this is a better proposition than the Commonwealth Bank, and that when it is run, it will be run by men who know something about it. The first consideration of the State is the health of its people, and the selling of market gardeners' produce, as it is sold to-day, very seriously jeopardizes the health of the community. With regard to the financial proposals, I beg to put before the House the following figures from the receipts of the Market Committee of the City Council of Melbourne. The leader of the Opposition has far under-estimated the probable receipts from these markets, although I do not think that he did so intentionally—

	£	s.	d.
Fish and general markets ...	5,298	13	4
Dues and rents for warehouse ...	2,499	10	10
Cool storage—dues and rents ...	23,128	6	3
Eastern Market—			
Shops and cellars, rents ...	4,315	13	5
Rents, tolls, and dues of interior	4,116	10	2
Western Markets—			
Rents	7,461	0	10
Queen Victoria and Meat Markets—			
Rents and dues	13,916	10	9
Markets and cool storage ...	60,736	5	7

Most of the sellers at practically the whole of these markets, including some from the Fish Market, the Western Market and the cold storage, the Queen Victoria Market, and the Meat Market, have signified their intention to go to the new market.

Mr. WATT.—You must leave out the Western Market, which is mostly offices.

Mr. KEAST.—No: I do not think so. There are the cool stores——

Mr. ELMSLIE.—Are the cool stores which are to be erected at the Victoria Dock to prove a failure.

Mr. KEAST.—That is a different thing altogether. Most of the sellers at the markets I have mentioned have signified their intention of taking stalls at the new market, so it will be seen that there will be a tremendous revenue derived from it.

Mr. MENZIES.—How many stalls are to be provided there?

Mr. KEAST.—About 1,200, I think. In addition to what I have indicated, there is also to be considered the revenue which will come from South Melbourne. The leader of the Opposition said that would be about £4,800. I think he is about right. Added to the £60,756, it would make a total of about £65,000. If only half of that were obtained, it would mean a return of over £30,000. But suppose that the amount given by the leader of the Opposition—£18,000—is correct——

Mr. ELMSLIE.—I sympathize with you.

Mr. KEAST.—And I sympathize with the honorable member, because he made out such a poor case. Even supposing the expenses amount to £18,000, there would be a profit, at any rate, if the return is only £30,000. I do not say that £30,000 will be received from the market the first year. Supposing it is only £15,000, or one-fourth of £60,000, that will nearly pay working expenses, interest, and sinking fund. Even if the returns are not sufficient to do that, what are a few thousand pounds for starting an up-to-date market in the interest of the producers? There is another phase of the matter—the fruit that has to be carted from the railway stations to the Victoria Market, involving a great charge on the producers of the State. About 39,000 tons of fruit arrived at Spencer-street and Flinders-street stations during the year ended 31st July last, or about 1,600,000 cases. By saving the cartage of 1d. a case, it would mean a net saving to the producer of £6,666 13s. 4d. in a single season. If you put down the average value of the fruit at 2s. 6d. per case, and a loss in value through the fruit being handled so much of 5 per cent., which is a light calculation, it would mean a saving to the producer from the new markets of £10,000 per year, making a total saving of £16,000 per annum. There would be no extra expense, but a greater revenue each year. On a hot day I have seen fruit which has practically become pulp being

carted from the railway stations to the market. Surely we should protect our producers; and for that purpose I do not think any better proposition than the new market has been placed before the House. Irrigation land is being purchased at a high price, and thousands of settlers are being placed upon it, but there is no proper market for them to send their fruit to. On arrival at Spencer-street it goes in waggons to the Victoria Market, which is not a fit place for it. If the new market is established, a moderate charge will be imposed on the produce. There are about 900 market gardeners in my electorate, and 200 or 300 have to stand in the street at North Melbourne to sell their produce.

Mr. GRAY.—There are sixty stalls unoccupied.

Mr. KEAST.—That is all rubbish. The Minister of Agriculture and myself visited the market, and we were not able to count the number of carts in the street, but I am certain that there were 200 or 300. The charge made to the producers in the Victoria Market is £1 per quarter. If a man does not use his stall all the year, there is what is known as a second preference, for which a man has to pay another £1 per quarter. Very often they have to pay to even stand out in the street to sell their goods, which is very unjust. That should not be tolerated in a country like Victoria. I have no hesitation in saying that the conditions prevailing at the Victoria Market are not fair in the interests of the producers and of the public health of the community. Therefore I think the Government are doing a wise thing in trying to remedy the existing state of affairs by bringing in this Bill. Let honorable members consider the conditions under which market gardeners near Melbourne live. Those in my district, as well as in that represented by the honorable member for Brighton, leave their homes at 5 or 6 o'clock in the evening. They have to travel all night with their loads along the roads. When they arrive at the market in Melbourne, they have to stand in the street to sell their produce, and then have to pay these charges.

Mr. ELMSLIE.—What charges?

Mr. KEAST.—A charge of £1 per quarter to stand in the street.

Mr. ELMSLIE.—Because they will not go into the stalls.

Mr. KEAST.—They cannot go there; and there is no accommodation for either man or beast.

Mr. MURRAY.—Are they supposed to take their horses into the stalls with them?

Mr. KEAST.—In the new market provision will be made for 1,200 stalls. In an article which appeared in the *Age* it was stated—

> If the adaptation of the successful designs prove as successful as the Public Works Department anticipates, the new metropolitan markets will mark a distinct advance in convenience and in compliance with health requirements over the obsolete markets which Melbourne now possesses.

There never was a truer line written than that.

> This is dependent, of course, on the State Government securing parliamentary sanction for the full contemplated expenditure of £200,000, but the consideration that metropolitan and country interests alike are to be served by the provision of proper marketing facilities is expected to weigh with members.

I sincerely hope it will.

> The new markets are to be contained in eight separate buildings, which are to be conveniently situated one to another. About each block a roadway will be formed to afford ready means of access from every side. The planning of the buildings is purposed specially to bring the public as near to the sellers of produce as possible so as to minimize the inconvenience and overcrowding which exist in the majority of markets in the metropolitan area. It is intended, too, to obviate the necessity of handling produce two or three times, and to bring it as closely as possible to the point in the market at which it is to be sold. The buildings will be of brick, with glass louvred windows, and the lighting and ventilation of them are being carefully provided for.

Mr. ELMSLIE.—What information! There are to be glass windows.

Mr. KEAST.—When I was down at the Victoria Market the other morning I could not see.

> The roofs are to be entirely of steel, supported on latticed steel, and strengthened with steel girders. Continuous sections throughout each block of the market will be raised above the doorway, and at the back of them platforms will be erected, so that all the produce will be lifted above the dust and sweepings.

That is very important. At the Victoria Market the produce is placed right down on the street, and there is not even a bag to protect it from the dust.

Mr. PRENDERGAST.—A great amount of the produce is not lifted out of the drays.

Mr. KEAST.—It cannot always be sold in the drays.

> The retail markets, which serve the general public, are to be approached directly from the main road, and will be fitted with stalls for

market days, and for storing any spare fruit and vegetables not disposed of on the one day. Perishable produce is to be provided for at the cool stores, to be attached to the markets, and these stores are to be subdivided, and a fixed space is to be guaranteed to the small tradesmen requiring it.

If a man brings in his produce, and prices are low, instead of sacrificing it, he can put it into the cool stores, and get a better price later on. A man may travel all night, bringing his produce into market, and when he gets there they might have too much stuff in. Why should he have to sacrifice his produce? I think that the cool storage will be a very great advantage in connexion with fruit, fish, meat, and other things. I have no hesitation in saying that there will be a very big return from the cool storage.

Mr. ELMSLIE.—Where do you get your authority for saying that it is going to be a fish market?

Mr. KEAST.—Some fishermen are anxious to go there.

Mr. ELMSLIE.—There is nothing about fish in the Bill.

Mr. KEAST.—This is to be a new market altogether. All sorts of people will go there.

Mr. GRAY.—The Bill only deals with land.

Mr. KEAST.—I explained to the honorable member before that the Bill provides for the exchange of lands at South Melbourne; but wrapped up in it is the question of the provision of a new market. The leader of the Opposition dealt with that subject, and I have a right to reply to him.

Mr. ELMSLIE.—I wish you would.

Mr. KEAST.—I think I have replied to everything the honorable member said. The production of fruit and vegetables in this State is on the increase, and as Melbourne grows and production increases we must have more marketing accommodation. We will be adding producers to the State almost every day, and the production must go up by leaps and bounds. According to prices received by fruit-growers, the value of fruit reaching market was estimated to be £341,891 in 1904-5, £345,844 in 1905-6, £451,672 in 1906-7, £386,807 in 1907-8, £373,600 in 1908-9, £423,500 in 1909-10, £524,380 in 1910-11, and £558,604 in 1911-12. Leaving out the market-garden produce, which must be worth nearly £1,000,000 a year, half-a-million pounds worth of fruit comes into Melbourne annually, but there is practically no market accommodation for it. I consider that, as Melbourne grows, the new market will be a good paying business. There will be more people in Melbourne, and they will require more fruit and vegetables. With regard to the railway, we have, of course, to take the report of the Railways Commissioners; but I consider that they are making a mountain out of a molehill. From their report, one would think that the difficulty in constructing the line was as great as in building a bridge from Sydney to North Shore, across the harbor. The bringing of a loop line from the St. Kilda line to the new market, a distance of about three-quarters of a mile, seems to me a very small proposition.

Mr. ELMSLIE.—The estimate is 60 chains, at £1,000 a chain.

Mr. KEAST.—I think the honorable member is wrong in regard to bringing the line underneath. I think the line could be brought overhead. When we were down there with the Surveyor-General, I think the proposition was to bring the line overhead. I think the Commissioners are making far too much out of this railway difficulty. I have no doubt that they have gone into the question; but I think that it is a very small thing to ask them to build a loop line 60 chains long from the St. Kilda line. They have raised the point that there would be great difficulty in bringing fruit in from the northern districts.

Mr. ELMSLIE.—Do you know what 60 chains of the viaduct has cost?

Mr. KEAST.—A good deal of money; but we would not want anything like the viaduct in that district. The fruit from the northern districts could be brought into Melbourne between 3 o'clock and 6 o'clock in the morning. There is no traffic on the railways at that time. Mr. Tait, in his report, said that there would be a difficulty, because the viaduct was taxed to its utmost capacity. This House has given the Railways Commissioners enough money to build another viaduct, and surely that other viaduct will carry the little fruit that comes down from the northern districts. The produce from the southern districts will practically go direct over the bridge into the South Melbourne markets.

Mr. WATT.—You are like a great big wave washing out the little hillocks of

sand of the honorable member for Albert Park.

Mr. KEAST.—I do not see any difficulty at all in putting the railway through Hanna-street. I do not think there will be any children run over by the trains, as the honorable member for Albert Park fears.

Mr. J. CAMERON (*Gippsland East*).—There will be about four trains a day.

Mr. KEAST.—Yes; and they will be run between 3 o'clock and 6 o'clock in the morning, when the children are all in bed; so that that objection is a poor one. I believe that if £200,000 is spent in erecting the market at South Melbourne it will increase the value of property there very considerably.

Mr. ELMSLIE.—Do you deny that it will block six streets?

Mr. KEAST.—It will cover in six streets, but it will not block them. As to there being no outlet from South Melbourne to the city, I would point out that there is a street every few yards. I cannot understand the objection of the honorable member at all. If he looks at the plan, he will find that there is a mass of streets. There are six streets in 15 acres, according to the honorable member for Albert Park.

Mr. ELMSLE.—I did not say that there were six streets in 15 acres. I said that the railway would block six streets.

Mr. WATT (to Mr. Keast).—Don't you think it is cruel to fire any longer into a disabled foe?

Mr. KEAST.—I was thinking that this might be a question of town against country. If that is so, I am very sorry indeed. The honorable member for Gunbower, at the Kerang show, said that the Government were spending lots of money on markets and electrification in Melbourne, and were not spending sufficient money in the country. The amount of money the Government have spent in the country in the last few years is absolutely amazing. This House should legislate for every portion of the community, and not for one particular part; and that is why I cannot understand the attitude of some of the members of the Country party. They are dead against this proposal. They say that the money is going to be spent in Melbourne. One or two members have said that to me themselves. On that account, they will not allow a market to be built for the producers of this State. We cannot build a market in the country for the producers. We have to get the best site and the most convenient place in the interests of the producers. To show that there is no ground for the statement made by the honorable member for Gunbower, I will give the figures showing what the Government have spent mostly in the country. I may say that I did not ask the Government one question about this matter, nor did I ask them for any figures. I got the figures from the statistical registers. From 1909 to 1912, 246,585 dry acres of land have been purchased, at a cost of £1,581,954, and 110,408 acres of irrigable land, at a cost of £1,142,937.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—Which will all be paid back again.

Mr. KEAST.—The money for the market will be paid back again. It is a good proposition. With regard to railway construction, since January, 1909, no fewer than fourteen new lines, covering 254 miles, have been built, at a cost of £842,185.

Mr. DOWNWARD.—That is to feed the city.

Mr. KEAST.—That money has been sent to the country. Six other lines have been started, to extend 232 miles, estimated to cost £1,056,208. Eight new lines, extending 224 miles, have been authorized, with a total estimated expenditure of £2,889,435. The result of this railway extension will be to serve 8,000,000 acres of land. From the 1st January, 1909, to the 30th June, 1913, there had been spent on public works and buildings £1,853,083, including £588,801 on State schools, £335,133 on roads and bridges, making a total in four years of £2,188,216. A sum of £100,000 had been spent for boring for coal. That makes a total of £7,802,538.

Mr. WATT.—I wonder where I got all that money from?

Mr. KEAST.—I am just commencing to think what a clever man the honorable gentleman must be.

Mr. WATT.—I admit it.

Mr. KEAST.—I never thought it before I got those figures, but I think it now. The Department of Agriculture has spent somewhere about £426,000 in the interests of the farmers of this country. The Water Supply Department spent out of revenue in 1909-10, £82,545; in 1910-11, £87,801; and in

1911-12, £105,905; making a total of £276,251. Out of loan money we spent from 1909 to 1912, £856,000. Nearly all of that money was spent in the country, and yet some honorable members raise the cry of town *versus* country.

An HONORABLE MEMBER.—How much was spent in the city?

Mr. KEAST.—Very little. Some money was spent on Police Courts, State schools, and other works—probably half-a-million or a million pounds. The details of the expenditure of the Department of Agriculture are as follow:—

	£
Departmental Expenditure	52,000
Vegetation Diseases Act	18,000
Grants to agricultural societies ...	11,000
Development of export trade ...	113,000
Viticultural and vineyards	15,000
Maffra beet sugar factory	51,000
Cool fruit stores	16,000
Technical agricultural education and experimental farms	75,000
Extermination of wild animals and rabbits	75,000
Stock and dairy supervision, diseases in stock	60,000
	486,000

At any rate, the greater portion of this money has been spent in the country, and it amounts to £9,360,538. I do not want to labour the question. I have for about nine years been trying to get this market for the producers. Melbourne is a great city, and should have the advantages that are possessed by every other city I have visited. Brisbane has a beautiful market, with a most up-to-date provision for selling produce.

Mr. GRAY.—So has Sydney, and they only sell peanuts in it.

Mr. KEAST.—The honorable member appears to know something about selling peanuts. I noticed the other night that he had a bag of peanuts in his pocket. The Sydney City Council spent about £200,000 on those market buildings during the last few years. If you go to Adelaide, you find good market buildings. As I have stated, Brisbane has an up-to-date market, and much of our produce is sold there. It is most remarkable that in every State barring our own there are good markets for the sale of our Victorian produce, and yet we have not a good market ourselves for selling it. The sooner the people recognise this fact the better. The Government, in my opinion, have done a very wise thing in bringing this Bill before the House, and I hope that the good sense of honorable members will prevail, and that the Bill will be passed.

Mr. McLEOD.—I have listened with great attention to the speeches which have been made upon this Bill. According to the honorable member for Dandenong, the whole salvation of the country hangs upon the construction of this market. According to his statements, the whole of the produce throughout the State is going to be sold in South Melbourne.

Mr. KEAST.—I never said so.

Mr. McLEOD.—The honorable member explained what had been expended in opening up our wheat country and developing our potato industry, and stated the amounts which had been expended on railways, education, coal mines, and other things. All the produce resulting from that expenditure was to depend on a market in South Melbourne.

Mr. KEAST.—I did not say anything of the sort.

Mr. McLEOD.—That is the inference.

Mr. KEAST.—I rise to a point of order. The honorable member has made a statement that is not correct. The honorable member says that I stated that the whole of that expenditure was dependent upon the building of these markets. What I said was that this expenditure can be put against the expenditure on these markets and electrification.

Mr. PRENDERGAST.—That is not a point of order.

The SPEAKER.—If an honorable member thinks that another honorable member has misunderstood what he said, and is misrepresenting him, he is entitled to say so.

Mr. KEAST.—An honorable member of this House went to a certain part of the country, and made a statement showing the expenditure in the town as against the country. I wanted to show that the Government had spent an enormous amount of money in the country in the interest of the producers, and that there was no foundation for the statement the honorable member made.

Mr. HANNAH.—Is there a point of order in that?

The SPEAKER. — Any honorable member has a right to correct a misrepresentation, wilful or otherwise, by

another honorable member of what he has said.

Mr. HANNAH.—The Speaker blocked me before for the same thing.

Mr. McLEOD.—I suppose there is no point of order in connexion with a matter in which there has been no ruling. I stated what was the inference to be drawn from the remarks of the honorable member for Dandenong. There is one statement he did make. In estimating the revenue from the new market he included the fish market and the cool stores. I do not know what justification he had for concluding that that business would go to the new markets. He also included revenue from the other markets. There is not a scintilla of evidence to show that their revenue will go to the new markets.

Mr. KEAST.—I said what would be the result if any portion of it went.

Mr. McLEOD.—The inference from the honorable member's statements was that all the country producers would go there. That would cover the wheat producers and others. However, the position is narrowed down very much. What is the justification at present for these markets, and what is the urgency for them at the present time? We have been told a great deal of what happened in the past, but we have not been informed that the whole proposals then were on a different scale altogether. The Bent Government passed a Bill to enable certain lands to be sold to the South Melbourne Council for a market. But this proposal has grown and grown until it differs very widely from what was originally intended. At that time the proposal was, speaking from memory, to spend from £20,000 to £30,000. Seeing the difficulties which were pointed out by the Railways Commissioners, the Premier of that day proposed to rescind the Act that was passed.

Mr. MURRAY.—It was because South Melbourne could not carry it out.

Mr. McLEOD.—When it was found that the expenditure would be greater than was originally intended, it was proposed to repeal the Act. The scheme had grown beyond the original proposal altogether. A municipal conference was called to deal with the matter, and that conference was agreed upon one thing, and one thing only, and that was that the Government were to find the money. In regard to control and the ultimate dealing with the matter, the conference were considerably divided.

Mr. WATT.—They approved of the suggestion that a market should be there.

Mr. McLEOD.—But that the Government were to find the money. They were all agreed on that. Looking at the matter in connexion with the railways, I can fully appreciate the difficulties which were raised by the Railways Commissioners, because I was on the Cabinet Committee considering the question of the short-cut from the docks, and the whole subject in connexion with the railway traffic was considered in connexion with that proposal. The whole of the goods traffic for export, so far as Port Melbourne is concerned, is shunted up to Jolimont, and taken across the railway bridge when there is no other traffic. Consequently, there is an accumulation of goods to be shunted during the night. That traffic is very congested, because, although the viaduct has been duplicated, the bridge over the Yarra has not, and another bridge will have to be provided there. That will mean an increased expenditure. In talking this question over with some market gardeners—the honorable member for Dandenong will know whether this is correct—I was told that it would not pay people to send produce along the railways to the market unless they lived about 20 miles away. Within a distance of 20 miles it would be more economical to cart the stuff to the market. Consequently, the produce that would be dealt with at this market would have to come from beyond the 20-mile radius. Take the present North Melbourne market. Are you going to take traffic from the North Melbourne suburbs that at present goes to the North Melbourne market? The only advantage in the establishment of a new market, so far as the people who go to the North Melbourne market at present are concerned, would be that those living on the south side of the river would have a market on their own side. But for the purposes of a national market I say that the proposed situation is unsuitable, and that there will be enormous difficulties in connexion with the whole question. We must not underrate the railway difficulties. It is estimated that the purchase of land, and the construction of the

railway, will cost £60,000, while the cost of the sheds is estimated at £200,000. That makes £260,000, and from our experience in these matters, I think the leader of the Opposition is justified in assuming that the total cost will be £300,000. We have only to take the recent experience in connexion with the gravitation yards at North Melbourne. The foundations cost an enormous sum. Notwithstanding that there was boring to ascertain what the ground was like, the expenditure was double what was estimated, and it was only a bank that had to be put up. Take also the experience in regard to the site which was proposed for the power-house in connexion with the electrification of the railways. Although we had one of the greatest experts in the world, we now find that that site is to be abandoned because it is unsuitable. If there is one thing more than another which is purely a municipal matter, it is the establishment of a market. Experience has shown that in each municipality which has a market of its own the people will prefer to buy in their own market rather than go to a huge market some distance away. The site of this proposed market is unsuitable, the conditions are unsuitable, and so are the whole surroundings. The difficulty of getting railway communication at once shows that it is an unsuitable site for dealing with produce from the country. People who send produce from a distance of 30 or 40 or 50 miles to Melbourne do not send a full truck-load. A large proportion of the produce comes in small lines, and, as the Commissioners pointed out, when the trucks get to the metropolitan area, the trucks with produce are shunted on one side, and the passengers alone are brought on to the city. The trucks with produce have to be brought to Spencer-street later, and complete truck loads are made up of the various portions of truck loads, and this entails delay. These trucks would then have to be taken across the railway bridge. With the congested state of the traffic, it would be impossible to have these trucks at Spencer-street in time for the market in the morning. These appear to be objections that we cannot get away from. Across that bridge all the traffic of the export trade from Melbourne, and all the stuff imported by way of Melbourne, has to pass. The bridge over the Yarra would have to be crossed, or a railway would have to be constructed on the south side of the river. The produce that would be brought to this market by rail would come from beyond a radius of 20 miles of Melbourne. What justification is there for the construction of such a railway for such a purpose? The matter is not very urgent, and if it is intended to establish a national market, there is plenty of land available elsewhere. There is land at Richmond and at Dudley-street that would be accessible by rail. It was said that this South Melbourne site was selected by the Market Gardeners' Committee. A market for the whole State should not be selected by them alone. If a State or national market is to be established, it should be so situated that it would be a convenience for the whole of the producers, and not for a section only.

Mr. GRAHAM.—The ideal site is the Flinders Park site.

Mr. McLEOD.—There is plenty of land beyond that park, and land that is easy of access. For £60,000 you could buy a great deal of land in some of the outskirts of the city that would be easy of access by rail. We have to consider the enormous difficulties met with in dealing with the old swamp. According to the statement of the Railways Commissioners, it is soft, wet, alluvial land. No evidence has been adduced to justify the construction of this railway if the market is to benefit the whole of the producers of the State. The only arguments adduced are in regard to what I may call local produce. If we are going to provide conveniences for the whole of the State, we must get a more suitable site. There is no justification, especially in the present tight state of the money market, for spending this money. We are not justified in assuming that the other markets are going to subside, and that this particular market will monopolize the whole of the trade. I saw a statement made in connexion with a visit made by the Minister of Agriculture to some of the markets as to the overflowing of the produce on to the footpaths. It was said that there were 134 stalls in that particular market that were not occupied. It appears that those vendors were anxious to get to the consumers first, and put their goods on the footpath. The same thing

will apply to this market, as it will apply to all markets. The whole question of markets ought to be considered in connexion with this proposal. When the city of Melbourne was granted sites for this purpose, they were granted on behalf of the State. We ought to consider this matter and ascertain what is being done with those sites. Are the conditions under which the sites were granted being carried out? This market question is essentially one for the Greater Melbourne Council to deal with. If this proposal is carried out, it will affect the revenue received by the municipalities from the existing markets. The supposition is that the Government is to manage this market. I have no faith in such management, for we know what usually happens. If there is to be such a market, it ought to be established and controlled by the Greater Melbourne Council if that body is created. There is, however, no urgency in this matter.

Mr. GRAHAM.—The producers have been asking for this market for the last eight years.

Mr. McLEOD.—The produce from the country districts is not carted down to Melbourne, but is consigned to purchasers in Melbourne. That applies to fruit, potatoes, wheat, and other articles. The large producers make arrangements with the buyers in Melbourne to take the great bulk of their produce. They do not always send down full truck loads at a time, but part loads. Then the trucks have to be shunted at Melbourne, and the produce has to be unloaded and distributed. That means delay. If we are going to have a national market, there is no immediate urgency for it. There is no reason why this money should be spent now, when there are much more urgent requirements, and money is dear. There is no justification for spending this money for the erection of a market on this objectionable site, especially in view of the difficulty of securing railway communication. The Minister of Lands stated that it was absolutely necessary to have railway communication provided. We were given to understand by him that if the House accepted this Bill it committed itself to the South Melbourne site. No doubt this market would be of great convenience to the fruit and vegetable growers on the south side of the Yarra; but we are not justified, when money is so dear, and when this site is so difficult of access, in agreeing to establish this market at South Melbourne. We are not justified in pledging this country to an expenditure of £300,000, when we know that this market will not supply the requirements of the State.

Mr. GRAHAM.—There are some messages from another place. Will the honorable member move the adjournment?

Mr. McLEOD.—I move—

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until later in the day, Mr. McLeod having been granted leave to continue his speech on the resumption of the debate.

FUNGICIDES BILL.

This Bill was received from the Legislative Council, and, on the motion of Mr. GRAHAM (Minister of Agriculture), was read a first time.

ALDERMEN ABOLITION BILL.

On the following notice of motion being called on—

Mr. PRENDERGAST: To move, That he have leave to bring in a Bill intituled "A Bill to amend the Law relating to the Corporations of the City of Melbourne and the City of Geelong by abolishing the Office of Alderman and for other purposes,"

Mr. PRENDERGAST said—I desire to have an opportunity of introducing a proposal of this description in connexion with the Metropolitan Council Bill; and if the Aldermen Abolition Bill appears on the paper, I will not be able to have such an opportunity. Therefore, I intend to let this Bill drop for the present, and I will not propose the motion.

SCRIPTURE LESSONS REFERENDUM BILL.

The debate on Mr. Hutchinson's motion for the second reading of this Bill (adjourned from September 17), was resumed.

Sir ALEXANDER PEACOCK (Minister of Public Instruction).—I recognise, with honorable members all round the chamber, that this is a question on which there is a great diversity of opinion, not only in this House, but also amongst our constituents generally. There is a great deal of feeling in connexion with the matter on both sides of the question, and

the subject is one which has been discussed for many years. I fully recognise that the question which we are asked to consider in this Bill is one that profoundly affects the peace and happiness of the people. Viewing the question broadly, all must admit that the moral training of our children is the most important element of education. According to the advocates of this Bill, and those who support the view that the State should give religious instruction, there can be no morality in the State schools without religion, and there can be no religion without the introduction of Scripture readings into our State schools. Now, I desire to say, at the outset, that I am opposed entirely to this Bill, and have been ever since I first stood as a candidate for Parliament. I have always consistently opposed the State interfering in any way in connexion with matters of religion. Probably it might not be out of place, in a debate of this kind, to trace shortly the history of the movement for the inclusion of Scriptural instruction in our State schools. The controversy has been going on now for some twenty-five years. In 1897, there was an attempt to secure a referendum in connexion with the introduction of what were known as the Irish Scripture Lesson Books into the State schools of Victoria. On that occasion, I spoke on somewhat similar lines to those on which I intend to speak tonight. I opposed the motion mainly on the ground that, while I favoured questions being remitted to the people for consideration on a referendum, when they were such as the people could give an honest and intelligent vote upon, I was always against questions being dealt with in that way in connexion with matters with which it was impossible for the people to be fully acquainted on all points, as in a sectarian issue. I pointed out that there would be a difficulty in getting an intelligent vote of the people on matters of religious difference. I thought then, and I think still, that the right use of the Bible for children would not be obtained by teaching it in State schools. We take up this attitude of opposition to that proposal in whatever shape it may be presented to Parliament, not because we are not believers in the Bible, not that we do not desire to see the Bible in the homes of the people, and the children taught by the proper authorities—the churches and the parents—but because we believe that the State should not interfere at all in such matters. I can only refer to the excellent address delivered by the present Chief Secretary not many months ago—one of the finest addresses, in my opinion, ever given by any public man in this State—on the occasion of a Centenary in connexion with the Bible, in which he traced its history, and pointed out the effects of its teaching. My honorable colleague on this subject has always taken up a somewhat similar attitude to myself with regard to the State's position in the matter.

Mr. PRENDERGAST. — Who was the gentleman you refer to?

Sir ALEXANDER PEACOCK.—The Honorable John Murray. Again, in 1898, as the outcome of a motion moved by Mr. Deakin, affirming the principle of the inclusion of unsectarian religious instruction in the State schools curriculum, a Royal Commission was appointed, consisting of the heads of the various denominations, to suggest what religious instruction should be taught; and, subsequently, in 1900, the Turner Government brought in a Scripture Referendum Bill, which was passed here, but rejected in another place. Then, in 1904, the Bent Government, introduced an Executive Referendum, which ended in confusion, and gave the greatest dissatisfaction all round. The present Premier, in 1905, moved that Scripture lessons should be given in State schools to children whose parents expressed approval in writing. Again, in 1910, when the Education Bill was on, it will be remembered that the late honorable member for Hawthorn (Mr. Swinburne) moved unsuccessfully in favour of a referendum on the question of unsectarian Scripture lessons during school hours to those children whose parents do not object, and by State school teachers who have no conscientious objection. That proposition was accepted by another place, but this House was opposed to its introduction in the Bill, and it was rejected. Until the present Bill was brought forward by the honorable member for Borung there has been no attempt in the interim to deal with the question. Shortly stated, that is the history of the question, so far as this Parliament is concerned, although there has been a good deal of public controversy outside upon this very

vexed problem. Now, the view I take is this: What other course can a justly governed State take up on this question than one of neutrality, when the different points from which the subject is viewed is considered? Four views are presented in the report of the International Inquiry on Moral Instruction and Training in Schools, which was published in 1905, and they show the diversity of opinion which prevails. One view was that religious training and moral training are thoroughly inseparable. Another view was that religious instruction and moral training in schools supported by public money should rest exclusively on a non-theological basis. A third view was that, though the ultimate sanctions of moral education are found in religious faith, instruction in those sanctions should be intrusted to the family and to the religious bodies, the day school contenting itself with an appeal to those moral instincts and convictions which are shared by all. That is a natural corollary of the second view. The fourth view was that moral training and religious teaching are, in some essential points, inter-dependent; that, though the spheres of the two are in some respects distinct and separable, in the teaching of manners and many points of civic obligation, both are necessary for true education—for that part of education which is given at school, as well as for that imparted by the family or religious body. Each of the views thus expressed has strong supporters. It will be seen that there is no unanimity among experts even in the United Kingdom, with an Established Church, and where religious instruction has long been part of the curriculum of the primary schools. Dr. Clifford, the leader of the Non-Conformists in England, divides the disputants in the United Kingdom into four classes:—(1) Those who would not allow any use whatever of any part of the Bible in State schools. (2) Those who would simply read the Bible. (3) Those who would read the Bible and give "lexical" explanations, such as would be given by a teacher in the use of Milton or Bunyan. (4) Those who stand for the use of portions of the Bible suited to the capacity of the children, such use to be literary, historical, ethical, and spiritual, but never in any way theological or ecclesiastical. I have quoted these views in order to show that in the Old Country, where religious instruction has prevailed for many years, there is great diversity of opinion on this subject, and I think before I conclude I will be able to show that there is a tendency rather in the direction of the views which many of us hold as to the part the State should play in connexion with religious instruction in State-subsidized schools. Again, I want to emphasize the point that, in declining to vote for a referendum of the people on this question, my position, and the position of honorable members who think with me, is not to be construed, as some people outside are inclined to construe it, as meaning that we do not reverence the teachings or value the influence on humanity of the Bible. We all recognise the value of the Bible in the advancement of the people. We recognise it as a paramount duty to the nation that a child should have instilled into its mind the teaching of the Bible, but we consider that, in view of the diversity of religious beliefs in a community such as ours, and the difficulty of interpreting passages of the Bible, we should not introduce into our State schools the reading of Scripture lessons by State-paid teachers. There is no neutral ground on which secularists and sectarians can meet on this question. There is no possibility of propounding lessons from Scripture which would be equally acceptable to Anglicans, Presbyterians, Methodists, Congregationalists, Baptists, and other Protestant sects; nor to the Roman Catholics, Jews, Agnostics, and Rationalists. There is no chance of amalgamating the conscientious principles of all and producing a result which will prevent sectarian strife of the bitterest form. There can be no coercion in religious matters. Absolute religious freedom must prevail. Yet the very terms of the motion are coercive. The education of our children would be distorted by sectarian animosity, and our noble scheme of elementary education—free, compulsory, and secular—would be seriously damaged. It would encourage class distinctions and religious differences, and intensify, as time went on, such divisions amongst the people. Now, I take it that the first duty of the State, through its schools, and the first duty of churches, too, is to act as reconcilers; to check the tendency towards divisions, and to proclaim the idea of national unity, to try to affirm our common humanity. I am

against the movement because it will not help one jot to consummate these things, but, on the contrary, cause regrettable divisions amongst people. It is a retrograde step. We are turning back the pages of history to the old denominational system of schools, which was discredited forty years ago. It is the primary duty of the churches of the various denominations to teach the children of their adherents the tenets of their own faith. The State now offers proper facilities for doing so. And it is the duty of the parents to supplement the work of the churches and their Sunday schools by familiarising the children with the faith in which they are born. The nondescript teaching of Scripture proposed can never take the place of the church and parents. You cannot compromise on matters of religion. Let me now briefly define what I consider to be the duty of a State in which public opinion is so strongly divided on a question of this kind. The State must be just to all, and to be just to all from first to last, it must be neutral. If the Government is to be really free and just to all, the State can have no religion, and recognise no conscience in religious matters. It must be purely secular, recognising no religion, no sects. It must not even be tolerant. It must be absolutely neutral. The State is the people, and as the people have many beliefs, widely and vitally divergent, it must be creedless. Its duty begins and ends in the administration of civil affairs. It cannot make any legal recognition of the beliefs of sections of the people. Protestantism, with its varying dogma; Roman Catholicism, Judaism, Agnosticism, Rationalism, relate to temporal matters with which the State is not concerned. These belong to the churches —not to it. Religion of any kind is not a function with which the State can interfere. When it acts, it can only act for the whole. Religious liberty is paramount over all things. The consciences of the people are above human laws, and religious beliefs, being matters of conscience, are not to be assailed. If a majority of the people attempt to force its belief on to the schools the root of religious liberty is struck at. The State, if it is to justly govern in the interests of all, must strictly confine its activities to secular matters. The responsibility of supplementing the secular education which the State rightly offers to the children of its people, by religious instruction in any creed or belief, rests wholly and solely upon the churches of the various denominations, and upon the parents or guardians. It is obvious that if the State pays its teachers to give religious instruction to which a proportion of its taxpayers composed of Protestants, Roman Catholics, and others, object for different reasons, the State, instead of being neutral, will be guilty of coercion, as it would be teaching the religion of some at the expense of all. But supporters of the present proposal urge that it does not violate this principle of State neutrality in religious matters. Regarding secular education, the authorities who undertake to organize it are of one mind upon the subjects to be taught, and the persons who should teach them. No compromise is needed. Can this, or anything like this, be said of the authorities who have endeavoured to formulate instruction in Scripture in State schools? Surely this is a matter on which agreement is vital, and since this is not to be had, State neutrality, I insist, is the only attitude to be assumed in justice to the various religious professed by the people. The subject is beset with such insuperable difficulties that the State must, in justice to all, acknowledge its inability to attempt to differentiate between one religion and another. Now, what are our State schools? They are free and secular institutions belonging to all the people, who are equally taxed for the maintenance of those schools. They are for the education of children of all creeds in secular subjects alone. No funds that are levied, either directly or indirectly, are expended for any other purpose. There is no religious distinction. For over forty years, we have maintained that democratic base, and, being free from denominational domination, have done splendid work. The present regulation of the Department gives the adherents of all religions equal opportunities of teaching their own creed; but the State itself is neutral. Honorable members have only to look at regulation 20 dealing with religious instruction in State schools to see that Parliament has provided that, before school hours and after school hours, the Minister, after application has been made to the school committee, has power to grant facilities for those who desire to

give religious instruction in the State schools on at least one day in the week. A considerable number of our clergy and laity have taken full advantage of that opportunity. I have here a report of the annual meeting of Protestant clergymen of all denominations, which was held at Ballarat, and presided over by the honorable member for Ballarat East, who, on this question, holds strong views of an entirely different character from my own. That was a meeting of persons teaching religious instruction in State schools, and who had exercised the powers given under that regulation. The same thing has occurred in a number of other centres. My late brother, Archdeacon Peacock, exercised that privilege to the fullest extent as the head of one church in Warrnambool.

Mr. MURRAY.—And he asked for no more.

Sir ALEXANDER PEACOCK.—It seems to me that, if those who desire honestly to get religious instruction for the children in the State schools utilized as much time and money in taking full advantage of the existing facilities as they do in agitating for the taking of a referendum, much good might have been done from their own point of view. I am sorry that they have not adopted that course.

Mr. WARDE.—What do the records of the Department show in that respect?

Sir ALEXANDER PEACOCK.—I do not know; but I know that, as Minister, I have signed a number of approvals for the giving of religious instruction by representatives of different denominations. I hope that, as the result of the discussion that is now going on, the public outside will become more familiar with the powers already provided under the Act for these facilities to be exercised without the State taking any part whatever in the matter. I insist again that State neutrality is the only safe course to pursue in justice to the various religious professions of the people. As I have already said, I admit that the subject is beset with many difficulties; but the only safe position to take up, in my judgment, in justice to all, is for the State to acknowledge its inability to attempt to differentiate between one religion and another. The question which the supporters of this Bill have got to answer, and it has not been answered, is really this—"What right has the State to recognise one particular religion over another in any shape or form?" There is another phase of the question which should be brought under notice, and that is with regard to the teachers, and the difficulty in carrying out the proposition if it becomes the law of the land.

Mr. FARTHING.—They have too much to do already.

Sir ALEXANDER PEACOCK.—The honorable member has anticipated me. I think it will be admitted by all sections of the House that we should be justly proud of our State school teachers, whether they are in the country or in the town. They were carefully selected in the first instance, and they were carefully trained to enable them to impart elementary education under the high curriculum of secular education. The State has taken up a proper position, and employs these teachers regardless of creed. The only test we have put during the whole forty years is the test of ability. These teachers comprise all creeds, and hold varying views on religious matters. They range from the narrowest sectarian to the broadest sceptic, but they are all faithful and loyal to the trust which Parliament and the people of Victoria have reposed in them. The community recognises the responsibility it places on these men and women in intrusting to them the education of the rising generation. Now teachers, one would think, are always ready for any innovation which will assist them in their high profession. Have the teachers in a body at their annual meetings expressed the opinion that the present system of secular teaching could be improved by religious instruction, and that moral lessons could be better inculcated if religious instruction were introduced? In all that lengthy period they have never shown any disposition in that direction. Yet, if this Bill were agreed to, and the referendum were carried, many who entered the Public Service to teach unsectarian subjects would be compelled to abrogate their religious consciences by falling in with the demand of the majority of the community. It goes without saying that numbers of these teachers have conscientious scruples. Yet no attempt is to be made to ascertain the views of this great body of 5,000 men and women on the question. In the United

Kingdom, where religious instruction prevails, there is a change taking place in the opinion of the great body of teachers as to the wisdom generally of religious instruction. If you are going to force teachers to be the official interpreters of Scripture or religious instruction, there are many dangers to be feared. As the two honorable members who have already spoken—the honorable member for Bendigo East and the honorable member for East Melbourne—have pointed out, some of them may give it in a fashion inconsistent with pedagogical principles. Some may give it tinged with their own convictions. Others may play the hypocrite. Denominational bias may be shown by some of them, which would inflame sectarian jealousies. If the lessons became a mere ritual, as seems inevitable, what appeal will they make to the child's intelligence? In what manner will the moral nature of the children be affected? Can it be seriously urged that there will be any personal touch between the teacher in a new *rôle* and the pupil? Cannot honorable members who support the Bill see that we would be landed in numberless difficulties with regard to the School Committees, who would be complaining to the Department that the teachers were acting in this, that, or the other direction, and the whole system of ordinary work would, to some extent, be greatly interfered with, and possibly paralysed. Opponents of the Bill decline to be branded as supporters of irreligion. We are just as anxious with regard to the religious views of the people as those who support this proposition. I maintain that Scripture teaching, to be of any value, must be expounded and expounded properly, but the State, being without religion, cannot train its teachers. Hence each teacher will be left to his own inclination. Then, again, the Department would have to discriminate against non-professors of religion. What this may mean is indicated by an address given at a conference of teachers in the United Kingdom, and it shows the change of feeling there. Recently, the National Union of Teachers held its annual conference there. Mr. C. W. Hole, the President, speaking as the head of that union, said—

> In 14,000 schools, all opportunity was lost for the appointment of men and women, who could not submit to the religious faith which was in the ascendant in the government of the schools.
>
> Secular education suggests the only possible solution, since all others appeared to fail.
>
> Sacrifices were bound to be made all round, and the State must disendow all sectarian and religious teaching, and concern itself only with the provision of secular education.
>
> Unhappily so many decried the simple Bible teaching as unsatisfactory.
>
> But the civic solution, sweeping aside the whole subject over which there had been conflict, would clear the ground for a national system of schools, with full local control, and no creed tests.
>
> Perhaps the greatest evil arising out of this controversy was the neglect of real educational problems needing instant attention.

Comment was made on Mr. Hole's address by Dr. Clifford, who, it will be admitted, is the head of the big non-conformist party in the Old Land, and his views are held by a large proportion of the people in England. He said—

> This was another straw showing the direction of British thought. Scarcely a day passes without similar signs that we are being driven—that is the word, "driven"—to what is called by some the "secular" solution, or to what I prefer to call "the cure."

I have several other extracts from his speech, in which, in his fearless and outspoken way, he dealt with the subject. They are as follows:—

> The convinced denominationalist is as resolute as ever in his purpose to make the public school an annex to his church, and the State-paid teacher a "curate" to teach the particular creed and catechism of his church, a policy which at the present time, according to the President of the Union, "shuts out from 14,000 schools all opportunities for appointment of men and women who could not submit to the religious faith which was in the ascendant in the government of the schools."
>
> I am strongly opposed to the establishment by Parliament of what is called "undenominational teaching" as I am to Romanism; that is, I protest with all my might against teaching at the expense of the ratepayers a set of dogmatic theological opinions in which Christians generally are supposed to be agreed, as I protest against the teaching of any distinctivity Roman or Anglican doctrine.
>
> I wish theological dogma to be taught, but taught by the churches, and entirely at the expense of the churches, and not by the officers of Parliament, and at the expense of the ratepayers.

Those views, coming from a great Christian Divine, holding such a distinguished position, express almost to the letter the reasons for the Protestant opposition in the Old Country.

Mr. MENZIES.—That is the non-conformist attitude.

Sir ALEXANDER PEACOCK.—Yes. I have several other extracts with regard

to the league formed in the Old Country, but I do not want to weary honorable members.

Mr. J. W. BILLSON (*Fitzroy*).—Don't worry about that. We get plenty of it from the other side.

Sir ALEXANDER PEACOCK.—Well, here is an extract from the *Daily Mail Year-Book* of 1905, emphasizing the revulsion of British opinion—

> There is a growing number of people who believe that the religious difficulty in public schools will not be solved except by a secular system of education.
>
> "The whole drift of liberal opinion seems to be steadily setting in this direction," says the *British Weekly*. "It is the one solution of the problem. All the rest are makeshifts. We are quite willing to accept the penultimate solution of the problem if it can be arrived at. No doubt many earnest non-conformists are still very much opposed to the abandonment of State religious instruction; and they are in all probability strong enough to enforce a temporary and not a lasting settlement. Be it so; but the temporary settlement will not give satisfaction, and there will be unrest till the inevitable goal is attained."
>
> . . . . . .
>
> Recognising that the sole responsibility for religious education rests with parents and churches, it expresses its conviction that there can be no final solution of the religious difficulty in national education until the Education Act is amended to secure that there shall be no teaching of religion in State-supported elementary schools in school hours or at the public expense.

Honorable members will see that there is a change of thought, even where religious instruction has prevailed for so long. I will conclude this part of my address by reading extracts from a speech delivered forty years ago in this chamber by an honorable member who has long since gone to his rest, and which focussed the opinion at that time of the people who were urging the substitution of a State educational system for denominational teaching. As a young nipper, I remember the excitement connected with the change. The late Mr. G. V. Smith, the honorable member for Ovens, dealing with this phase of the question, spoke as follows:—

> When the mere secular teacher plays amateur apostle he is not effective, and for obvious reasons. Tone, time, place, nothing is in keeping with the subject he pretends to teach; and his pupils detect the pretender, who, in his counterfeit character, becomes an object, not of reverence, but of ridicule.
>
> . . . . . .
>
> Even young children become instinctively sensible of the incongruity, and without reasoning their way to the conclusion, they feel that the genuine article is not served out to them by the clerical quack.
>
> . . . . . .
>
> There lies the great fault, the great failing of the whole system, in that one fact—to which I call the especial attention of the House—that the quack doctor of divinity does not teach religion religiously. That is the radical, the ineradicable, the incurable evil of the system. They don't teach religion religiously, and such religion is worse than useless to the taught, producing that familiarity with sacred things which breeds contempt for them—that parrot-piety, magpiety, which chattering catechism, like a magpie, or cockatoo, makes a faith a farce, and is at once a folly and a fraud—a fraud because it is a swindle to the State; a folly because it is hypocrisy to heaven.
>
> . . . . . .
>
> Let the secular preacher practice what he professes, the profession for which he can show a certificate—with quite enough to do if he mend the minds of his pupils, without playing clerical cobbler to their souls.
>
> . . . . . .
>
> We cannot even trust the teachers to teach religion by example; and as for precept, we don't go to church to learn the multiplication table, and why should we go to school to learn the catechism? We don't learn divinity from a lawyer, nor pathology from a pork butcher. If we did I fear the results would prove of but little worth; though payments by results are popular to a certain extent, if we paid our teachers by their religious results, what would we expect but first-class hypocrisy!
>
> . . . . . .
>
> In short, religion to be properly taught—a true religion of a God of love and holiness—must be taught by those whom we regard with love and reverence, not by those whom we regard as taskmasters, and whose duty is coercion.
>
> . . . . . .

Those views are as true to-day as they were forty years ago. By some of the supporters of this proposal the charge has been made that our State schools are godless schools. As the Minister in charge of the Department, I have to thank the honorable member for Bendigo East and the honorable member for East Melbourne for having defended it from that charge. It has been urged by some public speakers that the Bible is placed under a ban in the State schools. The insinuation is made that the State is hostile to the teaching of religion to the pupils of its schools. The State is not hostile, for it offers the greatest freedom to all denominations, through clergymen or even lay teachers, to impart such instruction. No restriction is placed on the nature of the teaching to be given before or after school hours, but the State properly stipulates that such doctrinal instruction shall not be given to children whose parents approve in the hours set apart for secular education, and that any expense shall be borne by the givers. As I have already

maintained, the State, having no religion, cannot teach any, but it places no restrictions upon the denominational authorities, and I cannot admit, as Minister of Public Instruction, not only at present, but on previous occasions, that secular education as administered in Victoria is unreligious and dangerous, and opposed to the teachings of the Bible. In the nineties, when I first held a portfolio as Minister of Public Instruction, the then member for Port Fairy, the late Sir Bryan O'Loghlen, brought forward a motion expressing the view that the action of a former Minister of Education—the late Mr. Ramsay—in removing the name of our Lord and Saviour from the State school books did not meet with the approval of the House. I, as Minister of Public Instruction, with the full concurrence of my colleagues, strongly supported that motion, and it was adopted unanimously. Subsequently, when I became Minister of Public Instruction again, I instituted what is known as the *School Paper*. That idea was not my own. I got it from the late Mr. Hartley, who was Inspector of Schools in South Australia, and who came to an untimely end at an early age. He was one of the finest educationists Australia has ever produced. Honorable members who have followed the history of the *School Paper* from the time it was established, in 1895, will know that it contains numbers of extracts from the very best of our teachings, and extracts from the Bible have been continuously running through the different issues of the *School Paper* ever since it was established. I produced copy books to disprove the assertion that our system was a godless one, and I also read different extracts from the *School Paper*. The only thing was that instructions were given to the teachers that they were never to comment on those extracts, whether they were from the Bible or any other religious sources, but were just to read them to the children. I have here a summary of all the lessons of a religious, or semi-religious, character that have been in the *School Paper* ever since it was established. As numerous quotations were made by the honorable member for East Melbourne and the honorable member for Bendigo East, I will not give them all, but will just give a few from last year's numbers. They will show that the charge laid at the door of the Department, that we have a godless system of education, is not true.

The following are some extracts from last year's *School Papers*:—

Though foes may be many, and proud in their might,
If only you know that you stand for the right,
The battle must boldly be fought and you'll win,
In Providence trust, and never give in.

. . . . . .

God will send the rain and sunshine,
Cause the gentle breeze to blow.
We may plant the seeds, dear children,
He alone can make them grow.

. . . . . .

Here is a beautiful thing—

"Love the palm tree," say the mothers of Tripoli to their children. "God made it to be the friend of man."

. . . . . .

Here are some other extracts—

Our best! Ah, children! the best of us
Must hide our faces away,
When the Lord of the vineyard comes to look
At our task, at the close of day!
But, for strength from above—'tis the Master's plan—
We'll pray, and we'll do the best we can.

. . . . . .

God will His blessing send—
All things on Him depend;
His loving care
Clings to each leaf and flower
Like ivy to its tower,
His presence and His power
Are everywhere.

. . . . . .

The 5th of April is Good Friday, and the 7th is Easter Day. These days remind Christians all over the world that Christ died and rose again.

. . . . . .

So, in time, Spirit of Love drove quite away Self-love and Spirit of Hate. He then found it quite easy to obey his parents and to please Katie, as he loved them better than he loved himself.

. . . . . .

It is well to remember that our flag is not a sign of defiance. We have no quarrel with other nations. We seek for none. We seek only to maintain in peace our rights and liberties.

Strong to defend our right,
Proud in all nations' sight
Lowly in Thine.

One in all noble fame,
Still be our paths the same,
Onward in Freedom's name,
Upward in Thine.

. . . . . .

He prayed Almighty God, of His goodness, to give him life and leave to sail once in an English ship in that sea. Then, he called up the rest of our men, and, specially, he told John Oxenham of his prayer and purpose, if it pleased God to grant him that happiness.

. . . . . .

—"child, say that prayer
Once again—a different one—
Say, 'O God.' Thy will be done
By the Alma River."

. . . . . .

God, who made your eyes so bright,
Loves the poor blind man.

. . . . . .

The bowl was bright and shining. It was pure gold. And, when they had emptied it, they saw these words upon it:—"This bowl is for Fritz, for his kindness of heart. He who helps the poor shall never want."

. . . . . .

I do not fear for thee, though wroth
The tempest rushes through the sky;
For are we not God's children both,
Thou, little sandpiper, and I?

. . . . . .

God sent His singers upon earth
With songs of sadness and of mirth,
That they might touch the hearts of men,
And bring them back to heaven again.

. . . . . .

There shall be no more sin nor shame,
And wrath and wrong shall fettered lie;
For man shall be at one with God
In bonds of firm necessity.

Honorable members of all shades of political and religious thought have commented favorably on these excellent papers and the lessons taught in them. We supply them to Tasmania and West Australia, who recognise that they could not produce anything better. They have always purchased the *School Papers* from our Education Department, and used them in their schools. The existence of scriptural reading in schools in New South Wales, Western Australia, and Tasmania, and, in the last two or three years, in Queensland, is often quoted against the secular system of Victoria. Victoria has tried both systems, and decided in 1872 in favour of its present system, which only can give genuine religious liberty to all denominations. Now, as practically the only State with purely secular teaching, how does our record compare with the other States? One would think from the statements made at meetings in advocacy of Scripture instruction that our people were wicked people, and that crime prevails here. The honorable member for East Melbourne quoted the actual statistics to show that, as far as crime is concerned, we occupy a better position than New South Wales, so it cannot be urged correctly that, because we have not had religious instruction in our State schools, our young people are given more to crime. The statement that children are growing up without any moral instruction of any kind cannot be maintained. In almost any number of the *School Paper* the statement that there is no mention of God is refuted. Lessons are permeated with moral training. No doctrinal matter is included. Has secular education distorted the national character? Are we Victorians less virtuous or less moral than the people in other States? Has it brought disaster to our national life? Has it retarded our social advance? Can any proof be submitted that it has given injurious results compared to those obtained in the States where perfunctory religious instruction is imparted daily as part of the ordinary school course? Study the relative statistics relating to crime, drink, police, gaols. It will be found that we occupy as good a position as the other States, and, in some instances, a much better position. A few years ago, when the Federal Convention was sitting in New South Wales, the then Premier and myself were in Sydney, and we took advantage of the opportunity afforded us to go into the schools there, and see and hear the lessons delivered. I have no hesitation in saying that I would not like the children of Victoria to have similar lessons given them. Perhaps it is a hard thing for a Minister to say with regard to a sister State, but I say that, though the people of New South Wales may think their children are getting religious instruction, it is not religious instruction. It is historical instruction and geographical instruction. If our children had similar lessons here, the people would be under the impression that their children were being taught religion, but they would be undeceived at an early date. They would find it was not true religious instruction. If there is to be religious instruction there must be no compromise about it. It must be given by those who are competent to teach the tenets of the faith we have been all brought up in. It is urged by some that the Bible ought to be introduced as a text-book on morals and history. In other words, teaching of morality in State schools is to be buttressed by theology. That is a very peculiar position to take up.

Mr. BAYLES.—This is only a question of whether a referendum should be taken.

Sir ALEXANDER PEACOCK.—These are the points that will be considered by the people. The Bible is only one means out of many that may be used

for teaching morals. You have the personality of the teachers, the discipline and life of the school, with its constant appeal to the virtues of honesty of work, truth-telling, and effort in overcoming difficulties. There is the example of the strong helping the weak. Then we have keenness for school honour, and the self-control and obedience required for games and work. Then there is work in literature and history. All these and similar things aid moral training. The curriculum, aided by the *School Paper,* teaches now, without reference to theological views, wide morality, as exemplified by truth-telling, integrity, temperance, kindness, unselfishness, sympathy, forgiveness, cleanliness, &c. The religion of daily life, which makes good citizenship, is taught. The Scripture Instruction Council stated they only desired Bible lessons to form a part of the school curriculum in order that the children may be led to discharge duties of citizenship, not from fear of the constable, but from the highest sense of responsibility to a Greater Power. They say they do not want the State to give religious instruction through the teachers. They say they only ask that teachers shall preside at the Scripture-reading lessons, the duty of the teacher being only to correct mispronunciation, explain geographical terms, and possibly state in what part of the world the places are. Beyond this the teacher is to offer no word of comment. We have been told that this is the maximum demand made. Real and thorough religious teaching is not intended, but the Bible is only to be used as an ethical text-book. In short, the lessons given are to be unsectarian Scripture-lessons, acceptable to every form of Christianity, and for the children of others the conscience clause is to operate. Christianity, with its doctrines and ordinances, always appealed to me as definite and positive. Surely, if it is so vital that children should have the Bible placed before them as a text-book on morality, something more than the formless and nondescript lessons should be provided. At the best, the proposed unsectarian Scripture-lessons are the result of attempting to reach a compromise on a subject it is impossible to compromise. The head of my own church admitted, at a gathering I was at, that there could be no compromise, so far as he was concerned, in connexion with the giving of religious instruction. I said to him, "How did you, then, compromise on these lessons, which admittedly, on the part of the Protestant section of the community, were a compromise?" With so many sects holding wide and conflicting views it is impossible to attain the desire without hurting the religious susceptibilities of some sections. The conscience clause is a loophole to encourage people to support the proposal. It will operate in a very dangerous way. I was educated at a private school in Creswick, the principal of which was one of the very finest men we ever had in that town. He had a conscience clause in connexion with religious instruction at his school. How did it operate? Some of the parents took advantage of it, and their children did not attend the religious lessons. That called attention to the differences amongst the boys of the school. It was said that those who stood out did so because they did not believe in the Bible. It caused trouble in our town amongst the parents. The principal—a good, faithful man—found, from his experience in a school of fifty or sixty pupils, that religious instruction with the conscience clause could not operate successfully, and he had to abandon it. No one would ever have thought that he would introduce anything of a highly debatable or sectarian character. Then the conscience clause does a great injustice to the parents who may object conscientiously to religious instruction. It puts them, to a certain extent, in another paddock, and separates them from the great body of their fellow-citizens. It cannot have a beneficial effect on either the children, whose parents require them to be so taught, or on the other children. It would certainly tend to create divisions between the parents and children of different denominations, instead of softening down the sectarian influences. I have never raised any question as to the need of our children being instructed in the moral precepts of the Bible. Religion is an essential complement to education. The question is: Who shall teach it? Can the State do it fairly and effectively? Is it not wiser for us to retain the system that has been productive of so much good to the people of this State,

where there is less sectarian feeling, I venture to say, than in any other part of Australia? This question was thrashed out over forty years ago, and it was then said that the State must subsidize all the schools or none. The State took the view that it would subsidize none, and on those lines we have proceeded ever since. A big question was agitating the people forty years ago, and the principle was handed down that the propagation of any religion must be conducted by the adherents at their own expense, and not by the State, at the expense of the community. A few years after the question had been thrashed out in connexion with education, an Act was passed to do away with State aid to religion. In 1875, after the passing of the Education Act, Parliament, which only moves when the people outside have affirmed an opinion on a question, determined that it would abolish State aid to religion. Mr. Fellows, in the great fight which took place in 1872, made use of the following words—

> To what extent interference is justifiable consistently with the maintenance of the proposition involving the existence of perfect civil and religious peace? If any system of education involving religious teaching is insisted upon by the State there is at once a palpable violation of the civil and religious liberty of the subject. If, on the other hand, it is made compulsory to abstain utterly from all religious teaching the liberty of those who think that religious teaching ought to form part of all instruction is at once infringed.

Accordingly the wise parliamentarians of 1872 framed the present Act on these lines—that is, making State education wholly secular, but giving the fullest right to all denominations to impart their doctrine outside of school hours, and at their own expense. They adopted the secular principle with the hope of softening sectarian strife. They had high ideals, and they had the true interests of the people's education at heart. Displaying wisdom, they left the teaching of religious faith, and the inculcation of moral lessons derivable from the Scriptures, to the Churches, with their Sunday-schools, and to parents and guardians. This is the position I take up, and if the Churches with their wide and willing organizations, allied to the fathers, mothers, and relatives, fail, then it is hopeless to expect the State to succeed with the hybrid teaching proposed. The Bible imposes the duty of the teaching of religion upon the Churches and the parents, not upon the State. Dr. Dale used to contend that—

> It is a grave offence against the appointment of Christ to call the State in to the work which Christ charged the churches to do.

In conclusion, I would say that this is the only question on which there has been a serious difference of opinion between myself and a section of my constituents during a period of twenty-five years. My experience is that our constituents generally are divided on this great issue, but I believe that the bolder and better course to adopt, seeing all the dangers we should run if we changed our system, and adopted a proposal that the State should take part in religious instruction, is not to agree to what is proposed. I believe that it would mean disaster to our present efficient system of State education, and that those who are supporting this request, inside and outside of Parliament, would be the first, after an experience of the system they advocate, to regret its being adopted. I thank honorable members for the attention they have given me while dealing with this question.

Mr. CHATHAM.—I am somewhat reluctant to follow the Minister on this question, but I feel it my duty to say a few words similar to what I said on the platform previous to my election. I was in favour of the cardinal principles that we have in our State schools to-day—that they are secular and compulsory. Anything that will tend to break down those principles will be a step backwards. I am sure many of us will agree with the Minister of Public Instruction that it is not possible to have Bible reading in the State schools. Education in that respect must be taught by actions as well as words. We remember some time ago a very high authority of the University being cast aside on account of his utterances in regard to religion. In regard to undermining the conscience of teachers, we must pay as much respect to the conscience of teachers as to that of the children. We have had a grand form of education since 1872, and I believe that if this proposal is carried we shall live to regret having interfered with that system which has done so much good in welding together the people of this country. The proposal might work in the town, where you have a large population and a variety of teachers, but in the country, where you have perhaps ten or twelve

pupils of half-a-dozen religious beliefs, I feel that, if you introduce any system of Bible reading, it will interfere with the religious beliefs of some of these children. We know that 1,400, or more than half of our schools, consist of only one room, and this would necessitate children being turned out of school, in rain, hail, or snow, while religious instruction is imparted to a section of the children. That will cause strife at once in the homes of these children. We have school committees working amicably for the building up of schools and providing recreation-grounds and shelter-sheds, and they are doing a lot to bring our schools up to the highest standard. If you introduce this proposed system, you will destroy the good work that is being done by these committees. I think most people will agree that these committees are doing better work than was done a short time ago by the bodies whose places they have taken. I do not wish to dwell very long on this question, but I feel that it is my duty, with my voice and vote, to carry out the promise I gave to the people who sent me here to represent them. If I intended to vote for this measure, one of the first things I would do would be to resign my seat, and tell the people of the position I would take up when the matter came before the House. I do not intend to break faith, and to-night I am only carrying out what I said I would do, and that is, with my voice and vote, uphold the system of education we cherish to-day. My own children go to school and come home from school with children of other denominations, and the children are growing up to respect each other's religious beliefs. When I was a lad, I had to go to work at an early age, and one of the most fortunate things that happened to me was that I went to work with a lay reader of the Methodist Church. His actions and words were an education to me; and if I have done any good for myself or for the country, it is partly due to the instruction I received from that man, who held a different religious belief from my own. I respect other people's religion; but I believe that if you introduced this legislation, it would undo the good work that has been done in the best interest of the country.

Mr. SNOWBALL.—I listened with a great deal of interest to the address of the Minister of Public Instruction on this subject; but have to admit also with a great deal of disappointment. It seemed to me that, from the beginning to the end of his address, he failed to recognise the underlying principle in connexion with this Bill, and which we have everywhere endeavoured, in connexion with the advocacy of this proposal, to make clear, and that is that there is no intention whatever on the part of the promoters to teach what is known as religion. All the reports of the authorities the honorable gentleman referred to were dealing with the declared intention of progressive educationists, with which I entirely agree, and to which we are committed—that we shall have nothing in the shape of denominational teaching in our schools, or supported in any way by the State. There is no desire on the part of the advocates of this proposal to interfere in the slightest degree with that principle. It is an astonishing thing to me to hear the honorable gentleman, and other honorable members, refer to the fears they say they have with regard to the inevitable results which they say will follow on the simple reading of Bible lessons. We have not only the advocacy of educational authorities at Home of the necessity of introducing simple unsectarian Bible teaching in national education, but we have the growing and accumulated experience of the other States of Australia, and the testimony from the Ministers of Public Instruction and the inspectors and teachers, that nothing but good results have followed from the introduction of Bible lessons in their schools. How any honorable member can get up in the face of that testimony and continue to protest that injury is likely to ensue, and that sectarian differences are likely to be fomented, I fail to understand. The Minister of Public Instruction sat down, in my opinion, without touching that great underlying principle which we recognise, and which all the authorities to which he referred advocate. The report of the British Commission on Education stated that four different proposals were recommended and advocated by various sections, and every one of them admitted the necessity of moral training being associated with Scripture teaching. Every one of those four different propositions was before that Commission and none other. The great

Dr. Clifford admitted that non-sectarian religious instruction was a thing it was possible to give in national schools. All through his educational life he has advocated that principle, and is prepared to support it to-day. In regard to the question of a referendum, the Minister said that he always felt it unjust to apply that principle to such a question as this. That is a contention that we hear continually coming from the ranks of professed Democrats. This proposal for a referendum did not emanate from us, but from Parliament. It has merely been accepted of necessity by those who are striving to have this principle recognised. We have been asking vainly session after session that this House should carry out the resolution it arrived at. It is said that the referendum has never been looked upon as a legitimate means of settling questions of this kind. When we look at Switzerland, the home of the referendum in legislative matters, we find that the principle was first enunciated there in connexion with educational matters. On this very question of the introduction or the retention of the Bible in connexion with national education the Socialists of Switzerland petitioned Parliament for a referendum, and Parliament, recognising that it was the proper course to adopt, granted a referendum. An overwhelming majority of the people expressed their opinion for the retention of God's word and God's law in the education of that progressive and democratic little community. We are not to blame for asking for a settlement of this question by a referendum, for the House has driven us to ask Parliament, seeing that it carried a resolution that this was a matter essentially for the people to decide. That is a proposal that I think was made by the then member for North Melbourne, Dr. Maloney, supported by the present Premier and Mr. Alfred Deakin. The honorable member for Bendigo East said that when we passed our present Education Act in 1872 it was an indication on the part of Parliament, once and for all, to adopt a rigidly secular system, and to exclude the Bible in any shape or form from the curriculum of the schools. In contradiction of that, all we have to do is to look at the *Hansard* report of the discussion when the Bill was dealt with. Mr. Langton, the Treasurer, referring to the existence of Scripture lessons then in use, said—

> As I believe there is no desire whatever to interfere with the use of the Bible in any school to be established under this Act. Whatever is the value of Scripture instruction the children will have just as much of it out of the new system as out of the old.

Surely that was a definite promise to the parents of this country that the Scripture lessons that were then the foundation of the moral training of our children should be retained. We know that the promise was for a long time observed. In the discussion on the same Bill in the Legislative Council, Mr. MacBain said that—

> I find from the Treasurer's statement that quotations from Scripture are to be used in all the schools. We have been told that Scriptural quotations may be used in school hours.

There could be nothing more definite and emphatic. The honorable member for Bendigo East has referred to the value of some of the Scripture extracts in regard to the creation and other matters. With regard to the scientific value of these extracts he spoke in a disapproving manner. Evidently he intended to reflect on the teaching as something the children should not have inculcated in their minds. I do not intend to refer to his reflections on Scripture truths. Our present system has been spoken of as a godless system. Those who advocate the introduction of the Bible into the schools have never condemned the system as a godless one. We have heard such remarks, but they have never come from those who advocate the teaching of the Bible in the schools. We fully appreciate the value of the *School Paper*, which the Minister has referred to with pride. We know that Scripture extracts occasionally appear in the *School Paper*, but we would like to see more of them held up before the children. We do not want to see any attempt made to teach any denominational principle or dogma in connexion with the Scripture lessons. That kind of thing is excluded from all the systems in operation in Australia to-day. The Minister and the honorable member for East Melbourne have stated that ample opportunity is given to-day to clergymen to enter the schools and give effect to religious training. I consider that there is something more to be done for the children than to allow them to read the Bible. I feel that we are all desirous that our children should have a complete

religious training. Owing to the differences that exist between the various sects we feel that all the State can do is to give the children a good moral training. I am anxious to keep out of our schools the dividing influences of sectarian teaching. The late Bishop Moorhouse when here—and he spent a great many of his earlier years as a teacher in a public school—was asked whether it was possible to give unsectarian religious instruction. He said it was the easiest thing in the world, and that it was the only teaching you could give the children. He said that the moment you departed from the simple elementary truths of the Bible you got into trouble, and that, as far as the children were concerned, you might as well get into the moon. The excellent speech of the honorable member for Eorung was listened to with interest, approval, and appreciation. The honorable member for Fitzroy asked the honorable member for Borung for a definition of non-sectarian Scripture lessons.

Mr. J. W. BILLSON (*Fitzroy*).—Did I ask that?

Mr. SNOWBALL.—The honorable member did, and I forgive him for forgetting it. Sectarian distinctions and differences are not to be found in the Bible. They are incrustations that clergymen have engrafted on the simple teachings of God's word. Sectarian teaching is not to be found in the Bible. You have to go for it to the traditions of the fathers, and to the creeds and dogmas compiled by the human mind to bind peoples of different religious views together. The teaching of creeds and dogmas is a teaching that we might well leave to the clergymen of the various churches. It was they who created these sectarian differences. The scribes, the Pharisees, and the high priests created these distinctions.

Mr. J. W. BILLSON (*Fitzroy*).—And who continues them?

Mr. SNOWBALL. — The various churches. We believe in conscientious scruples in these matters. We have a common meeting ground in the Bible, though the Minister of Public Instruction said it was impossible to find it. He said there was no common ground amongst religious people. I say there is—in the Bible. We recognise that all Christian people are united in protesting against our system. The Roman Catholics and the Protestants alike condemn it.

Mr. TUNNECLIFFE.—They do not all agree with your proposal.

Mr. SNOWBALL.—I want to be fair, and I have tried to ascertain the grounds of our differences. Honorable members have had the same opportunity, and, no doubt, they have formed their opinions on the subject. When the Roman Catholics were asked what they objected to in the lessons selected by the Commission, the answer given by the head of that church was, that as these lessons contained none of the distinguishing dogmas or features of the teachings of his church, they did not believe in them. That was the only objection made by that church. There is a very small section of the community, namely, the Agnostics, who also object to these lessons. The honorable member for Fitzroy has claimed that the people should be allowed to settle this matter. He said that it was a piece of arrogant despotism on the part of Parliament to stand between the people and the settlement of this question. I heard the honorable member use these words. He said it was tyranny and despotism to refuse to allow the people to settle this matter. I think I could turn up the page in *Hansard* where these words appear.

Mr. HOGAN.—He has acquired a lot of wisdom since.

Mr. SNOWBALL.—In his heart of hearts he knows where he ought to be on this great question. Now, as to the fears that the introduction of such lessons will divide the children in the schools into warring camps of sectarian difference, I may say that if that were possible I would hesitate to urge this proposal. When we go to New South Wales, Western Australia, Tasmania, and Queensland, and inquire from the teachers whether there has been any such effect from the Bible lessons there, we are told with one unanimous voice that there has been an utter absence of anything of the kind. I do not want to weary honorable members by referring to the testimony of inspectors and teachers in connexion with this matter. We have the statements of several teachers, who, before the introduction of this system into their respective States, had fears that such a result as that referred to might follow. But they say, after two or three years' experience of the system in actual operation, that they have found an utter

absence of difficulty or difference of any kind.

Mr. TUNNECLIFFE.—Out of 137,000 State school children in Queensland, only 22,000 are receiving religious instruction at the State schools.

Mr. SNOWBALL.—I only know what we are informed by the reports. There is a conscience clause for teachers in operation in Queensland and in the other States. In New South Wales, Tasmania, and Western Australia—in those States where the system has been longest in operation—we are told by the teachers and inspectors—the people on whom this so-called grievous burden is to be placed—that they consider the lessons of great value, and of appreciable influence on the character and conduct of the children. They say that, while they had feared that Scripture reading in the State schools might create differences, and that children might be withdrawn in consequence, they found that the number of cases in which parents had expressed the wish that their children should be withdrawn from the Scripture lessons was so small as to be almost inappreciable. In New South Wales, where this system has been forty years in operation, there is an increasing proportion of Roman Catholic children going to the State schools, and it is stated that the Roman Catholic parents themselves appreciate the value of the Bible in connexion with the training of their children. I myself have asked Roman Catholic parents in this State what their feeling is in regard to the Bible, and they have expressed a love, veneration, and appreciation for the Bible in connexion with their home life, and they said they could not understand the attitude of their clergy in opposing it. I would like to refer to two or three expressions of opinion from teachers and inspectors. One is from Mr. G. S. Richardson, Mabel-street, South Brisbane, who has been 34 years in the Education Department of that State. He says—

> I am forced to the conclusion that there is an utter absence of friction of any kind; nothing but harmony appears to prevail. The teachers—and I specially mention the Roman Catholic teachers—courteously assist ministers of religion in every possible way. I am also satisfied, from observation, that both teachers and pupils look forward with pleasure to the visits of the ministers of religion.

Mr. TUNNECLIFFE.—Who is that from?

Mr. SNOWBALL.—From a gentleman who is an inspector in the Queensland Education Department, and who, as I have said, is a teacher of 34 years' experience. Mr. R. Smith, of the Battery Point State School, Tasmania, writes, in reply to an inquiry—

> For nearly 40 years I regularly gave Scripture lessons from 9 a.m. to 9.30 a.m. I never found any difficulty in the matter. I have never found any friction arise between teachers and the Ministers of the various churches. I have never noticed any strife between the children. No children are compelled to attend religious teaching if their parents object.

Then the Rev. J. Scott Macdonald, Moderator of the Presbyterian Church of Queensland, writing to New Zealand, says—

> I desire to testify to the very great boon that has come to Queensland in the passing of the Bible-in-State-Schools measure, after the Referendum to the people. . . . It was prophesied that the teachers would not give Scripture reading lessons properly, and that sectarianism and bitterness would spring up in the schools. I am thankful that we can assure you, from the first full year's experience of the system, that these fears have proved baseless.

Then Inspector Henderson, of the Grafton district, in Queensland, says—

> During the year our schools have received 1,018 visits from clergymen. Owing to the existing cordial relations, not a few of the teachers regard the ministers of religion as their colleagues in the cause of education.

What about all those baseless fears which we have heard indulged in with regard to Scripture reading in State schools? I am sure that those honorable members who have given expression to those fears must realize how baseless they are if we judge from the experience of those who have tried the system. Coming to our own State schools, there is no doubt that we have here as fine a staff of inspectors and teachers as there is in any State in Australia. Now, Mr. A. Fussell, B.A., in an inspectorial report, said on this subject—

> The fears that some teachers would scoff, and others introduce dogma, would, I venture to prophesy, prove groundless. The Education Department is able to exercise over its teachers discipline sufficient to make it clearly understood that such a departure would be treated as a serious irregularity, and instead of religious teaching destroying our educational system, it seems to me, it would ultimately be the means of still more commending it to the sympathies of the people.

Mr. HAMPSON.—When did Mr. Fussell make that statement?

Mr. SNOWBALL.—It is in his report to the Department. I do not know the date, but I have seen it referred to several times.

Mr. HAMPSON.—Who would ask him for an opinion on the subject? Is it part of his duty?

Mr. SNOWBALL.—Is the honorable member going to find fault with Mr. Fussell because he advocated the reading of the Bible in State schools? It is well known that Mr. Fussell expressed these views, and evidence was given by different inspectors before our own Royal Commission in which they expressed the same feeling with regard to the wisdom and value of a system of this kind.

Mr. MURRAY.—Those who were examined, perhaps, did so—it was not the general opinion.

Mr. SNOWBALL.—Those inspectors who gave their views are worthy of consideration in the matter. We find that those who have tried this system in other States assure the community that, although they feared evil results might follow, the actual experience of the working of the system has shown that it is quite free from friction and trouble of any kind. Under the circumstances, how can honorable members still continue to urge the value of their own fears and prophecies in the face of the actual experience of thirty or forty years of the practical working of a system of this kind? The honorable member for East Melbourne, in his remarks, said there were plenty of better codes of moral teaching than the Bible.

Mr. HOGAN.—He did not say that. He is absent just now.

Mr. SNOWBALL.—He said we must have some moral teaching or moral code for the children, and when he was asked what other one was as good as that in the Bible, he mentioned *Hackwood*.

Mr. TUNNECLIFFE.—You are not quoting him correctly.

Mr. SNOWBALL. — An honorable member asked him where he could find as interesting and instructive a code of morals as that in the Bible; where he could find anything which would take the place of the Bible.

Mr. TUNNECLIFFE.—You started by saying that the honorable member for East Melbourne affirmed that there were better moral codes than the Bible.

Mr. SNOWBALL.—More attractive. The honorable member was asked if there was anything more attractive than the Bible which could be taught to children, and he said he thought Hackwood's book was. Now, honorable members ought to be familiar with what the Education Department in Victoria has done to try and introduce into the curriculum of our State schools moral training for the children, because it has been felt by the Department that something must be done if moral training was to be given to the children in any effectual way. The history of Hackwood's book, so far as our Education Department is concerned, is worth looking into. That book was published in England for the use of schools, and it contains a lot of fine ethical, moral teaching. Now, in the front of that book it is stated—

> In using this manual, teachers are recommended, as far as possible, to enforce and illustrate the lessons by suitable references to Holy Scripture.

That is printed as part of the book on the recommendation of the author. Now, what took place here? This book was adopted by the Department and circulated amongst the teachers, and the teachers gladly availed themselves of the permission to use it. Very soon, however, one of the churches wrote protesting that this was an infringement of the secular provisions of the Act, and a circular was sent to the teachers by the Department, stating that they could no longer avail themselves of the permission contained in the book to illustrate the lessons by reference to Scripture—that they were to cease making any reference to Scripture for the purpose of illustrating the lessons in the book.

Mr. HOGAN.—The honorable member for East Melbourne is now present. Will you repeat what you said about him?

Mr. SNOWBALL.—During the speech of the honorable member for East Melbourne, the honorable member for Lowan asked—

> Do you know any book which has more interesting narratives for children that the Bible?

To that, the honorable member for East Melbourne replied—

> I think I do. I am speaking of children only, and do not wish it to be understood, that I have any disrespect for the Bible. I can remember in my own school days the series of moral lessons that were taught. They were taken from Hackwood's lessons specially prepared for State school children. Those were lessons on punctuality, on truthfulness, on honour, on obedience to the law, and so on. I well remember the first time that one of those lessons was given in the school to which I went. Those lessons, well given and thoroughly interpreted, did the boys going to that school more good, I venture to say, than all the Bible readings you could give them, provided that those Bible readings were not interpreted.

That is very emphatic. The honorable member practically says that this book is a better book, in his opinion, for giving moral training to the children—of more value in teaching moral principles—than all the extracts from the Bible that could be given to them.

Mr. HOGAN.—He did not say that. He said Bible readings, without interpretation.

Mr. SNOWBALL.—The honorable member for East Melbourne could not have been familiar with the history of Hackwood's book. It was got by the Department for the very purpose of giving moral lessons, and it is worth repeating now that the honorable member is present that, at the very beginning of the book, the author recommends teachers to enforce and illustrate the lessons by suitable references to Holy Scripture. After a few years' use of this book, which, as I have said, was gladly availed of by the teachers who used the Scripture for the purpose of illustrating the lessons, the Roman Catholics wrote protesting that this was an infringement of the secular provisions of the Education Act, and the Department said that probably it was. A circular was then sent to the teachers telling them to cease to take advantage of the permission there granted.

Mr. FARTHING.—What book are you referring to?

Mr. SNOWBALL.—This is Hackwood's *Moral Lessons*.

Mr. FARTHING.—That is not the book to which I referred.

Mr. SNOWBALL.—It is the only book of the kind that has been used in our schools. I have inquired from the Department on that point. It is the book that was introduced for the purpose of trying to fill up this great gap which the inspectors felt existed in connexion with the moral training of our children. On that point I would like to read extracts from the reports of the inspectors for the year 1890. Inspector Jackson expressed the hope that "before the advent of Bellamy's millenium, a teacher, in giving instruction in morals, will be expected to give the best at his disposal. At present, Scriptural illustrations of morals are not available." This remark refers to the circular from the Education Department, which informed the teachers that Hackwood's advice to illustrate his lessons by Scripture incidents and characters was not allowed by the Department. Inspector Henry Shelton, B.A., said—

> Moral lessons appear to have failed in their object. These lessons are viewed with distaste by a great many teachers; the work is regarded (as one teacher put it) as "so like preaching." They have now formed part of the instruction for six years, and there is little to show for the time spent upon them. These lessons have not visibly raised the tone of the school.

Inspector Samuel Summons, M.A., said—

> Morals are regularly taught, but in too formal a manner. . . . For the effective inculcation of morality, there should be a recognition of Him whose will is the standard and guide of our conduct.

Inspector F. H. Rennick, M.A., said—

> The lessons in morals are, generally speaking, given with ill grace by the teachers, who avoid them on all possible occasions. As at present prescribed, they do little good, and are rarely well given. One reason is that the text-book prescribed—Hackwood's *Notes of Lessons*—is unsuitable; another is that the teachers feel that in giving these lessons they are treading on debatable ground; while the sanctions of Scripture are expressly forbidden by the Department.

Inspector James E. Laing, M.A., referring to India, said—

> The Government will discern the danger of millions of men growing up in a discredited faith, and it will piece together a moral text-book to take the place of a God. . . . I cannot say whether the writer of the article quoted from Victoria, but certain it is that his forecast as to the introduction of a moral text-book into the Indian schools is a matter of history with us. The want of a standard of appeal must always be a fatal objection to the expedient of using a text-book on morals instead of teaching religion, and further experience does not impress one more favorably with the device.

Perhaps honorable members know something about what has been the experience in India in this connexion. In 1908, in the Dependency of Mysore, the native ruler, at the great annual congress, stated that he had come to the conclusion, in connexion with the education of the masses of the people under his Government, that there was nothing for it but to introduce into the educational establishments in his Dependency the Bible as the foundation of moral training for the children in India. He said there was growing up in the homes of the people a want of filial respect, and that the parents themselves were losing any sense of responsibility in regard to the bringing up of their children; that class was becoming inflamed against class; and that there were creeping in social influences which nothing but the introduction of God's word into the schools of India would counteract.

Here we are in Victoria turning our backs on this Book, which has had such enormous influence on our British civilization and life. Inspector Alfred Fussell, B.A., in his report dated February, 1890, referring, I presume, to New South Wales, said—

> Our northern neighbours have a workable system. The Irish Scripture lesson book is successfully used by their teachers, and examined on by the inspectors. In addition to which, clergymen have the right of entrance during the early part of the day to give non-sectarian instruction. . . . The fears that some teachers would scoff, and others introduce dogma, would, I venture to prophesy, prove groundless.

These are surely very striking testimonies as to the valuelessness of any system of moral training or code that could be substituted for the Bible. Honorable members have only to look at a book like Hackwood's to find out what is the secret underlying the failure of a book of that kind to reach the minds of the children, and give them any foundation for moral conduct and rectitude. For instance, the children are told to resist temptation in the direction of dishonesty. The illustration is given of a boy who is advised to do a wrong thing on the score that no one would see him, and who replies that he could see himself, and would have cause to be ashamed. Is that likely to influence any boy's character when temptation comes in powerful form? It is all very well to say that he would see himself doing wrong, but the boy would probably answer, "I will risk that." If, on the other hand, you tell the child that God's all-seeing eye is continually upon him, that is the only restraining influence that is going to strengthen the moral character of the boy. Hackwood is afraid to do that, because that would be to repeat what the Bible says. He has to substitute something else, and gives the go-by to the great moral influence that is inculcated in the Bible. Again, the boy is told that "Dishonesty does not pay in the long run." That is how the boy is to be taught to be honest, but when temptation comes along a young fellow may say, "It may not pay in the long run, but it will pay me very well for the time being."

Mr. Tunnecliffe.—That is not the teaching of that book.

Mr. SNOWBALL.—It teaches that dishonesty does not pay in the long run. That is the only moral influence that is to restrain the boy from dishonesty. Honorable members are trifling with this great question when they say that such teaching is of the slightest value. What occurred only the other day in one of our great warehouses? Ten young fellows, most of whom, no doubt, came from our schools, were found to have been for a long time past carrying on a regular system of stealing the goods of their employer. Their moral character was not strong enough to make them realize the innate essential wrong in what they were doing. They were, no doubt, getting good returns for the goods they were taking, and probably thought to themselves, "It may not pay in the long run, but it pays well now, and we will risk it." I ask honorable members to look at these things, and at the essential wrong they are doing to the children of our land by attempting in any way to deprive them of the only influences that will make for individual and national character. The Minister of Public Instruction quoted statistics for Victoria in order to show what a splendid educational system we have got. You can quote statistics for any purpose you like, but you need to analyze them. Those who take an interest in the matter may remember that some years ago Dr. Moorhouse stated that a secular system such as ours would sap the moral character of our people, and that that effect would soon become apparent. He was immediately challenged by an advocate of the secular system, who said the figures did not show that to be the case, but that is clearly a superficial way of dealing with such a question. The figures look all right so far as the totals are concerned, but you have to go much more closely into them to get to the true result. I have checked the figures in the official records, and I find that during the ten years from 1881 to 1891 the increase in the native-born population of Victoria was 42.76 per cent., and the increase in arrests was 88.73 per cent., whereas, in New South Wales, during the same period, the population increased by 55.73 per cent., and the increase in arrests was only 36.54 per cent.

Mr. Prendergast.—Where did you get those figures?

Mr. SNOWBALL.—From the official records. They indicate that crime in Victoria increased by 45.70 per cent. in advance of population, while in New South Wales the increase of crime was 19.25 per cent. less than the increase of population.

Mr. FARTHING.—The honorable member gives the number of arrests; what about the number of convictions?

Mr. SNOWBALL.—We are talking about the moral character of the people.

Mr. TUNNECLIFFE.—Give us the figures for the last two decades.

Mr. SNOWBALL.—The figures can easily be brought up to date. The result of the controversy between Dr. Moorhouse, who was the champion of the non-sectarian system of Bible teaching in State schools, and the Rev. Mr. Savage, who was the champion of the secular system, was that after a long and heated debate, Mr. Savage admitted that after going critically into the figures he found he was entirely wrong, and was convinced of the truth of the statements made by the bishop. The honorable member for East Melbourne in his speech quoted the latest figures with regard to crime.

Mr. TUNNECLIFFE.—Yes. Twenty-three years is a long way to go back.

Mr. SNOWBALL.—I may say that Bible teaching in the public schools is a plank in the platform of the Labor party in England.

Mr. PRENDERGAST.—The Labor party in England has no platform.

Mr. SNOWBALL.—There is more than one Labor party there, and one of them is advocating strongly the introduction of simple Bible teaching in connexion with the education system. Honorable members know what a great force the late Marquis of Salisbury was in the promotion of democratic legislation in England. He fought continuously for the uplifting of the masses and for better conditions for the poor. The work he did contrasts strangely with the actions of his son, speaking as he did the other day in connexion with the relationship between various classes in England, and the folly of working for better conditions for the poor. In view of facts such as these, surely honorable members on the Opposition side will recognise the influence of the Bible in advancing their own principles and in the battle they are fighting so manfully. What does Mr. McGowen, the leader of the Labor party in New South Wales, say with regard to the system of education in that State? Speaking on 20th July, 1899, Mr. McGowen said—

> I am a firm believer in our present public school system. Permission is granted to all sections of religion to attend on certain days of the week and impart religious instruction to the children who are of their faith. I believe that this opportunity is availed of by most of the ministers. I believe that this is a better and more successful method than expecting the teachers to do it.

Mr. J. H. B. Masterman said—

> It is impossible to exaggerate the influence on modern Democracy of the Bible. Whether you like it or not, it was the Bible that first aroused in men's minds some kind of conception of what were the inalienable rights of the individual.

With regard to the materialistic view of the matter, I will not weary honorable members by quoting in full Professor Huxley's statement. He was a member of the London School Board, and did not believe in the divinity or inspiration of the Bible, but after years of mature consideration, and desiring to see moral training become part of the system in England, he said, "I am driven to the conclusion that there is no other way of inculcating moral training of any value into the mind of a child than by giving it Bible reading in the schools." Putting it in a short way, that is what Huxley said. I believe in the Bible, and I am advocating this Scriptural instruction because of its secular value and not for its denominational or creed-supporting character at all, because those things are outside the Bible itself. When His Majesty the King was presented with a Bible, he said, "The Bible is the greatest secular treasure that the nations possess." Yet we, in our Victorian system, are actually turning our backs on it, and saying that it is a book to which our children shall not have access. The other day I read with pleasure an address by ex-President Rooseveldt, which touches the very points with which we are dealing. He said—

> I enter a most earnest plea that in our hurried and rather bustling life of to-day we do not lose the hold that our forefathers had on the Bible. I wish to see Bible study as much a matter of course in the secular college as in the seminary.

He said it was a book for young and old, for rich and poor, for employé and employer, and that it was particularly of immense value in forming the character of the youngest children. That splendid *School Paper* of ours, which has been held up for well-deserved admiration, contains a reference to the advice given by Charles Dickens to his sons. Dickens said that he had given each of his boys a copy of the Bible to carry through life, and that he hoped he would read it and make it part of his life and character. Now, a child reading that in the *School*

Paper would wonder what that Bible was. It seems to me a piece of hypocrisy to hand to children a paper containing a reference to a book to which they are denied access in their daily school life. Nothing can be more splendid than that reference to the Bible. Doubts have been thrown on the experience of Queensland in connexion with this matter. It has been urged by honorable members, and no doubt sincerely, that if we disturb our present system of education by the introduction of Bible lessons, the whole fabric of the Education Act would be destroyed. The Minister has said so, and I am bound to think that he believes that would be the result. When we look at the experience elsewhere, we find, however, that nothing of the sort has happened. The Premier of Queensland was immediately appealed to by those who clamour for denominational education as the natural corollary of the introduction of the Bible; and I would like to read the following letter, which he wrote to the Roman Catholic Archbishop of that State:—

Chief Secretary's Office, Brisbane,
3rd August, 1911.

MY LORD,

I have received your letter of 8th July, but have been prevented from replying sooner, by pressure of public business, consequent upon the opening of Parliament, and I trust that you will overlook the delay.

Your lordship complains of recent legislation permitting Bible lessons in State schools. As to this, I assume the following facts are not in controversy:—

(*a*) The Bible lessons were introduced into the State schools as the result of a referendum majority of 17,547 upon a vote of 130,909—7,651 votes being informal.

(*b*) The lessons which I send for your perusal have been framed with the most scrupulous care to exclude any denominational, sectarian, or controversial matter, and are such as, in my opinion, cannot fail to be conducive to the moral and religious improvement of those who study them.

Yet the Minister says that it is impossible to get Bible extracts that are not denominational or sectarian—

(*c*) The clergy of your denomination have the right of free access to the State schools for the purpose of giving religious instruction to the children of that denomination under regulations framed in accordance with law.

Under these circumstances, I contend that there is no just ground of complaint against the decision of the people being given effect to, nor do I see any special connexion between this subject and the subject of endowment.

Your lordship's main purpose, however, is to ask me whether the Government have any intention of proposing endowment to your schools. In reply, I may say that the Government have no such intention, as they are of opinion that a majority of the people of this State are opposed to grants of public money to any religious denomination for educational purposes.

I have, &c.

(Signed) D. DENHAM,
(Premier of Queensland.)

I now want to refer to the statement that it is the duty of the churches to give this instruction, and that they are trying to throw it on the shoulders of the State. I would point out that we have over 2,500 schools in Victoria, and that the ministers of various denominations do not exceed 800. Some ministers have as many as twenty schools within their districts—I am not speaking at random. Honorable members will realize how impossible it would be for them to give this moral training and instruction to the children in all the schools, which, according to some honorable members, it is their duty to do. It is wrong for those honorable members to use that as an argument. The figures I have given show how impossible it would be for Ministers to compass such a duty. Every denomination of this State has claimed that our Education Act is defective with regard to the moral training of the young. We feel that our system, while training the head and hand in order to make industrial citizens, dare not neglect the heart, and character, and moral life of the children. We do not desire, while giving that moral instruction, to bring in as part of the responsibility of the State anything of the character of a denominational or creed-teaching system. I would strenuously oppose that, but I do ask honorable members whether they cannot rise above the distracting sectarian and secular influences by which we are all surrounded in our various electorates, that we should let the clergymen and the churches stand aside, and while we are not prepared to deal with it ourselves, as the House has already decided, that we should send this proposal to the people who, after all, are entitled to the last say in the matter, for as the honorable member for Fitzroy has said so worthily of the Democracy, it is a piece of tyranny and despotism to stand between the people and this great duty and refuse to allow them to decide the question.

Mr. WATT (Premier).—I move—

That the debate be adjourned.

I propose this course for two reasons. From inquiries I have made it is apparent that the debate cannot be finished to-night. There are a number of honorable members absent who would desire to vote and possibly speak on the second reading of the Bill. My attitude with regard to the measure is well known—I intend to vote for it. It is apparent that it is regarded by the electors and by honorable members themselves as one of the most important questions that we are called upon to decide this session. Therefore, I think that the full voice of the Assembly should be heard. At a later stage in the session, but early enough to enable the question to get ample treatment, the Government propose to fix a day on which the debate shall close, and a division be taken. An intimation of that day will be given to honorable members so that we may have a thoroughly representative view of the people's representatives here.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until next day.

The House adjourned at eighteen minutes to ten o'clock.

LEGISLATIVE ASSEMBLY.

Thursday, October 9, 1913.

The SPEAKER took the chair at six minutes past eleven o'clock a.m.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by Mr. E. H. CAMERON (*Evelyn*), from certain residents of the electorate of Evelyn; by Mr. LIVINGSTON, from certain residents of the electorate of Gippsland South; by Mr. PENNINGTON, from certain residents of the electorate of Kara Kara; by Mr. HUTCHINSON (in the absence of Mr. Bayles), from certain residents of the electorate of Toorak; (in the absence of Mr. Farrer), from certain residents of the electorate of Barwon; (in the absence of Mr. Toutcher), from certain residents of the electorate of Stawell and Ararat; and four petitions from residents of the electorate of Borung.

COUNTRY ROADS ACT.

REVENUE FROM MOTOR VEHICLES.

Mr. JOHNSTONE moved—

That there be laid before this House a return showing the amounts received since the passing of the Country Roads Act 1912 for the registration of motor cars, motor cycles, lorries, cycles, and all other vehicles registered under that Act.

The motion was agreed to.

VENTILATION OF GRIEVANCES.

On the Order of the Day for the House to resolve itself into Committee of Supply,

Mr. HANNAH said—I take this opportunity of bringing under the notice of the Government the necessity for the immediate introduction of the measure promised by the Government for the amendment of our factories legislation. The position at the present time is one that, I think, must appeal to the Government and honorable members. I mean in connexion with the latest phase concerning the Court of Industrial Appeals. The present Minister of Labour, who has been interested for many years in the administration of factories legislation, and others must admit that the recent case decided in the Appeal Court in connexion with the builders' labourers is likely to have important and serious results. I feel that the Government at this stage should leave no stone unturned to prevent what may be very serious consequences. The Government will remember that on a former occasion I directed their attention, along with the then leader of the Opposition, the honorable member for North Melbourne, and the honorable member for Albert Park, to the position of that particular trade, and we urged the Government, with all the force we possessed, not to permit of this question going to the Wages Board. It was without avail. The Government certainly listened to the representations of the employers, and the Wages Board was brought in, with the consequence we know too well. If this matter is delayed the result may be serious, because it is not a question of wages, but is one which is likely to be fraught with greater consequences than any other question I know of. Some seven years ago, while a member of this House, I was brought into conflict with the builders, as the result of the request that was then made for a reduction of the hours from 48 to 44. We know that for thirteen weeks the whole building trade

was paralyzed. Harmonious relations have been established in the building trade as the result of that principle having been recognised by the employers, who themselves offered, as a compromise, the 44 hours. That was done on their own volition. The contractors, as the correspondence published in the daily papers this morning shows, agreed that, if they were forced to settle their case through the Wages Board, there would be no appeal whatever from that decision. I can see that, unless something is done, there is every possibility of serious consequences. I know the character of these men, and I know perfectly well that the present trouble may be obviated by a little judicious intervention. We know that the building trades, after some months, have again got into a condition of prosperity, and most of those trades are fairly busy. It would be disastrous if trouble now arose over a principle that the contractors and employers have never asked for. As the result of the intervention of a particular Judge, both masters and men, through no desire of their own, are forced into a serious position. Prevention is better than cure, and I had hoped that, with a little tact on the part of the Minister of Labour, this trouble could have been obviated. We are now within about three days of what may possibly be a very serious matter to this State. Personally, I think the trouble could be got over. There seems to be a provision—I do not know what advice the Minister has got upon the subject—which gives the Minister power to suspend for a time the gazettal of the determination, so far as the appeal is concerned. If that can be done at this stage, then I think that, in the interest of both sides, that course should be taken. All the other building trades are working under the 44 hours' system, and the labourers will be compelled to be on the work, and there will be no one for them to attend to. They will be compelled to put in four hours extra.

Mr. J. W. BILLSON (*Fitzroy*).—They will be reduced in hours and wages to the extent of four hours a week. They will be working short time.

Mr. HANNAH.—That will be the effect of it. If the present determination of Mr. Justice Hood is carried out, the men will be there, and be supposed to work 48 hours, but they will only be able to work 44 hours, and the result will be that they will receive less in wages. At the present time, bricklayers, plasterers, and carpenters are working 44 hours, and they must have attention from the builders' labourers. There will be no one on the job for three-quarters of an hour a day for the builders' labourers to attend to. I cannot understand any body of contractors asking that the labourers should be compelled to work 48 hours, after they themselves voluntarily conceded 44 hours three years ago. For half-an-hour before starting, from 7.30 to 8 o'clock, there will be no one for the builders' labourers to attend to, and the result will be that they cannot be employed. These men form part of the general building trades, and the artisans will be forced to stand behind them, because the builders' labourers stood in with the rest in regard to the 44 hours. The thing is a huge bungle on the part of the Judge who is responsible.

The SPEAKER.—The honorable member has no right to reflect on the Judge.

Mr. HANNAH.—As the result of appeals there have been several decisions now, and in every case the Judge who has heard the appeal has evidently strained his position, as far as the law is concerned, with regard to the trade that has been under his consideration.

Mr. WATT.—That is an improper reflection. There is really no occasion to introduce that just now.

Mr. HANNAH.—I do not want to introduce it, but it seems to me that there was no need whatever to revert, so far as the judgment is concerned, to the 48 hours.

Sir ALEXANDER PEACOCK.—It is all a question of the evidence that is placed before him. There was no evidence from the other side.

Mr. HANNAH.—Exactly; there was no evidence on the other side. We know that these men did not want to go to the Wages Board. The present Minister of Labour will know that we tried to persuade this House and the Government that there was no need for that, that the men were working harmoniously with the builders and contractors, and that they had filed a plaint in the Arbitration Court in connexion with the wages and conditions throughout the various States in Australia. That had been filed nearly twelve months. The contractors then waited on the Government and urged that a Wages Board should be established, whereas previously, before the matter went

to the Arbitration Court, the contractors opposed the Wages Board, and the result of their intervention was that there was no Wages Board for the men. They were driven into this position. They had to organize, so that they could go to the Arbitration Court, and get there what had been denied them through the State tribunal. When all preparations had been made, and their plaint had been filed, the masters stepped in and influenced the Government, and the result was that the Government listened to their request, and it was conceded.

Mr. WATT.—That is not a question of influencing the Government. They withdrew their opposition to the appointment of a Wages Board.

Mr. HANNAH.—The employers at first fought against a Wages Board for all they were worth, and the Government would not appoint a Wages Board. Afterwards the employés objected to the appointment of a Wages Board, and the Government against their protestations introduced it.

Mr. MURRAY.—Was not the determination of the Wages Board a satisfactory one?

Mr. HANNAH.—I believe that the Wages Board determination was satisfactory. It will be found by examining the minutes that one of the employers' representatives moved, and another seconded, that the forty-four hours' week should be applied to this trade.

Mr. J. W. BILLSON (*Fitzroy*).—It is time the Court of Industrial Appeals was abolished.

Mr. HANNAH.—Everything would have been all right but for the pernicious principle of the Court of Industrial Appeals in connexion with this legislation. I cannot speak too strongly against that principle, though for the time being I want, if possible, to leave that aspect of the matter aside. There was never a clearer case when the Government, in the interests of the legislation for the administration of which they are responsible, could step in and show a desire to preserve that legislation. If they do not do that it seems to me that many of the employés in different trades will be absolutely forced to go to the Commonwealth Arbitration Court so as to get away from the State tribunal. As a result of the Court of Industrial Appeals provision they never know what may happen a week or a month ahead. In the interests of factory legislation in this State, and in the interests of the men and the employers themselves, the Minister must see that something should be done, and done promptly, in order to obviate an upheaval. I want to do that, because I know that not only the men, but a number of the employers, are satisfied to continue under the Wages Board determination, and have no desire whatever to come under the decision of the Court of Industrial Appeals. Numbers of the employers have told me that during the last week. Some of the employers are in danger of being faced with great losses, and I want as far as possible to obviate that in the interests of the employers, the men, and the State itself. I would urge upon the Government the consideration of this matter, because I feel that it is of great consequence to the country at the present time.

Sir ALEXANDER PEACOCK (Minister of Labour).—With regard to the matter brought under notice by the honorable member for Collingwood, I can assure him that it has given me a good deal of anxiety during the last few days, and I am fully acquainted with every phase of the matter. I have been through the whole of the correspondence, and have studied the matter most carefully. Immediately after I had spoken last night upon the question of Bible reading in State schools, I was called out of the Chamber to meet some people who were interested in presenting certain views. I have seen representatives from both sides. I have conferred with the leader of the Opposition, who introduced deputations to me concerning this matter, and I can assure honorable members that I am fully seised of the gravity of the situation. The course I propose to take has been announced in the press in the last day or two. I said that I would get all the information I possibly could on the subject. There is to be a Cabinet meeting this afternoon, and as the matter is urgent, with the full concurrence of the Premier, I am going to bring it under the notice of my colleagues, so that an announcement may be made in all probability to-morrow. I know the anxiety of honorable members with regard to the introduction of the amending Factories Bill. The measure is virtually completed. I was with the draftsman yesterday afternoon putting the finishing touches to it,

and I hope that it will be circulated on Saturday. If not, it will certainly be circulated early in the following week. Certain provisions in that measure will smooth away some of the difficulties found in the working of the big Act, which the Factories and Shops Act has now become. If honorable members wait for a little while I think they will see that the measure introduced by the Government will be in the interests of all sections of the community.

Mr. J. W. BILLSON (*Fitzroy*).—I hope that when the Amending Factories Bill comes along it will provide for the abolition of the Court of Industrial Appeals. It has never worked satisfactorily. It is no part of the Wages Board system. At present we have Wages Boards which arrive at determinations, and then we have by way of the Court of Industrial Appeals an Arbitration Court. It is foreign altogether to the Wages Board system. If my memory serves me right, the Minister of Labour opposed the Court of Industrial Appeals when it was introduced by Mr. Irvine, who was then leading the House. Practically the whole of the amendments in the Factories Law, due to that Conservative reaction, have since been abolished, with the exception of the provision for the Court of Industrial Appeals. I think it is time the Court of Industrial Appeals went. We had a number of amendments made at the time when Mr. Irvine was Premier which injured the efficiency of the Wages Boards, and which have driven trades wholesale to the Commonwealth Arbitration Court in preference to Wages Boards. The Government are not altogether free from blame in this connexion. For years the bricklayers' labourers asked for a Wages Board, and the employers objected. The Government refused to appoint a Wages Board. The men organized and said, "If we cannot get a Wages Board, we must go to the Commonwealth Arbitration Court." They federated with their mates in the other States, and then made an appeal to the Commonwealth Arbitration Court. When they made that appeal they had abandoned the hope of getting a Wages Board. The employers then said, "We are willing to have a Wages Board." The employés said, "We are not." The Government then said, "We will give you a Wages Board." Why? It appears to me that that was a very partial proceeding on the part of the Government. They have been taking the side of the employers right through the piece. They said to the employés, "Unless the employers consent, we will not give you a Wages Board; but if the employers consent, and you object, you will have a Wages Board. Not because you want one, but in spite of you." In other words, they said to the men, "If you want a Wages Board, we will not give it to you, but if you do not want one, and your bosses do, you shall have it." That is not a square deal. There is nothing honest or just about that. The Government have shown an absence of consideration for the men. However, the employés said, "If we have to accept the Wages Board, we will make the best of it." The Wages Board arrived at a determination, under which neither party got what they wanted. They agreed, however, and said, "This is a good working basis; we will accept this." To be quite fair, some of the employers objected all the way through, but a number of the employers agreed that the determination was a good one. Still, a few of the employers were determined to fight it and to go to the Court of Industrial Appeals. Although there was a satisfactory Wages Board determination, the Government had provided machinery by which that determination might be upset.

Mr. WATT.—You have not mentioned all the facts yet.

Mr. J. W. BILLSON (*Fitzroy*).—It would take me a long time.

Mr. WATT.—Only one side was represented in the Court of Industrial Appeals. Who was responsible for that?

Mr. J. W. BILLSON (*Fitzroy*).—I do not know, but we will assume that the other side was to blame for not being represented. These men had fought against the Court of Industrial Appeals. They do not recognise the Court of Industrial Appeals. They will not have that Court. It is not part of the Wages Board system. The Minister who introduced the Wages Board system did not bring in the Court of Industrial Appeals. The men were opposed to a Wages Board because certain amendments of the original Act would make it inoperative. The sweaters of this country had such a grip of the Government led by Mr. Irvine that they induced the Government to bring in an

amendment of the Act, by which it made it impossible to raise wages if one reputable employer came into Court and said, "I am paying so much."

Mr. WATT.—That has been removed.

Mr. J. W. BILLSON (*Fitzroy*).—That has been removed; but, at that time, the Court of Industrial Appeals was introduced by Mr. Irvine, with the vote of the present Premier.

Mr. WATT.—I am not so sure of that.

Mr. J. W. BILLSON (*Fitzroy*).—Neither am I; but I think I am right. That proposal was objected to by the Opposition—not only by the Labour party, but by one or two members who are at present on the other side of the House. It is no use going through a lot of recriminations. We are faced with the position that it is just possible we may avoid a collision.

Mr. WATT.—I like that, after you have gone through your recriminations.

Mr. J. W. BILLSON (*Fitzroy*).—I was only stating the facts. I was not condemning any one. I was making a clear statement of what has taken place.

Mr. WATT.—It was prefaced by the statement that the Government were to blame.

Mr. J. W. BILLSON (*Fitzroy*).—I said they were not free from blame. I will tell the honorable gentleman why. They may be blameworthy, and I may not desire to punish them. That is my disposition.

Mr. WATT.—It is not your disposition; it may be your present attitude.

Mr. J. W. BILLSON (*Fitzroy*).—The Government are to blame, because many of the honorable members sitting on the Ministerial side of the House never did agree that the Court of Industrial Appeals should be any part of our Wages Board system. The Government, while they praise the Wages Board system as compared with an Arbitration Court, have always kept the Court of Industrial Appeals associated with the Wages Boards, though they have been in office long enough to remove it. Therefore, those who do not believe in the Court of Industrial Appeals, but still retain it to do all the mischief it possibly can, are to blame. When mischief is done, can any sane man say they are not to blame for neglecting to remove something they believe to be an evil? If they believe it is a good thing, they have a perfect right to their opinions, and are not to blame.

Mr. WATT.—I think the honorable member can accept the assurance that the Minister in charge of the Department is anxious to avert this crisis.

Mr. J. W. BILLSON (*Fitzroy*).—I am anxious not to say anything that would bring it about, and I would be delighted to know that a reconciliation was effected; but I want the cause of the difficulty to be removed, otherwise, when we have got rid of this trouble, we will be up against something else. There has never been an appeal to the Court satisfactory to the parties. Why is it not abolished? It places the Judge in an awkward position. He does not understand these questions. He is not appointed because he has any intimate knowledge of industrial strife.

Mr. WATT.—That is a reflection on the Arbitration Court principle, too.

Mr. J. W. BILLSON (*Fitzroy*).—Not necessarily. Judges in the Arbitration Courts are selected on account of their qualifications for dealing with this specific work—at least, I hope so. If that is not so, then, being very intelligent men, they would devote all the energy and ability which they possess to becoming qualified. Where it is a mere subsidiary matter, and an additional labour placed on Judges which they do not want, I am very much afraid that they do not pay the attention to it that the merits of the case deserve. Therefore, I do not believe in this Court of Industrial Appeals. It has done a lot of mischief up to the present, and I believe it is incapable of doing much or any good. At any rate, I would like to see it removed, and prevented from doing any further mischief. I trust that the Minister of Labour will be successful in his negotiations.

Mr. McLACHLAN.—I want to draw the attention of the Ministry to the erosion which is working havoc in connexion with some of our rivers and a portion of our foreshore. It is particularly bad in my constituency. The matter is an important one, and I would like the Government to put into operation some policy that would effectively prevent the erosion that is going on. In places, the Avon River, at Stratford, has widened from half-a-chain to 300 or 400 yards during the last few years. The banks of the Mitchell River, at Bairnsdale, especially those abutting on the roadways, are gradually being washed away through not being effectively protected. As regards

Paynesville, where there is a water-way for boats, the erosion of the foreshore is encroaching on the main street. Of course, the work involved is quite beyond the financial capacity of the municipalities. It is a work which should be undertaken by the State. I have drawn attention to the matter before; and, in view of the fact that the Treasurer will be making his Budget statement very shortly, I thought I might mention it again so that the Government might put into operation some policy in this direction. Had attention been paid to the matter many years ago, when a portion of the banks was washed away, a large sum of money that will ultimately have to be spent by the State would have been saved. Now, the best engineering skill the Department can obtain is needed in order to check the trouble, and the expenditure of a considerable sum of money will be involved. As these water-ways are national in their character, being the property of the State, my opinion is that the State should put forward, not only a policy of development, but a policy of conservation; and I hope that some steps will be taken at an early date, and a big effort made to effectively protect the banks of the rivers.

Mr. JEWELL.—I would like to ask the Premier whether he has taken any action in connexion with the re-opening of the Somerton railway? I do not want to go into the desirability of opening that line now, but the Premier might say whether he has done anything to relieve the long-suffering public residing north of the city. I would also like to know whether it is his intention to bring forward the East Brunswick tramway proposal this session. One of the directors of the Motor Omnibus Company gave me to understand that last week, with six 'buses, they took £258, showing that if there were a tramway along that route, it would be a really good paying concern. The 'buses only cross the boundary of East Brunswick while the trams would go right through.

Mr. WATT (Premier).—I appreciate the brevity with which honorable members have dealt with the questions they have brought up. In reply to the honorable member for Brunswick, I can say that it is the intention of the Government to introduce the East Brunswick Tramway Bill as early as possible. It is all ready, and I have no doubt that it will be passed by the House. As one of the members for the districts affected, I will personally find great pleasure in assisting its passage. However, apart from such considerations, the proposal has been analyzed by the Government, and we feel justified in recommending its acceptance. I recently discussed the re-opening of the Somerton railway with the Minister of Railways. We referred that question to the Railways Standing Committee. It may not have been wise to do so. Parliament thought it was a good thing, however, to see if that line, which was constructed in the boom time, should not be re-opened to serve the north-eastern suburbs. The Committee, however, declined to recommend the re-opening of the line. Since then, I have conversed on the subject with the Railways Commissioners. Their view is that the time is not ripe for re-opening the railway. This morning, the honorable member for Bulla forwarded me communications from leagues and parties interested, and asked me to receive a deputation from them. I said it was a matter for the Minister of Railways, but I would recommend him to hear the deputation and consider the up-to-date data which it would furnish. I believe that the time will come when the line will be re-opened; but I do not feel disposed to push the Commissioners further than their judgment will apparently allow them to go at the present time. The honorable member for Gippsland North referred to the erosion of river banks. That matter is receiving the attention of the Department, and there are several propositions before the Minister. I do not know how far they have been advanced.

Mr. KEAST.—The erosion is very serious in some places.

Mr. WATT.—It is particularly conspicuous in the district represented by the honorable member for Gippsland North.

Mr. KEAST.—It is just as bad in my district.

Mr. WATT.—I know the Avon and some of the other Gippsland rivers. Eighteen months ago, I had the pleasure of looking at one section of the Mitchell River, in the company of the honorable member for the district and the Minister of Public Works, and I think some provision is to be made to arrest the erosion at that spot. I do not know how far the Department has progressed in the matter, but I will see that the Minister is

informed of the honorable member's views.

The motion for the House to resolve itself into Committee of Supply was then put, and negatived.

UNIVERSITY ACT FURTHER AMENDMENT BILL.

Mr. WATT (Premier) moved the second reading of this Bill. He said—This is a very small measure, and its meaning is plain, but for the sake of honorable members who have not had an opportunity of studying the University Act I will explain what is proposed. The Bill comes from another place. The University is governed by a senate and a council, which, according to the Act, must consist of male persons. After deliberation, the University authorities think that the time has arrived to alter that. Section 6 of the Act provides—

> The council shall be elected by the senate of the University, and shall consist of twenty male members.

It is proposed that the word "male" should be repealed so that women may be elected to the council as well as men. Section 12 says—

> The senate shall consist of all male persons who have been, or who may hereafter be, admitted to any degree of doctor or master in the said University.

The Bill also eliminates the word "male" from that section. The measure does not make any other alterations in the constitution of the University. It does not, for instance, provide that a bachelor shall be admitted to the senate, but membership is still confined to a doctor or master. The Bill says, however, that women may be admitted to membership just as freely as men. I venture to think that the House will accept the proposition submitted from another place.

Mr. MACKINNON.—I am quite in accord with this reform in University management, and I merely rise at this stage to obtain some information from the Premier. There is a desire on the part of the students that some direct representation of the undergraduates should exist on the University Council. I want to ask whether it is an absolute certainty that next year a Bill dealing with the University will be brought down. I recognise that the proposal to which I refer might be a matter of some dispute and might lead to some delay if it were brought forward now. Therefore, I am prepared to allow it to stand over for the present, but I should like this House to have an opportunity next session of considering the question whether undergraduates should not have some direct representatioin on the University Council. The position is that next year the very largely enhanced grant for the University expires by effluxion of time, and it is a matter of public notoriety that the University authorities are endeavouring at present to make some sort of estimate of what the cost of the University is likely to be. I imagine they are doing that at the express request of the Treasurer. That may entail the introduction of a Bill, and I wish to ascertain whether it is the intention of the Government to deal with the question of the University grant by Act of Parliament next year. That, I conceive, would be a much better time to make this amendment in representation in connexion with a general Bill dealing with the University as a whole. Otherwise I have no objection whatever to the Bill now before us, because I think it is proper that women who obtain academical honours, and are interested in the University, should be represented on the governing body.

Mr. LEMMON.—In supporting this Bill I desire also to support the remarks of the honorable member for Prahran. There is no doubt that people in educational circles, and particularly those associated with the University, are looking forward with a good deal of concern as to what action we may take in connexion with the reform of that institution next year. As the honorable member for Prahran pointed out, the present increased grant will go out by effluxion of time, and I think it is a very fitting opportunity for the Government to make preparations in order that we may have a far more democratic system of government in our University than we have to-day. I certainly think it would have been wise, foreseeing the expiry of that grant, if a Committee of this House had been appointed to inquire into the whole matter and to make recommendations with regard to the reform of that institution. However, we have a Council of Public Education, which is, doubtless, competent to suggest reforms of an advanced character in connexion with the University. We know that to-day the University is largely endowed, and that

the revenue it gets is subsidized by the Government to the extent of about £1 for £1. I think the Government grant is something like £25,000, and the fees amount to £20,000. It is, therefore, largely a State institution. Personally, I think it should be free, but it is of little use to make the institution free unless we have a linking up of the secondary schools in order to see that those who are not able to pay are going to get the full benefit of the proposed extra grant which Parliament may think proper to make in view of the abolition of fees. Within the last few years we have made substantial reforms in connexion with education, but the University has not been touched.

Mr. WATT.—They have been extending it, of course.

Mr. LEMMON.—I understand they are going to make certain suggestions for reform. While doubtless we shall appreciate any recommendation which comes to us with the *imprimatur* of the University Council, at the same time I think our Education Department should also look into the question, and that its representations should be regarded as equally important. One of the matters suggested by the Royal Commission from South Australia, which examined into our University, is that members from both sides of this House should be elected to represent Parliament upon the Council of the University. We have representatives there now, but they get appointed once and remain on the Council practically as long as they remain members of Parliament.

Mr. WATT.—Their appointment has to be renewed. I think that has been done within the last three years.

Mr. LEMMON.—I understand that we added certain names. The late member for Hawthorn was one, and Mr. A. O. Sachse, M.L.C., was another.

Mr. WATT.—The honorable member for Daylesford was another. Then, when the late member for Hawthorn resigned, the member for Prahran was appointed in his stead.

Mr. LEMMON.—I think that if these gentlemen were elected by each new Parliament it would give honorable members greater interest in the University, and would be much better than the present system. I am sure the question of the University grant has given the Treasurer considerable thought, and I hope that next year the whole question will be dealt with in an ample way. I hope the Treasurer will take into consideration the question whether he should not link up an institution like the Working Men's College with the University from the stand-point of a fixed grant. As one who is associated with that college, I can say that it gives us some concern from time to time when we are making appointments, and endeavouring to get the best men, to know how far we can go. Our experience shows that one of the first votes that are cut down in a time of depression is the Education vote. The University has a fixed grant, and I certainly think that an important institution like the Working Men's College should have a fixed grant also. I did not know that this Bill was coming on to-day, but the fact of our supporting it will not in any way affect us when we come to deal with the whole question. I feel sure honorable members will realize that next year will be a very important one in connexion with the University, and I hope the outcome will be a far more democratic system of government in connexion with that institution, and that the University will be brought more in touch with the people than it is at the present time.

The motion was agreed to.

The Bill was then read a second time, and committed.

Clause 1 was agreed to.

Clause 2—

(1) In section 6 of the University Act 1890 the word "male" is hereby repealed.
(2) In section 12 of the said Act the word "male" is hereby repealed.
(3) In section 26 of the said Act the words "except as aforesaid" are hereby repealed.

Mr. WATT (Premier).—I desire briefly to reply to two comments that have been made. The first is that of the honorable member for Prahran with regard to the representation of undergraduates and students generally on the governing body of the University. Representations have been made to the Government on behalf of the Students' Council and Association, that this should be done as early as practicable. In a recent conversation I had with one of the representatives of the students, I told him I did not think this was a proper time to do it, that this was a small measure in which all could concur, and that the question of student representation might well wait for consideration with the larger issues that will

be dealt with next session. I am bound to say, however, without pre-judging the matter, that since those representations were first made I have been able to ascertain the position of other countries with regard to many important Universities, and I am very profoundly impressed with the request that the student interest should receive some representation in any re-organization which this Parliament may desire to make in the government of the University. Many other Universities have accorded such representation with pronounced success to the authorities and to the students, and I think we might well consider the wisdom of following their example. The reason for not attempting to do that now was given by the honorable member for Prahran, who, at the request of the Government, has just accepted the vacant place on the University Council. I think it was about three years ago that I was impressed, to some extent, by the number of demands coming from the University authorities for extra grants, and it did not appear to me that they outlined any real scheme for the development or extension of the University, or the provision of further accommodation. I asked the Chancellor and representatives of the different faculties, who waited on me, if they would appoint a Committee to sketch out a scheme for the extension of the University in regard to courses, chairs, and the provision for further accommodation. They have been doing that, but I do not know how far they have gone. I am led to believe by the Vice-Chancellor that the scheme is approaching completion.

Mr. MACKINNON.—I understand that the Committee's report will shortly be ready.

Mr. WATT.—I understand it will. They realize that this is necessary for two reasons, and, first of all, because the grant expires at the end of the financial year.

Mr. MACKINNON.—At the end of June next.

Mr. WATT.—In the second place, for the more imperative reason that men and women are crowded into the University who, in many cases, can hardly find accommodation. In some cases they are without seating accommodation, and some cannot get within hearing distance. This is an important problem for them, and it is going to become one for the Government. Apart from the idea of cheapening the courses, it will be necessary to find more money to develop the University. When the recommendations of the Council are presented, I am hopeful that we shall be able to see our way to extend the financial powers of the University if the requests made are reasonable. The only other question raised is as to whether the grants should be fixed, and, if fixed to the chief educational authority, whether they should be fixed to related or affiliated institutions like the Working Men's College. On that matter I have strong views. I think there is great danger in it. There may be an objection to specially appropriate the money unless Parliament is prepared to ear-mark the money for all education enterprises. A special appropriation, in my judgment, means the removal of the vote from the control of Parliament, and that has to be thought out from many points of view. We specially appropriate the interest bill of the State, the Judges' salaries, and the salaries paid in the Legislative Council, to prevent the collisions of former days through the Assembly attacking these salaries and interfering with or reducing the status of the Council. We have also made pensions a special appropriation. We have to walk tenderly in this matter, and judge carefully all propositions for special appropriations. If this Parliament were to give another £10,000 for a certain period, and it were a sufficiently long period to enable the University to make its calculations, the matter could come up for review and consideration. It would not be necessary for the money to be specially appropriated. I think I can promise the honorable member that he will have an opportunity of dealing with the question of student representation on the Council. When the time arrives, Parliament will probably concur in the idea that that matter should be dealt with as suggested by the Council.

The clause was agreed to.

The Bill was reported without amendment, and the report was adopted.

On the motion of Mr. WATT (Premier), the Bill was then read a third time.

ASSENT TO BILL.

Mr. WATT (Premier) presented a message from the Lieutenant-Governor intimating that, at the Government Offices, on October 7, His Excellency gave his assent to the Oaths Bill.

INDUSTRIAL ASSOCIATIONS BILL.

Mr. A. A. BILLSON (*Ovens*—Minister of Railways) moved the second reading of this Bill. He said—This Bill comes from another place. A similar Bill was before another place last year, and was passed towards the end of the session by that Chamber. The time at our disposal was too short to permit of its being dealt with by this House. It has been again passed by another place, and is in the same form as last year. The object of the Bill is to improve the law relating to industrial and provident societies. As there is no member in this Chamber now who was in it when the first Bill, introduced by the late Sir Henry Wrixon, was passed, that is in 1873, it may be interesting if I read a short extract from the speech made by that honorable gentleman. It will give honorable members some idea as to the objects of the law. He said—

> The Friendly Societies Statute, while it gives various powers to Friendly Societies and different voluntary associations, does not include the power to trade, and there is no power given by law to bodies of this description to carry on trade. In England this defect has for a long time been remedied. The first English Statute on the subject is the 15th and 16th Vict., c. 115, which legalizes the formation of societies, for the purpose of carrying on any labour, trade, or handicraft; and a number of Statutes have been subsequently passed amending in different respects the original Act. The simple object of this Bill is to embody and consolidate all these different amendments. The principle of the measure is contained in the 2nd clause, which provides :—
>
> "Any number of persons, not being less than seven, may establish a society under this Act for the purpose of carrying on any labour, trade, or handicraft, whether wholesale or retail, except the business of banking, and of applying the profits for any other purpose allowed by any laws now or hereafter in force relating to friendly societies or otherwise permitted by law : The buying and sale of land shall be deemed to be a trade within the meaning of this Act."
>
> That is the principle of the Bill, and the subsequent clauses of the measure simply provide machinery for giving effect to it. The principle is what is commonly known as co-operation, a principle which I believe to be most valuable in the industrial effects that it is destined to accomplish.

Since 1873, many amendments have been made in the British law, but no amendment has been made in our law. The measure placed on our statute-book in 1890 was simply an embodiment of the provisions of the original English law. It has been recommended from time to time, particularly by the Registrar of Friendly Societies, that our law should be amended and brought up to date. The Registrar of Friendly Societies, in his report for the year 1903, said, in respect to the desirability of a revision of the Statute law relating to friendly societies—

> As the purpose for which a provident society may be established under the Act includes the carrying on of "any labour, trade, or handicraft, whether wholesale or retail," and as there is no limit to the capital to be employed, it is obvious that a business of large and extensive trading operations may be undertaken by such a society. Though societies established under the Act very commonly carry on their business on the co-operative principle, and usually include the word "co-operative" in their registered names, there is nothing in the statute requiring the adoption of that principle or name; indeed, any object that can be obtained under the Provident Societies Act can also be obtained by registration under the Companies Act 1890. The establishment of a provident society is not surrounded with those safeguards which the Legislature has thought fit to require on the formation of a limited company, nor are the requirements as to lodging duly-audited shareholders' and private balance-sheets, which obtain in regard to companies, applicable to provident societies—

That is one of the chief objects in connexion with the amendment of the law. That is to obtain for individuals who put their money into a company the same security as by registration under the Companies Acts. It was on that ground that the Registrar strongly recommended the revision of the law. He goes on to say—

> and, further, there are no fees chargeable in respect of any matters or things done under the Provident Societies Act. All that is required of such a society in regard to publication of its financial position is that a general statement of its funds and effects, exhibiting fully the assets and liabilities of the society, shall be transmitted annually to the Registrar-General. The Provident Societies Act 1890 represents the Act which was originally passed in 1873, and was based upon the then existing English legislation in *pari materia* (viz., 25 and 26 Vict., c. 87; 30 and 31 Vict., c. 117; and 34 and 35 Vict., c. 80), and since that date no alteration has been made in the law in Victoria. In England, however, considerable changes have been made in the legislation affecting provident societies, for, in 1876, the three English Acts above cited were repealed, and the laws on the subject consolidated by the Industrial and Provident Society Act 1876 (39 and 40 Vict., c. 45), and again the law was amended and consolidated by the Industrial and Provident Societies Act 1893, being 56 and 57 Vict., c. 39." The conditions remain the same to-day as when that view was expressed, and the Registrar deems it his duty to again suggest that the Victorian legislation on the subject be brought up to date. One very cogent reason why associations for trading

purposes prefer to be registered under the Provident Societies Act rather than under the Companies Act is that under the former registration can be effected without the payment of any fees whatever. Nor, indeed, is there any authority under the Act for the Governor in Council to prescribe any fees or regulations applicable to proceedings in the office of the Registrar relating to provident societies. That the balance-sheets of provident societies should be audited by persons of recognised skill as auditors would appear to be a wise precaution and safeguard. The Provident Societies Act 1890, however, contains no provision to that effect, and as provident societies are not affected by the Companies Act 1896, the requirements of the latter Statute as to the qualification of auditors do not apply to provident societies. The consequence is that in selecting persons to audit their books of account such societies are under no statutory obligation to choose persons of any particular qualification in accountancy. Beyond requiring that the rules of a provident society shall contain some provision for the audit of accounts the Provident Societies Act contains no reference to audits. A general statement of the funds and effects of a society registered under the Act must, by section 28, be sent annually to the Registrar-General—not to the Registrar of Friendly Societies—and such statement must exhibit fully the assets and liabilities of the society; it is also to be prepared and made out in such a form, and to comprise such particulars, as the Registrar-General shall from time to time require. The Act imposes a penalty for failure to transmit such returns, but these are recoverable at the suit, not of the Registrar-General to whom the returns should be sent, but of the Registrar of Friendly Societies, who has no knowledge whether the returns are sent or not. The provisions in the English Act of 1893 as to audit and transmission of returns to the Registrar of Friendly Societies are, on the other hand, stringent and effectual. The Registrar desires to draw attention to the above, as indicating what, in his opinion, are weaknesses in the existing Victorian Statute.

In view of the very strong recommendations made by the Registrar, action was taken by the Government with the view of bringing the law with respect to industrial associations up to what is required. Just here I should like to mention that the use of the term Provident Societies Act is calculated to be somewhat misleading, and it might make it appear to honorable members that the Bill merely deals with the accumulation of certain savings. As will be observed from the Bill, it relates principally to the formation of co-operative companies and companies which could now be registered under the Companies Act. It makes provision for the receipt and acceptance of money, and for carrying on the same purposes as are carried on by ordinary registered companies under the Companies Act. It is believed that the provisions of the Bill will be, in the future, very largely availed of by such bodies as dairying associations, butter and cheese factories, fruit-growers associations, and societies and associations which work upon a very limited capital.

Mr. LEMMON.—Have they made any request for these amendments?

Mr. A. A. BILLSON (*Ovens*).—I have no record of there being an application from any of these people. All the recommendations are contained in the various reports. Industrial associations will, as a rule, have a moderate amount of capital, and they would consist for the most part of persons of small means. It is desired to aid and foster such associations as much as possible. The Bill is a simple one. The Government has followed Sir Henry Wrixon's example, and has embodied in the Bill, with two exceptions, the provisions of the English law as amended by the Industrial Provident Societies Act 1893. They have changed the title to "the Industrial Associations Act," which they regard as more appropriate for societies dealing with business matters, and not with provident association business, as that term is generally understood here. There are one or two respects in which this Bill differs from the English Act. In England, such societies are permitted to conduct banking business under certain restrictions. Now, banking business is a business which, unless directed by men of great experience, may involve all concerned in ruin. There is really no necessity for these societies to engage in banking, since in every city, town, and almost in every borough and village in Victoria, is to be found a branch of one or other of the Associated Banks, or of the State Savings Bank. The limit of the amount which any shareholder can have in a society is £500, whereas in England it is £200. The Government is of opinion that, in this State, the amount may be safely placed at £500. I need hardly remind honorable members of the great success which has attended the operations of such societies in Great Britain.

Mr. WARDE.—Who asked for the alteration—the banking institutions? It seems to be playing into their hands.

Mr. A. A. BILLSON (*Ovens*).—There is no application from any banking institution. I think it is a matter for very serious consideration whether we should give industrial associations of that

kind the means of carrying on banking in any form, no matter how limited.

Mr. WARDE.—Some give small amounts when their members are in trouble.

Mr. A. A. BILLSON (*Ovens*).—Looking at the Bill, honorable members will see that societies existing at the commencement of the Act, which have been registered or certified under the 1890 Act, shall be deemed to be associations registered under this Act. An association is defined as "an industrial association registered under this Act," and includes any society existing at the commencement of this Act, and registered or certified before the commencement of this Act under the Provident Societies Act 1890, or any corresponding previous enactment. An association which may be registered under this Act is an association for carrying on any industries, businesses, or trades specified in or authorized by its rules, whether wholesale or retail, and including dealings of any description with land, provided that—

(*a*) no member other than a registered association shall have or claim any interest in the shares of the association exceeding Five hundred pounds;

(*b*) no association whether registered before or after the commencement of this Act shall receive deposits of money or in any way carry on the business of banking or use the title of "Bank" "Banking Association" or words of like import as part nor shall such words be deemed to be part of its name or designation.

The principal modifications of the Bill, as compared with the English Act, are as follows: The minimum number of members of an association under the Bill is five, which is the number fixed under the present Victorian Act. In England it is seven. The maximum interest of any member of an association is limited under the Bill to £500 instead of £200 under the present English Act. Under the English Act expressly, and under the Victorian Act by implication, these societies may carry on the business of banking. In this Bill, it is provided that no association, whether incorporated before or after the coming into operation of this Bill, shall carry on the business of banking. The Bill, in addition, amends the Provident Societies Act 1890 in the following respects: These societies will be known as industrial associations, and not as provident societies. Instead of the powers for carrying on business now contained in section 3, the more extended powers in the English Act, section 4, are incorporated in the Bill, in clause 4. Rules of association are set forth in the second schedule, following the English Act in place of the Victorian Act. At present, there are some duties to be performed under the Act by the Registrar of Friendly Societies, and others by the Registrar-General. Under the Bill, all official duties are to be performed by the Registrar of Friendly Societies, and all documents and returns are to be lodged with him. The provisions of the English Act, section 9, with regard to cancellation and suspension of registry, are incorporated in the Bill, and are on the lines of those contained in the Victorian Friendly Societies Act 1890, section 12. Provisions for audit and for annual returns and statements of accounts are made more stringent, on the lines of those contained in the English Act. Clause 14 of the Bill provides for at least a yearly audit by an auditor licensed under the Companies Acts, and clause 57 empowers the Governor in Council to determine the rates of remuneration for auditors. Under the present Act, auditors are appointed by the societies themselves. Clause 15 provides for copies of annual returns being supplied gratuitously to persons interested, and clause 17 provides for copies of the last balance-sheet, with the auditors' report, being posted up in the office of the association. The provisions with regard to the settlement of disputes among members and the dissolution or winding-up of associations, instead of being incorporated by reference to the Friendly Societies Act 1890, as under section 19 of the present Provident Societies Act, are set out in full in the Bill, and in the same manner as in the English Act. The present Act provides for societies being floated into companies if so decided upon by the societies. That power is included in clause 42 in the terms of the corresponding section of the English Act. The English Act further provides for companies being registered as societies. That power has not been incorporated in the Bill. It does not, at present, exist in the Victorian Act. The principal object of the Bill is to provide for more careful supervision of the associations. A company under the Companies Act would be subject to oversight under this measure. That is all the information that I have

to supply to honorable members in connexion with the Bill, which has received careful consideration at the hands of honorable members in another place, both this session and last session. The whole of the clauses were passed by another place *en bloc*.

Mr. LEMMON.—Does the Bill extend the powers of friendly societies?

Mr. A. A. BILLSON (*Ovens*).—No; it has nothing to do with friendly societies. It merely relates to industries carried on by small companies on co-operative lines.

Mr. MACKEY.—I have listened attentively to the remarks of the Minister in charge of the Bill, and I can quite understand that legislation of this kind may be necessary and advantageous to co-operative societies. But, in the first place, the Bill by no means applies to co-operative societies only. In fact, it is exceedingly difficult to know what business can be floated into a company that cannot be floated into an industrial association under the Bill. If five gentlemen want to form a company to buy and sell land, and they find the provisions of the Companies Act too stringent, they can bring their company, or association, under this measure. It is provided in clause 4—

> An association which may be registered under this Act (herein called an industrial association) is an association for carrying on any industries, businesses, or trades specified in or authorized by its rules, whether wholesale or retail, and including dealings of any description with land.

It is difficult to see what business that can be carried on by a company cannot be carried on by an industrial association, and there are many provisions in the Companies Act for the protection of shareholders and creditors of companies that do not appear in this measure. For instance, under our Companies law Parliament has wisely insisted that the balance-sheet of a company shall be in a certain form, and shall contain certain particulars, so that both shareholders and creditors may know the exact position of a company, so far as a balance-sheet can show it. But there is no such provision in this measure. There is a wise provision—and in that respect the Bill is distinctly an advance upon the present Provident Societies Act—that the balance-sheet shall be audited by licensed auditors; but there is no provision as to what a balance-sheet shall disclose. Clause 15 says that there shall be an annual return showing receipts and payments—that is good—and also profit and loss. That is good, also. There is nothing to show what the balance-sheet shall contain. Owing to the all-embracing character of the Bill, the Minister ought to consider whether the balance-sheet should not be in the form required by the Companies Act. There is a further point: Under the Companies law, it is provided, all over the British Empire now, that if a company mortgages its property, the mortgages shall be disclosed. Any person wishing to deal with the company, or to advance money to it, or to take shares in the company, can go to the Registrar's Office and find out how far the property of the company is mortgaged. There is no provision in the Bill that that must be disclosed. There is no provision whatever with regard to disclosing the state of a society with regard to its mortgages. Then there is rather an extraordinary clause in the Bill, which might be very advisable indeed in the case of purely co-operative concerns, but which should not be by any means allowed in connexion with non-co-operative concerns. That is the provision that the members of a society may, by their rules, allow their shareholders to withdraw their shares. Some of the shareholders, by giving the requisite notice, may withdraw their shares and leave the other shareholders to bear the brunt of the liabilities. That is dealt with in sub-clause (2) of clause 5, which provides—

> For the purpose of registry an application to register the association, signed by five members and the secretary, and two printed copies of the rules, shall be sent to the registrar; and such application shall state—
>
> . . . . . .
>
> (*c*) Whether the shares or any of them shall be withdrawable and state the provision for the mode of withdrawal and for the payment of the balance due thereon on withdrawing from the association:

It has been found in actual practice that shareholders and creditors have had cause to regret bitterly the existence of such a provision. I do not think the capital of associations such as these should be reduced at all, except after due notice to shareholders and creditors in somewhat the same way, if not in as cumbrous a way, as is provided by the Companies Act. The Bill undoubtedly is an advance on the present Provident Societies Act, but I would call the attention

of the Minister to this fact: This measure is copied from the English Act passed in 1893, and at that time it was, no doubt, up to date in England; but since that date there have been tremendous changes in our Companies law to safeguard creditors and shareholders. Our Companies law, which was pretty well upon the same footing as the Industrial Associations Act in England in 1893, has moved ahead, and the English Industrial Associations Act is now far from being up-to-date. The Minister should consider whether the provisions that have been deemed necessary in our Companies law for the protection of creditors and shareholders should not apply to companies, for they are nothing else, under this measure. If the measure applied merely to co-operative concerns, then that argument would not apply to the same extent. But, as practically any body of persons wishing to form a company can form it under this measure, and avoid the stringent provisions which we have wisely inserted in the Companies Act, I would ask the Minister whether some of the provisions in the Companies Act especially intended for the protection of creditors and shareholders should not be inserted in this measure?

Mr. MACKINNON.—I do not take quite the same view of this matter as the honorable member for Gippsland West does. I do not imagine for a moment that the measure is going to supersede the use of the Companies Act. It is perfectly true that it does considerably enlarge the powers that these associations have had before. For instance, now, instead of keeping down the possible share capital of a member to £200, it is proposed to increase the limitation to £500. In England, the limitation under the Act of 1893 was £200. I know there are some people who wish to see the limitation abolished altogether, but, if this legislation is to be kept for the use of the people for whom it was originally intended, it would be better to have a limitation. There is no doubt whatever that it is desirable that the precautions which are taken in connexion with the auditing of companies' accounts should be taken with regard to these associations. The same class of auditors will have to audit the accounts of both companies and associations, and it will make for cheapness and accuracy to have the same system right along the line. Therefore, it would be advisable to adopt some of the provisions of the Companies Act of 1910 in lieu of some of the provisions of the Bill. I certainly think that there is room for this class of legislation. I think there should be a sort of cross between the Friendly Societies Act and the Companies Act, by which people may carry on their business without having to comply with the cumbersome provisions of the Companies Act. The Minister is right in saying that the measure will chiefly apply to co-operative companies—to dairying companies and other co-operative producers' companies in the country. The measure is open to other people, but I fancy it will be found that, in connexion with business of a more ambitious nature, people will find it advisable to pay the fees and the legal expenses required in connexion with floating an ordinary company under the Companies Act. Small concerns—and there are small town concerns not connected with primary producers—will find this legislation useful. Such concerns have found it useful in other countries. Therefore, I think it is desirable that legislation of this sort should be in existence. However, I would ask the Minister not to proceed too far with the Bill to-day, because there are some amendments which ought to be made. If there is an opportunity of circulating them, they would be better understood by honorable members when they come up for discussion. I thought of circulating several amendments with the object of bringing the provisions more into uniformity with the regulations of similar bodies.

Mr. A. A. BILLSON (*Ovens*).—We might take the Bill into Committee and stop there.

Mr. MACKINNON.—Yes. If its consideration in Committee is held over until the amendments are circulated, it would make for more rapid progress.

Mr. LEMMON.—I support the request that the consideration of the Bill should be held over for a brief period. I may say that the doings of provident societies have occasioned some little concern to the friendly societies of the State. Friendly societies are compelled by law to submit their rates of contribution for investigation by an actuary, who certifies whether they are adequate or not. If they are not adequate, the society can be prevented from carrying on. While

the friendly societies generally supported the policy adopted in 1907, which imposed that and other conditions upon them, we found that several provident societies which were carrying out the functions of friendly societies were not obliged to submit their rates of contribution to any actuary for investigation and criticism. The friendly societies thought that was unfair competition. They did not want to restrict the provident societies by saying that they should not do work such as is done by friendly societies; but, if there were such competition, they claimed that provident societies should be placed on the same footing as friendly societies. From time to time the friendly societies have made representations to the Government on the point, and generally the Government have concurred in what they said. I should have thought the Government would have availed themselves of the opportunity afforded by this Bill of bringing provident societies into line with friendly societies. One or two of the provident societies were offering sick benefits, and advantages in connexion with nursing and funerals, and going even further than the friendly societies do.

Mr. A. A. BILLSON (*Ovens*).—Are they not dealt with under the Friendly Societies Act?

Mr. LEMMON.—No. As soon as the authorities administering the friendly societies law reached out for them, the provident societies altered their articles of association, and registered under the Companies Act, so that there was no obligation upon them to submit their rates of contribution. They really carried on, as companies, the work of friendly societies. That is most undesirable. We want to protect poor people who give their few pence per week to the representatives of these companies. A set of their conditions was submitted to the Chief Secretary, and it was pointed out that they would bring about the forfeiture of these people's rights and claims. They were conditions which should never be tolerated, and were clearly arranged for the purpose of robbing the poor unfortunate people who thought they could obtain from the provident societies the benefits of friendly societies at a cheaper rate. That is how it impressed the members of the Friendly Societies Association. Whether this Bill is the appropriate place in which to insert amendments on the subject, I do not know; but I think the consideration of the measure should be adjourned for a short time, in order that the Friendly Societies Association may make representations with a view of having what they have advocated from time to time given effect to.

The motion was agreed to.

The Bill was then read a second time, and committed.

Clause 1 was agreed to.

Progress was then reported.

FRUIT AND VEGETABLES PACKING AND SALE BILL.

The amendments made by the Legislative Council in this Bill were taken into consideration.

Mr. GRAHAM (Minister of Agriculture).—The Council has made four small amendments in this Bill which the Government propose to accept. I move—

That the amendments be agreed with.

Mr. PRENDERGAST.—It was provided in the interpretation clause that—

"Soundness" means freedom from danger or decay and from any abnormal condition of or in fruit or vegetables whether consisting of the presence of or caused by or due to the operations, development, growth, or decay of any insect or fungus; and also in relation to fruit means freedom from the condition known as "Bitter Pit."

The Council proposes to omit the words "and also in relation to fruit means freedom from the condition known as "bitter pit." The Government propose to agree to that amendment.

Mr. GRAHAM.—The words were not in last year's Bill, but were added at the request of Mr. McAlpine.

Mr. PRENDERGAST.—They were inserted at the express wish of an expert, and now they are to be omitted because of some dealers in apples. The expert has to give way to the dealer.

Mr. MACKINNON.—Did you see any "bitter pit" in Australian apples at Covent Garden?

Mr. PRENDERGAST.—I saw another kind of fungus attached to the apples there in the shape of the middleman. The other House is cutting out a provision which was inserted at the instance of an expert who understands what he is doing. It is of no use having experts and then blaming them if their advice is not carried out.

Mr. GRAHAM.—"Bitter pit" is already covered by the sub-clause.

Mr. J. W. BILLSON (*Fitzroy*).—The fruiterers and others interested in

this matter were strongly in favour of the Bill as presented by the Minister, including bitter pit; but some of them were present in the Legislative Council chamber when the matter was under discussion there, and while they are very much opposed to the amendment which is now accepted by the Minister, they are so afraid of losing the Bill that they have agreed to accept that amendment rather than jeopardize the measure. That is the reason I have offered no objection to it. The fruiterers desire that the Bill shall be carried into effect, and then, if experience shows that the amendment now proposed does not work satisfactorily, application will be made to the Minister to have the law amended as desired.

Mr. WARDE.—I think we ought to have some more information from the Minister with regard to bitter pit. I do not pose as a fruit expert, but it appears to me that the public should be protected against unsound fruit being placed on the market. I take it that bitter pit is a disease of the fruit, and there is no reason whatever why a man, because he runs an orchard, should be allowed to sell diseased fruit to the public any more than a man is allowed to sell diseased meat or adulterated milk. I am told that the way in which diseased fruit is sold in the streets of Melbourne is a disgrace to any people. I consider that the public have a right to be protected against that sort of thing, and the clean orchardist who looks after his business should receive encouragement at the hands of the Legislature. If apples affected with bitter pit should not be sold to the public because of their diseased condition, why should the Government ask us to agree to an amendment from another place which is not for the protection of the public, but the effect of which is to license and protect the dishonest and fraudulent man who is selling his rotten goods to the public?

Mr. McGREGOR.—In my opinion, the last statement made by the honorable member for Flemington is hardly justified. There are certain classes of apples which may be perfectly free from disease when placed in cool storage, but may afterwards develop bitter pit.

Mr. PRENDERGAST.—That class of apple should not be allowed to go into the cool stores at all.

Mr. LANGDON.—Who is to determine what bitter pit is?

Mr. GRAHAM.—It is not determined yet.

Mr. McGREGOR.—It is not yet determined that bitter pit is injurious to health.

Mr. SNOWBALL.—It is not unwholesome.

Mr. McGREGOR.—No. Therefore, I do not think there is very much in the opposition to the amendment of the Council that has been raised by those honorable members who have condemned, in such strong language, the selling of this fruit.

Mr. PRENDERGAST.—Then why did Mr. McAlpine recommend that bitter pit should be included in this legislation?

Mr. McGREGOR.—I do not know.

Mr. PRENDERGAST.—I have no hesitation in saying that, if bitter pit is found in apples sent to the London market, it reduces the value of the whole consignment by several shillings a case.

Mr. McGREGOR.—Certainly; it reduces the value of the whole shipment. But apples may be perfectly sound when they are exported and may develop bitter pit before they reach the market. In the great majority of cases, bitter pit is only a skin disease, and is not injurious to health. Therefore, I do not think there is very much in the contention that has been raised against the omission of these words.

Mr. GRAHAM (Minister of Agriculture).—By leave, I may say that the reason these words were struck out in another place was simply that we might as well have added all other diseases as to add bitter pit alone. If apples are found to be unsound, no matter whether it is brought about by bitter pit or anything else, the people offering those apples for sale will be prosecuted.

Mr. PRENDERGAST.—That is a very much better explanation than the other.

Mr. GRAHAM.—I was anxious to get the Bill through. We have had it here three times now, and the fruiterers themselves are very anxious to get it. For that reason, I agreed to accept the amendment.

Mr. PRENDERGAST.—Does bitter pit come under the definition of "unsoundness"?

Mr. GRAHAM.—Yes; along with other diseases.

Mr. PRENDERGAST.—Then it is not necessary to specify it?

Mr. GRAHAM.—No.

Mr. MURRAY (Chief Secretary).—To achieve what honorable members who oppose this amendment desire, I think if they consider it for a moment they will see that it is desirable to omit these words. Why should we define in the clause one particular disease when fruit is subject to many diseases? If we did that, and if a case came before the Court in which fruit suffered from some other disease, the Court would say, "It is obvious that the Legislature did not intend to apply the clause to other diseases, because it specifies the disease that would make the fruit unsound." Of course, the objection to bitter pit is not so much that it is unwholesome as that it makes the apple unsightly. Perhaps I should say that the objection to it is not on account of its being hurtful for consumption, but that it is calculated to spread the disease. I understand that a great deal of time has been devoted to the investigation of bitter pit—in fact, it has been made a Commonwealth affair—yet they have not yet been able to determine the causes of bitter pit or its proper treatment.

Mr. WARDE.—Does it not destroy the quality of the apple?

Mr. MURRAY.—It does. An apple suffering from any disease is not so good as a sound apple. If honorable members will read the sub-clause, they will find that, even when the words struck out by the Council are omitted, the sub-clause will still provide that—

> "Soundness" means freedom from damage or decay and from any abnormal condition of or in fruit or vegetables whether consisting of the presence of or caused by or due to the operations, development, growth, or decay of any insect or fungus.

Bitter pit is undoubtedly a fungus.

Mr. WARDE.—Are you satisfied about that?

Mr. GRAHAM.—It is not a fungus.

Mr. WARDE.—The Chief Secretary has just said it is.

Mr. MURRAY.—If it is not a fungus, it is an insect or a microbe, and it is covered in that way.

Mr. WARDE.—They really have not classified bitter pit.

Mr. GRAHAM.—If fruit is found to be unsound, the seller will be prosecuted.

Mr. MURRAY.—I think myself that the sub-clause is very much safer without this addition to the original clause.

Mr. CHATHAM.—I agree with the honorable member for Ballarat East that there can be no great injustice done to the public by omitting the words "and also in relation to fruit means freedom from the condition known as 'bitter pit.'" Bitter pit is known to orchardists as "spot," and it only develops on certain kinds of apples. The "Cleopatra" and "New York," for example, are specially noted for this disease, while there are other apples that have never been known to develop it. As the disease is only of a superficial character, I cannot see that there is any harm done by agreeing to the Council's amendment. Any person can see what he is buying. The disease is only skin deep; there is another discase known as "mallee bug," in which insects climb over the apple at certain stages, and suck away some of the sap, and this disease is much more injurious to the fruit than bitter pit, although it is not discernible to the ordinary eye, but only to the eye of an expert in fruit. Bitter pit is not like the codlin moth, or other diseases, which destroy the apple almost absolutely. The whole of this disease can be cut away in the peeling, and no bad effects are left behind. If the restriction originally proposed in the Bill is imposed with regard to apples, it will be the means of hundreds of tons of apples being allowed to rot in the orchards throughout the country, although they could pass into consumption without any danger to the public. If you make it necessary to destroy these apples, you will only be placing a tax on the people who buy the better class of apple, by increasing the price to the consumer. I think it would be an advantage both to the consumers and the producers to agree to the amendments of another place.

The amendments were agreed with.

DUNOLLY LAND BILL.

The House went into Committee for the consideration of this Bill.

Clause 1 was agreed to.

Clause 2—(Revocation of Orders in Council, &c.).

Mr. J. W. BILLSON (*Fitzroy*).—When this Bill was before us on the last occasion, I understood that the honorable member for the district (Mr. Pennington) was to give us some information concerning the Bill that would satisfy the

House. The Minister made that statement, and we adjourned the consideration of the measure in order that those local residents, who are in a position to understand the value of this exchange, would be able to communicate with honorable members, if they desired to do so. There are 200 acres of land some distance from the township, and 80 acres adjacent to it. I presume that the Bill is all right, and that no serious injury will be done by the exchange. There is one point, however. The 200 acres may be a very valuable reserve for generations to come, and the 80 acres may be annexed by the racing club and the agricultural society, thus preventing the public from using it as a recreation reserve. It would be wise for the honorable member representing the district to tell the Committee what he knows concerning the exchange.

Mr. PENNINGTON.—I can only confirm the remarks made by the Chief Secretary in moving the second reading of the Bill. The reserve of 200 acres is about three miles from Dunolly. When it was set apart, it was no doubt in a central position to meet the requirements of Dunolly and Goldsborough, because it is midway between the two. Goldsborough was then a prosperous mining town, but to-day it is practically defunct. All the mines there are closed down, and the machinery has been removed. The people desire to get a convenient recreation reserve, and one can easily understand that a reserve that is three miles from the town is not convenient. On the other hand, the 80 acres is only half-a-mile away. Therefore, the people recognise that if they are empowered to make the exchange it will be a good exchange. On the 13th April last, as the Chief Secretary stated, the Land Board sat. Previous to the sitting, it was advertised that this matter was to be dealt with, so that all classes had an opportunity of opposing the proposal if they desired to do so. There was no opposition whatever. From what I can understand, it is the unanimous wish of all classes in the district that this transfer should be made. I am acquainted with both properties, and I can say that the 200-acre reserve is only poor grazing land. It is only improved as far as the course is concerned. One can easily see that it is poor land when informed that the value placed upon it is only £2 an acre. That is the valuation made by a local auctioneer or agent. I think that £2 an acre is a very fair value for it. The 80 acres belongs to a man who has left the district, and has offered it at a low price so that he may be relieved of it. It is of no use to him, as he lives now in Avoca. The residents feel that if the district is to have a recreation reserve the opportunity should be availed of to secure the 80 acres. It is ample to meet the requirements, and is being grubbed and cleared. As far as the values of the two areas are concerned, I think the exchange is a fair one. I agree with the honorable member for Fitzroy that the public should have an opportunity of objecting to these proposals. They have had an opportunity in this case, and there has been no opposition offered. I therefore sincerely trust that honorable members will pass the Bill.

The clause was agreed to, as were also the remaining clauses and the schedules.

The Bill was reported without amendment, and the report was adopted.

On the motion of Mr. MURRAY (Chief Secretary), the Bill was read a third time.

MILDURA CROWN GRANTS BILL.

On the Order of the Day for the seconding reading of this Bill,

The SPEAKER said—I have examined this Bill, and, in my opinion, it is a private Bill.

Mr. MURRAY (Chief Secretary).—In view of your ruling, Mr. Speaker, I move, by leave—

That all the Private Bill Standing Orders be dispensed with, and that this Bill be treated as a public Bill.

This is a matter connected with the old Mildura concession to the Chaffey Brothers. Similar legislation was passed in 1898, and it was only by an oversight that the three persons mentioned in the schedule were omitted from the Act of that year.

The motion was agreed to.

Mr. MURRAY (Chief Secretary) moved the second reading of the Bill. He said—Honorable members are familiar with the history of Mildura. A large concession of land was made to the Chaffey Brothers, and they made agreements with a number of settlers to occupy the land. Many of those settlers are in present occupation. Mildura has since become a successful settlement. The Chaffey Brothers,

however, were unable to carry on. They got into financial difficulties, and their estate passed into the hands of the liquidator. It was expected then that Mildura would become an example in the way of irrigation. After many vicissitudes, it has become a success. The Crown was to receive no money, what it desired being to see successful settlement in that part. In 1898, Sir George Turner introduced legislation to enable the Crown to grant titles to men who were occupying the land. The Chaffey Brothers, having failed to carry out their contract with the Crown, were unable to give these settlers their titles. The men mentioned in this Bill should have been included in the Act passed in 1898. Two of them are the original holders. The first-mentioned in the schedule is not. He got a transfer of the property from the original occupier. Sir George Turner stated, when introducing the legislation in 1898—

> Under an arrangement between the promoters, who were first the Chaffey Bros., and then Chaffey Bros. Ltd., the Crown were bound to give to the promoters certain land after improvements had been made, on payment of £1 per acre. Unfortunately, the company has had to go into liquidation. One of the promoters has had to go into the Insolvency Court, and on investigation of the affairs of the company it has been found that, in a very few cases only, the following has happened. Some persons have paid the company or Chaffey Bros. for their land, and have not got a title. In the vast majority of cases those who paid got their title, and gave a mortgage to the company for the balance of the purchase money; but, in some cases, the persons paid in full, and by neglect or oversight the company did not get from the Crown the grant of the land. I have had inquiries from some persons in England on the subject, and when I first began to investigate the matter, owing to the great noise that was being made, I thought it was a very large question indeed. However, after carefully investigating the whole subject, I find it comes down to a question of 57 acres of land—57 acres of which the Crown would be entitled to get £1 an acre. No doubt some of these persons would be quite willing to pay again. In fact, in one case the party has said—"I will give you the £1 an acre if you give me a title." Now, the Government have no power to give a title, except through the liquidating company. Under all these circumstances, I think, I may fairly ask the House to give away 57 acres of land at Mildura—for that is really what I am asking the House to authorize the Government to do. The Treasurer has to be satisfied that these particular persons have paid for the land the price they agreed to pay; the only difficulty is that the company, instead of handing that money over to the Government, has allowed it to go into the general assets of the company.

These are three cases which were omitted, but which are exactly similar to those dealt with in 1898. Honorable members will notice that the allotments are small, one being a little over 4 acres, another 11 acres, and the third 20 acres—making about 36 acres in all. This will be added to the 57 acres dealt with previously. These men have already paid the company the purchase money for the land.

Mr. J. W. BILLSON (*Fitzroy*).—Have the company paid the Government?

Mr. MURRAY.—I do not know exactly how that stands. These people carried out their part of the contract with the Chaffey Brothers, and are in exactly the same position as those dealt with in 1898. The Crown will get nothing for the land. At the most, the amount would only be about £36. These people have been asking for this for a number of years. I do not know that these settlers desire to sell the land, but they are entitled to get the Crown grant without being asked to pay any more. The men decline to pay any more, and they say that they do not see why they should not get a title. The House could hardly deny to these men what it granted to the others, in not merely analogous cases, but in exactly similar cases.

Mr. J. W. BILLSON (*Fitzroy*).—I do not wish to block this Bill, or prevent men from getting what they are entitled to. The history of the Chaffey Brothers is rather an unfortunate one, although we are pleased to know that the settlement for some years past has been a gigantic success, and has really been an example to the world of what can be done with irrigation in the northern areas. At the same time, I fancy that these people have a legitimate claim against the company. The Chaffey Brothers went into liquidation, and a company took over the assets and liabilities, and have been trying to redeem the position ever since. The men mentioned in the Bill paid the amount they were required to pay, and on the payment of that amount they were entitled to receive a grant in fee simple. Instead of these people going to the Courts and compelling the company to grant what they are entitled to, the Government propose to relieve them of all expense and inconvenience. Why should they? I see no reason why these people should not proceed in the ordinary way. Sir George Turner took exactly the same view as the present Minister has done concerning them, but I do not know but

that we will have a strike on behalf of the Law Institute if we act in this way. We are coming in between them and their legitimate clients and fees, which is a very serious matter. I do not know whether the Government is entitled to allow the company to escape its legitimate obligations to these men.

Mr. MURRAY.—The company has gone altogether.

Mr. J. W. BILLSON (*Fitzroy*).—You allowed it to go.

Mr. MURRAY.—We had nothing whatever to do with that.

Mr. J. W. BILLSON (*Fitzroy*).—The Crown had a legitimate claim on the company. The company had received the money from these men for the land. Instead of paying the money over to the Crown, the company used it for its own purposes.

Mr. MURRAY.—I think, under the old concession, these men paid £1 per acre each to the company. I do not know whether the company was entitled to pay that to the Government, or not.

Mr. J. W. BILLSON (*Fitzroy*).—Sir George Turner pointed out clearly that it meant a gift from the Crown of £50 for the 50 acres for which he proposed to grant titles. The Government propose to grant 36 acres to three men, which means that they ought to have received, according to the original agreement, £36. Why are the Government acting in this way? There is provision for these men obtaining their dues in the Courts, and the Government are coming in between them and the Courts we have appointed for that purpose. They propose, by the Bill, to do something which should be done in the ordinary way of business. It is a convenience to these men. I do not wish to put them under any hardship.

Mr. MURRAY.—We forego our £1 an acre, which ought to have been paid to us by the Chaffey Company. Every man paid the company, but the company did not pay the Crown.

Mr. J. W. BILLSON (*Fitzroy*).—The Crown appointed an official liquidator, and he robbed the Crown of the money.

Mr MURRAY.—He did not get the money.

Mr. J. W. BILLSON (*Fitzroy*).—The men paid the money.

Mr. MURRAY.—They did not pay the official liquidator; they paid the company.

Mr. J. W. BILLSON (*Fitzroy*).—Well, the company purloined the money. They put it to some other use.

Mr. MURRAY.—They were entitled to do that under the concession, because it was on the putting on of certain improvements on the land that these men were to get their title.

Mr. J. W. BILLSON (*Fitzroy*).—First of all, they had to pay the sum to the company, then they were to put certain improvements on the land, after which they were to be entitled to their deeds. These men fulfilled their obligations, but the company, or the Chaffey Brothers, have never fulfilled their obligations to the Government.

Mr. MURRAY.—They have gone. Vanished into thin air.

Mr. J. W. BILLSON (*Fitzroy*).—I do not propose to oppose the Bill. I am rather glad the Chief Secretary is doing this act of justice, but are there any more of these cases? We were assured by Sir George Turner that the men dealt with in the measure he introduced were the only ones affected. Another three have been discovered, and there may be more yet. We are doing for these men something that we may be refusing to do for others.

Mr. MURRAY.—All the other titles have been issued.

Mr. J. W. BILLSON (*Fitzroy*).—I do not wish to raise any objection to the Bill. I think it is a wrong way of doing business. These men have paid their money to the company, and should have obtained their deeds from the company.

Mr. MURRAY.—So they should.

Mr. J. W. BILLSON (*Fitzroy*).—The Government should have insisted upon it.

The motion was agreed to.

The Bill was then read a second time, and was afterwards passed through its remaining stages.

WONTHAGGI LAND BILL.

Mr. MURRAY (Chief Secretary) moved the second reading of this Bill. He said—This measure, like the previous one, refers to a settlement which has passed through some vicissitudes. Honorable members will remember the Act that was passed last session dealing with the settlers at Wonthaggi. The original condition under which they took up their land was leasehold. The Act that was

passed last session enabled them, if they chose, to obtain the freehold. There was also a revaluation made of all the business sites at Wonthaggi. These people have all along complained, and with a large measure of justice, that they agreed to pay an exorbitant price for the land.

Mr. KEAST.—They did, too.

Mr. MURRAY.—One would almost imagine from the prices obtained that the honorable member sold the land. The honorable member could tell the House better than any one else how men sometimes at a public auction, under the excitement of the moment and the eloquence of the auctioneer, pay more than the actual value of the article submitted for sale. The measure passed last session provided that the revaluations should begin from the commencement of that Act. The Bill proposes to ante-date them, and make them commence on the 1st January, 1912. These men have asked that the revaluations should date back from the time they bought the land, but we consider that what we propose is a fair thing. This concession will mean that the State will lose, approximately, £3,000.

Mr. WARDE.—How will the State lose that?

Mr. MURRAY.—We will receive £3,000 less than we would receive if this amendment were not made.

Mr. WARDE.—Does this apply to the land bought at auction?

Mr. MURRAY.—Yes; it applies to the business sites. A revaluation of those sites has been made. The prices have been reduced to something a little more than one-third of the amount these people agreed to pay. These people have not been successful in their businesses.

Mr. WARDE.—How do you know?

Mr. MURRAY.—Speaking generally, they have not.

Mr. WARDE.—It is easy enough for them to say that if they want to beat the price down.

Mr. MURRAY.—It is the fact.

Mr. MCGREGOR.—What about the sly-grog businesses?

Mr. MURRAY.—They have tended to lessen the chances of these men, who are engaged in legitimate business. No doubt, a good deal of the money that has been earned in Wonthaggi has gone into illegitimate channels.

Mr. WARDE.—That is an exploded idea, and it is about time it had a rest.

Mr. MURRAY.—We intend to deal with that later on in another measure. It is not an exploded idea, unfortunately.

Mr. WARDE.—Of course, the old gag—all poverty is due to drink.

Mr. MURRAY.—That is rather beside the question. We propose now that these re-valuations shall date from 31st December, 1911.

Mr. WARDE.—What evidence did the Government have that these people could not afford to pay the prices?

Mr. MURRAY.—There is no doubt that they cannot pay the prices, which are beyond the real values. The most careful inquiry has been made by the Surveyor-General and other competent officers of the Lands Department. They arrived at what I think is a fair valuation of these properties, taking everything into consideration. We promised legislation as far back as 1911. If that legislation had been passed, affording the relief which we were anxious to give them, then the conditions of the new tenure would have dated from about the time fixed in this Bill.

Mr. WARDE.—I cannot make out how the valuations were arrived at. It is so difficult to tell the value of business premises.

Mr. MURRAY.—After a close investigation, the officers were able to arrive at a valuation, and they were in a better position to do so than we are in this Chamber on hearsay evidence. I believe that they made a fair valuation in all the circumstances. It was brought under my notice to-day that the statement had been made in Wonthaggi that this would only apply to those who hold leaseholds. It applies, not only to those who continue their leases, but to those who surrender their leases and purchase the land. Instead of insisting on a deposit of 10 per cent., we are substituting 5 per cent., and we extend the period for the payment of instalments from twenty to forty years, the payments bearing interest at the rate of 4 per cent. Clause 4 provides that colliers who have sites there may sell their properties to persons not engaged in connexion with the coal mine. They might be unable to dispose of their properties unless that provision were made. Another alteration is in connexion with the building conditions which were ori-

ginally imposed. There is no doubt that some of them put up ramshackle buildings, that ought to be obliterated, but others put up good, sound structures of wood. The conditions prescribed that within three years brick buildings should be erected. What these men have claimed all along is that they wanted a negotiable security. Under the rigid original condition a building, although it might be of sound construction, and would satisfy the building regulations almost anywhere else, would have to be removed. We say that it is unfair to handicap these men, who have, perhaps, invested all the capital which they possess in the erection of such places. While we remove the old severe condition as to the erection of a brick building, we impose another condition which should result, I think, in the provision of satisfactory buildings in Wonthaggi. We provide that a building must be approved of by the Board of Land and Works. It is objected that where good buildings of wood have been erected the owners would have to go to the expense of removing them. In many of the inlying, as well as the outlying, suburbs of Melbourne we can see any number of substantial wooden buildings. I admit that it would be desirable if all buildings in centres of population were constructed of a material at least as substantial as brick, but it is too much to expect that in a new place, where they have had to struggle hard, and where they will have to struggle hard for a number of years. It is in the best interests of the State to ease the conditions as much as is reasonably possible. Of course, where a man has put up a temporary ramshackle building, consisting, perhaps, of hessian with a roof of corrugated iron, that would have to go, but a building approved by the Board of Land and Works could remain. I think the provisions of the Bill will recommend themselves to the favorable consideration of the House.

Mr. DOWNWARD.—There is one other section—the residential land-owners.

Mr. MURRAY.—They are not affected by the Bill. As far as they are concerned, no reductions were made in their valuations. Individually, they are only small sums.

Mr. J. W. BILLSON (*Fitzroy*).—Those are the miners' holdings?

Mr. MURRAY.—Yes.

Mr. J. W. BILLSON (*Fitzroy*).—I should like the debate on this Bill adjourned, because it has been brought in hurriedly, and I can see one or two objections to it. The original idea was that each miner at Wonthaggi should be able to have his own place, and that it should be adjacent to the mine. It was considered that suitable buildings should be erected, so that there would be no trouble as far as the housing question was concerned there. If the Bill is permitted to go through, the result may be that the ideal of securing to the coal miners houses at Wonthaggi free of rent, and placing them out of the reach of the "grab" of the land-holder, will be departed from. The law in force to-day was only passed in 1912. Before it has had an opportunity to operate, the Ministry propose an amendment, which will completely change the system. Twelve months ago we adopted a complete change from what had been the rule prior to that time. I do not think honorable members are conversant with the merits or demerits of this Bill, and they should not be expected, without full discussion, to consent to the changes that are proposed. There is another point, and that is the proposal to make these people a present of twelve months' rent. I think it would be as well for the Government to agree to the adjournment of the debate for at least a week.

Mr. DOWNWARD.—I am very pleased with the contents of this Bill, although it does not altogether give the relief that is desired.

The SPEAKER.—Do I understand that the honorable member for Fitzroy wishes to move the adjournment of the debate?

Mr. J. W. BILLSON (*Fitzroy*).—Yes. I move—

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, October 14.

SECONDHAND DEALERS BILL.

Mr. MURRAY (Chief Secretary) moved the second reading of this Bill. He said—This is a Bill which has come from another place, and it provides for the licensiug of secondhand dealers. The measure was pretty fully discussed

in another place. What makes it most desirable that the Bill should be passed into law is that at present many of these secondhand dealers' shops are merely fences for stolen goods. I have here a long list of cases which have come under notice.

Mr. HAMPSON.—Do you say that that applies to nearly all those shops?

Mr. MURRAY.—A very considerable proportion of them. I have no special knowledge of the exact number engaged in this business; but it undoubtedly stands out as a fact that these shops are used by a dishonest class to dispose of their goods.

Mr. WARDE.—Where else are they to dispose of secondhand goods, except at secondhand stores?

Mr. MURRAY.—The honorable member is always very clever, but, apparently, he is never able to make a distinction between the honest man and the dishonest man.

Mr. WARDE.—What I object to is your speaking of them as a class as being dishonest.

Mr. MURRAY.—The Bill is what the honest dealer asks for. He wants to be protected under a licence. He does not want those who do not carry on their business in a respectable manner to be competitors with him. Some of these secondhand dealers have been convicted, and under the present law there is nothing to prevent them from resuming that business as soon as they come out of gaol. In one case, a dealer was sent to gaol for three years, and as soon as he came out he started again.

Mr. HAMPSON.—Although he could not have got a licence as a collector.

Mr. MURRAY.—No; he could not do that, but he could go into business again as a secondhand dealer. The Bill does not affect marine stores dealers, who are under licence already; but in every large city there is a considerable business carried on in stolen goods of the kind which are taken to the shops of secondhand dealers. We desire to put this business on a proper plane, so that a person who goes to buy from a secondhand dealer, or the person who goes to sell, will have some warranty of the respectability of the person who is carrying on the business. At present, many of these shops are made use of by thieves who get hold of secondhand goods by stealing from houses, and so on, and then dispose of them in this way. Honorable members will understand that, among a class of dealers like that, where there are no legal restrictions, opportunities are afforded for dishonest trading. I do not wish to reflect on the honest secondhand dealer, and I am certain that many of them are highly respectable men who conduct their business on honest lines.

Mr. WARDE.—And often give useful information to the police.

Mr. MURRAY.—Those are the men whom thieves do not go near. I have a long list of cases here. Here is one dated April, 1905. It was a charge of larceny, and receiving a quantity of shirts, socks, blankets, &c., the property of the Victorian Railways Commissioners. The goods stolen were consigned by McNaughton, Love and Company, and Paterson, Laing, and Bruce, to Rushworth, in two packages. On the arrival of the train these goods were missing. The detectives visited the shop of the defendant where he carried on the business of a secondhand dealer. They found in a cupboard sixty-five shirts and four pairs of blankets, all of which were identified by employés of the firms named as being part of the goods that were stolen. The explanation given by the accused was that he had bought the goods, but could not say from whom, and had no receipt. He was found guilty. There are many such cases. In one case, five defendants were charged with disposing of stolen property in the same way. The stolen property comprised a large variety of goods. These men are convicted and go to gaol, but as soon as they come out they are allowed to carry on the same nefarious trade. If this Bill passes into law, no one will be able to conduct the business of a secondhand dealer without obtaining a licence. That will give protection, not only to the person who buys from them, but also to those dealers themselves who conduct their business in an honest fashion.

Mr. HAMPSON.—Under clause 6, is it only necessary for an objection to be lodged by the police to block a licence?

Mr. MURRAY.—The inspector gives notice that he is going to object that the applicant is not a fit and proper person. Then it is provided—

> The court of petty sessions before which such application is heard may entertain any objection made by any member of the police force above such rank or by such municipal clerk even though not given as aforesaid but the applicant shall in that case be entitled to an adjournment for such time as the court thinks fit.

They may object, but they have to prove that there are grounds for their objection. They must show that the man is not a desirable person to hold a licence. The whole thing is open and above board, and the honest man will have nothing to fear. I would point out how careful we were in legislating with regard to marine dealers. The law, until it was recently amended, provided that if there was one solitary conviction against a man, no matter if it had occurred as much as thirty years before, he could not obtain a licence as a marine dealer. He might, by years of good conduct, have proved his respectability, and yet the law was so harsh in that respect that he could not obtain a marine dealer's licence. It was felt that in the case of people having such opportunities as marine dealers, who visited premises for the purpose of buying old goods, their character must be above suspicion. This is just as essential in the case of secondhand dealers. We should be careful that none but persons of reputable character shall be engaged in that avocation, and it is for this that the Bill provides. I think honorable members, when they look through the measure, will give it their heartiest approval. It is not directed at all against the honest trader; he has nothing to fear from it. Its sole intention is to suppress those who will not conduct their business honestly.

Mr. HAMPSON.—What embargo is placed on their getting a licence?

Mr. MURRAY.—The Court has to consider the application, and I should say the Court would hesitate before granting a man a licence if he had been lately convicted of dishonesty.

Mr. J. W. BILLSON (*Fitzroy*).—The matter appears to be at the discretion of the Court.

Mr. MURRAY.—Yes; and I think we may safely leave it to the discretion of the Court. Before a man is refused a licence, the police would have to prove that there are substantial reasons against his holding a licence; otherwise no Court would entertain the police objections. The municipal clerk is also mentioned as being entitled to object. The reason the municipal clerk is put in the Bill is that he is an official who would be very likely to have a knowledge of the character of any citizen who might apply for a licence.

Mr. J. W. BILLSON (*Fitzroy*).—I welcome this Bill, because I think it is a measure that will do a vast amount of good if it is administered in such a manner as to produce the efficiency that the Bill is capable of producing. We know that the bulk of the secondhand dealers are honest men, and carry on a legitimate business, but there are undoubtedly a few who are doing an illegitimate business; and I think that any proper means that we can adopt whereby we can secure to the honest dealer the protection of his business, and at the same time also protect the public, ought to be welcomed. There is one matter not dealt with in the Bill to which I would like to see the Government pay some attention. It has always appeared to me that many of the secondhand clothes shops are means by which disease may be spread very rapidly. In fact, I know of no easier method of spreading disease than by the sale of secondhand clothing. I think there should be some inspection provided for with regard to secondhand clothes exposed for sale.

Mr. J. CAMERON (*Gippsland East*).—Fumigation.

Mr. J. W. BILLSON (*Fitzroy*).—The honorable member mentioned fumigation, but I do not know whether that would be the best means of proceeding. At any rate, an epidemic can be easily spread by means of secondhand clothing, and I think some amendment might be made in the direction of providing for inspection. I have no desire to block the Bill, or to prevent it being read a second time, but it is essentially a Committee Bill, and I hope the Government will be satisfied with taking the second reading to-day. There are several clauses that ought to be thoroughly discussed, and probably amended. In connexion with the clause referring to the granting of licences, I should like to see some definite statement in the Bill as to when a licence could be refused. The Chief Secretary appears to think that it will be best to leave the matter to the discretion of the Court. Courts, however, vary to such an extent in their preferences and their prejudices that I think it would be well—provided we could safely do so—to insert words in the Bill that would safeguard the rights of secondhand dealers. I desire to know from the Chief Secretary whether he intends to license all those who are at present engaged in that business?

Mr. MURRAY.—I should think not—of course, every respectable person engaged in it. They will all have to come up for licences.

Mr. J. W. BILLSON (*Fitzroy*).—When we have legislated previously, requiring that teachers must obtain certificates of efficiency, we provided for all those who were at the time engaged in teaching; also, when we passed the Accountants Bill, we insured that all those who were practising as accountants at the time should be permitted to continue their work.

Mr. MURRAY.—Do you desire to conserve the right of the dishonest secondhand clothes' dealer? That is really what it would mean.

Mr. J. W. BILLSON (*Fitzroy*).—I have no desire to do that, and perhaps what the Chief Secretary says would be correct, if there were no other way out. I fancy, however, there is a way out by providing that licences should be issued to all those at present engaged in the business, and then calling upon certain people, on account of offences they may have committed, to show cause why their licences should not be concelled. Of course, that would be very much like making all secondhand clothes dealers apply for licences, and refusing them to some applicants on account of some dishonest act they may have committed. I would ask, however, whether it is to be assumed that under this Bill some of those who are now engaged in the business will be refused licences on the plea simply that they are suspected persons? Some of the persons engaged in this business may make application to the Court for a licence, and then find that, for reasons altogether beyond their knowledge, they are suspected of wrongdoing; and it is left absolutely to the discretion of the Court, according to the Bill, to refuse or grant them the licence. They may be refused a licence, even although they may be innocent of any offence. There is no charge preferred against them; there is no charge investigated; they are not necessarily proved guilty; and yet the licence can be refused. The Court may suspect them of wrongdoing, and, in consequence, refuse them a licence to earn their livelihood. It may be quite harmless, but it may lead to great hardship and grave injustice. I would suggest that we should consider these matters at a later date in Committee. I do not wish any one to be refused a licence, unless there is sufficient evidence to secure a conviction, or very strong evidence that they are people who ought not to be permitted to carry on this business. The intentions of the Bill are good. According to the police reports, some of the pawnbrokers have assisted the "other man" very profitably. The Bill should embrace the pawnbrokers, for more rigid restrictions are necessary in regard to them.

The motion was agreed to.

The Bill was then read a second time.

The House resolved itself into Committee of the whole to consider the fees to be charged under the Bill.

Mr. MURRAY (Chief Secretary).—I move—

That the following fees be paid under this Bill, namely:—

For every licence to carry on the business of a secondhand dealer in the premises in respect of which the licence is granted—£1.

For every renewal of a licence—10s.

For every duplicate of a licence lost or destroyed—5s.

For transfer of a licence to new premises—5s.

For transfer of a licence to a transferee—5s.

The motion was agreed to, and the resolution was reported to the House, and adopted.

The House then went into Committee to consider the Bill.

Clause 1 was agreed to.

Progress was then reported.

FUNGICIDES BILL.

Mr. GRAHAM (Minister of Agriculture) moved the second reading of this Bill. He said—This Bill has come from another place, and is the outcome of several conferences held by the Ministers of Agriculture of the various States of the Commonwealth. At the conference held in Sydney, in 1912, it was resolved that the matter of fungicides be referred to the different agricultural chemists of the various States. A conference of these chemists was held last year, and recommended the passage of this Bill. For many years past fruit-growers and others have been troubled very much with the different fungicides and insecticides sold to them. Some of them have lost large numbers of trees on account of the fungicide being too strong, or containing some

ingredient that should not be in it. The conference of chemists came to the conclusion that the difficulty could be best dealt with in the same way as the matter of fertilizers was dealt with. The Bill is drafted on the same lines as the Artificial Manures Act. We have many new settlers on the land now, and I think it is only right that fungicides and insecticides should be standardized, so that when a man is buying he will have the protection of the law. He will have some claim on the vendor if the article is not up to the standard. The Ministers of Agriculture in all the States have agreed to pass the same measure, and it has already been passed in New South Wales and Western Australia. We are anxious to be in line with the other States, and we are taking this action in accordance with the promise made.

Mr. HANNAH.—How does it become an Inter-State matter?

Mr. GRAHAM. — By arrangement amongst the different Ministers. The Ministers of Agriculture have met for many years past, and discussed matters relating to the welfare of the different branches of agriculture and horticulture. I would ask the House to accept my assurance that the Bill is exactly the same as the measure introduced in the other States. Another place has passed the Bill with one very small amendment, and that is a reduction of the penalty for offences. Otherwise, the Bill is exactly the same as that introduced in the other States.

Mr. J. W. BILLSON (*Fitzroy*).—What alteration is made in the penalty?

Mr. GRAHAM.—It is only a small alteration. Clause 20, sub-clause (2), provides that—

> Any person guilty of an offence against this Act for which no penalty is specified shall be liable to a penalty of not more than £20.

That is the way it has come from another place. It read originally—

> Not more than £20 and for any subsequent offence of not less than £5 or more than £50.

The latter part, in reference to any subsequent offence, has been struck out. I would ask the House to accept the Bill as it has come from the other place. I feel that the growers will be well satisfied. The manufacturers are asking for it, as it is a protection to them as well as to the growers.

Mr. J. W. BILLSON (*Fitzroy*). — It is surprising that a measure of this character is brought in by the Minister, and it is more surprising that it should be necessary because people dealing in this kind of goods have, for a considerable time, been committing fraud. They have been selling fungicides, insecticides, and germ-destroying compounds which have not been capable of performing what they were expected to do by the person who bought them. People have been earning money by false pretences.

Mr. GRAHAM.—This is to protect honest dealers.

Mr. J. W. BILLSON (*Fitzroy*). — The people who have been victimized have asked for protection against private enterprise, and the socialized power of the State is used to protect them against the fraudulent practices of private enterprise. I understand that the Government have agreed with the Governments of the other States to have a Bill passed in each State identical in character. It is surprising that the Government have permitted another place to cause a want of uniformity in the legislation that was agreed to. How shall we get on when our penalties are different from those of the other States? The compact should not be departed from, and we do not expect the other States to depart from it. If we adopt these amendments, how will the matter be taken in the other States? Will it be regarded as a breach of the agreement?

Mr. GRAHAM.—Not on the question of penalties.

Mr. J. W. BILLSON (*Fitzroy*). — We have agreed to make it easier for our people to do wrong than for the people of the other States. What is the object of reducing the penalty? Is it that we have more sympathy with these people, or do we want to be lenient to our friends? I should like some explanation why the representatives of the Government in the other Chamber agreed to this alteration. One clause says that the constituents of a preparation are to be stated upon sale. Are they to be stated on the invoice only, or on the labels?

Mr. GRAHAM.—On both, as in the Manures Act. The analysis will have to be shown.

Mr. J. W. BILLSON (*Fitzroy*). — I have no objection to this Bill. It appears to be absolutely essential that we

should protect our people against malpractices of dealers, as was done in connexion with secondhand dealers. I do not know which are the worst. I should like to see a method adopted by which we could get uniformity in the penalties and everything else. When an agreement was come to, the Government should have made a stronger effort to secure uniformity than they have made. It appears to be essential that the one law should govern Australia. Instead of giving power to the Federation, as should be done, the various State Governments attempt to do it in this way, and we are the first to break away from the agreement. Instead of fighting against the alteration of the clause, the Government say nothing about it, which appears to be hardly fair to this Chamber. Do the Government intend to re-introduce the amended provision?

Mr. GRAHAM.—I will ascertain before the Bill goes through how it stands.

Mr. LEMMON.—One significant matter is the date of the coming into operation of this Act. Some time ago, we had the Footwear Bill before us. It was pointed out that the other State Governments were introducing similar legislation, and that this legislation was to be brought into operation in all the States by proclamation. The Minister stated that was necessary so that the dishonest manufacturers could not flood another State with their goods. As the Federal Constitution provides for Inter-State Free Trade, there was nothing, it was said, to prevent trade in these articles between one State and another. Would not that position apply also to a measure of this kind? Doubtless, there are large stores of these preparations in the other States, and if we pass this Bill before the other States pass it, there is nothing to prevent another State from flooding this country with these things. I should think it would be necessary to have some provision to deal with that. The Minister said the manufacturers were favorable to this Bill. I presume they have made representations on the subject. It is time to ask who has been carrying on this illegitimate trade.

Mr. GRAHAM.—I do not know any who have been carrying it on, but some growers have suffered from it.

Mr. LEMMON.—Another phase of the matter occurs to me. No doubt infinite wisdom has been shown by the fruitgrowers and the farming community in asking the Legislature to protect them against dishonest traders. One would think that they would be equally desirous of protecting themselves against a few dishonest people who are paying labour less than they should pay; but there is a howl of indignation when it is asked that a similar law should be passed to protect them against those who are paying less than a fair rate of wage. If it is right that the Legislature should step in and protect the farmers against the unfair manufacturer, it is equally right that we should protect the good farmer against the bad farmer, who pays low wages.

Mr. J. CAMERON (*Gippsland East*).—And protect the farmer against the fellow who does not give a fair day's work.

Mr. LEMMON. — The honorable gentleman takes care that he has no employés of that type. Those he does get hold of he makes work hard. I am afraid the White Australian policy upset the honorable gentleman's effort to make wealth rapidly. I think it is a wise thing that the State should protect the farmers against the unfair manufacturer, and that it is equally wise that it should protect the large section of the farming community that does the honest thing towards its employés against the small section that does the wrong thing. Like the deputy leader of the Opposition, I regret that, after the decision was come to unanimously to introduce legislation dealing with this matter in the various Parliaments, it should be found that our Government cannot control a measure of this kind in another place. Surely that is not saying much for the Government?

Mr. HANNAH.—Who brought it in?

Mr. LEMMON.—Perhaps it was the Attorney-General. We find to-day the newspaper that largely influences another place crying out for the scalp of the Attorney-General. Doubtless the Government made a mistake in asking the honorable gentleman to introduce the Bill, with the result that another place has seen fit to destroy one of its essential parts.

Mr. GRAHAM.—It was introduced by the Minister of Public Works.

Mr. LEMMON.—The Attorney-General is the legal adviser of the Government in another place, and, unfortunately, the Government is in the position of having to take what it can get from another place.

Mr. BAIRD.—What would you do if you were in power?

Mr. LEMMON.—We would not mind having the opportunity. We would not back down. We would go right on, and appeal to the Democracy of the country to solve the problem. I have much pleasure in supporting the second reading of the Bill.

Mr. COTTER.—I differ entirely from the honorable member for Williamstown as to the necessity for this Bill. I hold in my hand a report of a conference of the representatives of the Commonwealth and the States on the question of the adoption of a uniform standard for foods and drugs. The following is an extract from the report—

> No person shall keep, spread, or use, or suffer to be kept, spread, or used, any preparation containing arsenic, strychnine, or other poison, so as to expose any food for sale to risk of contamination therewith.

I find that that conference went to some trouble in connexion with the very stuff with which the Bill deals. The question arises as to what is the necessity for this Bill. I do not mind passing the measure if it is going to be effective, but if the idea is simply to put in the afternoon discussing the Bill, I do object. In the same report I find provisions under the heading "Disinfectants and Germicides, Antiseptics and Deodorants." It is laid down how these articles are to be used, exposed, and everything else, so there is no necessity for this Bill.

Mr. GRAHAM.—That report has not become law yet.

Mr. COTTER.—Neither has the Bill. This report was framed by delegates representing all the States. There were three delegates from Victoria, and the Conference travelled over the whole of Australia. Their recommendations are to become law twelve months after being gazetted. In the meantime, the Minister has come down with a Bill that will be of no earthly use if we pass it. Before the ink is dry upon the measure, the recommendations of this conference will supersede it.

Mr. TUNNECLIFFE.—Do you think the Commonwealth Parliament is ever going to pass anything again?

Mr. COTTER.—This has not got to go before the Commonwealth Parliament. The report was signed by J. H. L. Cumpston, M.D., D.P.H., and W. Percy Wilkinson, F.I.C., on behalf of the Commonwealth; Robt. T. Paton, M.D., F.R.C.S. (Edin.), J. D. Fisher, and William M. Hamlet, F.I.C., on behalf of New South Wales; J. S. C. Elkington, M.D., D.P.H., J. Brownlie Henderson, F.I.C., and Alex. Stafford, on behalf of Queensland; W. Ramsay Smith, D.Sc., M.B., F.R.S. (Edin.), W. A. Hargreaves, M.A., B.Sc., F.I.C., and J. W. Grasby, on behalf of South Australia; J. L. Purdy, M.D., D.P.H., F.R.S. (Edin.), W. F. Ward, A.R.S.M., and A. H. Ashbolt, on behalf of Tasmania; E. Robertson, F.R.C.S., D.P.H., Heber Green, D.Sc., and A. R. Bailey, on behalf of Victoria; J. W. Hope, F.R.C.P. (Edin.), D.P.H., E. A. Mann, and J. M. Macfarlane, on behalf of Western Australia.

Mr. GRAHAM.—The Bill was drafted before those recommendations were made.

Mr. COTTER.—There is no necessity to pass the Bill, in view of this report of eminent experts.

Mr. GRAHAM.—Plenty of reports are brought in, but are not given effect to.

Mr. COTTER.—The Minister said that the Bill was necessary, so as to have uniformity over the whole of Australia, and he said that the measure had been passed in New South Wales and in Western Australia. The recommendations of the conference I have referred to are to become law twelve months after their gazettal, and they will apply to the whole of Australia. We know that, in the event of these laws clashing, the Federal law will simply supersede the State law. I ask the Minister to withdraw the Bill, so that we may get on with some business that the country wants.

Mr. GRAHAM.—This is business that the country wants done.

Mr. COTTER.—I think it will be a great mistake to go on with the Bill, and I ask the honorable gentleman to withdraw it.

Mr. HANNAH.—I think that the Government is falling into a very bad habit. They are following the worst possible lines in some respects. They have allowed this legislation to be initiated in another place. If the Government are clothed with responsibility and power, then they should initiate important changes of legislation in this Chamber. I must enter my protest against what seems to me to be the growing practice of introducing measures in another place. They are placed in our hands, and we are expected to understand immediately a great number

of clauses. I am sure the very title of the Bill should make us pause. It is "A Bill intituled an Act to regulate the Sale of Fungicides, Insecticides, Vermin Destroyers, and Weed Destroyers and for other purposes." That, in itself, ought to make us hesitate. The Minister read to us some notes prepared for him by authorities in the Department. They may be right or wrong. We have had certain eminent men supposed to be well up in agricultural matters, but when they came to apply their knowledge in a practical manner, they were found to be very much at sea.

Mr. GRAHAM.—I did not read any notes.

Mr. HANNAH.—I can quite understand that there may be certain noxious weeds that ought to be destroyed. I can also understand that other weeds which are very obnoxious might be included. Is this Bill to include human weeds? I think that the right key has been struck by the honorable member for Richmond. He has given us some important information. He has told honorable members that this Government have appointed certain representative men to confer with representatives of other portions of Australia.

Mr. GRAHAM.—This Government did not appoint any of them.

Mr. HANNAH.—Were not some of them State officers?

Mr. GRAHAM.—One of them was from the Health Department. This Government did not appoint them. It was a Commonwealth conference, and we did not know anything about it.

Mr. HANNAH.—I think a little common sense and intelligence should operate in connexion with such a matter. When the Commonwealth has convened a conference, and is prepared to legislate for all Australia, why is it necessary for a State Government to propose a measure that may conflict with the Federal law? When appealing to the people to turn down the referenda, the Minister of Public Instruction tried to persuade them that the States were willing to hand over certain functions to the Commonwealth. Now here is an opportunity of doing so which would not interfere with State rights. The Minister has stated that this measure has been agreed to by New South Wales and Western Australia. Supposing South Australia, Tasmania and Queensland do not pass it?

Mr. GRAHAM.—They are only too anxious to do so.

Mr. HANNAH.—I am essentially a Federalist, and I am anxious to see the Commonwealth have power to deal with such matters where they can do so efficiently. I care not what party is in power as long as they are doing something. It seems to me that it would be a good thing to hand this legislation over to the Federal Ministry, who want something that would bring them a little kudos. In connexion with the Agricultural Bureau Bill, it might be a splendid thing for them to go to the country on.

Mr. GRAHAM.—They might come to us and ask us to administer it.

Mr. HANNAH.—If they are not able to administer it, they could come to such an up-to-date administrator as the Minister. If they had not the ability and capacity to effectively administer such a measure, they could apply to the Victorian Minister of Agriculture. I am not too favorable to the Bill, considering that the matter could be better dealt with by the Commonwealth. There would then be no overlapping. I have a lot of information which I could give from the report referred to by the honorable member for Richmond. This seems to be a clear case where the State Ministry should leave it to the Commonwealth.

An HONORABLE MEMBER.—They have no power to deal with it.

Mr. HANNAH.—It seems to me they have. Evidently the Government have shelved a measure which was introduced six weeks ago, and in which I am interested. I refer to the Bill to deal with the sale of footwear.

Sir ALEXANDER PEACOCK.—No. I have had a conference with regard to its amendment, and I think it is all fixed up. The parliamentary draftsman told me last evening that he was not able to draft the amendments as he had the Factories Bill to attend to.

Mr. HANNAH.—I am glad to hear that. I move—

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, October 14, leave having been given to the honorable member for Collingwood to continue his speech on the resumption of the debate.

The House adjourned at ten minutes to four o'clock until Tuesday, October 14.

LEGISLATIVE COUNCIL.

Tuesday, October 14, 1913.

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

ASSENT TO BILLS.

The Hon. J. D. BROWN (Attorney-General) presented a message from the Lieutenant-Governor, intimating that, at the Government Offices, on October 7, His Excellency gave his assent to the Oaths Bill, and, on October 14, to the Geelong Harbor Trust Bill, the Municipalities' Powers Extension Bill, and the Spirit Merchants' Licences Bill.

DUNOLLY LAND BILL.

This Bill was received from the Legislative Assembly, and on the motion of the Hon. J. D. BROWN (Attorney-General) was read a first time.

MILDURA CROWN GRANTS BILL.

This Bill was received from the Legislative Assembly, and on the motion of the Hon. F. HAGELTHORN (Minister of Public Works) was read a first time.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by the Hon. H. F. RICHARDSON, from residents of the South-Western Province (two petitions); by the Hon. W. S. MANIFOLD, from residents of the Western Province; by the Hon. R. B. REES, from residents of the North-Western Province (three petitions); by the Hon. A. A. AUSTIN (in the absence of Mr. Crooke), from residents of Gippsland (three petitions); by the Hon. W. L. R. CLARKE, from residents of the Southern Province; by the Hon. J. K. MERRITT, from residents of the East Yarra Province; by the Hon. W. H. FIELDING, from residents of the Melbourne West Province; and by the Hon. J. D. BROWN, from residents of the Nelson Province (five petitions).

CLOSER SETTLEMENT BOARD.

SEIZURE OF A SETTLER'S EFFECTS.

The Hon. W. C. ANGLISS asked the Attorney-General (for the Minister of Lands)—

1. Is it a fact that the Closer Settlement Board has distrained on effects in the possession of Mr. Booth, a settler on the Exford Estate, at Melton, such effects including machinery of the value of over £150?
2. Is the Board aware that the chaffcutter, and other implements seized, were obtained by Mr. Booth on the hire-purchase system, and that the purchase has not yet been completed?
3. If the Government indorses this action by the Board, will it not prejudice those settlers who desire to obtain farming implements under the system referred to?
4. Did the Board reject an offer by Mr. Booth to pay the Board £60 down, give a guarantee bill for £30, and pay off the remainder at £10 a month?

The Hon. J. D. BROWN (Attorney-General).—The answer to the first question is Yes. The answer to No. 2 is Yes; the Board has been so informed. The answer to No. 3 is that the Government is of opinion that indefinite credit can become a bad thing in such cases as these. The reply to No. 4 is Yes; in fact, the guarantee bill was for £50, but there was no guarantee for the payment of the £10 per month. Mr. Booth's arrears exceeded the maximum permissible under the Act by about £500, and the Board insisted on a reduction of at least £300 cash, and security by lien or stock mortgage for an additional £250, otherwise the sale must proceed.

FRUIT CASES BILL.

The debate (adjourned from August 5), on the motion of the Hon. F. Hagelthorn, for the second reading of this Bill, was resumed.

The Hon. W. S. MANIFOLD said this was a purely departmental Bill; in fact, he did not think the Council had ever seen one which was more so. It proposed to place the fruit industry, so far as the cases were concerned, absolutely at the mercy of the Department. No sizes of cases were mentioned in the measure; in fact, there was not even a definition of "fruit case." Under the present Act "fruit case" was defined, and the sizes of cases to be used were set out in the schedules. There were the two-bushel case, which he believed was very seldom used, the bushel case and the half-bushel case. Those cases were known to

the trade, and he believed that every one was satisfied with them. It would be a pity to depart from that arrangement, and no good reason had been given for doing so. He understood that the Bill originated from conferences consisting sometimes of the Ministers of Agriculture, and once or twice of the fruit experts of the various States. The Departments, like all others, wanted to get everything into their own hands, and to be in a position to say that such and such a case must be used today, and something else to-morrw. As far as the public and the trade were concerned, it would be better to adhere to the cases now used. Another peculiarity about the Bill was that, if it was construed literally, no time would be allowed the trade to use up the present cases, whereas, under the Act now in force, a considerable period was allowed for the purpose. With the consent of the Governor in Council the Department could, under the Bill, order new cases to be used as it liked. He believed that the South Australian and Tasmanian Governments were to be asked to pass somewhat similar legislation. They had not done so yet. Certain sizes for cases such as we had were prescribed under the Tasmanian Act, and there was no power to alter them. The South Australian Act also prescribed two-bushel, one-bushel, and half-bushel cases, and gave no power to alter them, although it provided that the Governor in Council could add certain standard cases.

The Hon. F. HAGELTHORN.—It is only fair to say that, while other States have not passed a Bill, the various Ministers of Agriculture have agreed to do so.

The Hon. W. S. MANIFOLD said that should merely strengthen the caution with which honorable members should approach the Bill. No valid reason had been given for departing from the standard sizes which every one was now using. There was one very good point about the Bill. The present Act prescribed the sizes of cases for export. It was high time that was repealed. Now, the Bill repealed the existing Act, including that provision. When fruit was exported to any country outside the Commonwealth, the regulations in force in that country would have to be conformed with, and there should not be a hard-and-fast rule in Victoria that fruit should be exported in a certain sort of case, and in no other. A peculiar thing about the Tasmanian, South Australian, and Victorian Acts was that the Imperial bushel, on which the size of the cases was based, was given as 2,223 cubic inches. The Federal standard, 2,218 cubic inches, was the correct one. It was extraordinary that there should be that discrepancy. Perhaps in Committee the Minister could explain that. In Committee the Bill could be somewhat altered. The machinery clauses might suit the Department better than the provisions under which it was now working, but he thought that if they defined in the first place what was meant by the term "case," it would make the Bill clearer. Further, instead of giving the Department the right at any time to prescribe a fresh size for a case, the present sizes should be adhered to. One advantage of that would be that it would be unnecessary, under this measure, to allow any time for working off stock on hand. It would also be desirable to alter the title to make it quite clear that the Bill did not apply to fruit exported outside the Commonwealth. As a matter of fact, it did not, but the title was misleading, because the measure was described as "A Bill to regulate the size and description of cases used in the export of fruit and for other purposes." The title should be altered so as to make it apply to the export of fruit inside the Commonwealth. Otherwise he thought that the Bill was a reasonable one, and that, in Committee, it could be altered in order to suit the convenience of the trade. He would support the second reading.

The Hon. H. F. RICHARDSON said he regretted to hear the unofficial leader of the House say that he considered the Bill a reasonable one.

The Hon. W. S. MANIFOLD.—With the alterations I have mentioned.

The Hon. H. F. RICHARDSON said the fruit-growers and salesmen in the Geelong district had asked him to oppose the measure. The fruit-growers there held a conference, and unanimously carried a resolution opposing the Bill. The Act of 1906, which was now in force, was agreed to as the result of a compromise between the fruit-growers and the salesmen. Many years previously, when

there were no uniform cases, the matter was discussed. Repeated conferences were held, and eventually the Act of 1906 was passed. As Mr. Manifold had said, the schedule of that Act provided for two-bushel, one-bushel, and half-bushel cases. That met the wishes of the fruit-growers and salesmen. As far as the salesmen in the metropolitán area were concerned, a deputation representing them had interviewed a number of members a week or two back, and asked them to oppose this Bill. The present Act met the requirements of both growers and salesmen. The Bill had only been introduced at the request of a conference of Ministers of Agriculture and the so-called experts of the Departments in the different States. The conference was held in Tasmania, and neither the growers nor the salesmen were consulted.

The Hon. F. HAGELTHORN.—That is not quite correct.

The Hon. H. F. RICHARDSON said, if that were not so, he would like to know where the Bill came from. The growers had never been consulted in connexion with the matter.

The Hon. F. HAGELTHORN.—They have.

The Hon. H. F. RICHARDSON said he would like to know when they were consulted?

The Hon. F. HAGELTHORN.—At various times.

The Hon. H. F. RICHARDSON said he would point out that the Act now in force was only passed in 1906. He had had a good deal of experience in connexion with the fruit industry, and he could say that the growers and the salesmen had not been consulted, and the Bill came as a surprise to them. As far as the export of fruit was concerned, there should be uniform cases for the whole of Australia, but in connexion with the local sale of fruit the Act met all requirements, except in regard to the stamping of cases by the case makers, which he had always felt could not be carried out. As far as the Geelong district was concerned, the Government inspector had been most reasonable with regard to the carrying out of that provision. The makers branded the cases with a rubber stamp. After the cases had been used two or three times, the stamp was obliterated, and very often the maker's name could not be seen. That did not seem to him a matter of great importance. It was not a fair thing that the case maker should be penalized if the dealer or grower cut down a case so that it was not of the size prescribed by the Act. The case maker should not be penalized for any dishonesty in that direction. That, he felt, was the only blot on the Act. The person who sold the fruit should be responsible if the case was not according to the Act. The growers feared that if the Bill were passed the use of certain cases might be prescribed, with the result that those which they now had would be thrown out of use. The cases used to cost 10d. each, but the price had gone up to 1s. 1½d. Hundreds of thousands of cases came to Victoria containing oranges and lemons from adjoining States, and those cases were used by growers for local sale. They met the requirements of growers, and if, by regulation, as was provided in the Bill, the Governor in Council altered the size of the present cases, then all the cases now in use would be thrown out of use, and hundreds of thousands of cases, worth thousands of pounds, could not be used. When the Act of 1906 was passed, time was allowed for the cases then in use to be dealt with, but there was no provision of that kind in this measure, which was to come into force in July next. Practically no time at all was allowed for dealing with the cases now in use. He contended that there was no reason at all for bringing in this legislation. The present Act was satisfying the growers and the fruit salesmen, and there had been no complaints about it. If the Government wanted to deal with the export business, let them bring in a Bill for that purpose. He saw no reason for taking the Bill into Committee. If it went into Committee it would be amended so as to be practically the same as the Act of 1906. His instructions from the growers and salesmen he represented were to oppose the Bill, and he moved—

That the word "now" in the motion, "That the Bill be now read a second time" be omitted, with a view to adding to the motion the words, "this day six months."

The Hon. F. W. BRAWN said he had been spoken to by several people in the fruit trade in Ballarat, and they were all very much opposed to the Bill. Clause 7 provided—

No person shall sell fruit in a case in Victoria, or export fruit in a case in Victoria to

any State within the Commonwealth, unless, and until, such case has been legibly and durably impressed in the prescribed manner at one end on the outside of such case, within a space not more than 5 inches long and 2 inches wide—

It was pointed out that the fruit was sent down to the auctioneer, who sold it by auction. The clause made him responsible for something that somebody else should be held responsible for. The person who sent the fruit to the auctioneer should be held responsible, but that also would inflict a hardship on the grower, and the growers had enough hardship to contend with. The growers could not be made responsible for seeing that the fruit as they sent it away arrived at its destination in the same case. It might pass through a dealer's hands before reaching the auctioneer, and the dealer might make alterations. It appeared to him that the Bill would make it harder for the producer and the auctioneer to do business, and he would vote for the amendment.

The Hon. R. B. REES said he had also been requested to oppose the Bill by several people to whom he had spoken in his own district, and from his small experience of the use of fruit cases he would certainly say that the Bill was not a fair one, and, he fancied, not a welcome one. As the unofficial leader of the House had pointed out, it was a departmental Bill, pure and simple. It gave the House practically no control over the size of fruit cases, and gave no information to honorable members as to what the fruit case of the future was to be like. In the Act of 1906 cases of a certain stipulated size were provided for. The Bill left it to the Department to frame regulations as to the size of cases. He did not want to traverse what honorable members had already said in opposition to the Bill, but he would like to point out the difficulty so far as the border towns were concerned. Say a man came in to Swan Hill from the New South Wales side of the river, and bought a case of apples, or oranges, at a local fruit shop. He did not want to be penalized by having to get a new fruit case in which to carry his fruit home. The fruit vendor would simply put the fruit in a secondhand case, and the buyer would be quite content. No injury would be done. The yards of fruit dealers in the country were crowded with secondhand cases. They had fruit brought to them from the orchards in cases, and when the cases were emptied they put them into a pile in the yard. When a purchaser bought a case of fruit, the vendor simply took a case from the pile and filled it. It would be very difficult, indeed, for a fruit vendor in Swan Hill to find a new case to pack the fruit a man from New South Wales bought in his shop, so that it could be taken across the river. There was a difficulty with regard to what was really a new case. Could a dealer go into his back yard and take a case from the pile to pack the fruit in? Under the Bill he could not. The case would be a secondhand case, although it might be perfectly clean, and quite fit for packing fruit. He remembered very well when the Act of 1906 was before the House. A workable proposition was arrived at, and it had operated all right for the last six years. He could not see any reason for altering it, and he was sure the Minister of Public Works had not given a valid reason for passing the Bill. It seemed to him that if there was a decision arrived at between the Ministers of Agriculture for the different States, the least the Minister of Public Works could have done in introducing the Bill to the House was to have given honorable members fully the reasons upon which the proposed change was based. Why did the Ministers of Agriculture, or the Departments of Agriculture, desire this change? The Minister did not give that information, and for that reason, and for various other reasons already mentioned by honorable members, he (Mr. Rees) could not support the Bill. Fruit-growers in the country frequently bought trucks of wood already sawn up and ready to nail into cases. They had the wood brought to their orchards, and, during their spare time, they nailed the cases together. Then they stamped the cases with their names and with the size. He knew places where a lot of wood was at present in stock, ready to make up into fruit cases for this year, and it would be a hardship on the fruit-growers if they had to discard the wood in the event of the Department bringing in a regulation prescribing a new size of case. He quite agreed with Mr. Richardson and Mr. Brawn in the view that the Bill was not necessary. He was of the opinion that it was unworkable, and that it would cause hardship to the growers.

The Hon. F HAGELTHORN (Minister of Public Works) said that, in all probability, Mr. Rees was not present when he (Mr. Hagelthorn) introduced the Bill.

The Hon. J. G. AIKMAN.—He says he read your remarks in *Hansard*.

The Hon. F. HAGELTHORN said he could not complain that *Hansard* had not reported him fully, at all events. Mr. Rees had stated that, under the Bill, a fruit-seller at Swan Hill could not sell fruit in a certain kind of case for a man to take across the river. Was that a reason why the Bill should not be read a second time until this day six months? Surely, if it was impossible for the fruit-vendor at Swan Hill to put the fruit in a case, he could resort to the expedient of putting it in a bag. There were many ways of getting over a small difficulty of that kind. However, the Bill was somewhat more far-reaching than that. He did not suppose any measure of this kind had ever been considered at such great length, and so closely, by those who would be affected by it. The Fruit-growers' Conference, representing the fruit-growers' associations of every State of the Australian Commonwealth, met in Brisbane, and practically unanimously agreed to a resolution asking the various State Parliaments to carry a Bill of this kind. They recognised that at present it was quite impossible to fix standard cases for the export of fruit.

The Hon. R. B. REES.—The Bill applies to the local trade.

The Hon. F. HAGELTHORN said the Bill did not prevent any kind of cases that were new, sound, and clean being used for the sale of fruit locally. It only applied to the Inter-State and export trade. He pointed out, in introducing the measure, that our export of fruit to America at present was infinitesimal, and that our cases were not of the size that the Americans wanted. Clearly, it was in the interests of fruit-growers that the Department should have power to prescribe that the cases used for the export of fruit should be of the size that was the standard in the country exported to. As he had said, in America different-sized cases were used from those used here; and if we were going to do the best possible work for our fruit-growers, we should make them comply with the American conditions when fruit was being exported to America. Mr. Richardson had raised one or two objections to the Bill; but surely honorable members would not throw the Bill out on account of those objections. They were matters of detail that might easily be attended to in Committee. As the unofficial Leader of the House had pointed out, in addition to the clause giving the Governor in Council power to prescribe the size of cases for export purposes, there were other clauses that it would be infinitely better for the fruit-growers to work under than the Act that was now in operation. He trusted that the amendment would not be carried.

The Hon. W. S. MANIFOLD said he hoped that the House would not carry the amendment. There were many clauses in the Bill which would be of service to the fruit-growers generally, and, as he had pointed out, if the Bill reached Committee, honorable members could so alter it as to enable our present cases to be retained so far as the local trade was concerned. He thought the Minister had made a mistake. He understood the honorable gentleman to say that, under the Bill, a person in Victoria could sell fruit in any kind of case. Clause 5 made it clear that that was not so. That clause provided that—

> No person shall sell fruit in a case in Victoria, or export fruit in a case from Victoria, to any State within the Commonwealth, except in a case of the prescribed size, measurement, and capacity.

Any alterations that were desired could be made later on in Committee.

The Hon. R. B. REES.—We can make a new Bill of it.

The Hon. W. S. MANIFOLD said he thought it would be worth while taking the Bill into Committee.

The Hon. W. J. EVANS said he hoped the House would not pass the amendment, although he thought the Bill, as it stood, was a bad one. The Minister, in introducing the Bill, stated that it had been carefully considered by two conferences of Ministers of Agriculture, who had arrived at the conclusion that it was a measure that might reasonably be passed by the various State Legislatures of Australia. He (Mr. Evans) had not heard one word as to why an alteration should be made in the size of cases, except that we were likely to have an export trade with America, where a different style of case from what we had was adopted. The clause giving the Governor in Council power from time to

time to alter the size of cases should certainly be struck out. One fruit-grower in his (Mr. Evans') own district, had just given an order for 7 tons of specially cut timber for fruit cases. What position would that man be in if the size of the case was altered before he could use up his stock of timber? Although conferences had been held at which this Bill received a certain amount of approval, it was only a week or two ago that at a deputation from the fruit-growers of Doncaster, one of the largest of those fruit-growers stated distinctly that there was no use for this Bill. There were some clauses in the Bill that might be beneficial, and for that reason he (Mr. Evans) would like to see the second reading carried, but when the measure got into Committee, he would advise the Minister in charge of the Bill to report progress in order that the measure might be redrafted, so as not to mix up export conditions with local conditions. One important consideration was that the fruit-cases should fit closely into the waggons; that was one reason why the present size should not be altered. It was absolutely necessary to have the cases well branded, and also that cases of a certain size should be used, so that the purchaser might know that he was obtaining a certain amount of fruit. He could not agree with Mr. Richardson that the man who made the cases should not be made responsible for branding them. At present, the best makers branded the cases with fire-brands. The adoption of a standard fruit case was absolutely necessary in order to prevent the operations of rascally dealers, and it was necessary at the same time that the cases should be branded in such a way that the brand would not rub off. When the Bill was re-drafted, the export business should be dealt with in one clause, and the local business in another. At present, when a man took a load of fruit to the Western market, he was given other cases in return. That man would suffer a good deal of disabilty and extra expense if he were prevented from utilizing those cases. Seeing the price now ruling for fruit-cases, this was a matter of considerable moment to every one concerned. As to the American cases, which some of the experts seemed desirous of introducing, he (Mr. Evans) saw some of those cases at a recent show. They were made of thin material, and the sides bulged out. A large exporter of fruit who happened to be present said that while he had no complaint to make as to pillage when the ordinary cases were used, every consignment he had sent away in the new cases had led to complaints of pillage. He (Mr. Evans) hoped the Bill would pass the second reading, and that the Minister in charge of it would then take steps to have it re-drafted.

The Hon. J. G. AIKMAN said he thought that, in view of the opinions expressed by honorable members, the Minister in charge of the Bill might consent to the debate being adjourned. Many people concerned in the fruit trade had told him (Mr. Aikman) that the Bill did not provide what they wanted. He did not think the Minister wanted to take the Bill into Committee, and then have it re-drafted. If the Bill was to be re-drafted, it would be better to do it now. He was quite prepared to vote for the second reading of the Bill if it would be of any benefit to those interested in it, but if the measure could not be improved, it was useless to waste further time over it.

The amendment was negatived, and the motion was agreed to.

The Bill was then read a second time, and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Definitions).

The Hon. W. S. MANIFOLD said he thought a definition of "fruit case" should be included in the clause. Such a definition existed in the present Act, which it was proposed to repeal. It was difficult, however, to draft amendments at the table. Perhaps the Minister would consent to report progress in order that honorable members might have their amendments printed.

The Hon. F. HAGELTHORN (Minister of Public Works) said the Bill had been on the notice-paper for some time.

The Hon. A. McLELLAN.—Amendments cannot be printed until after the second reading.

The Hon. F. HAGELTHORN said he hoped that honorable members who desired to move amendments would indicate the nature of their amendments, and he would see that they got every consideration. This Bill was so well known to fruit-growers and to fruit salesmen, while the ordinary layman knew very little about it, that he thought it advisable that any proposed amendment should be circulated.

The Hon. W. S. MANIFOLD said he would like to know if the Minister could give any information about the difference in the bushel in connexion with cases. In three of the States the Imperial bushel was defined as containing 2,223 cubic inches, whereas the Federal Act prescribed 2,218 cubic inches. There was not a vast difference, but it was curious that a difference should exist. Honorable members, in describing the size of any case they might wish to see adopted, would want to know how many cubic inches were to be reckoned as an Imperial bushel.

The Hon. F. HAGELTHORN (Minister of Public Works) said that honorable members who desired to propose amendments in this Bill should recognise that this was not merely a Victorian proposition, but an Australian proposition. While they might desire to have amendments made, they should recognise the advantages of having uniformity, and be prepared to make some little sacrifice of detail.

The Hon. H. F. RICHARDSON.—We have uniformity now.

The Hon. F. HAGELTHORN said there was not uniformity in all the States. This Bill had been agreed to by the State Ministers of Agriculture to be submitted to each of the Legislatures for the purpose of obtaining uniformity. Lack of uniformity was one of the disadvantages under which growers who did an export trade between one State and another now suffered. There was an officer in the Department who was very familiar with the working of the fruit business generally, and he would be able to give assistance to honorable members in connexion with amendments.

The Hon. R. BECKETT said he would be glad if the Minister could state what progress had been made with this Bill in the Legislatures of the other States, and whether the other States were making amendments which might be in the minds of honorable members of this House. If the honorable gentleman desired uniformity, it would be a great advantage if honorable members knew what had been done in the other States.

The Hon. F. HAGELTHORN.—I think it is only passed in one State.

The Hon. R. BECKETT said he would like to know if there had been any amendments in that case?

The Hon. F. HAGELTHORN.—Practically none.

The Hon. R. B. REES said he thought New South Wales should take the lead in this matter. We had been selling our fruit by weight and by the bushel case. In Sydney, selling was mostly by measure —by the peck. He thought New South Wales should come into uniformity with what we were doing, rather than that we should alter the law we had been working under. If our law was altered, there was no certainty that New South Wales would adopt our system. It seemed to him that New South Wales would have to revolutionize its system, and that we should wait a little on them.

Progress was reported.

REGISTRATION OF TEACHERS AND SCHOOLS BILL.

The House went into Committee for the further consideration of this Bill.

The Hon. J. D. BROWN (Attorney-General) observed that when this Bill was last in Committee some discussion took place on clause 10, which had been drafted for the express purpose of making it quite clear that the Council of Education could give a certificate of registration for one or more subjects. Some honorable members expressed doubts whether the clause carried out that intention; and he (Mr. Brown) had asked that the clause should be passed, promising that he would make further inquiries and satisfy honorable members on the point which had been in doubt. He had the following statement from the Education Department in regard to this matter:—

> In the Registration of Teachers and Schools Act 1905, provision was made for the registration of teachers of special subjects, but the particular subjects in respect of which a teacher might be registered were not specified. The Registration Board took the view that all teachers employed in registered schools were required to register, and therefore the following regulation was made:—
>
> "Any person may be registered as a teacher of special subjects in respect of any subject or subjects included in any of the public examinations of the Melbourne University, or of any subject or subjects which, in the opinion of the Board, may suitably be included in the curriculum of a sub-primary, primary, or secondary school, or of a technical school."
>
> In accordance with this regulation, teachers have been registered as teachers of bookkeeping, shorthand, French, music, drawing, cookery, domestic economy, physical culture, and a number of other subjects.

But in the opinion given by the Crown Solicitor, in April, 1912, he held that when the pupils of a "school" were receiving instruction in any subject other than those specified in section 2 of the Act, it ceased to be a "school" for the time being. It appears, therefore, that, in his opinion, the Registration Board had not the power to register teachers of subjects other than those so specified.

Clause 10 makes it quite clear that, in the future, the Council of Public Education may only register persons as teachers of special subjects in respect of one or more of the subjects mentioned in section 2 of the principal Act, as re-enacted by this Act.

That made it quite clear that clause 10 had been specially drafted to provide that the Council of Education might register a person in one subject or two subjects.

The Hon. R. BECKETT said it seemed the stage had been reached in connexion with the Bill when careful consideration should be given to the question of registration of teachers under the Act. In order to bring the matter before the Committee, he begged to propose the following new clause—

A. The general registration of a teacher under the principal Act or this Act shall not be deemed to cover the particular subjects added by this Act except so far as may be expressly certified by the Council, after proof to its satisfaction of such teacher's qualifications.

In the principal Act there was a provision for the registration of teachers. It provided practically for a general registration—a registration which, according to the schedule to the Act, did not set out any particular subjects at all. There was no doubt that that probably was according to the mind of Parliament at the time, because the subjects stated in the Act were ordinary reading, writing, and so on, which would be embraced within the knowledge of one person. This Bill enlarged the series of subjects very considerably, the additions covering five entirely different sets of subjects. It became of considerable importance as to how far the registrations effected in the past under the principal Act covered these new subjects. Taking the Bill as drafted, he thought there could not be much question that a teacher already registered would not have to be registered again, and that he would, without registration, have full authority to teach these new subjects. It seemed quite plain to him that that could not be the intention of honorable members. The council dealing with this matter had, from time to time, taken a view which was distinctly *ultra vires*. By its regulations, and otherwise, the council had overstepped the mark. It seemed an unfortunate thing that a body in the transaction of such important duties should go outside the authority of the Act, and issue certificates and register teachers of special subjects, and otherwise, when it had no power to do so, and then, when all that had been done, come to Parliament and ask for an amendment in the law so as to cover all these things in which it had gone wrong in the past. A board exercising public functions of this character should be more careful in keeping within its powers. All these new subjects, which were of very great importance, would come within the general control of any teacher registered, and the object of his new clause was to secure the qualification of any person with a new or old registration to deal with these added subjects. The Council of Public Education ought to examine into the qualifications of any person who wanted to teach these new subjects. The simple registration of a person as a teacher should not be sufficient to cover these new subjects. The Council had departed in many respects from the power given to it. It was of very great importance that it should observe the law, and now that this amending measure was before them, honorable members ought to be careful to see that the Council adhered to the authority given by an Act of Parliament. The inference was that the teacher had full power to teach all the subjects under the Act. This amendment of the principal Act meant that the original registration would cover all the new subjects. It would be a mistake to allow those registered to teach the original subjects such as reading, writing, arithmetic, geography, grammar, and mathematics, to teach natural, experimental or applied science, bookkeeping, shorthand, or accountancy. It seemed from a discussion in another place that the Premier indicated that he would put the matter right in this House.

The Hon. J. D. BROWN.—That was on another question.

The Hon. R. BECKETT said that this matter should be put in such a clear manner that there would be no doubt whatever. The object of the amendment was to make it perfectly clear that no teacher registered in the past, or to be registered in the future, would be allowed to teach these special subjects without having

satisfied the Council of Public Education as to his qualifications.

The Hon. J. D. BROWN (Attorney-General) said he understood that it was Mr. Beckett's opinion that a teacher registered to teach the subjects already provided for would, as a matter of course, be able to teach the new subjects as the result of the previous registration. That was not according to the practice which had been to register teachers for special subjects.

The Hon. R. BECKETT.—But that would be illegal.

The Hon. J. D. BROWN said it was not. The Council had erred in the construction of one section of the Act. Unfortunately, the original Board made a mistake in registering some schools that were not entitled to registration, and the Council of Public Education, when it came on the scene, followed the same procedure. The certificates of registration mentioned the subjects that the teachers were allowed to teach. He had one in his hand which mentioned only the subject of shorthand. Other teachers got certificates for other subjects.

The Hon. W. S. MANIFOLD.—Have you a certificate that enables any one to teach the original seven subjects?

The Hon. J. D. BROWN said he had not. There might be some who were allowed to teach the whole of the subjects. Mr. Beckett evidently desired that in future a man who taught bookkeeping should not be allowed to teach French, for instance. He (Mr. Brown) understood that that had been the practice of the Department. As it appeared that the object of the new clause was to remove any doubt, he did not wish to offer any objection to it.

The Hon. W. S. MANIFOLD.—I understand that a great many registered in the past can teach the seven original subjects.

The Hon. J. D. BROWN said that that was so.

The new clause was agreed to.

The Hon. J. D. BROWN (Attorney-General) proposed the following new clause:—

B. Notwithstanding anything in any Act, no teacher shall, after the commencement of this Act, be appointed as a teacher of the subject of bookkeeping, or of shorthand, or of accountancy, in any higher elementary school or district high school within the meaning of Part III. of the Education Act of 1910, unless such teacher has been registered in respect of such subject, or holds the qualifications required for the registration of teachers of such subject under the Registration of Teachers and Schools Acts.

He said that during the discussion on this Bill in another place several honorable members asked that in connexion with the commercial subjects the same conditions should be applied to teachers in State schools as obtained in regard to outside teachers. The Premier promised that a clause would be introduced in the Council to meet that position. Under the law, the Public Service Commissioner appointed the teachers, and, as with the appointments of all public servants, the Commissioner must be satisfied that they were qualified for the work they were going to do. The responsibility was on the Commissioner not to appoint teachers unless they were qualified.

The Hon. W. S. MANIFOLD said he had a glimmering last time the House was sitting of the gist of this clause. It appeared to him that it merely provided for the teaching of further subjects in the higher State schools, and, of course, it would mean a considerable addition to the expenditure. The clause opened up a big question, and he thought it would be better to have it printed and circulated before dealing with it. It would prevent any man teaching such subjects in the State schools unless he was properly qualified, but it meant giving to the Director of Education permission to have these subjects taught in the State schools. That would mean adding to the expenditure on education, which honorable members knew was practically absorbing the whole of our direct taxation. He would like to have time to consider the clause, and he, therefore, suggested that it should be postponed, in order to have it printed and circulated.

The Hon. R. BECKETT said he supported the new clause. They could not shut their eyes to the fact that the Government had entered into this new sphere of education. He had in his hand a statement setting out the full commercial course carried on by the State at technical schools. That statement covered pages. There was an elementary course which embraced English language and literature, commercial correspondence, mathematics, British industrial and commercial history, commercial geography, shorthand, French, German, elementary bookkeeping, typewriting, and office routine and business

methods. The subjects of the advanced course were—commercial law, principles and practice of the law of insolvency, economics, advanced bookkeeping, advanced shorthand, advanced typewriting. As a matter of fact, that syllabus of these higher subjects was already in the hands of the public, and advertisements had appeared inviting pupils to join the schools, and learn them. Teachers were being appointed to carry on that work. He was surprised to hear the Attorney-General say on a previous occasion that he had not heard of such a thing. In the *Education Gazette*, of 25th April, page 164, it was expressly stated that all this additional education would enable the lads to become accountants and actuaries. As the Department was entering into this higher class of work, and was inviting pupils and appointing teachers, it was a matter of great importance that those teachers should be qualified. Up to the present, State school teachers had been exempt from the Registration of Teachers Act. It was said that the Department would see that it always had qualified teachers. When the State was going in for these additional subjects, it was all the more necessary to make certain that the teachers were properly qualified, and the Premier was so impressed with that fact that he had made the promise in accordance with which this new clause was moved.

The Hon. J. D. BROWN.—It is not necessary, but it will make assurance doubly sure.

The Hon. R. BECKETT said to his mind no provision was more necessary. Now that the State school teachers were to teach accountancy and bookkeeping, care should be taken that they were equally qualified with those teachers who were not in the service of the State. Whether they were employed by the State or not he wanted to see good teachers. He did not see why the same provision should not be made in regard to any natural or experimental or applied science. There, again, the teacher should be a person competent to teach. If it was necessary for those teaching in other than State schools, it should be made equally certain that those in the service of the State who, in course of time, would teach the great bulk of the scholars, should be thoroughly competent and qualified to give instruction in the subjects. He hoped that the new clause would be carried, and that it would be made to cover applied science, which embraced all kinds of technical instruction.

The Hon. W. S. MANIFOLD said he was not aware that the position was such as Mr. Beckett had explained. He had been under a complete misapprehension. He was not aware that the subjects mentioned in the syllabus were already being taught. He had thought that new subjects were being introduced by a side wind, but Mr. Beckett's explanation did away with his objection to the new clause.

The Hon. J. D. BROWN (Attorney-General) said Mr. Beckett seemed to have forgotten that two years ago an Act was passed deliberately authorizing what he thought should not be done. The people of the country had complained that, except at enormous expense, they had no opportunity of getting their children educated in the same way as children could be educated in the big cities. With the view of giving people in the country that opportunity, as far as was reasonably possible, the Act of 1910 was passed. It was provided in sections 22, 23, and 24 as follows:—

22. The Governor in Council may, by proclamation published in the *Government Gazette*, declare any State schools mentioned in such proclamation to be higher elementary schools.

23. The Governor in Council may at any time—

(*a*) Establish and maintain district high schools.

(*b*) Proclaim as a district high school, and maintain the same as such, any State school, including any special school in operation at the commencement of this Act and styled in any regulations under the Education Acts a "continuation school" or "agricultural high school."

24. (1) A district high school shall not be established unless the Minister is satisfied that adequate provision does not exist in the locality for secondary education of an approved kind and that the average attendance can be assured of at least fifty pupils who hold the qualifications prescribed for admission to district high schools, and whose parents have expressed, in writing, an intention to enrol them at such district high school.

Under that law sums of money had been subscribed in several country districts. In Ararat, he thought something like £800 or £1,000 was paid. At Warrnambool, a piece of land worth £2,000 or £3,000 was given. One progressive shire in Gippsland struck a rate, so enthusiastic were the people in the desire that their children

should be able to secure this higher education. Section 25 of the Act stated—

25. (1) The course of study in higher elementary schools and in district high schools shall include further instruction in such subjects of free instruction, and in such other subjects as may be prescribed; but in every district high school adequate provision shall be made for the teaching of science (including laboratory practice) and of the subjects involved in manual training (including workshop practice), and, where girls are taught, for practical and theoretical instruction in domestic arts.

(2) In agricultural localities the district high school may be styled the "District Agricultural High School," and the course of study shall include a practical course in experimental agriculture at a school farm.

(3) The course of study in any higher elementary school, or in any district high school, may, as the Minister may determine, be varied so as to provide a theoretical and practical training in subjects bearing on the industrial requirements of the locality.

He thought that the House would not place any hindrance in the way of the higher education of children in country towns. A rich State like Victoria could not ask people to go on the land and not afford them an opportunity of getting their children educated beyond the State school standard. Mr. Beckett seemed to think that they were embarking on new expenditure.

The Hon. W. S. MANIFOLD said it was quite the other way. Mr. Beckett had said that the whole of the added subjects should be taught by certificated teachers. It was he (Mr. Manifold) who was under the misapprehension. He thought that new subjects were being introduced into our schools at added expense. He found, however, that they were not new subjects. At the same time, higher mathematics and applied science should be added to the subjects for which teachers must be certificated.

The Hon. J. D. BROWN (Attorney-General) said that, having regard to the discussion that had taken place on the new clause, he would withdraw it and submit it in an amended form so as to embrace the whole of the new subjects mentioned in clause 3.

The new clause was withdrawn.

The Hon. J. D. BROWN (Attorney-General) proposed the following new clause—

B. Notwithstanding anything in any Act no teacher shall, after the commencement of this Act, be appointed as a teacher of the subjects of history, or natural or experimental or applied science, or bookkeeping, or shorthand, or accountancy in any higher elementary school or district high school within the meaning of Part III. of the Education Act 1910, unless such teacher has been registered in respect of such subjects, or holds the qualifications required for the registration of teachers of such subjects under the Registration of Teachers and Schools Act.

The Hon. W. S. MANIFOLD said he would like to ask the Attorney-General whether there would not be a certain amount of contradiction between the proposed new clause and the present provision in the Bill that the word "school," for the purposes of this Bill, did not include any State school, or any school aided by the State?

The Hon. J. D. BROWN (Attorney-General) said the Committee might pass the new clause, and then he would have the whole Bill reprinted. He would not go beyond the report stage to-night, and, if necessary, the clause could be recommitted.

The new clause was agreed to.

The preamble was agreed to.

The Bill was reported to the House, with amendments.

MINING COMPANIES LAW AMENDMENT BILL.

The Hon. J. D. BROWN (Attorney-General) moved the second reading of this Bill. He said the object of the Bill was to make better proivsion for the flotation, registration, organization, and management of mining companies generally. At present there were two classes of mining companies provided for in Part 2 of the Companies Act 1890—limited liability companies and no-liability companies. It was not proposed to interfere with either of these matters. The main object of the Bill was to improve the system of floating, registering, and managing mining companies. People interested in mining were satisfied that at the present time there was little, if any, proper means of regulating these matters, with the result that some people said mining was a decreasing industry, for the reason, among others, that shareholders did not have the protection that they ought to have. The law, as it stood at present, made practically no provision for the protection of the investing mining public against what might be called the nefarious practices of some mining promoters. It was proposed to remedy this state of affairs, so that, in future, in securing the registration of mining companies, many things would have to be

done which would make for the safety of the investing community. The first matter of importance dealt with related to the publication of prospectuses. Clauses 6 to 9 provided that, before a person attempted to form a company to take over a mine, he must give certain information. He (Mr. Brown) thought honorable members would agree that these provisions were quite reasonable. Clauses 10, 11, and 14 also dealt with the protection of the investing public. Clause 10 dealt with prospectuses. It gave the Registrar-General power, under certain circumstances, to refuse registration. Then clause 11 provided penalties for the making of false prospectuses. Under the existing law, before a company was registered as a no-liability company, two-thirds of the proposed capital must be subscribed, and 5 per cent. of it must be paid up in cash. It was proposed to add a provision that no shares in any such company should be issued except for valuable consideration. At present it was a common practice for a large number of paid-up shares to be given to the proprietor of the lease. That was often done before any real work had been done to determine the value of the mine. It might be that the proprietor of the lease had incurred very little cash expenditure.

The Hon. A. HICKS.—He may have found a reef.

The Hon. J. D. BROWN said that if the proprietor of the lease, by the expenditure of money and time, had discovered a valuable reef, he would get full value for it; but there was nothing to justify the present system of giving him a large number of shares for the speculative value of the mine. It often happened that the proprietor received one-half the shares, and this enabled him practically to control the company. The other shareholders had no real voice in it. Therefore it was provided in the Bill that all these particulars should be set out in the prospectus, so that, if a person intended to take shares, he would have before him exactly what it was proposed to buy.

The Hon. W. S. MANIFOLD.—I do not see how the Bill will prevent the proprietor from receiving a large proportion of the shares.

The Hon. J. D. BROWN said it would compel the promoter to disclose to the prospective shareholders everything that he had done, including the price paid for the lease. The intending shareholder could then decide for himself whether the conditions were such as to make it advisable for him to take shares. At present there was no necessity to disclose that information.

The Hon. A. ROBINSON.—Is there a necessity at common law to do that?

The PRESIDENT.—I would ask honorable members to wait until the Attorney-General has made his speech. Then they can make their speeches. If they want to discuss these detail matters, they can do so in Committee.

The Hon. J. D. BROWN said he might describe the procedure. In order to register a company under Part II. of the Companies Act 1890, a memorandum must first be lodged with the Registrar-General. If a limited company, the memorandum was to be in the form of the eighth schedule, and if a no-liability company, in the form of the twelfth schedule. Two-thirds of the shares of the company must first be subscribed for. Within seven days after the date of such lodgment copies of the memorandum and the declaration must be advertised in the *Gazette* and some paper or papers circulating in the locality of the mining operations. Upon receipt of the copy of the *Gazette*, newspaper, and rules, the Registrar-General would, upon comparing the advertisements with the original, register the company. One new and important preliminary in the registration of a no-liability company was that not only two-thirds at least of the intended capital of the proposed company must be subscribed, but at least 5 per cent. of the subscribed capital must be paid up in cash. In addition to that, no shares were to be issued unless for valuable consideration, and the valuable consideration must either be in cash or the equivalent of cash, such as property. That would put the shareholders on inquiry. He was told that a great deal of machinery had sometimes been taken over from some mining director, and that the machinery was of very little use to the new company. The sellers, however, got value for that in paid-up shares. The Registrar could refuse the registration of a company if he was not satisfied that the requirements of the Act had been observed. If honorable members turned to clause 14, they would find that it was provided that the Regis-

trar-General might refuse to register any company—

If, in the opinion of the Registrar-General, the prospectus and documents filed under the provisions of the Mining Companies Act 1913, and the documents filed by the applicant under the provisions of this part, do not show a compliance with the requirements and conditions precedent and preliminary to registration and incorporation prescribed by this part and the Mining Companies Act 1913.

The papers had to stand the scrutiny of the Registrar-General as to actual compliance with the provisions of this law. There were other clauses dealing with the duties and responsibilities of the manager and directors. Directors were forbidden in this Bill to be interested in contracts made for and on behalf of the company, except when they were shareholders in other registered companies interested in such contracts. Clause 29 contained the provisions with regard to this matter. It would prevent an abuse which was somewhat prevalent. Very often directors or managers would sell to a company old machinery. There was no reason why the company should not buy that stuff, but the company should not buy it from a man who was going to manage the money of the shareholders, because he would not be a perfectly unbiased judge of the machinery. Many cases, he believed, had occurred where extortionate amounts had been paid by mining companies, sometimes in cash, and sometimes in paid-up shares. A man should not be in a position where he was both buyer and seller.

An HONORABLE MEMBER.—Could he not supply the mine with goods?

The Hon. J. D. BROWN said he hoped such a thing would be sternly and strongly resisted. It was a weakness which prevailed in a great many mining companies. People dabbling in mining would know of cases where members of the Board would be, one a storekeeper, one a timber merchant, and one something else.

The Hon. A. O. SACHSE.—But for those men the mine would never be worked.

The Hon. J. D. BROWN said he hoped that after this Bill passed such a thing would not obtain. A man should be in one position or the other.

An HONORABLE MEMBER.—Even if all the shareholders are agreeable?

The Hon. J. D. BROWN said the shareholders could not be agreeable, as it would be impossible to obtain the consent of shareholders scattered all over the State. Case after case had been produced where all the supplies of a company, such as firewood, timber, candles, and other things, had been provided by men who were sitting on the directorate, and passing their own accounts.

The Hon. A. HICKS.—How if they hold nearly all the interest in the mine?

The Hon. J. D. BROWN said in that case they should not apply to the public to assist them. If they applied to the public to put money in the mine, the public should get a fair run for their money.

The Hon. A. O. SACHSE.—Are these extortionate prices paid over in very risky security in the way of shares?

The Hon. J. D. BROWN said the proposition he wanted to put before the House was that a man should not act in two capacities. He should not be the director of a company with which he himself was dealing. If he wanted to sell goods to the company, he must allow other people to manage it. It was quite impossible that a man should be a stern judge of what he was to pay if he bought from himself with other people's money.

The Hon. W. S. MANIFOLD.—Yet in clause 29 you allow the director to buy from a company of which he is also a director.

The Hon. J. D. BROWN said the principle that went through this Bill was that the people managing the company should not have any interest in the transaction of buying goods for the company. It was impossible that a man who, as director, was buying from himself, would have the same power of bargaining as he would if dealing with strangers. The Bill also made stricter regulations as to meetings of shareholders. There was a provision that was very necessary in clause 16, providing that a manager of a company was to pay all money and cheques he received on behalf of the company to the credit of the company in some bank appointed by the directors, and this was to be done within seven days. At meetings a full financial statement by qualified auditors had to be submitted to shareholders. That was done now to some extent; but at the end of the Bill a model statement of accounts was given, so that there would be uniformity in the method of dealing with mining companies' accounts. At present, accounts were made up in all sorts of ways, and shareholders got balance-sheets without any information at

all. The model balance-sheet, which, he thought, would commend itself to business men, was drawn in such a way as would enable the shareholder to form an accurate idea of the position of the company. He might say here, by the way, that, before settling the Bill, he had the opportunity, and availed himself of it, of consulting with the different Chambers of Mines in Victoria, the Stock Exchanges of Victoria, and the Legal Managers' Association of Victoria, where one would find a number of men versed in these matters, and whose business it was to carry on mining. This Bill, with one or two exceptions, was drawn really on the opinions of these various people.

An HONORABLE MEMBER.—To meet their own requirements.

The Hon. J. D. BROWN said it was to meet also the requirements of shareholders.

The Hon. W. S. MANIFOLD.—Is it this Bill, or the Bill the honorable gentleman withdrew?

The Hon. J. D. BROWN said it was this Bill. At present very often a shareholder went to the office of the company and wanted to get some information, but he was told that he could not compel the office to give him the information, and that he would have to wait until the balance-sheet came out. Clause 22 of this Bill provided that accounts and reports were to be open to inspection, so that under this measure the manager would be compelled to give reasonable information to every shareholder. The shareholders, therefore, would be able to get an accurate knowledge of the financial position of the company. The principle of books of accounts and official documents of companies being open to examination by shareholders had already been approved of by the House in a Bill which had been three times passed by the Chamber dealing with co-operative societies. Another provision was that contracts made before registration were not to be binding on the company, unless recited and confirmed in the articles adopted by the shareholders. It was only right that every shareholder should know what contracts the company was making or proposed to make. By clause 30 the mode of convening extraordinary meetings was defined and made clearer than under the present law. Then, with regard to the qualification of directors, at present the qualification was usually the holding of a certain number of shares or shares of a certain value. It sometimes happened that a company desired to have on its board a man of considerable experience, but who might not have the means of taking up sufficient shares. At present this was overcome by some of the largest shareholders putting up the necessary qualification. Under this Bill, however, it was proposed to compel a director to have 300 shares, and he (Mr. Brown) thought this was in accordance with the general consensus of opinion. Then, again, it often happened that directors who knew the inside working of the mine only paid the calls on their qualification shares, and did not pay on the other shares. The director would allow the other shareholders to pay the calls, but he would hold back payment until there was some good development in the mine, and if there were no such development he would forfeit the shares. This was not a fancy picture, but what really happened in a number of cases. It was proposed in the Bill that unpaid calls must be paid within a limited time, or else the shares would be forfeited. When a call had been made, no subsequent call was to be made until after the date upon which the call so made was payable. Thus a man could not go on allowing his calls to accumulate. Shares forfeited for non-payment of a call must be sold by public auction not later than eight weeks from the due date of the call. Consequently, a director who did not pay his calls must lose his shares, because, *ipso facto*, they must be sold, as the shares were forfeited. Forfeited shares bought at auction by the directors for the company could only be disposed of in the manner authorized by the shareholders at an extraordinary meeting called for the purpose, or at a general meeting, of which special notice had been given. This would prevent the disposal of forfeited shares by the directors, or by a half-yearly general meeting, without notice. All honorable members would agree that shareholders should have a voice in the method of disposing of forfeited shares. By clause 49, calls subsequent to forfeiture were made a charge on forfeited shares. Provision was made for the adoption of articles of association by companies before or after incorporation. Articles made or altered were to

be filed with the Registrar-General, and a model set of articles was provided in one of the schedules. Power to modify such articles was given, but no modification was to be inconsistent with Part II. of the Companies Act 1890. A provision for voluntarily winding up, which was simpler than that existing at present, was set out in clause 39. Another innovation was a provision by which mining managers were required to report promptly to the directors information respecting new discoveries or developments in the mines under their charge, and the directors of companies were required to promptly make such reports available for publication. At the present time it was a frequent complaint that Collins-street got information with regard to mines before the shareholders, and this was a kind of thing which should not be allowed to continue. Severe penalties were imposed in the Bill for the non-observance or contravention of the principal Act, and of this new measure. The first schedule set forth a form of application for registration, and contained the particulars which were required to be given. The second schedule contained the proposed new form of memorandum of association, and the third schedule provided the statutory form of half-yearly statement and balance-sheet. The object of this was to provide for a uniform system as far as possible. The fourth schedule contained an entirely new code of articles of association for regulating the affairs of no-liability mining companies. This schedule had been drafted in accordance with the experience of the committees of Stock Exchanges and other bodies to whom the measure had been confidentially submitted before it was finally adopted. This was done because it was desired to have a Bill which would be as perfect as possible, and one which would be justified by the experience of those who had had experience in connexion with these companies. It was a Bill that was difficult to explain, and could be better dealt with in Committee clause by clause. He hoped they would be able to turn out a Bill that would place investors in such a position as to know that they were not buying a pig in a poke when they put their savings into a mining company. Mining was at a very low ebb, indeed. It was a common thing to find people saying that they did not support mining because they would not risk losing their money. It was desirable to get rid of that feeling, and to show investors that they could invest their money as safely in mining companies as in other companies. At present mining was put on one side, and it was only speculators who had money to spare who risked investing it in mining. It was desired to put the industry on a commercial footing, so that investors would be justified in putting their money into it. Every man would not be successful, but every man should be given the opportunity of getting the best information possible. He would ask the House to pass the second reading of the Bill, and in Committee he was satisfied that they would be able to make a workable Bill of it. He was not pledged to the Bill letter by letter.

The Hon. A. ROBINSON said the measure contained some useful provisions and some rather extraordinary ones. He begged to move—

That the debate be adjourned.

The Hon. J. D. BROWN (Attorney-General) said he did not intend to object to the adjournment of the debate, although the Bill had been on the table for a fortnight. He hoped that before the debate was resumed honorable members who had amendments to propose would have them drafted.

The Hon. A. ROBINSON. — The Bill ought to go to a Select Committee.

The PRESIDENT.—Without special leave amendments cannot be circulated until after the second reading. In certain cases I have given leave, and if any honorable members came to me with amendments on this Bill I might give them leave. The rule is that amendments cannot be circulated until after the second reading.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, October 28.

COUNTRY ROADS BILL.

The House went into Committee for the further consideration of this Bill.

The Hon. W. A. ADAMSON (Honorary Minister) proposed the following new clause—

A. "At the end of section 41 of the principal Act there shall be inserted the following words :—

'If any such traction engine is used on a public highway without being registered, or if

the period for which the fee was paid has expired and the registration has not been renewed, the owner of the traction engine shall be guilty of an offence and be liable for the penalty mentioned in section 60 of this Act.

If the identifying number required to be fixed on any traction engine is not so fixed, or if being so fixed it is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the traction engine shall be guilty of an offence and be liable to the penalty aforesaid, unless in the case of a prosecution for obscuring a mark or rendering or allowing it to become not easily distinguishable, he proves that he has taken all steps reasonably practicable to prevent the mark being obscured or rendered not easily distinguishable.'"

He said that honorable members would recollect that consideration of this clause was adjourned so that it might be revised and redrafted to bring it into accordance with the views of honorable members. He had had the clause altered in the direction indicated. Mr. Manifold had raised the question as to whether motor traction engines would come under the clause. He (Mr. Adamson) could say that they would be covered by it.

The Hon. W. S. MANIFOLD said he thought a clause like this should really come in an amendment of the Local Government Act instead of in a measure of this character.

The Hon. W. A. ADAMSON (Honorary Minister) said that section 41 of the Country Roads Act dealt with the registration of traction engines.

The Hon. R. B. REES said that traction engines could be seen travelling about the streets of Melbourne. He had seen several small traction engines in the city that were practically motor cars, only that they carried a bigger load. He could not see that they did any more injury to the roads than was done by motor cars. He had also seen small traction engines in the streets of London. They carried a load on the tractor, and towed a small waggon. He did not see why they should be treated in a different manner from motor cars. A motor car of from 30 to 50 horse-power, travelling at a high rate of speed, did more injury to country roads than an ordinary traction engine which travelled at the rate of 3 or 4 miles an hour. He had seen numbers of traction engines on country roads, and he could say that they did less injury to the roads than the ordinary motor car. The rubber tyre, with its suction, did the harm. The modern traction engine was very different from the old cumbersome affairs which years ago were to be found in the country. Nowadays, in Melbourne and the leading cities of the Old World, steam tractors were to be found, and he did not see why a huge, verbose amendment of this kind was required. Why should traction engines be now dealt with differently from motor-cars? There was no need for special legislation for steam or oil tractors.

The Hon. FRANK CLARKE said he wished to refer to the travelling of traction engines over the New South Wales border. He had a traction engine which had more than once crossed the border. A motor-car, he believed, could come from New South Wales into Victoria for a week before registration was necessary. If there was not already a provision with regard to traction engines, he thought some period of grace should be allowed. When a traction engine came from Albury to Wodonga, and only stayed a few hours, it would be a hardship if the owner were compelled to register it.

The Hon. W. A. ADAMSON (Honorary Minister) said he thought the matter could be better dealt with in a measure amending the Motor Car Act than in this Bill.

The Hon. FRANK CLARKE said the Minister had proposed a clause embodying certain regulations as to traction engines. Surely all the regulations with regard to traction engines should be in one measure. He did not mind whether they were inserted in this or another Bill.

The Hon. W. A. ADAMSON (Honorary Minister) said clause 9 of the Motor Car Act provided—

(1) In the event of a motor car which is not registered under this Act being driven into the State of Victoria from any other State, the driver or the owner thereof shall apply at the first police station in Victoria passed by such car at which a member of the police force is on duty for a Victorian pass for such car, and the driver thereof, and also for a plate or disk bearing an identifying number for such car, and pay the prescribed fees therefor.

That was the provision in regard to motor cars crossing the border into Victoria.

The Hon. FRANK CLARKE said a motor car might travel at such a speed that it could not be caught, but he thought that a policeman would be able to overtake a traction engine. Therefore, there did not seem any great necessity for an identifying number for such an engine. Perhaps the Minister might con-

sider the insertion of an amendment after the third reading.

The Hon. W. A. ADAMSON (Honorary Minister) said he would have liked to pass the Bill to-night.

The new clause was agreed to.

Progress was then reported.

QUEEN'S MEMORIAL INFECTIOUS DISEASES HOSPITAL BILL.

The Hon. F. HAGELTHORN (Minister of Public Health) moved the second reading of this Bill. He said it would be remembered that some time ago a Board was appointed to inquire into the condition of things which prevailed in connexion with the management of the Queen's Memorial Infectious Diseases Hospital. It was found that the management was not entirely satisfactory, and it was also found that the hospital had no standing of any kind. It had a building, certainly, but it had no title to the land on which the building was erected. Things were in rather a chaotic condition. It might be as well to give briefly a short history of the movement that caused the hospital to be erected. In 1891, a conference of representatives of the whole of the metropolitan municipalities was held at the suggestion of the Board of Public Health, to consider the advisability of erecting an infectious diseases hospital. As a result of this conference, a committee was appointed to make the necessary arrangements. In March, 1897, the Government, on recommendations having been made to them, informed this Committee that no objection would be raised to the transfer of a site for the hospital in the Yarra Bend Asylum Reserve. About the same month, the Mayor of Melbourne, Councillor W. Strong, convened a meeting of the mayors and presidents of the metropolitan municipalities to take steps in regard to a fitting commemoration of the sixtieth year of the reign of Queen Victoria. As a result of the meeting, it was decided to erect this building, and a public fund was inaugurated. Up to the end of the year 1897, about £16,000 was received or promised. The executive committee consisted of seven well-known citizens and seven representatives of the metropolitan municipalities. In 1900, tenders were called for the erection of buildings. A tender for £18,250 was accepted. The area of land promised and handed over by the Government was a little over 21 acres. The total funds received amounted to £22,505 1s. 1d. The money was subscribed in the following way: — The Government grant was £2,500; the municipal grants amounted to £2,697 2s.; private contributions totalled £13,929 18s. 1d.; the proceeds of a review, which were handed over, amounted to £1,319 19s. 4d.; the interest on the accumulated fund up to the time of the erection of the building amounted to £1,308 1s. 8d.; and there was a special grant made by the Edward Wilson trustees of £750. Then, in addition to the £2,500 originally granted by the Government, a subsequent grant of £4,000 was made towards the building. So that the actual cash, up to the time the institution started business, paid by the Government was £6,500, plus the land of 21 acres. Subsequently, in order to complete the furnishing, and to make roads, pathways, and gardens, two levies were made on the contributing municipalities —the first of £1,500, and the second of £1,600, making £3,100 altogether. The hospital was opened in 1904. Certain municipalities agreed voluntarily to join in the management. They were seven in number, namely, Melbourne, Fitzroy, Richmond, St. Kilda, Brunswick, North Melbourne, and Coburg, and the representation allowed was on the basis of the valuation of their respective properties. Although the Government provided the land, and the large sum of £6,500, and subsequently found half the cost of maintenance, up to the present time it had had no representation in the control and management of the institution. A large number of other municipalities, in addition to the original seven, had been admitted voluntarily to participation in the constitution and management. There were seventeen municipalities represented now, and there were still nine outside the area of responsibility. They were called the non-contributing municipalities, and they were Hawthorn, Camberwell, Caulfield, Brighton, Kew, Moorabbin, Nunawading, Essendon, and Oakleigh. These municipalities frequently sent patients to the institution, and although they did not contribute on the basis of valuation, they were charged by the institution a per day *per capita* payment. It amounted to 7s. 6d. per day for each patient. Trustees had never been appointed for the institution, and although a Crown grant was promised by the Government for the land held, none was ever issued. The hospital

had no legal claim to the moiety of maintenance paid by the Government voluntarily, as no agreement had been drawn up in connexion therewith. The institution had never been incorporated. From the point of view of the hospital committee, the Government, and the public, it was certainly very necessary and desirable that the institution should be put on a proper footing, and the Bill was for that purpose. For many years complaints had been made by the public regarding the management of the hospital. The Government at first decided to bring the hospital under the Hospitals and Charities Bill; but on reconsideration this step was found to be impracticable. It was then decided to bring down a special Bill. Public criticism of the management culminated in certain charges brought by Mr. Webber, M.L.A., against the management of the institution on the 21st August last year. As he had stated, the Government thought it advisable to appoint Mr. Tanner, P.M., to hold an inquiry. Most of the charges made were held to be proved. Without going into details, he thought honorable members would agree that the report revealed a condition of affairs that should not exist in any public institution. Honorable members would also agree, he thought, that, in view of Mr. Tanner's report, legislation was very necessary to place matters on a satisfactory footing. It was only right to say that the municipalities, even under this Bill, wanted to have the full control of the institution, but the Government, which contributed half the cost of management, should certainly have half the representation. At a conference held between the Premier and the representatives of the municipalities concerned, all the provisions of the Bill were agreed to, including the provision that the Government should have half the number of members on the Board, the municipalities having the other half. He did not think it was necessary that he should enter into details with regard to the clauses. Suffice it to say that, in a general way, the proposition was that the hospital should be placed under a Board of Management, half the members of which would represent the municipalities, which subscribed half the cost of maintenance, and half of which should be nominated by the Government. The Board would be placed in the proper legal position of being able to sue and be sued, and the institution would be subject to Government inspection.

The Hon. W. S. MANIFOLD said he had never had any experience himself in connexion with the management of the Queen's Memorial Infectious Diseases Hospital, but he had gone through the Bill as carefully as he could, and he did not see anything that required alteration. He thought that the principle that the Government should have half the representation on the Board, in return for paying half the cost of maintenance, was a very fair one.

The Hon. R. BECKETT said he thought honorable members all agreed with the Minister of Public Health that it was certainly a distinct advance to put the management of this hospital on a business basis. It would certainly be an advantage to the whole of the municipalities—not only to those that had been contributing in the past, but to others that had been outside the body of municipal contributors, The proposal to vest the hospital in municipal management was an indication that that represented the best method of conducting the business of the hospital for the whole of the metropolis, although it did seem rather a peculiar thing, when the public were informed that there were too many municipal bodies managing metropolitan affairs, to find just at this stage that a new municipal body was to be established for the first time in order to incorporate this hospital and manage it.

The Hon. R. B. REES.—We have a Charities Board coming up directly.

The Hon. R. BECKETT said honorable members looked at each proposition as it came along. With regard to the Board proposed in the Bill, he certainly thought that it was the very best way in which the hospital could be managed, that the municipalities should have a share in the management. The whole of the municipalities concerned were in favour of a Bill of this kind. The measure contained no provision for the payment by patients, or the parents or guardians of patients, towards the cost of their treatment in the hospital. In both the Health Act and the Hospitals Act provision was made for a legal claim against patients where they were able to contribute towards the cost of treatment and mainten-

ance, but the Bill did not contain any such provision. It was just a question whether it was a wise thing to leave it out entirely. Some of the municipal councils were put to considerable cost in connexion with the treatment of patients at this hospital. The Camberwell Council, during the past two years, had paid to the hospital on account of patients £338, and, as against that, had only received £85 from the patients, or the patients' relatives, so that it would be seen that the cost represented a considerable outlay by the municipalities year by year. Henceforward the municipalities would share half the cost of maintenance, not according to their population, but according to their rateable value. It was just a question whether the classification of the municipalities, and the way in which representation was provided in the Bill, were exactly on the right basis. Apparently, under the Bill, each council would only have one vote for its representative. That would mean that some very large councils would have no larger say in the election of representatives than the councils of smaller municipalities. It had been suggested that it would be better to give each council a certain number of votes according to population or rateable value. As the municipalities were now grouped it would be possible, for instance, for Dandenong to have the same voting power as the city of Hawthorn, and for Oakleigh to be in the same position as the city of Prahran. As the larger municipalities contributed a very much larger sum towards the maintenance of the hospital, they should have greater voting power than the smaller municipalities. He thought the principle of the Bill was acceptable to the municipalities, but would like to see some amendments made in Committee in the directions he had indicated.

The motion was agreed to.

The Bill was then read a second time, and committed.

Clauses 1 to 4 were agreed to.

Clause 5—

(1) The Board shall consist of twelve members.

(2) (*a*) Six members shall be appointed by the Governor in Council.

(*b*) One member shall be elected by the council of the city of Melbourne.

(*c*) One member shall be elected by each of the five groups of municipalities mentioned in the first schedule.

The Hon. R. BECKETT said that the grouping of municipalities in the first schedule had been approved by representatives of the various councils, but there was no provision as to how the councils amongst themselves were to exercise their voting power. All the Bill provided was that one member should be elected by each of the five groups. It appeared only right that some consideration should be given to the size of the respective municipalities. Their contributions towards the hospital were based on the rateable value of the municipalities. He thought a fair thing would be to give each municipality one vote for every 10,000 of population.

The Hon. F. HAGELTHORN.—They are grouped here according to assessment value.

The Hon. R. BECKETT said he would base the voting power on the assessment if the Minister preferred that.

The Hon. F. HAGELTHORN (Minister of Public Health) said that in order to give the honorable member an opportunity of formulating his amendment it would be better to postpone the clause.

The clause was postponed.

Clause 6 was agreed to.

Clause 7—(Tenure of members).

The Hon. R. BECKETT said it was provided by sub-clause (1) that—

Subject to this Act all members of the Board shall be appointed or elected for a term of two years, and shall be entitled to hold office until their successors are appointed or elected.

He thought the members should be appointed for three years instead of two years. Three years was the usual term for which councillors were elected, and two years seemed an unnecessarily short period.

The Hon. W. A. ADAMSON.—If a member was elected for three years he might continue to be a member of the hospital committee after he had ceased to be a councillor.

The Hon. R. BECKETT said there should be a provision that a member should vacate the office when he ceased to be a councillor.

The Hon. F. HAGELTHORN (Minister of Public Health) said he did not care to make an alteration in the Bill, even of

the trivial character now suggested, because there was a strong probability that the period of two years had been agreed to by the municipal representatives with whom the Premier had conferred. However, he would agree to postpone the clause.

The Hon. J. G. AIKMAN said he thought it would be much better to make the period of appointment three years. In all these institutions a member of the committee had to serve an apprenticeship, and if he were appointed for only two years he would not have time to become fully acquainted with his duties before his term of office expired.

The clause was postponed.

Clauses 8 to 13 were agreed to.

Clause 14—(Chairman to be elected by the Board).

The Hon. A. McLELLAN remarked that this clause provided that the Board should at its first meeting elect one of its members as chairman, who should hold office until the first meeting after the 31st day of December following the date of his election. Seeing that the financial year terminated at the end of June, it would be better to have the chairman elected so that his term of office would cover the financial year.

The Hon. R. BECKETT said that the 31st December was a very inconvenient date. The first meeting after the 31st December would probably be about the middle of January, and there might not then be a full Board to elect the chairman or transact business.

The clause was postponed.

Clauses 15 to 25 were agreed to.

Clause 26 (Municipal contributions, how ascertained).

The Hon. R. BECKETT stated that it was provided here that the amount of contribution payable by each municipality was to be absolutely determined by the Board. It was not laid down that the municipalities should contribute according to their rateable value. He thought it should be provided that each municipality should contribute according to its rateable value. He would ask that the clause be postponed.

The clause was postponed.

Clauses 27 to 32 were agreed to.

Progress was reported.

ADJOURNMENT.

Closer Settlement Bill.

The Hon. J. D. BROWN (Attorney-General) moved—

That the House, at its rising, adjourn until Tuesday next.

The Hon. A. ROBINSON said he must strongly protest against this motion. Honorable members knew that he had a Bill upon the notice-paper for the next day, and that Bill had been on the notice-paper since the first week of the session. There had already been several days' debate on it, and now it was to be further postponed when several honorable members were coming a considerable distance to debate it next day.

The Hon. W. A. Adamson.—There have been several adjournments for the honorable member's convenience.

The Hon. A. ROBINSON said the adjournments had been for the benefit of the Government. Mr. White was coming 200 miles to be present the next day, and Mr. Crooke also was coming down at considerable inconvenience. Without any suggestion from him (Mr. Robinson) a whip had been round on behalf of the Government to get honorable members not to sit the next day. That was a grave discourtesy to himself. The first intimation he had heard of that being done was at half-past nine this evening. In ordinary courtesy he was entitled to be told that the Government did not intend to sit the next day. If the Bill was not discussed the next day, it would not be discussed until after the Melbourne Cup, and he would not be able to get it to another place and a vote taken on it there. Wednesday of next week was the occasion of the President's dinner, and the House would not be able to sit after the dinner adjournment. There had been an attempt all through to shelve this Bill. If honorable members came a long way to vote upon the Bill, and give their views upon it, the Government ought not to take the lead in shelving business. On the first occasion of the adjournment of this Bill he had agreed to the adjournment, but the other adjournments were made at the wish of members of the Government. Now the Government wanted to shelve the Bill again, and he hoped the House would not agree to that being done. He moved—

That the words "Tuesday next" be omitted, with the view of inserting the word "to-morrow."

The Hon. H. F. RICHARDSON said he would second the amendment. Country members should receive some consideration in connexion with the matter under discussion. He thought it was thoroughly understod last week that Mr. Robinson's Bill would be dealt with this week. The Bill had now been before the House for some weeks, and before the country many months. It was a matter of great interest to a large number of people on closer settlement blocks, and to a large section of the public. It was not right when there was important business on the notice-paper that the House should be asked to adjourn until next week. The only question was whether the Government had the numbers or not. Last year, at the end of the session, business was rushed through without proper consideration.

The Hon. J. D. BROWN.—The honorable member voted to-night to put off for a fortnight a Bill which might have been discussed to-day.

The Hon. H. F. RICHARDSON said no doubt several Bills had been put off because they were not in a proper state for honorable members to consider, or not Bills that the House thought suitable for the requirements of the people. Honorable members had every right to ask that those Bills should be adjourned. But that was not the case with this important Bill. We were now in the middle of October, and yet the House was only to sit on one day this week. Mr. White was coming down specially because he understood that the vote was to be taken on Wednesday night. It was grossly unfair to country members that important business should be delayed in the way proposed.

The Hon. R. B. REES said he was surprised to hear two honorable members talking about certain members coming to the House next day specially to vote on a certain question. It was their duty to be in the House whenever the House sat. Some honorable members, including himself, made an effort to be present at every sitting. The statement that Mr. White was coming down specially to vote on this question the next day seemed to be a most absurd one to make. It was also stated that Mr. Crooke was likewise coming to vote. Why did not they attend when the House sat? It was their duty to be here to-day. He (Mr. Rees) moved the adjournment of the debate on the Closer Settlement Bill last week, and he understood that the question was coming on this afternoon. He would suggest to the Attorney-General, as a compromise, that he should allow the Closer Settlement Bill to come on as the first business on Tuesday next. He (Mr. Rees) thought that such a compromise would meet the wishes of honorable members generally, while also enabling honorable members like himself to attend an important country show to-morrow.

The Hon. J. D. BROWN (Attorney-General) expressed the opinion that Mr. Robinson had no cause to complain at all. The honorable member gave notice of the Closer Settlement Bill nearly eight weeks ago, and he had kept it dangling on the paper ever since. There was no desire on the part of the Government to block the Bill, but they were determined to deal with it in a full House. He (Mr. Brown) would take good care that the Bill would not go to a division unless there was a large attendance of members. The Bill was one of the most important that had come before Parliament this session, and it would be a monstrous thing if a snatch vote were taken with regard to it. There was no use in bringing the House together next day for a few hours' business. As to Mr. Rees' suggested compromise, he would be quite willing to accept it, but he could not promise to put the Closer Settlement Bill first on the paper on Tuesday, as there was another important Bill, the Workers' Compensation Bill, which the Government desired to have read a second time on that day. However, he had no objection to the Closer Settlement Bill being brought on on Tuesday, after the Workers' Compensation Bill.

The Hon. W. S. MANIFOLD said he thought it would be best if the Attorney-General would accept the compromise suggested by Mr. Rees, and allow the Closer Settlement Bill to stand first on the paper for the following Tuesday.

The Hon. W. L. R. CLARKE said the Closer Settlement Bill was one of very great importance to the country, and he thought the Attorney-General was not justified in using any tactics to postpone its being dealt with. The Attorney-General said he wanted a full House to deal with the Bill, yet he complained of the desire to have the Bill brought on on the following day, when there would be a full House. This showed that the Attorney-General's object was simply to postpone the Bill.

It was unfortunate that those who supported the Bill had been called land-grabbers. No doubt it was done to intimidate honorable members. The debate had been well advertised, and honorable members felt sure that it was going to be continued to-morrow. He would support the amendment.

The Hon. D. MELVILLE said he could not help thinking that what was taking place was very extraordinary. The business of the session was not being carried on properly. When he expressed his surprise that the Attorney-General wanted an adjournment, the honorable gentleman said that honorable members must be prepared to sit not only on Tuesday, but on Wednesday and Thursday this week. Members came here night after night, and must protest against these adjournments. This Bill was only part of the programme, and there was a great deal of work to be done. They were merely playing with the business.

The Hon. FRANK CLARKE said he would urge on the Government to reconsider this matter. A great many men in the country were watching this debate on the Closer Settlement Bill with tremendous interest. Not knowing the forms of Parliament, they would inevitably conclude that the Government was frightened to allow the debate to continue. Those people might get a bad impression of the Government. Casting around for a reason why the Government was apparently endeavouring to shelve the Bill, they would put it down to the idea that recently a number of members of Parliament took a tour round many of the districts that had been affected.

The Hon. J. D. BROWN (Attorney-General), by leave, said that having regard to the statement made by the unofficial leader of the House, he (Mr. Brown) would not insist on the position he had taken up.

The PRESIDENT.—The notice-paper will be in the usual form, and Government business will be placed first. It will be for the House to decide on the motion of the Attorney-General that all the Orders of the Day preceding this particular Order be postponed until after this Order is dealt with.

The Hon. A. ROBINSON said he wished to withdraw his amendment.

The amendment was withdrawn.

The motion was agreed to.

The House adjourned at a quarter past ten o'clock until Tuesday, October 21.

LEGISLATIVE ASSEMBLY.

Tuesday, October 14, 1913.

The SPEAKER took the chair at twenty-five minutes to four o'clock p.m.

ASSENT TO BILLS.

Mr. WATT (Premier) presented a message from the Lieutenant-Governor intimating that at the Government offices, on October 14, His Excellency gave his assent to the Municipalities' Powers Extension Bill, the Geelong Harbor Trust Bill, and the Spirit Merchants' Licences Bill.

RAILWAYS, TRAMWAYS, AND OMNIBUSES.

Mr. McLACHLAN asked the Minister of Railways—

1. If he thinks that bountiful rains, and consequent good crops in the country, have anything to do with the railway surplus?

2. If the privately-owned and municipal trams and 'buses in Melbourne and suburbs are paying any rent to the State?

3. If he hopes to make the railways pay in the future, and give reduced freights and fares to country people, and increased wages to the railway employés, when 44 per cent. of the people in this State, viz. :— the people in Melbourne and suburbs who are benefiting financially in some degree by the efforts of the country producer and country railways, are using private, or Melbourne and suburban municipal-owned trams and 'buses?

4. If he thinks that it is time the street railways, or trams, and the 'buses, were taken over by the State?

5. If unwilling to recommend that the trams and 'buses in Melbourne and suburbs be taken over by the State, would he be prepared to recommend that the profits from the country railways be distributed amongst country municipalities to improve the conditions existing therein, and reduce the rates on the properties within those municipalities?

6. If he thinks that Melbourne and suburbs can legitimately claim a share of the profits of country railways if they continue to support the private trams and 'buses?

7. If he thinks that the undeveloped portions of Victoria have a hope of getting developmental railways when the general railway revenue of this State is seriously diminished by the financial support which Melbourne and suburban people give to street railways and 'buses?

8. If he is prepared to recommend that street railways be laid down, and 'buses provided in the city and suburbs by the State for the convenience and benefit of thousands of country people who daily visit Melbourne, and who are compelled to make use of the present privately-owned system in the absence of a State one?

9. If he thinks it is a good policy which allows privately-owned trams and 'buses to annex the revenue which, some may maintain, ought to flow into the State channel?

10. If he thinks it is time to review the whole position which allows private people and metropolitan municipalities to run street railways and 'buses?

Mr. A. A. BILLSON (*Ovens*—Minister of Railways).—The honorable member submits ten questions, and I think they may be aptly termed, as they were by one of the metropolitan journals, rather quaint. The honorable member appears to have given very free play to his thoughts in regard to the tramway problem, and evidently thinks that it has some bearing on the prosperity of the State. I hope my answers to his questions will be satisfactory. The answer to No. 1 is Yes. Unquestionably, good crops contribute very materially to the creation of a railway surplus. The answer to No. 2 is that no rent is paid to the State on account of privately-owned or municipal trams and 'buses in Melbourne. The reply to No. 3 is that, whether the railways will pay in the future, and whether fares and freights will be reduced and the wages of railway employés increased, is governed by many considerations, and does not largely depend on whether the people of Melbourne and suburbs use private or municipally-owned trams and 'buses. The answer to No. 4 is that the view of the Government as to the control of street trams is fully expressed in the Greater Melbourne Bill now before Parliament. The answer to No. 5 is that whatever profits result from the railways as a whole become merged in the general revenue, from which country municipalities already receive a substantial annual endowment and special grants. The reply to No. 6 is that the expenditure of the public revenue is not regulated by such narrow considerations. The answer to No. 7 is that provision has been made for the construction of developmental railways, without regard to whether the people of Melbourne patronize street railways or buses, or not. The reply to questions 8, 9, and 10 is covered in the reply to No. 4.

CLOSER SETTLEMENT ACT.

ROYAL COMMISSION'S INVESTIGATION CONCERNING SECTION 69.

Mr. McGREGOR (in the absence of Mr. ROBERTSON) asked the Minister of Lands—

If he will cause the evidence given before the Royal Commission to investigate certain complaints *re* closer settlement to be printed and circulated to members?

Mr. MURRAY (Chief Secretary).—It is not the intention of the Government to have the evidence given before the Royal Commission that investigated certain complaints in reference to closer settlement printed and circulated. I may say that there is an enormous amount of evidence, much of which is repetition, and I do not think any purpose would be served by printing it.

SANITARY CONDITION OF HUNTLY.

Mr. ELMSLIE (in the absence of Mr. HAMPSON) asked the Premier——

If he is aware of the alarming report presented to the Huntly Shire Council by their Health Officer (Dr. Park), on 2nd October instant, wherein it is declared that "there is no chance of any contagious disease being stamped out in the district while the present system of the disposal of night-soil from Bendigo is continued"; if so, will he take steps to introduce a Bill so that the Bendigo City Council may proceed with their proposed sewerage scheme?

Mr. WATT (Premier).—I have not seen the report to which the question refers, but I sent the question to the Chairman of the Board of Public Health, who has replied seriatim to the inquiries. The paper is too long to read, but I shall be glad to hand it to the honorable member for the information of the honorable member for Bendigo East. I may, however, read the following—

The site of the night-soil depôt, by reason of its proximity to the water-race, is far from being ideal, and, under certain meteorological conditions, might become dangerous. If care be exercised in depositing, and the ploughed intercepting margin be maintained in a porous condition, the danger is practically eliminated. I am informed that the townships of Huntly and Epsom are reticulated from the Bendigo reservoirs, and are not dependent on the water-race referred to. From January 1st, this year, to date, twenty-two cases of diphtheria, and three cases of typhoid have been reported from Huntly.

The remaining part of the question is as to the intention of the Government with regard to the Bill for sewering in the country districts. It is proposed to introduce a general enabling power for the sewering of urban municipalities some time this session.

WILL OF THE LATE MR. C. L. FORREST, M.L.A.

PROPOSED BILL.

Mr. HANNAH asked the Premier—

When he proposes to introduce the Bill he referred to as already drafted when replying to the recent deputation from charitable institutions in relation to the will of the late Charles

Lamond Forrest, formerly a member of this House?

Mr. WATT (Premier).—The answer is that the Bill will be introduced soon. The Bill, as originally drafted, is now being revised, and as soon as it is ready it will be introduced.

HOURS FOR SMALL SHOPS.

Action of Mr. Mackey as Minister of Labour.

Mr. HANNAH asked the Minister of Labour—

If it is a fact that the Honorable J. E. Mackey, LL.M., barrister-at-law, when Minister of Labour in the Bent Government, ordered that small shops be permitted to remain open until 8 o'clock, but that, on asking the Crown Law Department to prepare a regulation, he was informed by the Honorable J. M. Davies, the then Attorney-General, that his proposed action was against the law?

Sir ALEXANDER PEACOCK (Minister of Labour).—The Factories Office has been searched, and there is no file or record showing any such action as is suggested in the honorable member's question.

PENSIONS FOR "TWILIGHTERS."

Mr. McGREGOR (in the absence of Mr. Lawson) asked the Premier—

Has the Government yet determined what action is to be taken in regard to the claims for pensions of—

1. Certain employés in the railway service knows as "twilighters", and who were on the official list to whom pensions would be payable up till 1903.
2. Certain State school teachers, and officers of other Departments, similarly situated.

Mr. WATT (Premier).—Many months ago the Government called for certain returns showing what would be the effect if "twilighters" were granted pensions. On my return from England I found that further particulars regarding officers transferred to the Commonwealth were necessary, and the Public Service Commissioner was directed to obtain them. He is in communication with the Federal Public Service Commissioner, and when the necessary information is obtained the matter will be dealt with.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by Mr. J. Cameron (*Gippsland East*)—for Mr. Speaker, from residents in the electoral district of Boroondara; by Mr. Campbell, from residents in the electoral district of Glenelg; by Mr. Chatham, from residents in the electoral district of Grenville (two petitions); by Mr. Cotter, from residents in the electoral district of Richmond; by Mr. Farrer, from residents in the electoral district of Queenscliff; by Mr. Farthing, from residents in the electoral district of East Melbourne; by Mr. Hannah, from residents in the electoral district of Abbotsford; by Mr. Hutchinson (in the absence of Mr. Toutcher), from residents in the electoral district of Stawell and Ararat; by Mr. Lemmon, from residents in the electoral district of Williamstown; by Mr. Membrey, from residents in the electoral district of Jika Jika (two petitions); by Mr. Pennington, from residents in the electoral district of Kara Kara; and by Mr. Sangster, from residents in the electoral districts of Port Melbourne and South Melbourne (three petitions.)

Petitions, praying that shorter hours and a weekly half-holiday be extended to the liquor trade throughout the State, were presented by Mr. Langdon, and by Mr. Livingston (two petitions) from certain electors of the Legislative Assembly.

Petitions, praying that section 69 of the Closer Settlement Act 1904 be repealed, were presented by Mr. Langdon, from settlers on the Tandarra Estate; by Sir Alexander Peacock, from settlers on the Ercildoune Estate; and by Mr. Oman, from settlers on the Werneth Estate.

HOSPITALS AND CHARITIES BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed on clause 8 as amended—

(1) For the purposes of this Act, there shall be constituted a Board of Charity consisting of five members, who shall be appointed by the Governor in Council.

(3) The Governor in Council may appoint one of the members of the Board to be the chairman of the Board.

(4) The Governor in Council may, at any time, remove any member of the Board, and may from time to time, as any vacancy occurs in the office of chairman, or other member of the Board, appoint some person to fill the vacancy.

(5) The Governor in Council may at any time appoint for a period not exceeding six months any person to act in place of any member of the Board who is absent from Victoria or incapacitated by illness or other temporary cause from discharging his duties as such member. Such acting member shall discharge the duties of the member who is so absent or incapacitated until the return to Vic-

toria or removal of the incapacity of such member, or the expiry of the period of appointment of such acting member whichever first happens.

(6) Each member of the Board shall, unless removed as provided in this Act, be entitled to hold office for the term for which he is appointed, but such term shall not exceed five years. Any member of the Board may from time to time be re-appointed for any further term not exceeding five years.

(7) A member of the Board shall not during his continuance in the office of member engage in any employment other than in connexion with the duties of such office without the consent, in writing, of the Governor in Council, and shall not in any circumstances engage in any profession, trade, or calling outside the service of the State.

(8) The members of the Board shall not, as such, be subject to the provisions of the Public Service Acts.

on Mr. McPherson's amendment, that the following be inserted as sub-clause 2:—

(2) Two of such members shall be a man and woman respectively conversant with the administration of charitable institutions within the metropolis; and two of such members shall be a man and woman respectively conversant with the administration of charitable institutions outside the metropolis.

and on Mr. Hannah's amendment on Mr. McPherson's amendment—

That all the words after the word "two" (line 1) in the amendment be omitted, with the view of inserting the words "at least of such members shall be women conversant with the administration of charitable institutions."

Mr. WATT (Premier).—I think at this stage it may be wise to remind honorable members that we really got a bit tangled up last time the Bill was before the Committee. I then intimated that the Government intended to give the Committee an opportunity of reversing its verdict with regard to the number of members who should be on the Board. I think it would be advisable now, and I speak entirely in the interests of clear sailing, if we were to postpone this clause and go on with the remainder of the Bill. I am personally prepared to fight some propositions which, to my mind, would injure the Bill, but probably we could get a great deal of the Bill agreed to, and come back to this clause with some of the difficulties of the last occasion removed.

Mr. HANNAH.—I think we ought to go right on with the amendment. I think the House should be supreme with regard to the conduct of business. On the last occasion when the Bill was under consideration, I think honorable members on all sides of the House thought that the amendment of the honorable member for Hawthorn would be loading the Bill too much. I do not like the amendment of the honorable member for Hawthorn. I am desirous of providing that two out of the five members of the Board shall be women conversant with the administration of charitable institutions. I do not want the question of town *versus* country to be raised at all. I believe that in a measure of this kind we ought not to indicate that the members of the Board shall be selected from any particular portion of Victoria. While the Government are in power, it is their duty to see that the very best men and women who can be procured are placed on the Board, irrespective of whether they come from the town or the country.

Mr. CARLISLE.—Why not provide that one woman shall represent the country, and one the town?

Mr. HANNAH.—Why should we consider the question of whether applicants have resided at Benalla or Yarrawonga?

Mr. CARLISLE.—The country charities are quite apart from the town charities.

Mr. HANNAH.—I do not see any great difference between country charities and town charities. Surely we can trust the Government to appoint the five best persons they can secure. It would not trouble me for one moment if the whole five came from the country. I have no desire to introduce the question of town *versus* country.

Mr. CARLISLE.—That is all very well from your point of view, but town people always get these positions.

Mr. HOGAN.—We are all going to join the Country party.

Mr. HANNAH.—I do not think we ought to allow such a restriction, as the honorable member for Hawthorn proposes, to be placed in the measure. We ought to, at least, trust in the common sense and wisdom that the Government possess—of course, they do not possess too much.

Mr. LEMMON.—What about the appointment of Mr. Boyd to the Melbourne Harbor Trust?

Mr. CARLISLE.—Is it not better to make the Bill right than to trust the Government?

Mr. HANNAH.—We have an opportunity to make the Bill right now. The Committee is seeking to make it as perfect as possible. We know that the object of striking out sub-clause (2) was to

increase the number of members of the board from three to five. I am desirous that two, at least, of the five shall be women conversant with the administration of our charitable institutions, irrespective of whether they come from the town or the country.

Mr. McLEOD.—I think the honorable member for Collingwood has left us in a greater fog than before, because he has not told us what he proposes to do with the remaining portion of the new sub-clause proposed by the honorable member for Hawthorn if his amendment is carried. The new sub-clause of the honorable member for Hawthorn, amended as the honorable member for Collingwood proposes, would read—

> Two at least of such members shall be women conversant with the administration of charitable institutions.

What does the honorable member propose with regard to the two remaining members of the board other than the chairman? I would suggest that the honorable member withdraw his amendment, and we could then vote on the amendment of the honorable member for Hawthorn. The Premier has himself admitted that country institutions should be represented on the Board, because it was provided originally in sub-clause (2) that—

> One of such members shall be a person conversant with the administration of charitable institutions outside the metropolis.

Mr. WATT.—We would get a clearer vote on the amendment of the honorable member for Collingwood as to whether women shall be on the Board.

Mr. McLEOD.—We want to know what the honorable member proposes to follow his amendment with if it is carried.

Mr. WATT (Premier).—The unfortunate part about the amendment of the honorable member for Hawthorn is that it mixes two questions—the question of female representation and the question of the representation of town and country. I do not agree with either the proposal of the honorable member for Hawthorn or with that of the honorable member for Collingwood; but I certainly think that the proposal of the honorable member for Collingwood has at least the advantage of clearness, in that it deals with the one question only. Upon that amendment the question of female representation can be decided. Honorable members, in voting on the amendment of the honorable member for Hawthorn, may be in favour of one feature of it, and against the other feature, because it contains two possibly antagonistic elements. I would, therefore, suggest that the honorable member for Collingwood should cut out the question as to members of the Board being conversant with institutions in town or country, and should simply raise the question of sex, and settle it once and for all.

Mr. McPHERSON.—My amendment certainly involves two questions, but they are not by any means mixed. As to the question of the representation of both town and country institutions, I was struck by the remark of the honorable member for Daylesford the other day that he knew a good deal about country hospitals, but knew nothing about the conduct of town institutions. That seemed to me a strong argument for inserting something in the Bill to provide that both interests should be represented on the Board. With regard to the suggestion of the honorable member for Collingwood that we should simply provide in the first instance for the appointment of two women to the Board, the honorable member for Daylesford has already pointed out that if we did that we should not be providing the required number of five members. It seems to me that the proper way to deal with the matter is to say that one man and one woman shall be conversant with the affairs of country hospitals, and one man and one woman shall be conversant with the affairs of town hospitals. In that way I prefer to allow my amendment to remain as it is.

Mr. WATT.—The amendment now before the Chair is that of the honorable member for Collingwood.

Mr. PRENDERGAST.—I want to arrive at a decision on the question of the admission of women to this Board, and I do not think we should complicate it just now by providing that those women should be conversant with anything at all. I agree with the Premier that it is better to come to a decision on one plain issue. I made a mistake in my vote the other night in consequence of the issue being complicated. I wish to vote in favour of the proposition that there shall be two women on the Board. I do that mainly because, although the Bill itself leaves it open, the Government have de-

clared that women shall not be appointed. I want to make it compulsory that two women shall be appointed. The position taken up by the Government is a reflection on the capacity of women, and I want to provide now that women shall have the opportunity of doing this class of work. I hope the honorable member for Hawthorn will alter his amendment so as to enable the Committee to clearly express its desires.

Mr. MACKEY.—I am of opinion that both town and country interests should be represented on the Board, but I quite agree that this Committee may be divided on that question. We may be unanimous that two women should be on the Board, whilst we may differ on the question as to whether localities are to be represented. That being so, I rather favour the amendment of the honorable member for Collingwood, and I must say that the remarks of the honorable member for North Melbourne have a great deal in them. I am strongly in favour of the representation of country interests here, because, as the honorable member for Hawthorn has pointed out, I think we may find many persons who are thoroughly conversant with country institutions, but who have very little knowledge of town institutions, and conversely; but I do not see why, at present, those two questions should be mixed up. We should deal with them one at a time. It is one question whether there shall be two women on the Board; it is another question whether town and country interests shall be separately represented on the Board. That being so, I would suggest to those on the Ministerial side who are in favour of two women being on the Board to vote for the amendment of the honorable member for Collingwood, and let the other question come up at a later stage.

Mr DOWNWARD.—I consider that the amendment of the honorable member for Hawthorn is sufficiently comprehensive. We knew perfectly well what we were doing when we voted to increase the number of the Board from three to five. We did it with the deliberate intention of putting two women on the Board.

Mr. WATT.—Some honorable members did that; others did not.

Mr. DOWNWARD.—I think that was our reason for supporting the amendment. The present amendment of the honorable member for Hawthorn seems to follow exactly upon the lines upon which the Committee previously voted. It definitely fixes that there are to be two women on the Board.

Mr. WATT.—And something else as well.

Mr. DOWNWARD.—Yes; one man and one woman are to represent the country, and one man and one woman are to represent the city. Upon that I think we can take a straight-out vote as to whether women are to go on the Board. The amendment of the honorable member for Collingwood seems to me to confuse the matter. It seems to compass to a great extent something of the same purpose, but in words which, I think, are more ambiguous than those of the honorable member for Hawthorn. Therefore I see no reason why we should not accept the amendment of the honorable member for Hawthorn, as compassing the object we have in view, and which, as I know, a great number of people interested in charities desire to see given effect to.

Mr. McLEOD.—After consulting the Clerk as to the exact wording of the amendment, I can see a great deal of force in the position taken up by the Premier, namely, that the amendment of the honorable member for Hawthorn combines two principles—the principle of women being on the Board, and also the question of the representation of town and country. I agree now that we should take a straight-out vote on the amendment of the honorable member for Collingwood to settle the question of women being on the Board, and then we can take a subsequent vote on the question of having a guarantee in the Bill that both town and country interests will be represented on the Board. That will clear the matter up. If we follow up the amendment of the honorable member for Collingwood, we shall be voting straight out on the question whether women shall be mentioned in the Bill or not. If that is carried we can follow on the lines suggested by the Government themselves with regard to a knowledge of country hospitals. If we have a straight vote on the question of whether two members shall be women, we can then have a vote on the question whether two members of the Board, irrespective of sex, shall represent country interests.

Mr. McPHERSON.—If the amendment moved by the honorable member for

Collingwood is defeated, would that preclude me from moving my amendment? The amendment, I take it, is that there shall be two women on the Board. If that is defeated, should I be precluded from moving that there should be two members on the Board, one conversant with town interests, and one conversant with country interests?

Mr. LEMMON.—If the amendment of the honorable member for Collingwood is defeated, I understand that it would be competent for the honorable member for Hawthorn to go on with his.

Mr. WATT.—If the amendment of the honorable member for Collingwood is defeated, the amendment of the honorable member for Hawthorn stands as it is.

Mr. LEMMON.—The honorable member for Hawthorn must not think that it will be a wise thing to vote against the amendment of the honorable member for Collingwood if he desires women on the Board. He may think that if he clears the amendment of the honorable member for Collingwood out of the road, he will have a clear field for his own amendment. There is a nursery rhyme which says—

> One thing at a time, and that done well,
> Is a very good rule, as many can tell.

Mr. WATT.—I hope the honorable member will remember that.

Mr. LEMMON.—I am asking the honorable member for Hawthorn to follow that rule at present. We can test the feeling of the Committee whether women should be on the Board, and then the question of what interests they could represent can be decided. The desire of the Opposition to give the Government a very wide range in its choice only shows the remarkable loyalty of members of the Opposition towards the Government.

Mr. WATT.—The loyalty was the other way a little while ago.

Mr. LEMMON.—On another detail. It is remarkable that members of the Opposition at present are willing to give the Government a freer hand than many of their supporters will give them in the selection of the members of the Board.

Mr. WATT.—I asked the Committee and the House not to make this a party Bill, and I hope nothing will be done to make it so.

Mr. HANNAH.—We have not done so.

Mr. WATT.—That is the kind of remark which has a tendency to make it so.

Mr. LEMMON.—I am only reminding the Premier that he stated that the Committee would have to face this position again. That is cracking the whip.

Mr. WATT.—So it will.

Mr. LEMMON.—The honorable gentleman admits that at a certain stage it will suit him to make it a party Bill.

Mr. WATT.—I say that the Committee will be asked to review a certain decision at another time.

Mr. LEMMON.—What will take place will be the same thing as occurred in connexion with the Workers' Compensation Bill, where there was graceful pairing on the part of the Whip.

The ACTING CHAIRMAN (Mr. DUFFUS).—The honorable member cannot discuss that.

Mr. LEMMON.—That is a thing I say which may occur again. I hope the amendment of the honorable member for Collingwood will be carried, and then the honorable member for Hawthorn can proceed in the direction he desires.

Mr. FARRER.—I understand that the Committee decided to have five members on the Board. I am glad the honorable member for Collingwood is giving us the opportunity to vote directly on the question whether two ladies shall be on the Board or not. Women are found in the capacity of doctors and nurses, and they attend to hospital matters to a very great extent. Whatever the Premier may believe to the contrary, I think that the addition of two suitable women on the Board would be a great advantage, and that the results would be more satisfactory to the patients. The patients are those whom we wish to consider in connexion with our hospitals. Notwithstanding the overlapping spoken of by the Premier, I think we should have done without this Bill for a long time. I think that the expense under this Bill will be greater than with the present overlapping, and it will interfere with a number of people who are working hard for nothing. It will have a detrimental rather than a beneficial effect. If we are to have a Board, I think it would be very much improved by having two ladies appointed on the lines laid down by the honorable member for Hawthorn. A Bill of this kind should not be a party matter. I will support the honorable member for Collingwood on his amendment.

Mr. HANNAH.—May I make the issue still clearer and more simple?

Mr. WATT.—Has this new suggestion been perused by the honorable member for Toorak?

Mr. HANNAH.—I have not seen him to-day. What I suggest is that the words to be inserted be "at least of such members shall be women," leaving out the other words of my amendment, "conversant with the administration of charitable institutions."

The amendment of Mr. McPherson's amendment, by the omission of all the words after the word "two" (line 1) was agreed to.

Mr. HANNAH moved—

That the words "at least of such members shall be women" be inserted.

The amendment was agreed to.

Mr. McLEOD.—I move—

That the following words be added to the amendment, "and two at least of such members shall be conversant with the administration of charitable institutions outside the metropolis."

My desire is that two of the members of the Board shall be representative of the country institutions. I do not care whether they are men or women. This is following out the principle adopted by the Government in connexion with their proposal for the appointment of a Board of three, one of whom they provided should be a person conversant with the administration of charitable institutions outside the metropolis.

Mr. WATT (Premier).—As the honorable member for Daylesford said, his amendment is consonant with the proposition of the Government with respect to one at least of the members of the Board of three being conversant with the administration of country charitable institutions. From that point of view, I do not see the slightest objection to the adoption of the honorable member's amendment at this stage. We provided that one member out of the Board of three members should speak for country interests, and two out of five is about the nearest equivalent you can get. As I explained before, I propose at a later stage to endeavour to have the Board of three restored. Honorable members will understand that, in accepting this amendment, I am accepting the principle that was contained in sub-clause (2) originally, and am not accepting the increase of the number of members of the Board.

Mr. McPHERSON.—In my opinion, the weakness of the amendment moved by the honorable member for Daylesford is that, if two men are appointed to represent the country institutions, two women must be appointed to represent town institutions.

Mr. WATT.—You want to tie it down a bit harder?

Mr. McPHERSON.—I want to try and make the representation of town and country equal in both respects. I do not know if I would be in order in moving a further amendment——

Mr. WATT.—We will not accept anything further. We have tied it down pretty hard already.

Mr. McPHERSON.—In all probability a man and a woman will be selected to represent the country institutions, and a man and a woman selected to represent the town institutions.

Mr. WATT.—According to these amendments, the whole five could speak for the country, and none for the town.

Mr. McPHERSON.—I venture to say it would be a mistake if two men were selected to represent the country institutions.

Mr. WATT.—That is a question the Government will consider when making the appointments.

Mr. McPHERSON.—I think it is just as well to set these things out in the Bill. Different Governments have different opinions; and I think the members who form the Bill in the first place should express their ideas clearly, so that future Governments may follow them out. If it would be in order, I would like to move an amendment to provide that two of the members of the Board shall be a man and a woman respectively conversant with the administration of charitable institutions in the metropolis, and two of the members a man and a woman respectively conversant with the administration of charitable institutions outside the metropolis.

Mr. PRENDERGAST.—A most extraordinary position has developed. The Premier is allowing the Committee to waste its time in coming to a decision on this amendment, while at the same time he threatens that the Committee's decision will be reversed later on by order of the Government. One or two members on the Ministerial side of the House who have already spoken will find the hobbles placed on them if they do not act more independently than they have done in the past. Is it the object of the Premier to allow the Committee to come to a decision which he states he will not adhere to, and which is to be reversed some time

in the future when he gives the word? Is he wasting the time of the Committee——

Mr. WATT.—I am trying not to waste the time of the Committee by accepting this amendment.

Mr. PRENDERGAST.—If the honorable gentleman is in earnest he will move that the clause be postponed for subsequent consideration.

Mr. WATT.—If the honorable member knew parliamentary procedure, he would know that that cannot be done.

Mr. PRENDERGAST.—There are twenty ways of doing it. Clause 8 is in front of us, and the Premier is allowing the Committee to come to decisions upon it in a certain direction. Not only that, but he advises honorable members what to do in order to come to a real decision on the matter; but he says that, at a subsequent period, he will have that decision reversed. That is undoubtedly wasting the time of the Committee. What does the Premier really intend to do? He should put the Bill aside, and when he brings it up on a subsequent occasion, say, "I want a certain amendment made. If I do not have that amendment made, things are going to happen." In the meantime, he would have an opportunity of coercing one of the latest additions to his party, who comes from one of the respectable suburbs, without letting that honorable member go too far in committing himself in different directions. Does not the Premier think he is acting in a way that is not helping his young supporter?

Mr. MCPHERSON.—I can look after myself.

Mr. PRENDERGAST.—Wait till the honorable member gets far enough in. I predict that he will immediately climb over next week. We have seen his kind in the House before. The Premier is allowing this supporter of his, who wants apparently to be a genuine supporter of the Ministry, to go on and on, and fix himself deeper and deeper in opposition to the Government. The Government ought to relieve that supporter by putting the Bill aside just now, for the purpose of bringing it up again later on, when they may say what they do want. They should do that, or else postpone the clause for further consideration.

Mr. WATT.—Shall I tell the honorable member what we will do? We prefer to follow our own judgment rather than his.

Mr. MCLEOD.—With reference to the remarks of the honorable member for Hawthorn, I would like to say that I quite agree with the principle he laid down in his amendment; but honorable members raised the point that the Government should not be tied down hard and fast to a man and a woman for the country and a man and a woman for the town. Accepting that as the feeling of honorable members, I voted against the proposal of the honorable member for Hawthorn simply in order that the Government might have a free hand in dealing with the appointments. It has been said that there might be a difficulty in getting women in the country conversant with charitable institutions. I do not believe there would be any such difficulty. There are women in the country just as conversant with the management of charitable institutions as there are in Melbourne. In deference to the feeling of honorable members that the Government should have a free hand in dealing with the appointments, I voted as I did, although I quite sympathize with the object of the honorable member for Hawthorn.

Mr. ELMSLIE.—I intend to vote against the amendment of the honorable member for Daylesford. I do not believe in raising the question of town against country, more especially in connexion with a Bill of this character, where the question of charity is under consideration. In connexion with nearly every Bill that is introduced, the question of town *versus* country is raised, and we have got down to the low degree of that question being raised in connexion with a Bill which deals with the continuance and management of charitable institutions, the collection of money for charitable purposes, and the administration of charitable bequests. This eternal question of town *versus* country is being raised. We are getting into a nice position. Very soon, I suppose, we will have the State of Victoria cut into two States, one State to consist of Melbourne, and the other of the country.

Mr. WATT.—Ulster in the South.

Mr. ELMSLIE.—In connexion with almost every piece of legislation it is now being sought to make out that there are interests in the country altogether different from the interests in the town. I fail to see that that is the case. I fail to see how there can be any differentiation

between the management of the hospitals in the country and of the hospitals in the town. I would not object, for one moment, if the whole of the members of the Board were country residents, provided that they were the best persons obtainable for the positions. We should strive to have the best persons, whether they are men or women, appointed to the Board, no matter where they live. There is no special virtue in living in the country. Neither is there any special virtue in living in the city so far as brains are concerned. There is too much of country *versus* town in connexion with our factories administration, and everything else. We shall soon have the State divided against itself, and it is time a protest was raised against it. The appointment of these Boards is a responsibility that should rest on the Government. If the Government do not satisfy the House in making those appointments the House has its remedy.

Mr. WATT (Premier).—Just one word in reply to the leader of the Opposition. The Government is quite prepared to take the responsibility if the clause is left absolutely open. I agree with the honorable member that occasionally we are too prone to raise the question of town *versus* country, and *vice versâ*, but to my mind this is not such an occasion. It is not a differentiation between the interests of charitable institutions in the town and the interests of those in the country, but it is a desire to recognise that the city institutions have certain kinds of problems, and country institutions somewhat different problems, especially in raising money, and in spending it. Therefore, I think it advisable that at least one member out of three, or as the Committee now prefers it, two out of five, shall have experience of the difficulties of managing country institutions. I can assure honorable members that the desire simply is to secure that experience which is likely to lead to the successful administration of this Board.

Mr. LEMMON. — I take it that the position we have arrived at is that it will be possible for the Government to appoint any persons to this Board so long as they are conversant with the interests of country charities. The honorable member for Daylesford proposes to instruct the Government that they must select, "at least," two members who are conversant with country interests.

Mr. WATT.—It gets back to the original state of the Bill.

Mr. LEMMON. — But it means also that the Government may appoint all the members of the Board from the country.

Mr. WATT.—The amendment has not yet been carried.

Mr. LEMMON. — I understand that we have carried the amendment of the honorable member for Daylesford.

Mr. WATT.—No, it is an addendum to that of the honorable member for Collingwood, and has not yet been put.

Mr. LEMMON.—It seems to me that the proposal of the honorable member for Hawthorn is a fair compromise. Although the Premier seems to take strong exception to the advice given by the honorable member for North Melbourne, I think at the opening of the debate the Premier himself suggested the advisability of postponing the clause. I admire the honorable member for Hawthorn for the manner in which he is sticking to his guns. Perhaps his short experience in Parliament has been sufficient to teach him the necessity of doing so.

Mr. SOLLY.—I regret very much that the question of town and country has been brought into this debate. It appears to me to be unwarranted, because in dealing with questions of charity I think we need to select the very best brains and judgment we can possibly secure in those who are to be members of the Board. The honorable member for Daylesford has moved to make it absolutely certain that two members conversant with country institutions shall be appointed on the Board, but he has not given one solitary reason in favour of it. The honorable member claims to have had great experience of country institutions, and yet he has not given a solitary instance as to the difference between the administration of charitable institutions in the metropolis and those carried on in the country. We have to deal with the poor whether in town or country, and I presume it makes no difference whether a person comes from the country or from the town. I think the position was rightly put by the leader of the Opposition when he said that the members of the Board should represent the best brains in the community in order

that the work of the Board may be conducted in a manner creditable to all concerned. The Premier did attempt to make some distinction between town and country institutions. He said there is a difference in raising money in the country and raising money in the town, but that is no reason why there should be a distinction between the representation of the town and the representation of the country on this Board. If the Government are going to carry out a system of government by Boards, we want to get the very best people in the State to be appointed to those Boards, whether they come from the country or whether they come from the town. In the present case it would seem that country members feel that country interests are not going to be safeguarded by the Government, whilst at the same time some members representing the metropolis are under the impression that their interests are not going to be safeguarded. I intend to vote that the Government shall have a free hand in selecting the very best members for this Board. If they do not select the best it will be the duty of this House to criticise the Government later on.

Mr. McLEOD.—I did not wish to detain the Committee in giving lengthy arguments as to the reasons for my amendment, because the question has already been discussed in connexion with the amendment of the honorable member for Hawthorn. I claim to have a fair amount of knowledge with regard to the charities. Not only have I been connected with charitable institutions in Victoria, but when travelling in other States I have always made it my business to make myself conversant with the management of charitable institutions in those States. Any one who knows anything about the subject must recognise that the conditions in town and country hospitals are very different. The large town hospitals, with their large staffs and complete equipment, are able to do things in a way that is not possible in a small country hospital. The object of the present amendment is to give the Government an opportunity of making the Board as complete as possible. We do not say that two of its members shall be resident in the country, but only that they shall know something of the working of country institutions. I am anxious that the Board shall start as fully equipped with knowledge as it possibly can be, but I am quite sure that if the Board consists of members who know nothing whatever of country conditions, those members will very soon come into conflict with the committees of country hospitals. The Government have internal knowledge through their inspectors of the difference in the conditions in town and country, and that is why the Bill itself proposes that one at least of the three members of the Board shall know something of the conditions of institutions outside the metropolis. I could give a dozen instances to show what those differences are. Many country institutions have to put up with makeshifts which are not necessary in well-equipped town hospitals. They cannot possibly do otherwise, because they have not the means. A member of the Board knowing nothing of country conditions might go to one of these institutions and say, "You must have a fresh set of appliances — surgical instruments, and so on." Take the Walhalla hospital or the Wood's Point hospital, with a daily average of two patients. Can one expect institutions of that kind to be as well equipped as a large city hospital? All we want is a guarantee that two members of the Board shall know something of country conditions.

Mr. FARRER.—We have heard honorable members of this House over and over again objecting to parting with powers to Boards when those powers should remain in this Chamber. There are Boards over which honorable members have practically little control. Those Boards are appointed by the Government of the day, and are removable at the will of the Governor in Council. Our experience is that Boards never are removed so long as they please the Government. The ordinary member has no power in the matter, the power he should possess having been taken from him. When we are delegating powers to a Board which will be practically independent of honorable members, we should certainly see that the circumstances surrounding their appointment are made as definite as possible. In view of the magnitude of the Melbourne hospitals, it might easily be argued by a subsequent Government that the little hospitals in the country have no claim for any representation. We know that these country hospitals are

brought into existence in different localities with great difficulty, and they have to deal with a different set of circumstances from those prevailing in Melbourne. It necessarily follows, therefore, that there should be on the Board a due proportion of members with country experience. This is not raising the issue of town against country. That issue is here. A person who wants to give fair play to the country as compared with the metropolis does not raise the question of town *versus* country. That question was raised when the country allowed the railways to be so centralized as to build up Melbourne instead of building up Portland and other places outside. The question was raised by the negligence of the people of the early days in allowing everything to be centred in one large city. If we had the New Zealand conditions we should be better, for we should then have several large cities instead of one. The issue of city against the country is here, and it is our duty to protect the interest of all the community and any portion of the community in a Bill of this kind, especially when power is being taken out of the hands of the representatives of the people and being placed in the hands of a Board, and more especially when that Board is to have powers over people who have done magnificent work for the State for nothing. I think the House would be doing perfectly right if it more rigidly bound the Government than is being done here in the appointment of any Board. There are a number of Boards which have control of public matters independently of this House, and I doubt whether the members of such Boards should not be appointed by members of this House. It might be stated that that would result in a lot of log-rolling. But is there not a lot of log-rolling among members of a Ministry? Some Boards which have been appointed by the Ministry would not have been appointed if the appointment had rested with this House. We have no right to give the Government every liberty in connexion with the appointment of Boards, and what we intend should be defined as nearly as possible in the Bill.

Mr. MURRAY.—Is the honorable member against the appointment of a Board in this case?

Mr. FARRER.—My own personal view is that we could do without it, but a majority of honorable members have declared in favour of the Board. I am just discussing the question whether the *personnel* or qualifications of a Board should not be definitely described in the Bill. I agree with the honorable member for Hawthorn that you should, as nearly as possible, describe the qualifications and *personnel* of a Board when it is not to be appointed by this House. There is one thing in connexion with Boards that will have to be done in the future, and that is that the power of the people in connexion with Boards will have to be restored to this House. If this House should be dissatisfied with the Board, it should have power to remove the Board without first of all removing the Government.

Mr. MURRAY.—That is a power inherent in the House.

Mr. FARRER.—I beg the honorable gentleman's pardon; it is not. So far as I can see, so long as a Board pleases the Ministry we should have to displace the Ministry before we could displace the Board. That should not be so, because in displacing a Ministry many other questions arise, and honorable members are not in a position to decide the issue on its proper basis. If we are going to have Boards, we shall have to create some power in the House, so that the House may deal with these Boards without having to remove the Ministry before removing a Board.

Mr. MURRAY.—The honorable member can provide for that in the Bill, if the Committee choose to do so.

The amendment adding the words "and two, at least, of such members shall be conversant with the administration of charitable institutions outside the metropolis" was agreed to.

Mr. McPHERSON.—I desire to move—

That the following words be added "and one of such last-mentioned members shall be a woman."

That is to follow the amendment we have just agreed to at the instance of the honorable member for Daylesford.

The ACTING CHAIRMAN (Mr. DUFFUS).—It appears to me that the amendment that the honorable member for Hawthorn now desires to move is out of order, because we have already struck out a very similar provision in the honorable member's first amendment. I rule the amendment out of order.

Sub-clause (2), amended to read as follows, was agreed to—

Two at least of such members shall be women, and two at least of such members shall be conversant with the administration of charitable institutions outside the metropolis.

Mr. McPHERSON.—I desire to call attention to sub-clause (7), which reads as follows:—

(7) A member of the Board shall not, during his continuance in the office of member, engage in any employment other than in connexion with the duties of such office without the consent, in writing, of the Governor in Council, and shall not in any circumstances engage in any profession, trade, or calling outside the service of the State.

I move—

That the words "a member" (line 1) be omitted, with the view of inserting "the Chairman."

Mr. JEWELL.—Do I understand that the chairman or other members of the Board cannot be removed from office except on a year's notice? I do not see any provision in the Bill to remove any member of the Board at any time.

Mr. WATT.—That can be done. This is the usual provision.

Mr. JEWELL. — Then it does not mean twelve months' notice?

Mr. WATT.—Oh, no.

Mr. JEWELL.—I am satisfied.

Mr. McPHERSON.—In regard to my amendment, I may point out that the Bill provides for the Board being a whole-time Board. What I have in my mind is that the chairman shall give his whole time to the work, and that the other members shall meet as arranged. If my amendment is carried, it will mean that the chairman only shall not be allowed to engage in any other employment. He would have to give the whole of his time to the work, and arrange for the meetings of the other members. If my amendment is not carried, every member of the Board will have to give the whole of his time to the work.

Mr. PRENDERGAST.—We have not yet decided whether the five members of the Board are to be paid.

Mr. MACKEY.—That comes on clause 10.

Mr. PRENDERGAST.—The matter should be settled now. If the other members of the Board are to be paid they will have to give the whole of their time to the work. This is the worst of dealing with the clause without some leading on the part of the Government.

Mr. WATT (Premier).—The honorable member for North Melbourne is displaying such extraordinary physical activity that I find it impossible to get on my legs before he is up. This proposal appears to me to open up the question whether we should have a full-time chairman with an honorary or feed set of colleagues. A full-time Board is what the Government desire. There are many difficulties that will arise if this amendment is carried, such as the question of the voting of the Board, and whether the members are to be honorary or feed. Are they to be equal with the chairman? Are they to have the same quality of vote, and must everything be dealt with by a majority? These are more incidental to a Board of five than to a Board of three members. It appears to me from that close study of the question, which honorable members cannot have had, that you cannot have a Board to do this work any better than it is done at present unless it gives the whole of its time to it. At present the Inspector of Charities does the work, and has to bring his recommendations to a Minister whose attention is diverted by so many other things. It will be some advantage to have a chairman with continuity of thought devoting the whole of his time to the work. It will be a different thing if he has four colleagues who are not to give their full time to the work.

Mr. ROBERTSON.—That is a good argument for no Board at all.

Mr. WATT.—That is what some honorable members are voting for. Some have fully declared themselves against a Board.

Mr. CARLISLE.—I am against the Bill. I have received letters against it from people who know all about the matter.

Mr. WATT.—Doubtless the letters influence the honorable member. The Government know a great deal about the broad problems of charity.

Mr. CARLISLE.—I do not think you know as much as the committees.

Mr. WATT.—There are other members who take a broader view than the honorable member. The enemies of the Bill vote in many guises. Some members think the proposals too drastic for the amount of reform. Others say, "Very well, the House has determined on the principle of the Bill, and now let us make a good Board of it." Others

again say, "Let us injure this Board by making it unworkable." That is the only unfair attitude to take up. I can understand honorable members trying to improve the Bill, and making suggestions which may differ from the views of the Government, but it is not fair to try to load the Bill so that it shall sink instead of swim. The whole question appears to me to be whether this Board can run this new work by devoting part of its time to it. I think not. Under such circumstances, the work will be done very little better than it is at present. I am opposed to the amendment.

Mr. McPHERSON.—As to the Premier's remarks, I may say that I am not one of those who do not sympathize with the Bill. I believe in the measure, and in a great deal that the Premier has said. Whatever remarks I have made, I have made with the feeling that I want, if possible, to improve the Bill. The chairman will give his whole time to the work. The Premier has pointed out that the Inspector of Charities gathers information, and takes it to a Minister, who has not time to deal with it. That is just the weak point in the system, whereas the chairman of such a Board will be looked to to gather the information, and those I want to associate with him will help him to decide the best way to go about things. He will not trouble the Minister who is busy with other matters. In that way I feel very strongly that we should have four honorary members and a paid chairman. I would not vote for three paid members to give the whole of their time to the work. The Premier had suggested that the Melbourne Harbor Trust would be better with three paid members. I said publicly years ago that there was not enough work to employ three paid members on that Trust. That is borne out by the fact that in Sydney the operations are carried on by one Commissioner instead of three as in the past. I would not be a party to the employment of three paid members to constitute the Board under this Bill. I would rather see no Board. If we have a capable chairman and four honorary advisers we will have a perfect Board. Of course, I intend that if the Board has to visit the country the travelling expenses shall be paid.

Mr. McCUTCHEON.—There is one part of the Premier's statement that I differ from, and that is when he states that the members of the Board would be giving the fag end of their time to the work. That is not a fair way to put it. I know men who, though acting in an honorary capacity, give a great deal of their time, and their valuable time, to the work they have to do. If the Government appoint these men and women as members of this Board they will surely not be persons who will consider that the work is a thing to be played with, and who will only give the fag end of their time to it. The Government have power to remove the members of the Board if they find them playing with the business. I am opposed to the Bill, because I think it will remove from the charitable institutions that sympathetic association of charitable workers and the public that the institutions ought to have. If the idea of the Government is carried out it will do a great deal of harm in that respect. I have not tried to injure the Bill, and in fact I have not yet said one word about the Board. If we wish to retain the sympathy of those who have the welfare of the charities at heart we must have some connexion with them, and that can only be got by appointing an honorary Board. We can, of course, have a paid chairman, but there is no need to appoint highly-paid persons to do this work, and there is indeed very little work for them to do.

Mr. McLEOD.—I voted against the second reading of the Bill, because I felt that the Board was likely, unless modified, to lead to friction, and because there are provisions in the Bill that are too drastic. I have been steadily endeavouring to have the Bill amended as we go along. I claim to be as earnest and sincere in my desire to improve the Bill as any one. Why was the Bill brought down if it was not to be discussed by honorable members? And why should those who desire to amend it be accused of attempting to kill the measure? The second reading of the Bill having been carried, I claim to be thoroughly earnest in my desire to make the measure as workable as possible, so that it may lead to the least possible friction. I disclaim any responsibility for such a course of action as the Premier has suggested. I make these remarks in order that it may be understood that I will not be deterred from moving amendments which I think will improve the provisions of the Bill.

Mr. WATT.—I think the only amendment which you have moved was accepted by the Government.

Mr. McLEOD.—I realize the whole difficulty of discussing the chairman's position now. If we go on to clause 10, we can settle the question of salary.

Mr. WATT.—You can settle it on the amendment of the honorable member for Hawthorn.

Mr. McLEOD.—My own feeling is strong that we should have a paid chairman.

Mr. WATT.—The honorable member for Hawthorn asked for a first declaration in that direction on this amendment.

Mr. McLEOD.—If that is understood, I am satisfied.

Mr. WATT (Premier).—Not with the object of arguing further, but in order to make clear the meaning of the honorable member for Hawthorn's amendment, I rise to explain that his desire is to declare at this stage that the chairman shall be paid, and devote his whole time to the position. If this is carried, he will take other steps to provide with regard to the other members.

Mr. ELMSLIE.—I am opposed to the amendment, because I believe that it will lead to a one-man board running the show. Of necessity, the chairman will have a far greater knowledge, and become more in touch with the working of the institutions in the town and the country than the other members of the Board. He will become expert by reason of the attention which he must give to his work. That fact alone will enable him to overshadow the other members of the Board as far as the details of the working of the various institutions are concerned. In my opinion, the effort made to secure country representation will be completely neutralized if we make this a one-man Board. The desire is to make the rest of the Board honorary members. Necessarily, those members would not be able to devote the same time to visiting various institutions in the country as the chairman, and therefore they would not gain the same practical knowledge. I have no doubt that there will be plenty of work for the members of the Board in seeing that these institutions are carried on in the way in which we desire. If we want efficient management, we should create a Board which will be in the position to obtain all the information necessary. We must bear in mind that the proposal to create this Board is experimental, and that we are breaking new ground. We are creating a new control, and we do not know what the effect of it will be. Therefere, we should not place such power in the hands of one man. The Board should be made effective in the proper sense. It is sometimes said that the best Board is one consisting of two members, one of whom always stops away. I would sooner trust the management of our charities to one man than place it in the hands of a Board such as the honorable member for Hawthorn proposes to create. It is of no use saying that persons who occupy such positions in an honorary capacity serve as faithfully and well as those who are paid for their work. Of course, we know that splendid work is done by ladies and gentlemen in an honorary capacity, and I would be the last to detract from its value, but I consider it would be more effectively and better done if they were paid for it.

Mr. McPHERSON.—No.

Mr. ELMSLIE.—That is where the honorable member and I differ. If the members of the Board, in addition to the chairman, were paid, and had to devote their whole time to the work, they would become better acquainted with all the details, so that when it came to voting it would not be a matter of experience outvoting inexperience. The results of their deliberations would be based on experience gained in visiting institutions, and bringing all their energy and ability to bear in obtaining the necessary information. It would be a calamity, especially in connexion with new and experimental legislation of this nature, if we did not first of all endeavour to obtain as members of the Board the best men and women available, and then remunerate them in a proper way in order to secure the best service that is in them.

Mr. BAYLES.—I would like to point out that the Melbourne Harbor Trust is very much on the same lines as those on which the honorable member for Hawthorn desires to place this Board. The Melbourne Harbor Trust consists of a paid chairman and four gentlemen, representing various interests.

Mr. ROBERTSON.—They are all paid.

Mr. BAYLES.—And so will these members be.

Mr. WATT.—The honorable member for Hawthorn says not.

Mr. BAYLES.—He does, but I think that they should be paid to a certain extent. The ordinary members of the Melbourne Harbor Trust get £2 2s. a sitting, but not exceeding £250 a year. Is not Mr. Boyd's experience in connexion with the export trade of great value to the Trust? The honorable member for Hawthorn is a man with large interests in connexion with the import trade. He is also a member of that Trust. Then there is the honorable member for Ballarat East, who is on the Geelong Harbor Trust, and his knowledge is of very great value to it. Not one of them is a "whole time" man. The Premier comes down and says that partially-paid Boards are not good. Compare the amount of the revenue and investments of the Melbourne Harbor Trust with the institutions to be managed by the Hospitals and Charities Board.

Mr. WATT.—The expenditure in both cases is about the same.

Mr. BAYLES.—But the work done by the Trust is so much greater. At first the members of the Board will have to go round inspecting institutions. After they have been round once or twice, there will not be very much for them to do. Last year, as I have pointed out, we affirmed in connexion with the Melbourne Harbor Trust the principle of having a paid chairman and a partially-paid Board. The Premier wished the Trust to consist of only three members, but he said that the chairman should be paid, and that the other members of the Trust should be partially paid. The same applies in connexion with the Geelong Harbor Trust, and look at the success it has been!

Mr. ELMSLIE.—What is that?

Mr. BAYLES.—The Premier reckons that it has been a success.

Mr. WATT.—You think the analogy complete?

Mr. BAYLES.—Yes; I think the analogy will be complete when the Board is formed. I will support the amendment.

Mr. SNOWBALL.—I trust that the principle of a paid chairman and a partially-paid Board will be affirmed. I wish the honorable member for Hawthorn had made himself clearer as to how he desired the members of the Board, other than the chairman, to be treated. If he had done so, the honorable member for Albert Park would not have said that they could not be expected to give any time and attention to the work of the Board. I think the intention is to have a Board analogous to the Melbourne Harbor Trust, paying the members other than the chairman so much per sitting, or so much per day when travelling on the business of the Board. I think the Premier will regret classifying certain honorable members in the way he did. However, those who listened did not pay much attention to that scathing condemnation of honorable members who have taken a stand on various principles in the Bill. My feeling is that it is quite hopeless to expect that there will be sufficient work to engage permanently the attention of all five members of the Board. We have already decided that the members of the Board shall be appointed for five years. As the leader of the Opposition has pointed out, this is entirely an experimental venture. Knowing a little about hospital work, and the difficulties experienced by the Treasurer and his Department in dealing with these matters, I think I can say that there will not be sufficient work for five, or even three, members acting as a whole-time Board. The position will be met by having a well-paid chairman, who will make himself familiar with the positions that arise, and he will call the Board together from time to time to deal with various matters. Probably there will not be more than one meeting a month, and whenever a question arises which requires the members of the Board to visit a hospital in the country, the Board will decide to visit that hospital, so as to take evidence on the spot, or to make investigations on the spot, with regard to the matters that have to be decided by the Board. I feel that the Government will act wisely in appointing efficient men and women to sit on the Board, but, as far as payment is concerned, I feel that we ought to adhere to the principle of having a well-paid chairman, with the other members of the Board partially paid—paid for such time as they are called upon to give in connexion with the discharge of their important duties. The Government will be able amply to protect itself in connexion with the distribution of the fund to which the Premier has referred as a matter of serious importance, by providing that all matters of finance shall be decided by a majority of the Board, of whom the chairman shall be one.

Mr. WATT.—The Government cannot do that.

Mr. SNOWBALL.—We can do that in this Bill.

Mr. WATT.—The Legislature can do it.

Mr. SNOWBALL.—I meant that the Government could ask that this protection be insured to them by having an amendment of that kind inserted in the Bill. I went so far as to submit to the Premier a clause providing for that safeguard, and I think it commended itself to him as quite effective for the purpose of enabling the Government to retain absolute control over any financial question to be decided by the Board. I hope the Premier will see his way to adopt the principle of having a well-paid chairman, with the other members of the Board partially paid. If that is not going to be adopted, I hope we will go back to a Board of three. I hope we are not going to be committed to the payment of five persons for the whole of their time in connexion with the discharge of this work. My reason for this is that they will not be able to find sufficient work to do. If we have five persons giving their whole time to the work, they will bustle about trying to find something to do, but I honestly feel that there will not be sufficient work for them. I feel that, during the first twelve months, they will be kept pretty busily employed, but after that, under the Bill, they are to be employed for another four years, and the Government know that we could not honestly get rid of people who were appointed for five years.

Mr. WATT.—They are to be appointed for a term not exceeding five years. Some members of the Melbourne Harbor Trust were appointed for two years, although the same provision appears in that Act.

Mr. SNOWBALL.—We would not get a man familiar with this work to accept an appointment on the Board for whole-time service unless the appointment were for a longer term than two years. No one would take such a position unless it was fairly permanent. We must have a business man on the Board. He will have to give up his present business, or occupation, and no man worthy of the position would take it unless he was appointed for some reasonable term.

Mr. ROBERTSON.—Look at the number who do the work gratis now.

Mr. SNOWBALL.—The honorable member for Bulla has said that there are many members of the hospital committees who give their services now gratis. I quite agree that there is valuable service given gratis, but this is a different matter. I speak with some knowledge of hospital committees. There are people who are prepared to give up their time to that work, but they can stop when they please. This is a different thing. We want people on the Board who will take up the work and stick to it. Evidently, in the mind of the honorable member for Bulla, there is the idea that the same service would be given to this Board as to an ordinary hospital Committee. I think it is not the same kind of service that we want. I feel that if the honorable member for Hawthorn's idea was embodied in the Bill, the members of the Board should be paid so much a sitting—say, one guinea a sitting, and one guinea per day when engaged in travelling on the business of the Board. If that principle is not going to be adopted I hope we will abandon altogether the idea of a Board of five. Looking at the two alternatives, I think that a Board of five, with a paid chairman and the other members of the Board partially paid, is more likely to meet the requirements of the position in all its aspects than a Board of three men giving their whole time to the work and paid for full-time service. The great difficulty about the matter is that there will not be sufficient work to take up the whole time of these people if the appointments are for three, four, or five years. I hope the Premier will, as an experiment, try such a Board as I have indicated, and allow the Committee to have its way with regard to the payments. I think the leader of the Opposition will feel if the principle of payments to members of the Board other than the chairman is conceded, that the weight of his argument, that the Board will not give effective service, and that the members, other than the chairman, will not give attention to their duties, thus rendering the Board a one-man Board, will disappear. The Bill provides that the position of a member of the Board shall become vacant if he is absent for a certain time.

Mr. WATT.—If he is absent fourteen days. That presupposes a full-time Board. You would not say that in connexion

with honorary, or feed members, but would provide that a position should become vacant if a member was absent for so many sittings.

Mr. SNOWBALL.—Absence from a certain number of sittings of the Board would disqualify from service on the Board.

Mr. WATT.—Even then you could have perfunctory service.

Mr. SNOWBALL.—If the members of the Board, other than the chairman, were each paid one guinea per sitting, it would be adequate to meet all the requirements. That paid service would bring the attention of the members to the duty that is expected of them. If they were paid so much per sitting, and for their services when travelling on the business of the Board, it would insure such attention and interest in the work as would meet all the requirements of the case. I do not want to destroy the principle of a Board. I believe we want a Board, but I think the most effective service will be got from a Board of five. That would distribute the area of selection over a larger field, and the payment of the members of the Board, other than the chairman, would effectually secure the attention required.

Mr. JOHNSTONE.—I want to make my views on this matter quite clear. The principle I voted for, and which was carried by the Committee, was one that I thought was necessary to assure the country hospitals and charitable organizations that, in the opinion of honorable members, a bureaucratic Board was not desirable, but rather that the Board should be made as liberal in its character and operations as it was possible to make it. I also want to make it perfectly clear to some honorable members with whom I have conversed with regard to this Bill, that, in my opinion, it is necessary that every member of the Board should be paid. The chairman should be paid a salary in keeping with the position that he occupies, the information which he is supposed to have at his hand, and the duties he has to perform. The other men and women on the Board should be paid, and I agree with the Premier that the members of the Board should give their full time to the work. In clause 6 it is provided that the appointments shall be for a term not exceeding five years. The appointments can be for a shorter period than five years, and, consequently, if it is found from the operations of the Board that the time of members is not fully occupied—and after all it is a matter of opinion whether there is sufficient work or not to occupy their time fully—the term of their appointments can be limited.

Mr. SNOWBALL.—Who would take an appointment under those circumstances?

Mr. JOHNSTONE.—Members of Parliament take positions to which they have to give their whole time for very little money. It has been pointed out that members of charity organizations at present give their time for nothing. I feel sure that the Government will find men and women able to serve on the Board and carry out the work in an effective manner.

Mr. LEMMON.—The proposal of the honorable member for Hawthorn is to strike out the words "a member" and to insert the words, "the chairman." Those honorable members who desire a fully paid Board could vote for that amendment, but I take it that if we vote for the amendment it will mean that we are in favour of having a paid chairman and that the other members of the Board shall be feed members.

Mr. WATT.—Or honorary.

Mr. LEMMON.—The course of those who desire to maintain a full-time Board is to vote against the amendment. I am disposed to think that it will be necessary to have a strong Board. I am inclined to think with the leader of the Opposition, that if we have one full-time man and the other members are feed members, or honorary members, ultimately the Board will become a one-man Board, or at any rate a very unsatisfactory state of affairs will arise. On this amendment we will decide whether the control of the Board is to be from without, or from within. We should have a full-time Board so as to insure the proper administration of the charities vote. That vote, which amounts to £100,000 of the taxpayers' money at present, will be administered by the Board, and surely that vote should be administered by a Board consisting of persons who give their whole time to this important matter. We can fairly say that £100,000 will be the absolute minimum. It is proposed to give the Board power to open hospitals, and it will have the important duty of establishing also intermediate hospitals. That is a work that ought to be done, and it will mean extra

expenditure. It is a proposal that in many cases medical men are against. The Friendly Society Association found their proposal with regard to intermediate hospitals boycotted by the medical profession, who insisted on conditions that could never be tolerated. Some strong men will be required on the Board to carry out its functions.

Mr. ROBERTSON.—It is a one-man job.

Mr. J. W. BILLSON (*Fitzroy*).—Members who say it is a one-man job voted for five members.

Mr. ROBERTSON.—The Inspector-General of Insane does bigger work than this.

Mr. LEMMON.—I do not think he has the powers the Board is to have. The Government proposed to have a Board of three paid members. The Committee has increased the number of members of the Board to five. That means two extra members, and if they are paid £600 a year each the additional expense will be £1,200. Surely a matter of £1,200 should not cause the Committee to change the Government's policy in connexion with this matter. We will have to recognise that, more and more, the matter of health must come under this Board. As the result of its administration, there should arise ultimately in the community the idea that health should be nationalized, and that it is one of those matters which should be controlled directly by the State. The present proposal is a compromise, but I think that that will ultimately be the result. Therefore, I think it will be a wise thing for us to maintain the principle laid down in the Bill, that the members of the Board should be employed for the whole of their time.

Mr. CARLISLE.—I think it is rather a pity that the two rival schemes cannot be placed before us in their entirety, so that we may decide between them. I, for one, would not vote for a Board of five members if they are all to be paid a salary. If that is done, the Board will become much more expensive. If we decide to pay the members £600 each, can we go back and reduce the number of the Board to three?

Mr. WATT.—I would promise to give the honorable member that opportunity.

Mr. CARLISLE.—I wish we had a properly considered scheme before us. There is one thing that strikes me about this Board: Of course, it will to a great extent control the country hospitals, and they are supported very largely by contributions from the people. If the Board is going to be a Board of paid members or a bureaucratic Board, and if it interferes to any great extent with country institutions, I am very much afraid that a lot of people who now contribute will say, "Oh, well; if you are going to run our hospitals, you can find the money to run them with." I think it will be found impossible to get committees to work under this Board if there is to be much interference. That interference is much more likely to occur with a Board of paid members than with members who are not paid—people holding good positions in society, who can be looked up to with respect. Those are the people who are likely to be appointed if we have an honorary Board. If the members are paid, they will be chosen from a different class of people, and I do not think it will be satisfactory. I think there will be very great trouble when this Board gets to work in getting in the collections we are now getting in for the country hospitals.

Mr. McCUTCHEON.—I would like to remind the Committee that in addition to the Melbourne Harbor Trust we already have the Melbourne and Metropolitan Board of Works with a paid chairman and thirty-nine other members who are not paid. I do not think any one can say that that Board is run as a one-man Board, or that it has not been a success. Therefore, there is nothing remarkable in the provision now proposed for a paid chairman. I may also remind honorable members that there is another proposal before the public by which the affairs of the whole of the metropolis are to be managed by a paid chairman and thirty or forty honorary members. With these two examples before us, can we say that the Government is consistent in its proposal to have three paid members to manage chiefly the allocation of the money of the charities and to interfere with the hospitals, perhaps doing away altogether with the committees that are now in existence? I think it is a most extraordinary and contradictory proposal to come from the Government.

Mr. ROGERS.—I desire to take up the same position on this matter as the honorable member for Williamstown. It seems to me that, if the clause is altered

as desired, it will not prevent the Committee from afterwards giving salaries to the members of the Board other than the chairman. The Government have seen fit to say that the members of this Board shall not take up any other position without the consent of the Governor in Council, and shall not do any work outside the Service. I think that is the proper view to take. It seems to me that if the present amendment is carried the Government will still be able to pay salaries to the members other than the chairman, but the members of the Board will be relieved to a certain extent from the condition that they must give their full time to the work of the Board. I think it would be wise to leave the clause as it stands. Then when we come to clause 10, the question of pay will be considered. If £600 a year is considered too much, honorable members will have a right to alter it. I certainly think that this Board should be a paid Board, and that the members should give the whole of their time to the work.

Mr. SNOWBALL.—Whether it has work to do or not?

Mr. ROGERS.—I do not think that any honorable member will say that this Board will not have a very considerable amount of work to do. It is all very well to say that after they get settled they will have very little work to do, but I take the view that whether the Board consists of three members or of five, it will have a large amount of work. In the case of the Melbourne Harbor Trust, to which reference has been made, the chairman gets considerably more money than the other members of the Board. Perhaps some honorable members will say that the members associated with the chairman are equal to him, and do as much work, However that may be, the action of the Government with regard to the clause now before the chair meets with my approval.

Mr. MACKINNON.—I can quite understand honest differences of opinion arising with regard to a matter such as we are now discussing, but when you come to sum up the position, there is really no great amount of difference between us, so far as the money is concerned. Evidently the honorable member who has moved this amendment has the idea that £800 is a right thing for the chairman, and perhaps £250 for each of the other four members. That makes a total of exactly £1,800. Under the Government proposal the expenditure would be £2,000 per annum. Whichever proposal is adopted, we save the £550, which is the salary of the present Inspector of Charities, so that what we are really fighting about is a difference of £200. Of course, honorable members may have differences of opinion as to the *personnel* of the Board. The view I take is very much that taken by the leader of the Opposition. I have had considerable experience in connexion with the management of charities, and my feeling is that if you have a paid man he always tends to dominate the amateurs. In most institutions where there is a secretary or other permanent head who happens to be a man of ability, that permanent head practically runs the show. It does not matter how shrewd the amateurs are, they do not give up all their time to the work, and thus the paid man is able to beat them at every point, so that it practically becomes a one-man show. The honorable member for St. Kilda said that the Melbourne and Metropolitan Board of Works is not a one-man show. I do not know what the honorable member's opinion of that Board was when the late Mr. FitzGibbon was chairman of it. I think it was very much dominated by Mr. FitzGibbon, and that any chairman possessing the same ability would dominate it now.

Mr. MCCUTCHEON.—It is not dominated in that way by its present head.

Mr. MACKINNON. — The present chairman came in under different conditions. Mr. FitzGibbon had had a great deal to do with the building up of the city of Melbourne, and occupied a unique position.

Mr. MCCUTCHEON.—The Board is still doing good work.

Mr. MACKINNON.—Yes, but we are going to change it.

Mr. WATT.—There is no objection to the way in which the chairman is doing his work.

Mr. MACKINNON.—No, it is admirable; but I should not be surprised to learn that even the present chairman is making it very largely a one-man Board.

Mr. MCCUTCHEON.—If he does so, he covers it up very nicely.

Mr. MACKINNON.—As I say, there is really not very much difference between us, after all. Personally, I am strongly in favour always of paying men good

remuneration if you expect them to do good work, and I am convinced that for the first four or five years, at any rate, there will be a good deal of work for this Board to do. Let us suppose that it has to administer £200,000 of charitable money—£100,000 of Government money, and another £100,000 raised in other ways. On that amount £2,000 is 1 per cent. The statutory allowance to trustees and people of that sort, who certainly have no graver matters to look after, is 2½ per cent.

Mr. SNOWBALL.—Not per annum.

Mr. MACKINNON.—It is 2½ per cent. on the income. While there may be some difference of opinion with regard to the number of members who should constitute the Board, and while I can understand honorable members taking various views in regard to the question of whole time or half time, there is not very much difference as to the amount to be expended. I certainly prefer a small Board, because it is less troublesome. I do not believe in a one-man Board, because I think there would be friction very soon if the whole thing were dominated by one man, and I think three is a much more satisfactory Board than five. But I certainly do believe that for the first three or four years, at any rate, the members of the Board should give the whole of their time to the very momentous questions they will have to deal with. For that reason, I am against the present amendment.

Mr. MACKEY.—I am very glad to hear the honorable member for Prahran say that there is little difference between us. That being so, I trust he will see his way to waive the little bit of difference on his side.

Mr. MACKINNON.—I said there was little difference in regard to money.

Mr. MACKEY.—The question of money is becoming increasingly important. We have a revenue now of about £10,000,000, and our expenditure is rapidly overtaking it, and one of the greatest difficulties of the Treasurer must be to keep cutting down these money matters. He must constantly realize the truth of the saying, that "Many a mickle makes a muckle." One's struggles must be to keep the small items down.

Mr. WATT.—We cannot do much axing; we have to do spoke-shaving work.

Mr. MACKEY.—With regard to the character of the men who are to compose the Board, I would point to the Melbourne and Metropolitan Board of Works, of which the late Mr. FitzGibbon was chairman. That was a case of an honorary Board with a paid chairman. I think, however, that if that Board had been paid Mr. FitzGibbon would still have dominated it. Take the case of the present Melbourne Harbor Trust. I doubt very much whether the chairman would dominate the present Melbourne Harbor Trust. The class of men associated with the chairman in that case are not the class of men who would be bound to say "ditto" to the chairman, yet we have there a chairman with a high salary. It is nearly double what is proposed here, being £1,500 as against £800. The fact that the gentlemen associated with the chairman are not supposed to give their whole time, means that men who are successful in business, and who know how to run a business establishment, are prepared to give their services to a Board of that kind. I am of opinion that it will be the same with the Hospitals and Charities Board. Just as in connexion with the Melbourne Harbor Trust, we get men who are interested in making Melbourne a great port—I hope they will make it the greatest in Australia—so we shall get the class of men who are quite content to accept the fee of £200 or £250 per annum to serve on this Board, largely because they take an interest in the work it will have to do. There are large numbers of men interested in the work of charity, and they are a class of men the Treasurer would like to see on this Board; but if they are asked to give the whole of their time to the Board they cannot do so. It is only fair that that class of men should get a fee, as in the case of the Melbourne Harbor Trust, of from £200 to £250 a year. In that way we could get a class of men on the Board who are interested in charity, and whom otherwise we could not expect to get. With that class of men on the Board there is no fear of their being dominated by a paid chairman. Much of course depends on the chairman the Government appoint, but I doubt whether a man who is paid £800 will be able to dominate others who receive fees of £200 or £250 at this class of work. It is for that reason that I sincerely hope that the four members of the Board will not have to give their whole time to the work. I think if we do that we shall have perhaps the same experience as we

had in connexion with the Closer Settlement Board. I think it is an open secret that many members of this House, and possibly members of the Government, would have liked to see one member of the late Board on the present Board, but he was absolutely barred from accepting the position, because it was made a condition by this House that the members of the Board were to give the whole of their time to the work.

Mr. WATT.—If they gave half their time, or part of their time, you could not ask them to travel.

Mr. MACKEY.—There is no need for five members to travel to every place, and all the time.

Mr. WATT.—Not all the time, but a good deal of it.

Mr. MACKEY.—I think it would be a mistake to require that all the members shall be highly paid and shall give up all their time to the work. If that is done I think it will mean that numbers of gentlemen who may be available for the work will no longer be willing to go upon the Board.

Mr. WATT (Premier).—I do not propose to detain the Committee long on the subject now under consideration. The debate has been proceeding with a due regard to the various arguments raised on both sides, but the views expressed by the honorable member for Gippsland West demand a little attention. I refer to the analogy between this Board and the Melbourne Harbor Trust. Take the case of the Melbourne Harbor Trust, for example. It has been possible for representative commercial and other men to represent interests they have to do with from their own offices. I do not know what time these members spend in the new Trust, but I know that they hope that the demand now made upon their time will not be continued. It is the same with the Savings Bank Commissioners. We give them a position of high recognition in the commercial community, and call them to perform duties not far from the scene of their own work. They are able to do their own business, and they accept this feed position of honor. But with a Hospitals and Charities Board. I venture to think the position is different. I know that if I am anxious to obtain advice at present as to a particular proposition, or set of propositions, in regard to hospitals in a particular district, I have to send one man to make inquiries. I believe that the chairman, or the chairman plus the members, will have to do a great deal of travelling if they are to get into touch with the necessities of the institutions. There is the problem of building and the problem of how local stores are to be bought. Those matters will have to be dealt with on the spot, otherwise the Board would be in the same position as Ministers. Honorable members know how difficult it is intelligently to judge merely on plans or files. A visit of five minutes will very often give a better result than an hour's poring over papers. Can you get a Board highly representative of the people associated with the charities to-day willing to do all this travelling? I venture to think you will not. As a consequence I try to project myself into the future. The chairman would be expected to do the travelling. He would be away from the seat of government for a considerable time.

Mr. ROBERTSON.—He would come home at week ends.

Mr. WATT.—Like a commercial traveller. He would come back to meet his fellow members, and he would be the only informed man, and upon his judgment the other four would have to rely.

Mr. ROBERTSON.—There would be nothing to prevent the others from travelling.

Mr. WATT.—In some cases there would, but if they could not travel frequently their usefulness would be correspondingly reduced. Thus you would get either the four honorary members travelling frequently, and sacrificing their business, or you would get this work done by the chairman. Apart from the domination by personality, such as that of the late Mr. FitzGibbon, there would be the inevitable tendency for the man who knows to have the position which the Town Clerk has held through knowing so much about the work. I am anxious that the whole Board shall have competent judgment. I am quite sure that if the Board is not unweildy, and is able to travel, it will be a better Board than a stay at home Board with only one of its members travelling.

Mr. BAYLES.—I am afraid some honorable members are most anxious to get back to a Board of three members. If there are five members, and they are all paid, it will make too much expense.

I do not quite agree with the Premier that there will be sufficient work for three men, or five men, to employ the whole of their time from one year's end to another. I do not think the work would be there for them to do. Take the Melbourne Harbor Trust. There is a lot of work to be done, and in time the members get a grip of the work. To decide some detail matter in connexion with building, or the ordering of groceries, it will not be necessary for three men to rush off, say to Croajingolong, to visit a small hospital there. These matters of detail ought to be left to the local hospitals. If such things are to be the duty of the Board, I would have opposed the Board on the second reading, because those are not the things the Board is set up to attend to. It is set up to supervise, and not to go into details of hospital management. During the first six months the members of the Board may have to travel in order to get a grip of the business, but after the first twelve months I do not see what is to require the members of the Board to travel. As was remarked, the chairman would become a commercial traveller, and get home at week-ends.

Mr. WATT.—If there are three members they may split themselves.

Mr. BAYLES.—But one man will have all the information about a certain matter.

Mr. WATT.—No. They will have it in different ways.

Mr. BAYLES.—If one member is to inspect one proposition, and another another proposition, and a third another proposition, why should not the same thing be done with four honorary members?

Mr. WATT.—If they can travel it will be all right, but you will find that they will not.

Mr. BAYLES.—My trouble is that there will be three highly paid men doing practically nothing, and, perhaps, not representing the ideas of the people as men would who are feed and paid expenses, and keen on the work. If they are not keen on the work the Governor in Council can remove them. Under these circumstances I feel that the doubts and dangers the Premier has submitted to honorable members are very small. Some honorable members have stated that there will be a Board very similar to the Board of Public Health. But that is an elected Board, while this Board is to be nominated.

Mr. WATT.—The Melbourne and Metropolitan Board of Works is elected, and yet some honorable members referred to that as an analogy.

Mr. BAYLES.—I did not.

Mr. WATT.—The honorable member for St. Kilda did, and he is the other member of your party.

Mr. BAYLES.—We are equal in all things like Ministers of the Cabinet.

Mr. WATT.—If that is so, his utterances bind the honorable member.

Mr. LANGDON.—I have not said anything at all on this Bill up to the present. I happened to be absent from the House when the division took place on the second reading. If I had been present I would have voted against the Bill, because I am opposed to Boards of any kind for the management of our charities. I have been on hospital committees, and have assisted in collecting money for the management of those institutions—I am speaking now of the country—and I can say that I have never known of any case of misappropriation or mismanagement in connexion with country hospitals in any shape or form. Therefore, I do not think there is any necessity for introducing such a measure as the Committee are now discussing. I am strongly in favour of appointing a Director of Charities, a man who is thoroughly capable, and is conversant with all matters of detail in connexion with the subject, his action, of course, being subject to the approval of the Premier and the Treasurer, as the Government have to provide funds. I may state that all the country hospitals with which I have been connected have subscribed fully two-thirds of the revenue necessary for their maintenance, and why that mode of procedure is to be interfered with is beyond my comprehension. The country people are quite satisfied to contribute to the maintenance of their local institutions. They elect their committees, and those committees are composed of men who are scattered miles around where the hospitals are situated. They represent all kinds of interests, and they are in a position to know what is right in the conduct of the charitable institution with which they are connected. There is a Director of Agriculture and a Director of Education, and why should there not be a Director of Charities? I certainly cannot see the advisability of appointing such a Board as that suggested to manage these institutions, a

Board, the members of which would have to travel from one end of the State to the other. On the other hand, if a Director of Charities is appointed, a thoroughly honorable, capable, reliable man, he could visit all these institutions, and report to the Government on their management, and, in my opinion, that is all we require. It is certainly all that I, as a country representative, and as one who takes the deepest interest in the various hospitals in the country districts, wish to see. I do not pretend to know anything about the management of the Melbourne hospitals, but I claim to know something about the management of the country hospitals, and I repeat that if we have a Director of Hospitals, a man who should be paid a good salary, and who would visit every institution, and report to the Government, that is all that is necessary. The policy of establishing Boards of late years in connexion with every possible thing has, in my opinion, gone altogether too far. I do not understand why Ministers now should not be willing to accept their proper responsibilities as they formerly were, but of late years the fashion of the Government of the day seems to have been to throw all responsibility overboard, and get rid of it by the appointment of Boards of different kinds. I repeat that I am strongly in favour of appointing a man of high standing as Director of Charities at a good salary, and then we would not want any Board at all.

Mr. WATT.—Not even the Council of Agricultural Education?

Mr. McPHERSON.—I wish to make my position clear. I suggested that the chairman of this Board should be a gentleman who would devote all his time to this work, and who should be well paid, and that the other members should act in an honorary capacity. I still adhere to that. I would not pay the other members of the Board or fee them in any way. I believe there are men and women in this community with spirit enough and patriotism enough to come forward and serve on this Board, giving the best that is in them to the work. I quite realize that the chairman of the Board may have to go about a good deal at first in order to get a grasp of the situation, but I do not think it is at all necessary that the other members should travel about in the same way. The chairman would bring information to the Board, and with that information they could deal with the various problems which they would have to encounter. One reason why I am so strong on the point that the members of the Board should not be paid is this: I feel that if you have a paid Board they would not be regarded in the same light by the hospital committees as if they were an honorary Board. Again, if they are a paid Board they may feel that they have to earn their money, and therefore become officious; whereas, if they are an honorary Board, and if at any time they happen to have some slight difference with the committee of a hospital, a little reflection on the part of the hospital committee would show that the members of this Board were actuated by the same desire as themselves, namely, to do what is best in the interests of charity. This is the strongest point that appeals to me in connexion with having an honorary Board. I confess I do not see what great work this Board will have to do in regard to moving about. If my memory serves me right, I believe that the Premier in the two or three cases of overlapping which he cited, mentioned as one the Homœopathic Hospital, where they had started a children's ward. That is a matter which a Board like this could deal with, but they would not have to go outside Melbourne to do so. Another case was that of the Melbourne Hospital starting an eye and ear branch. This Board would deal with that case also, but they need not travel much to do so. In fact, there was no case, as far as I remember, pointed out by the Premier in connexion with which it would be necessary for the Board to go much away from the city. I feel that it will largely depend on the class of chairman that is selected what success this Board will meet with, but at the same time I feel that there are available in this city both men and women who will be willing to serve gratuitously on such a Board. I have in my mind such a woman as, for instance, the late Janet Lady Clarke. I feel sure that she would have considered it a high honour to serve on such a body as this, and I am quite sure that she would have given universal satisfaction to the highest and the lowest in the land. People of that class are still existing, and I am sure that they would come forth if an honorary body of this kind is created.

Mr. McLEOD.—Before this amendment is put from the chair, I would

again appeal to the Treasurer to consider the desirability of postponing this clause, and let us get on with clause 10, when we will have the whole question before us as regards salaries. At present we are merely beating the wind, because there is nothing for us to concentrate our attention upon—no proposition that we can deal with as to the payment or non-payment of salaries. Clause 10 is the crux of the whole discussion, and on that clause we can discuss the whole matter, and deal with any practical suggestion which would enable the Committee to arrive at a conclusion quickly on the subject. With some little knowledge of hospital work in the country, I confess that I could not follow the Premier in the remarks he made with regard to the number of visits which this Board would have to make throughout the country. What would be the use of all those visits? At present, as far as Daylesford is concerned, we see an Inspector of Charities about once a year. Again, the Premier told us that this Board would never interfere with hospital management unless there was a very gross case of mismanagement. If there is no necessity for interference unless a gross case arises, they would not visit the institutions more than once or twice a year. The inspector visits them all once a year.

Mr. WATT.—No.

Mr. McLEOD.—If this Board is to find work for itself, it can only be done by constant travelling round and interfering with the institutions. The Premier pointed out that the Board was not to interfere except in extreme cases, but, judging from later remarks of his, it is to be inspecting all the time, and that can only be done by interfering in the internal management.

Mr. WATT.—They would have to inspect and see.

Mr. McLEOD.—But that would not require continuous inspection. One visit would be sufficient. Where are the gross abuses that necessitate the passage of this drastic measure? What has been done in the past that has caused statements to be made about frequent supervision? We have got on without scandals and complaints except in the city, right under the nose of the inspector. On clause 10 I shall be prepared to move an amendment providing that, while the chairman shall be paid, the other members shall only be paid a certain fee for each meeting they attend, and their travelling expenses. I agree with the honorable member for St. Kilda that there are scores of gentlemen living in retirement who would be glad to give their time to this work. There are many leading men now who are devoting a large portion of their time to honorary work. Would they not feel it to be an honour to go on this Board? The honorable member for Prahran spoke about the difference in cost, but there is something wider than that in it. In one case you have a narrow Board of Government officials who are bound to take narrow, official views. On the other hand you have a paid chairman who would be bound to devote his whole time to the work and the other members of the Board with knowledge of the conditions and difficulties institutions have to meet, and thus you would have a sympathetic Board, in touch with the various institutions, and one that would act as an advisory body. Any men in leading positions could easily devote a week-end to visiting a hospital in the country. In my district, I see Melbourne merchants who go there on the Friday and return to Melbourne on the following Monday morning. The history of charitable work in the past—the history of the devotion and the attention given to charitable work by leading men in the city and country districts—is ample proof to me that there will be no difficulty in finding men, and women too, who will esteem it an honour to be on the Board. They should receive an honorarium and their travelling expenses in recognition of their services. If we were on clause 10 we could bring the matter to an issue. The honorable member for Polwarth suggested that when the work ceased the Board should be reduced, but that could not be done. If we were dealing with the matter on clause 10 we could get to the root of it. I want a sympathetic Board and not a red-tape official Board. From past experience we know it is absurd to say that a man is not going to do his work honestly because he does not receive a salary for it. We know that a great deal of work is done by men gratuitously. Those who have had experience in charitable work would do this work more effectively as an honorary Board. They could be paid a certain fee to prevent them from suffering any loss. In that way the work would be done more effectively and comprehensively than any official Board could do it.

Mr. PRENDERGAST.—Would it not restrict the appointments to one class?

Mr. WATT.—Yes.

Mr. McLEOD.—I do not care what class they are taken from. There is no difficulty in that respect now. We have representatives of all classes on the hospital committees. We require a Board of men and women who know something about the administration of hospitals and have had some experience in the matter. We do not want people appointed who are merely after the salary. We require people with knowledge and sympathy. I know many working men on the existing committees, and they are doing splendid work. I do not want to see such men interfered with.

Mr. PRENDERGAST.—Should they not be paid for their services?

Mr. McLEOD.—Every one is not running after pay.

Mr. PRENDERGAST.—You are speaking for a class.

Mr. McLEOD.—I am speaking in reference to the statement as to the number of men who are devoting themselves to this work to-day, and who are prepared to do the work again. I am not recommending any particular class. Would it not be better to postpone the remaining part of this clause and proceed to clause 10? My endeavour is to improve the Bill so that there may be as little friction as possible.

Mr. PRENDERGAST.—The honorable member for Daylesford seems to forget that the working man will have no chance of appointment on the Board unless there is some provision for payment. The payments may be small, but should be sufficient to remunerate a working man for attending meetings of the Board. Does the honorable member think that all the brains of the community are centered in the wealthy classes? That was his argument.

Mr. McLEOD.—The honorable member is completely misrepresenting what I said. If he was present when I rose to speak, he would see there was no justification for his remarks.

Mr. PRENDERGAST.—The statement was made that there were a great number of men who had full knowledge of the work of these institutions and who would go up and down the country and do the work for nothing. If the members are not to be paid, one class will be debarred from taking any part in the management of these institutions. The man who works for from 8s. to 15s. a day, if he lost a day through attending a meeting of the Board, would have to pay a man for doing his work. Those who want the work done for nothing are seeking to have the positions given to the leisured class. The argument that work should be done for nothing has, fortunately, met with a short shrift at the hands of Parliament. A man should be paid for his services, and the best men should be selected to do the work.

The Committee divided on the question that the words proposed to be omitted stand part of the clause—

Ayes	...	...	36
Noes	...	...	14
Majority against the amendment		...	22

AYES.

Mr. Baird	Mr. McGregor
,, Barnes	,, McLachlan
,, A. A. Billson	,, Membrey
,, J. W. Billson	,, Murray
,, E. H. Cameron	Sir Alexander Peacock
,, Campbell	Mr. Plain
,, Chatham	,, Prendergast
,, Cotter	,, Rogers
,, Elmslie	,, Smith
,, Farthing	,, Solly
,, Gordon	,, Thomson
,, Graham	,, Tunnecliffe
,, Hannah	,, Warde
,, Hogan	,, Watt
,, Jewell	,, Webber.
,, Johnstone	
,, Langdon	*Tellers:*
,, Lawson	Mr. Lemmon
,, Mackinnon	,, Livingston.

NOES.

Mr. Angus	Mr. M. K. McKenzie
,, Argyle	,, McLeod
,, Carlisle	,, McPherson
,, Downward	,, Pennington.
,, Duffus	
,, Farrer	*Tellers:*
,, Mackey	Mr. Bayles
,, McCutcheon	,, Robertson.

Mr. LEMMON.—It is provided in subclause (7)—

A member of the Board shall not, during his continuance in the office of member, engage in any employment other than in connexion with the duties of such office without the consent, in writing, of the Governor in Council; and shall not, in any circumstances, engage in any profession, trade, or calling, outside the service of the State.

I would like to know why that is inserted in the case of a person who is to give his whole time to the position. A similar provision exists in connexion with the principal instructors of technical schools.

With the consent of the Governor in Council they can engage in other business. The object is to enable them to keep up to date in building construction, or any of the various ramifications of industrial life. As long as it is not abused that is a very wise provision. I cannot see why it should be needed in the case of a member of this Board. He will be prevented in any circumstances from engaging in any profession, trade, or calling outside the service of the State. Inside the service of the State I presume he can be so engaged.

Mr. WATT (Premier).—This is the usual provision inserted in such cases. It was inserted in the clause relating to the Closer Settlement Board, but it was struck out, with detrimental effect I think. It is conceivable that it may be advisable for an officer of the State to do other work with the consent of the Governor in Council. There is no particular officer in mind, and I admit that the power would have to be exercised with discretion. If abused it would become a bad provision.

The clause, as amended, was agreed to, as was clause 9.

Clause 10—

The chairman shall be paid a salary at a rate not exceeding £800 per annum, and each of the other members of the Board a salary at a rate not exceeding £600 per annum; and the amount of each of the said salaries shall be determined by the Governor in Council before the appointment is made.

Mr. McLEOD.—What do the Government propose with regard to this clause which provides for two members?

Mr. WATT.—I do not see any provision for two members.

Mr. McLEOD.—Then, if the clause is carried, does it mean that four members will get £600 each?

Mr. WATT.—If the membership as fixed in the other clause remains at five.

Mr. McLEOD.—I said I would test the feeling of the Committee in regard to the matter. I move—

That all the words after "Board" be omitted, with the view of inserting the words "shall be paid attendance fees of such amount as may be prescribed by regulation, but such fees shall not exceed 2 guineas per member per sitting, and shall not exceed 150 guineas per member per annum; and members shall also be paid travelling expenses reasonably incurred in the performance of their duties."

That is partly taken from the Health Act, and partly from the Pure Foods Act. I need not go over the ground again. I suggested earlier in the evening that the whole question of payment should be thrashed out in connexion with this clause. The desire that the membership of the Board should be increased was expressed pretty clearly, and honorable members showed that they were in favour of having a paid chairman, the other members of the Board receiving fees. The ordinary members will be paid sufficient under my amendment to enable them to devote as much time to the work as is required. There is no justification for the whole Board working continuously, if the chairman is permanently employed. I think that a Board of five, remunerated in the way I propose, will be conducive to harmonious working.

Mr. WATT (Premier).—I think this raises the same issue as we have already decided, but I admit that it is competent for the honorable member for Daylesford to move his amendment in this way. The question recently decided was whether the Board should be fully paid. Everybody agreed that the chairman should be paid. The question was whether the other members should be paid or feed. I am for a full-time Board paid at fixed rates, and I think that the Committee decided in favour of that. Therefore I suggest that, without much discussion, we should take a vote on the amendment. The Government will oppose it.

Mr. SOLLY.—I am opposed to the amendment. The honorable member for Daylesford proposes that an ordinary member shall receive £2 2s. a sitting, but he restricts the yearly payment to 150 guineas. A member of the Board would have to put in the whole of his time to do all that is required in bringing about intelligent administration and management. Can a member be expected to devote all his time and energy to the Board's work for 150 guineas a year? Certainly the honorable member spoke of economy in the first place. As a general rule where persons receive so much a sitting the expenses exceed what a salaried officer would get, but in this case the remuneration is restricted to 150 guineas a year, which is inadequate to recompense a person who puts all his energy into this work. The honorable

member for North Melbourne has pointed out that there will be out-of-pocket expenses.

Mr. J. W. BILLSON (*Fitzroy*).—They will be paid travelling expenses.

Mr. SOLLY.—Does that mean hotel expenses, or train fare, or all out-of-pocket expenses?

Mr. MCLEOD.—The amendment says, "all travelling expenses reasonably incurred."

Mr. SOLLY.—Does the honorable member mean hotel expenses?

Mr. CARLISLE.—The members of all Boards get a guinea a day when travelling.

Mr. SOLLY.—As the honorable member for North Melbourne has pointed out, that would restrict the representation to a certain section of the community, and I quite agree with him that the whole of the brains and intelligence do not rest with the moneyed classes. If reasonable salaries are provided, we will be able to get the persons best fitted for the positions, no matter whether they are men and ladies with money, or poor men or poor ladies.

Mr. COTTER.—There are no poor ladies.

Mr. SOLLY. — Unfortunately, there are. There are any number of women in our community who have devoted their time and intelligence to charitable work who are exceedingly poor, and I say that a woman of that class would not be able to take a position on the Board, because the salary would be inadequate for the services required. I think the proposition of the Government is far superior to the amendment.

Mr. FARRER.—The honorable member who has just resumed his seat presumes that there are no gentlemen or ladies in the community who would take positions on the Board unless they got full remuneration. I do not think that is the case. There are any amount of suitable people who would be glad to take positions at 150 guineas a year, with a guinea a day for travelling expenses. The idea of the honorable members who voted to increase the number of members on the Board from three to five was to enable a Board of wider knowledge and influence to be appointed, and not to increase the cost of the Board. They did not intend to increase the cost by £1,200 a year. A grant of £1,200 a year would be a great help to a country hospital. We want the Board to have the widest knowledge, and also to be in sympathetic agreement with the local hospital committees that work for nothing. I cannot see that a Board of five will have a great amount of work to do, unless it is going to interfere unduly with the honorary committees, and we are told that that will not be the case, but that the Board is only to overlook the work of the committees, and to show them practically in what way they can better their management. I cannot see that suitable persons could not be obtained at the fees proposed by the honorable member for Daylesford. I would certainly be against the four members of the Board, other than the chairman, each getting £600 per annum. What work would there be for four salaried members other than the chairman, or for even two salaried members other than the chairman? I want the widest representation on this Board, and I am against heaping up the expense. I also feel that people can be got as feed members of the Board, who would assist the chairman, and who would be more sympathetic with the unpaid hospital committees than salaried officers would be. Therefore, I think the amendment is a very good one. I remember that when the Country Roads Board was proposed, we were told that the Board would map out all the main roads in the State, so that we might know what was going to be done. That has not been done yet. We are told that the Board proposed in this Bill is not going to interfere unduly with the hospital committees. Those committees work for nothing, and every one admits that they do splendid work. It is said that there are ways in which their work could be improved, and the Board is to suggest improvements, but we do not want any great expense, or too much interference. If that occurs, it will mean doing away with the unpaid committees and throwing additional expense on the taxpayer. Under the amendment we will get nearer to what, it has been said, is desired by the Committee, than we will get by paying four members of the Board, other than the chairman, £600 per annum each.

Mr. LEMMON.—The Premier, apparently, is proposing to stand by the proposal that is principally advocated by members of the Opposition. On clause 8, the leader of the Opposition moved that

there should be a Board of five members instead of a Board of three. He believes that the members of the Board should be fully paid. The Premier says he is going to support that proposal. Is he going to continue right through the Bill to support it? I will be only too glad to support the idea of the five members of the Board being paid.

Mr. J. W. BILLSON (*Fitzroy*).—Is the Premier going to support a Board of five members?

Mr. LEMMON.—I presume he is, on this vote. It looks to me as if he is now going to support a Board of five paid members, in order that he may afterwards make representations to some of his wavering supporters to show that the burden will be too heavy, and that there is, therefore, a justification for going back to a Board of three members. The Bill now provides for a Board of five members, and I certainly think those five members ought to be paid. I would rather have that than reduce the number of paid members to three. We desire to have five members for more than one reason. We desire to have women represented on the Board. If that is knocked out, it looks as if the Premier will have his way, and that he will get back to the Board of three as originally proposed.

Mr. WATT.—Didn't you say, a little while ago, "One thing at a time, and that done well"?

Mr. LEMMON.—I am afraid that we may be lost like a louse in the burning. I am prepared to vote with the Government on this occasion, so as to keep a Board of five members in the Bill, and to trust to Providence to see that a fair deal is carried out in the future. The position is very interesting, and I sincerely hope that some arrangement will be come to to prevent the number of members of the Board being again reduced to three.

Mr. McCUTCHEON.—I think the Committee is getting into another tangle like we had last week, and were in for part of to-day. The Committee has affirmed that the whole of the time of the five members of the Board is to be devoted to the service of the State. For that reason I fail to see how the amendment of the honorable member for Daylesford can be supported, because, for a full-time Board, 150 guineas per annum each and travelling expenses are not sufficient.

Mr. FARRER.—A full-time Board?

Mr. McCUTCHEON.—The whole of the time of the members of the Board, under the clause that has been passed, is to be devoted to the service of the State. Taking the scale of payments proposed in the Bill—£800 for the chairman, and £600 each for the others members of the Board—the cost of a Board of five would be £3,200 a year. I see clearly enough that we are in danger of getting back to what the Committee was almost unanimously opposed to—a bureaucratic Board entirely cut off from sympathy and association with the present committees and members of the institutions. I believe the Committee intended something different, but unless we are prepared to make some alteration in this matter, I think that will be the result, whatever the number of the members of the Board may be. I am entirely opposed to a bureaucratic Board. I am prepared to move an amendment on the amendment of the honorable member for Daylesford at the right time to provide for a payment of £250 per annum to each of the members of the Board other than the chairman, so as to provide for a different class of Board from what the Government proposes. That will, at the same time, meet the objections of members of the Opposition who say that, unless something of this kind is done, the appointments will be confined to the leisured class, in whom they do not appear to have sufficient confidence.

Mr. J. W. BILLSON (*Fitzroy*).—I would very much prefer that £250 should be inserted in the amendment of the honorable member for Daylesford, rather than 150 guineas. I think 150 guineas is a ridiculous amount to propose. At the same time, if we are only to have a Board of three, it will probably be better to fix the salaries at £500 or £600.

Mr. HANNAH.—Aren't we going to pay the women as well?

Mr. J. W. BILLSON (*Fitzroy*).—Certainly; I would make no distinction at all. I would not have the word "woman" included in the Bill. I would give women an opportunity of being selected according to their ability.

Mr. HANNAH.—What if the Government will not do it?

Mr. J. W. BILLSON (*Fitzroy*).—If the Government will not appoint women, and the House thinks women ought to be appointed, the House knows what to do.

If the Government decline, and the House desires women to be appointed, the Government must accept the inevitable. That is what we (the Opposition) have to do very often. Why not they?

Mr. WATT.—You are getting quite philosophical.

Mr. J. W. BILLSON (*Fitzroy*).—I always have been. If the members of this Board are to be paid, I prefer that they should be well paid. I do not believe in half paying them. I do not think they would be paid well at £250 per annum. I think the members of this House are not well paid, but probably members of the Board, having no constituents to look after, and no elections to contest, would be better paid at £250 per annum than members of this House at £300 per annum. I think that £800 for the chairman is a very small salary. The probabilities are that if the salary for the chairman were £1,000, we would get applications from men of greater commercial and hospital experience. Some of the doctors who have gone through hospitals, and have not a very large practice, might be available for this kind of work, or other medical men who have a large practice, but who would prefer work of this kind, might be prepared to take the position of chairman at a salary of £1,000 per annum. I certainly agree with the honorable member for North Melbourne that we are wasting our time discussing what we should pay five men if the Government have determined that there shall only be three members of the Board, and intend to take another vote on the question in order to reduce the number. I would certainly oppose any considerable reduction in the proposed salaries. If the salary for members of the Board other than the chairman were fixed at 150 guineas per annum, it would be possible for members to be selected from only one section of the community—the section that has any amount of leisured time. The Government could only select men and women who have private incomes. I do not think that that should obtain at all. We should endeavour to obtain the very best persons for these positions, irrespective of their resources. If the amendment is carried it will mean that only those persons who have private accounts will be available for appointment to the Board. I take it that no person without private means could possibly take this position at 150 guineas a year. Therefore I hope the Committee will reject this proposition in favour of the sum mentioned in the clause, or something approximating to it.

Mr. McLEOD.—Before the amendment is put, it is just as well that honorable members should consider whither they are being led. The Committee has struck out three and inserted five as the number of members of the Board. This clause provides that the chairman shall receive £800 a year, and the other members £600 a year each. With a Board of five members, that means a total of £3,200. Honorable members are now told that if the clause is carried without amendment, a proposal will be made later on to restore the number of members to three. That is very ingenious, but if that is done, honorable members will have to swallow something.

Mr. J. W. BILLSON (*Fitzroy*).—After the honorable member's experience, he ought to be able to swallow anything.

Mr. McLEOD.—It was not my experience; it was the experience of those who swallowed the motion. I have no objection to the suggestion of the honorable member for St. Kilda that the members of the Board, other than the chairman, should be paid £250 a year each. At the same time, I would remind honorable members that we have affirmed the principle of having five members, and also that we do not want a Board of full-time members.

Mr. JOHNSTONE.—I have already expressed myself as being in favour of a full-time Board, and now I want to express my view in favour of paying in salaries the amount stated in the clause. I am prepared to move that the salary of the chairman shall remain at £800 a year, and that the four other members shall be paid at the rate of £300 a year each.

Mr. WATT.—Although it is to be a full-time Board.

Mr. JOHNSTONE.—I recognise that the chairman would have to be a specially qualified man, and would have to be well paid for his services.

The Committee divided on the question that the words proposed to be omitted stand part of the clause—

Ayes	...	...	34
Noes	...	...	16
Majority against the amendment		...	18

AYES.

Mr. Baird	Mr. McGregor
,, Barnes	,, McLachlan
,, A. A. Billson	,, Murray
,, J. W. Billson	,, Oman
,, E. H. Cameron	Sir Alexander Peacock
,, J. Cameron	Mr. Plain
,, Campbell	,, Prendergast
,, Chatham	,, Rogers
,, Cotter	,, Solly
,, Elmslie	,, Thomson
,, Farthing	,, Tunnecliffe
,, Gordon	,, Warde
,, Graham	,, Watt
,, Hannah	,, Webber.
,, Hogan	
,, Lawson	*Tellers:*
,, Lemmon	Mr. Livingston
,, Mackinnon	,, Smith.

NOES.

Mr. Angus	Mr. McCutcheon
,, Argyle	,, M. K. McKenzie
,, Carlisle	,, McLeod
,, Downward	,, McPherson
,, Duffus	,, Pennington.
,, Farrer	
,, Johnstone	*Tellers:*
,, Langdon	Mr. Bayles
,, Mackey	,, Robertson.

PAIR.

Mr. Membrey	Mr. Snowball.

Mr. JOHNSTONE.—I wish now to move—

That "£600" be omitted with the view of substituting "£300."

The ACTING CHAIRMAN (Mr. OUTTRIM).—The honorable member cannot do that. The Committee has just decided that all the words after "Board" shall remain part of the clause.

Mr. J. W. BILLSON (*Fitzroy*).—The previous amendment was put in such a way as to exclude the Committee from getting what they desired.

The ACTING CHAIRMAN (Mr. OUTTRIM).—I put the amendment as such an amendment has always been put. The Committee having decided that those words should be retained, I cannot take an amendment to omit any of them.

The clause was agreed to, as were also clauses 11 to 14.

Clause 15—

Save as otherwise expressly provided in this Act the powers, duties, and authorities of the Board may at any meeting be exercised by a quorum thereof consisting of not less than two members thereof, and during a vacancy in the Board not exceding three months, the continuing members may (subject to there being a quorum) act as if there were no vacancy.

Mr. ELMSLIE.—I move—

That the word "two" (line 4) be omitted, with the view of inserting the word "three."

This amendment will bring the clause into line with the amendment we have already adopted fixing the number of members of the Board at five instead of three.

Mr. WATT (Premier).—I hope the Committee will not strike out the word "two" in this clause.

Several HONORABLE MEMBERS.—Why?

Mr. WATT.—Because I am hopeful that the Committee will, at some subsequent stage, revert to the original three as the number of members.

Mr. HANNAH.—You must have great faith in yourself.

Mr. WATT.—Not in myself, but in the logic of events. If this is to be eventually a Board of five, I will promise the honorable member an opportunity of moving his amendment without resistance.

Mr. ELMSLIE.—It is just as well to make the matter consistent now.

Mr. WATT.—That can be done, but I will ask Government supporters to vote against the amendment.

Mr. SOLLY.—The Committee has already decided that the Board shall consist of five members. If that be so, three must form a quorum. Under the circumstances, the Premier seems to be treating members of the Committee like so many children.

Mr. WATT.—I will accept the amendment at this stage for the sake of consistency.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 16—

(1) At any meeting of the Board, the chairman, if present, shall preside; and in his absence the member of the Board who is the senior with respect to appointment shall be chairman of and preside at the meeting.

(2) The chairman presiding at any meeting shall, in the event of an equal division of votes at the meeting, have a second or casting vote.

Mr. SOLLY.—The matter dealt with in this clause has been debated in connexion with several Bills that have been before Parliament. I trust the Committee will look at this question from the democratic point of view. The chairman of any Board or of any meeting should control the meeting in a most impartial way, and he should not have a deliberative as well as a casting vote. We do not attempt to work on that principle in Parliament. The Speaker has not a deliberative vote in the House, nor has the Chairman a deliberative vote in Committee, but they have a casting vote. All responsible bodies, such as the Trades Hall Council, the Eight Hours Committee, and other bodies which control big questions do not allow the

chairman to have two votes. I cannot see why the chairman should have two votes. He has no right to take sides until a deadlock has arisen. If the chairman is allowed a deliberative vote he will be unconsciously biased on all questions, as he is going to vote on them. The Premier in connexion with another Bill said that it was only right and proper that the chairman should have a deliberative as well as a casting vote, but if that is so, the Speaker should have two votes and the Chairman two votes. No honorable member of this House would permit of that principle being embodied in the rules and regulations of this House. I hope the Premier will listen to a little reason in this matter, and allow the democratic principle to prevail that the chairman should have a casting vote only, for the purpose of deciding any question on which there is a deadlock.

Mr. WATT (Premier).—I have never felt more amenable to the cold voice of reason, but I do not think it has been just uttered by the honorable member for Carlton. What his proposition amounts to is this. If you appoint a body of three or five—I do not want to harp on this question, but I wish to engrave it indelibly on the minds of honorable members who have to decide it—

An HONORABLE MEMBER.—Why look at the Corner?

Mr. WATT.—We always find intelligence in the corners. I used to sit there myself. With respect to an administrative or supervising body of three or five, there is no parallel between that and a vast body of 60 or 100 members, such as Parliaments. You can afford to do with large bodies what you cannot do with safety with small bodies, where ties are likely to choke up business. Take the position that would arise if a proposition for a body of five is consented to. The principal man, admitted by all here to be the general factor in deciding things, will not have a vote at all on the great bulk of issues, because only on rare occasions will there be a tie and deadlock. If you give him only a casting vote and no deliberative vote, then the man who is really the chief thinker and the leader of thought on the Board will have no vote at all.

Mr. TUNNECLIFFE.—I think he should only have one vote.

Mr. WATT.—Let us take that argument, which supersedes the argument of the honorable member for Carlton. I think that in 99 cases out of 100 with an administrative body, after it gets going, he will have only the one vote. There will be occasions when some one will not be able to be present. Then there is likely to be a tie on the Board. This provision is to meet an emergency case, and there is a similar provision in several Acts. Where you have small compact administrative bodies you provide for possible cases of deadlock and give the chairman over-riding authority.

The clause was agreed to, as were also clauses 17 and 18.

Clause 19—(Duties of the Board).

Mr. ELMSLIE.—It is provided here that it shall be the duty of the Board, subject to the provisions of this Act,

To make inquiry from time to time as to what charitable relief is required to meet the needs of the diseased, infirm, incurable, poor, or destitute persons resident in Victoria (including children or infants).

Will the Bill give the Board power of inquiring and control in connexion with what is now known as the Neglected Children's Department?

Mr. WATT.—This only applies to an institution supported partly or in whole by voluntary contributions.

Mr. ELMSLIE.—Not the Neglected Children's Department?

Mr. WATT.—No.

The clause was agreed to.

Clause 20—(Powers of the Board).

Mr. J. W. BILLSON (*Fitzroy*).—It is provided here that, subject to the provisions of this Act, the Board may withhold payment to any subsidized institution or benevolent society of any sum out of the funds with a view to—

(*i*) The closing of such institution, not being a "separate institution," or the amalgamation thereof with any other institution, in accordance with any determination of the Board.

Then it is stated in the next clause that the Board in the exercise of the powers conferred upon it shall not make any determination that a subsidized institution shall be closed, or that a subsidized benevolent society shall cease to exist. I cannot reconcile these two provisions.

Mr. WATT.—If the honorable member reads on he will see that clause 21 puts restrictions on their closing any institution.

Mr. TUNNECLIFFE.—They must have reasons for doing it.

Mr. J. W. BILLSON (*Fitzroy*).—Have they to report to the Government the grounds on which they advise the closing of an institution?

Mr. WATT.—No, but the whole thing has to be recorded. They have to hear what the reasons are for closing so that their action may be quite defensible.

Mr. J. W. BILLSON (*Fitzroy*).—If the Board can do that without these institutions having an appeal, the institutions will have just cause of complaint against Parliament for giving the Board that power. It appears to me that an institution closed by the Board should have some power of appeal against an unjust decision of the Board. No Boards are always wise, and this Board may close an institution without due consideration, or after considering the question well the Board may be wrong in its judgment. An institution should have some power of appeal to the Minister or some other Court or person. I should like to see an amendment to protect institutions that may be closed as the result of powers given in clauses 19 and 20.

Mr. JOHNSTONE.—An institution is doing philanthropic work in our district, and it receives assistance from neither the Government nor the general public. It distributes £300 a year in charitable help to deserving cases. Will the Board have power under this Bill to close up that institution?

Mr. WATT (Premier).—This clause only deals with subsidized institutions. Although the general provisions of the Bill in relation to registration of a society if it appeals to the public for subscriptions would apply, yet it would not be dealt with under this particular clause.

Mr. JOHNSTONE.—I take it then, from the explanation of the Premier, that if the society I refer to does not appeal to the general public for subscriptions, it will be outside the jurisdiction of the Board and need not register.

Mr. WATT.—That is so, if it does not appeal to the public and is not subsidized.

Mr. McLEOD.—This clause gives powers to the Board which are uncontrolled in their operations. It looks as if the Board in this matter is not responsible to anybody. I think that is a very unwise power to give to any Board. I think no Board should have the power to do this without the institution dealt with being given the opportunity of being heard in the matter. The clause provides that "the Board may withhold payment." I move—

That the words "with the consent of the Governor in Council" be inserted after the word "may."

That will give the parties affected the opportunity at any rate of presenting their views to the Minister and having the final decision given by the Governor in Council.

Mr. WATT (Premier).—I think there is a great deal in what the honorable member for Daylesford said as to an appeal to the Minister in regard to the closing of an institution. I think that institutions that might be deemed to be threatened in connexion with the procedure of this Board would regard that as a kind of protection which I am not altogether unwilling that the Government should shoulder. The unfortunate part of the matter is that if the words suggested are put in here, the consent of the Governor in Council would have to be required for a number of other things. I will promise that, at a later stage, I will see that a provision is inserted giving the Governor in Council power to consent in relation to the closing of an institution. That, I believe, is what the honorable member for Daylesford wants. This consent, however, should not be applied to the minor things mentioned lower down in the clause.

Mr. McLEOD.—I will accept the Premier's promise to deal with the matter at a later stage.

The amendment was withdrawn.

Mr. BAYLES.—The clause provides that, subject to the provisions of this Act, the Board may—

(*a*) Determine that any subsidized institution, not being a "separate institution," shall be closed.

I do not see why the Board should not have power to close a separate institution if it is necessary that it should be closed.

Mr. WATT (Premier).—It would appear, from the wording of this clause, that a separate institution could not be closed, but that is not so. The way in which a separate institution would be closed would be different from that of ordinary institutions. The latter are provided for in clauses 20, 21 and 22. When we close them we deal with their property and other things, but separate institutions would be closed without

touching their property, simply by refusing to register them, or by cancellation of the registration. The honorable member will see the reason for the classification of certain institutions on a different basis from others. In the case of a general institution managed by a Committee, its property is a public gift, but as regards separate religious institutions we have not the right to take their property by any provision in the Bill. However, they will be closed just as effectively as any other institutions. They are absolutely under the same inspection and authority as other institutions, and the only exception is with regard to their property in the event of their being closed.

Mr. SOLLY.—I would ask the Premier to give some further explanation with regard to paragraph (*a*) under which the Board may determine that any subsidized institution, not being a separate institution, shall be closed. Take, for instance, the Royal Victorian Institute for the Blind on the St. Kilda-road. That is a subsidized institution which does certain work in teaching trades and educating young people. It is a very useful institution indeed. There is also, however, a branch of that institution which receives no subsidy from the State, but which also carries on very useful and humane work. I refer to the Home down at Brighton Beach, which deals with the sick and infirm blind—some of them old people, and others young people who have met with sickness, and are there nursed back to health. I would like to know what would be the position of this latter institution under this Board's control. It seems to me that it is probable that the Board, with its desire for amalgamation, would want to close up the institution entirely. It would be a thing to be regretted, however, if the Board, as constituted under this Bill, should interfere in any way with the work that is done by the committee of the Home for the Blind at Brighton Beach. I have the honour to be a member of that committee, and I can assure honorable members that they are doing very useful work, and an institution like that should not be interfered with, because it is doing work apart from the Royal Victorian Institution for the Blind. The latter institution could not possibly deal with the classes of cases that are dealt with by the Committee of the institution at Brighton Beach. The Brighton Beach institution is part of the institution for the blind on the St. Kilda-road, and yet it is not absolutely under the management of the latter. It is a kind of sub-committee which manages the Brighton Beach institution.

Mr. WATT (Premier).—The honorable member for Carlton asks me if I think the Board would interfere with the Blind Asylum. Of course, I can give the honorable member no promise as to what the Board would do in regard to such an institution.

Mr. SOLLY.—Would they have power to close it?

Mr. WATT.—They would have power with regard to registration and other things. I can, however, give my own impressions with regard to the other institution to which the honorable member has referred, because I was instrumental in bringing the two bodies that he has alluded to together, although I was not able, eventually, to accomplish half of what I desired. Speaking without any disrespect of the people who led the movement for the establishment of the second institution, I may express the opinion that that is one of the clearest cases of overlapping or duplication that exists about Melbourne. It is probably due to the fact that the people who originated the second institution for social and convalescent work amongst the blind, felt that the institution on the St. Kilda-road was not as sympathetic as they thought it might be. For my part, I was very strongly desirous that both classes of the blind should be kept under one management. and the representation which the honorable member for Carlton speaks of was one of the results of a conference which was held on the subject. I am sure that the result of the duplication in this case has been to cut across the regular receipts of the Blind Asylum, and militate against the work which they do in connexion with the blind. This is certainly one of the cases to which the Board would direct its attention—not for the purpose of cancelling either body, but in order to put the whole blind problem in one set of hands. There could be branches, but they ought to be co-ordinated, and should not clash with each other.

Mr. MACKINNON.—When in England I took some pains to become familiar with the administration of the blind societies there, and I found exactly the same kind of movement in existence in

England as the honorable member for Carlton has referred to here. That is a movement towards co-operation amongst those of the blind who are altogether outside any institution. These people are pretty well organized in England. They have a Blind Society in London, which keeps in touch with every one of the blind institutions, not only in England, but all over the English-speaking world. I was informed that one of the difficulties was with regard to those altogether outside blind institutions carrying on their own operations, and appealing to the public without interfering with the regular institutions for the blind. There seems to be the same desire, both in England and here, to have a free movement amongst the blind outside the ordinary recognised institutions.

Mr. WATT.—That may be the case in England, but is this country not too small for two blind societies?

Mr. MACKINNON.—Victoria may be regarded as a microcosm in this matter—a small world where things shape themselves very much as they do in larger communities. I think it should be possible to have an outside society as well as the institution on the St. Kilda-road, without the work of the two overlapping. The number of people who assist the blind is very great.

Mr. BAYLES.—Paragraph (*c*) of this clause enables the Board—

to determine the purposes for which any subsidized institution not being a separate institution shall be used.

I move—

That the words "provided that such purposes are not inconsistent with any express trust affecting the institution" be inserted after the word "used" in paragraph (*c*).

An institution may be endowed for a certain purpose. It seems to me that where a person has left a certain amount of money and made it an express trust, providing that it shall be used in a certain way, the Board should not be empowered to use it in absolute contravention of the trust.

Mr. WATT (Premier).—The object of the honorable member for Toorak is apparent. Supposing an endowment is given to the Elizabeth Fry institution for the redemption of drunkards, it should not be possible for the Board to divert it to some other purpose. That is evidently the honorable member's object.

Mr. BAYLES.—The Homœopathic Hospital was endowed with £3,000 for the erection of a ward for children.

Mr. WATT.—That has nothing to do with this. I investigated that matter pretty fully. That was deliberately established by consent after twelve months' agitation, on condition that if the Board thought it unwise it could close it. It is conceivable that £20,000 may be given for a tuberculosis hospital which may be badly managed. The Board should not be able to put that money into a cancer hospital which would be something different from the intention of the benefactor. I have no objection to the amendment.

Mr. MACKINNON.—I think it will be desirable to know exactly what the powers of the Board are in regard to reshaping institutions. I understand it is not intended to give the Board a power that no Court, except Parliament, has. That is the power to completely alter the destination of funds contributed for a particular purpose. That, I imagine, is the reason that prompts the honorable member for Toorak to submit his amendment. If so, the object is right. I do not think people would be inclined to get up a charitable movement if they thought the Board could turn the money to some other purpose. I am glad the Government intend to accept the amendment. No body short of Parliament, or, perhaps, the Supreme Court, should be empowered to alter the object of a charitable bequest.

Mr. BAYLES.—The honorable member for Prahran has opened up a much wider question than is covered by my amendment. The Cottage by the Sea, in which Mrs. Robert Harper has taken a lively interest, may, in the future, be badly managed. Under this clause it would be quite possible for the Board to close it up, or to use it as a home for inebriates. The Bill proposes to give enormous powers to the Board. I agree with the honorable member for Daylesford that there should be some other body besides the Board. People would not subscribe for a home for inebriates, for instance, if they thought that the money could be handed over to a different object. The amendment I have moved is only as to trusts. I hope the Premier will look into the whole subject. I know

a person who stated that he wanted to leave a certain sum of money to a certain institution, but stated that this Board, which the subscribers have no interest in appointing, might use the money for some other purpose. He said he would rather leave the money to something that the Board could not touch. There is a fear that the Bill will dry up sources of private charity. The Government should try to do something to disabuse the minds of people of the idea that the Board will be able to do anything in the way of closing up institutions, amalgamating them, and using the funds for other purposes. Let us have as good a Bill as we can get, but let us disabuse the public mind of the idea that if a man gives a sum of money for a certain purpose it can be used for another purpose.

Mr. WATT (Premier). — I have accepted the honorable member's amendment. I do not know whether the wider avenue that the honorable member for Prahran looked down should be open or closed, but I will consider that with the draftsman. I candidly confess that the power to do good involves an equal opportunity to do evil. When you give any one power it will do good if properly exercised, but will result in evil if not properly exercised. I am not hiding that fact from myself in connexion with this clause and subsequent clauses.

Mr. BAYLES.—When people give money for a certain purpose it should not be devoted to another purpose.

Mr. WATT.—That is quite right. When we closed the Macedon and the Echuca Sanatoriums we introduced a Bill prescribing that the proceeds of the sales should be devoted to cognate purposes. The money should go to a similar purpose if an institution is closed.

Mr. BAYLES.—There is nothing in the clause to effect that.

Mr. WATT.—We shall have to look at the question in another way.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 21—

The Board, in exercise of the powers conferred upon it shall not make any determination—

(*a*) that a subsidized institution shall be closed, or

(*b*) that a subsidized benevolent society shall cease to exist

unless the Board is of opinion that such determination should be made on all or any of the following grounds, namely :—

(i.) that the institution or benevolent society is seriously mismanaged, or

(ii.) that the funds thereof are substantially applied otherwise than for affording the relief for which the institution or benevolent society exists, or

(iii.) that the institution or benevolent society has ceased to effectively afford the relief aforesaid, or

(iv.) that having regard to the administration, management, and operations of the institution or benevolent society, its objects can be carried out as effectively and more economically by some other institution or benevolent society, or by its being amalgamated with some other institution, or

(v.) that the accommodation provided by the institution is so defective, insanitary, or unsuitable for such purposes that it cannot by any reasonable expenditure be made fit for the said purposes.

Mr. BAYLES.—Under this clause the Board can close an institution by depriving it of the subsidy.

Mr. WATT.—Sometimes an institution is not subsidized because it does not need the money.

Mr. BAYLES.—The Board can close the institution in a certain way. An institution may be struggling, and if the subsidy is taken away the institution may be closed without the Board's deciding in the way provided in the clause.

Mr. WATT (Premier).—There are a number of ways in which the Board could attack an institution. It could quarrel with it about its registration and cancel it; it could starve it or suffocate it. If it were intended to close an institution it could only be done in the way proposed. No Board in the discharge of its particular obligations under this Bill would try to suffocate an institution by cutting off its supplies of air. It would formally try it. Sometimes it is necessary to teach an institution a lesson. I have done it to four or five. I cut supplies off from one because it did not need the money, and would not consent to accept the suggestions which would lead to a grant in the future. The committee thought they were capable of sustaining themselves. The clause should be left as it is.

Mr. SOLLY.—I presume that these clauses have been very carefully drafted. If not, the Board may get into some difficulty with an institution opposed to amalgamation or to being closed up. We may assume that a hospital has certain

property and sums of money left in trust. The Board may decide that that institution shall be closed for the reasons given in the Bill. We find that the Board has power to deal with subsidized and separate institutions. The conditions under which a subsidized institution may be closed are also set out. There are other clauses dealing further with the obligations of the Board. It appears to me that if these clauses have not been carefully drafted, there will be any amount of opportunity for litigation. In four of five of the clauses it is very difficult to understand where the powers of the Board begin and end. There might be a good deal of dissension unless we make these matters absolutely clear. I can conceive some of these authorities being opposed to this measure from top to bottom, and if the Board attempts to interfere there is a possibility that the matter will be taken to court, and where it will end I do not know. Is the Premier quite sure of his ground with regard to the powers of the Board? Is there any chance of litigation if the Board attempts to amalgamate or close institutions where the controlling powers object?

Mr. WATT (Premier).—I am a layman, a comparatively innocent one, and I can only give the honorable member a layman's assurance. These clauses have been very carefully drafted. For three, or three and a half years, they have been in the hands of both Mr. Carlile, our former draftsman, and Mr. Collins, the present Parliamentary Draftsman, who have had at their command all the departmental aid and experience. Every year they have been carefully put under the glass. I can give no further assurance. It is a common experience for legislation which we consider clear as the noon day sun to become obscure in the hands of lawyers in a case. As I say, the clauses have been carefully considered, and are not likely to create confusion or trouble.

The clause was agreed to, as were clauses 22 and 23.

Clause 24—(Consequences of amalgamation of subsidized institutions).

Mr. McLEOD.—It is provided in paragraph (*b*) of sub-clause (2)—

> (*b*) All contracts, debts, and liabilities reasonably entered into or incurred by any person on behalf of such incorporated institution shall become the contracts, debts, and liabilities respectively of the incorporated institution.

Who is to be the judge of whether the contracts, debts, and liabilities have been reasonably entered into? If the Board decides that they have not been reasonably incurred, will the individual have to sue the new society? It seems very vague. What would be the remedy of the unfortunate creditor who has supplied the goods if the Board considered that the contract had not been reasonably entered into?

Mr. WATT.—The Board would have to say whether it was reasonable.

Mr. McLEOD.—What would happen to the creditor?

Mr. WATT.—He would have to sue the vanishing corporation I suppose.

Mr. McLEOD.—If a creditor supplied an article in good faith, and the Board said that the debt was not reasonably entered into, would he have no remedy?

Mr. WATT (Premier).—There is something in the argument of the honorable member for Daylesford, but of course on such a matter I will have to take the advice of the Crown Law authorities. It seems necessary to make some reasonable restriction or limitation, in order to safeguard the institution taking the liabilities over. However, I think at this stage we may report progress. We have done wonderfully good work to-night, and I am very pleased with it. But some honorable members are not. However, I think that they will get into a better frame of mind, and that we will be able to pass the measure in a form which will redound to our credit.

Progress was then reported.

The House adjourned at twenty-four minutes to ten o'clock.

LEGISLATIVE ASSEMBLY.

Wednesday, October 15, 1913.

The SPEAKER took the chair at twenty-five minutes to four o'clock p.m.

RAILWAY DEPARTMENT.

ELECTRIC POWER HOUSE.

Mr. LANGDON asked the Minister of Railways—

> If he will lay on the table of the House a plan of the locality on which it is proposed to erect the new electric power house at Newport, together with a sketch or plan showing the immediately adjoining locality embracing an area, say, of 1 mile radius from the said proposed site?

He said—By leave, I should like to explain why I ask this question. It is well known that the Wheat Commission strongly recommended the construction of a large dock at the mouth of the river. I have ascertained that the Melbourne Harbor Trust contemplate spending a large amount of money in improvement works in that direction, and I am desirous that the work contemplated in connexion with the electric power house should not interfere with these other works.

Mr. A. A. BILLSON (*Ovens*—Minister of Railways).—The answer is "yes," and a plan embodying the particulars desired by the honorable member will be prepared as early as possible.

RETIRED STATE SCHOOL TEACHERS.

Mr. BAIRD asked the Minister of Public Instruction—

If the teachers who were employed by the Department on the 1st January, 1912, but who retired before the passing of Act No. 2413, are entitled to claim, according to section 4 of the Act, the increase of salary granted in respect of the months of 1912 during which they were employed by the Department?

Sir ALEXANDER PEACOCK (Minister of Public Instruction).—Teachers employed by the Department on 1st January, 1912, but who retired prior to 23rd December, 1912, the date of the passing of Act No. 2413, cannot be regarded as entitled to claim, according to section 4 of that Act, increase of salary granted in respect of the months of 1912 during which they were employed by the Department, as section 4 applies only to teachers who were employed immediately before the commencement of the Act.

PETITIONS.

Petitions, praying that a referendum be taken on the subject of Scripture lessons in State schools, were presented by Mr. OUTTRIM, from certain adult residents of Avoca; by Mr. MCCUTCHEON, from certain adult residents of St. Kilda; and by Mr. PLAIN, from certain adult residents of Geelong.

A petition was presented by Mr. CAMPBELL, from certain settlers on the Morven Estate, praying that section 69 of the Closer Settlement Act 1904 should be repealed.

CRESSY LAND BILL.

Mr. MURRAY (Chief Secretary) moved for leave to introduce a Bill to revoke the permanent reservation of certain land in the township of Cressy.

The motion was agreed to.

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

KILMANY PARK ESTATE RAIL OR TRAMWAY CONSTRUCTION BILL.

Mr. A. A. BILLSON (*Ovens*—Minister of Railways) moved for leave to introduce a Bill to authorize the construction by the State of a line of rail or tramway to Kilmany Park Estate.

The motion was agreed to.

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

FACTORIES AND SHOPS BILL.

Sir ALEXANDER PEACOCK (Minister of Labour) moved the second reading of this Bill. He said—I have the honour to move the second reading of a Bill to further amend the Factories and Shops Act 1912, and in doing so I cannot help casting my mind back to the time when I had the honour of originally introducing the first Factories Bill dealing with the proposition for the experiment of establishing Wages Boards in this State. It was just at this time seventeen years ago—in 1896—that I had the honour of bringing forward that experimental legislation, and it is interesting to compare the condition of affairs then and now so far as the number of persons and the number of factories under the operation of the Wages Board system are concerned. In 1896 there were 3,370 registered factories in the State of Victoria, in which there were 40,814 persons employed. Since then factory legislation has made great advances, and what was then considered to be a new experiment in the establishment of Wages Boards was viewed with considerable doubt. The experience of this State and other States of the Commonwealth, as well as other parts of the Empire which have copied the principle, has shown that the principle has come to remain, and I think I can say with confidence that all sides and sections of Parliament are now satisfied that the system is a good system, and one of the best, if not the best, yet devised in connexion with industrial troubles. The interests of the workers have also been

kept in view in many other ways, and a study of the laws that govern industry throughout the world shows conclusively that the health, the surroundings, and the general welfare of workers in Victoria are better safeguarded than they are in any other part of the world. In America to-day they are agitating for the introduction of such measures as will prevent the use of phosphorus in factories, and also for fire prevention and means of escape from factories, as well as sanitary arrangements for both sexes, and proper ventilation and lighting, the whole of which provisions have been part of our factories law almost from its inception. By the way, when I had the opportunity last Friday of inspecting the Swinburne Technical College, at Hawthorn, in company with the late member for that district, Mr. Swinburne, who was so long and favorably connected with our State Parliament, it was a pleasure to me to hear him say that, although he thought he knew the factories in the metropolitan area very well, yet since he has taken his seat on the Inter-State Commission, his duties have necessitated his going into nearly all the factories in the metropolis, and it was one of the pleasantest surprises of his life to note how well our factories have been brought up to date, and the conditions under which the work of the employés and the business of the factories are being carried on. I thought it would be well to quote that statement at this stage, coming from a gentleman occupying such a distinguished position as Mr. Swinburne holds, and one who has had large experience in other parts of the world, particularly in the land of his birth.

Mr. HANNAH.—And he came into this House to knock out factories legislation.

Sir ALEXANDER PEACOCK.—I do not think we should introduce anything debatable on this occasion. Since the passage of the Bill which I introduced in 1896, we have had nineteen different factory amending Acts, including a consolidating measure which was passed in 1905, and also a consolidating measure passed last year. As against the six Wages Boards established by the Act of 1896, we have now 132 Wages Boards authorized in Victoria. As against 3,370 registered factories, with 40,814 persons employed, there are now, in round numbers, 8,000 factories, employing 120,000 workers. I am sorry I cannot give the exact figures, but the officers of the Department assure me that those I have given are approximately correct, although I have not had an opportunity of checking them completely. In addition to the number of workers I have mentioned as being employed in factories, there are others under Wages Boards in trades not carried on in factories, and the estimate now is that the number of people who are regulated by Wages Boards in Victoria, inside and outside factories, reaches the large total of 150,000 of our citizens. In this Bill honorable members will in many respects recognise a familiar measure, because the greater portion of it was introduced last session, but it was brought in at rather a late stage, and debated at some length, and by the time it left this Chamber members in another place objected to receiving it so late in the session, and the principal part of the Bill was lost. Shortly stated, as the result of the experience of the working of our Factories Acts, there have been found some loopholes, some patches that have to be filled in, and some difficulties that have arisen which have to be removed. Therefore, a large portion of this Bill is of an amending character, and brings in no new principles. The Government is most anxious that the Bill should receive early and, it is hoped, favorable consideration at the hands of members in this Chamber, so that we may get it sent to another place in ample time to enable members there to give full consideration to its provisions. Outside of those clauses which deal with amendments of the principal Act, and which I will explain seriatim later on, the principal provisions in the Bill are those which establish a universal Saturday half-holiday. There is also provision for extending the shops law to the whole State, together with provisions having for their object the perfecting of the working of the Wages Board system, including the abolition of the Court of Industrial Appeals as at present constituted by a Judge of the Supreme Court, and the substitution in its place of a Court consisting of three experienced Wages Board chairmen. I will deal with that matter more fully later on when I come to the clause relating to it, and will explain the reasons that have actuated the Government in bringing forward this proposal. Shortly stated, the Court which we propose to ask Parliament to substi-

tute is founded upon the principles already adopted by Parliament in connexion with the Marine Court of Victoria. That Court is composed of all the police magistrates of Victoria, assisted by a roll of skilled members, but the Court is only brought into existence when some work has to be done, and the Governor in Council, when he constitutes the Court, names those who are considered best fitted for the particular duty to be performed. Very much the same procedure is adopted in the clause of this Bill with regard to the Court of Industrial Appeals. If honorable members will kindly take the Bill in their hands, they will see that it looks very formidable, but I think a short explanation on my part will expedite the consideration of the measure and make it easier for honorable members. Taking the clauses seriatim, the effect of clause 2 will be that we will repeal the whole of section 6 of the principal Act, that is the consolidated Act, with the exception of sub-section (5), and we substitute in its place a new clause providing for the extension of the shops provisions to the whole State. All the factory provisions have been extended to the whole State, in order that factories, wherever situated, should be registered, so that we may have a record of them.

Mr. LEMMON.—Then you make it possible for one determination to govern a trade wherever it is carried on throughout the State?

Sir ALEXANDER PEACOCK.—Yes; I think that is so.

Mr. J. W. BILLSON (*Fitzroy*).—Does that mean the abolition of country Boards?

Sir ALEXANDER PEACOCK.—No; it does not.

Mr. LEMMON.—Then it does not achieve the object I had in view in the question I put just now.

Sir ALEXANDER PEACOCK.—The registration of factories will give us power to secure cleanliness in the manufacturing of food, proper air, fire escapes, and decent sanitary arrangements for the workers. The shops provisions, as the law now stands, cannot be extended without petitions from every locality. Honorable members will admit that that is a very cumbersome method of procedure, and the result of it has been that the law as to shop-closing in various parts of the State is in an extraordinarily complicated position. No less than ninety-two Orders in Council have been passed extending the shops provisions of the Act to shires or portions of shires. In addition to that, there are hundreds of orders with regard to shops in different boroughs, towns, and cities. I think honorable members will agree, after the experience we have had in the working of these Orders in Council, that it is desirable to bring these different closing times, as far as possible, into uniformity. The Saturday half-holiday, if carried, will go a long way towards bringing this about, and if it does it will be found even more necessary than it is at present to bring country shop-keepers into line. Honorable members representing country districts will have had the same experience that I have had in regard to one phase of this question, and that is that all country shops should be under the same law as to closing, because there is this anomaly under the existing law. At present a country shopkeeper who employs assistants is under a disadvantage. He must close at a reasonable hour, or, if he does not, he has to pay overtime to his employés, while a shopkeeper who runs his shop alone, or a hawker who goes round selling goods that are sold in shops, can go on selling as late as he likes. Cases have been brought under my notice since I have again been Minister of Labour, of shopkeepers in the country who previously were opposed to any interference at all with regard to the manner in which they conducted their business, who now recognise that shorter hours are better for every one, including themselves. At present, the shopkeeper who employs assistants has to close early, and has to give his employés a weekly half-holiday; but the individual who does not employ anybody does not have to do so, and thus unfairly attracts business. Clause 3 is a clause that honorable members representing country districts will be greatly interested in. It makes the Saturday half-holiday universal throughout the State of Victoria. As the law stands at present, any locality may adopt the Saturday half-holiday by having a regulation passed. A number of country districts have taken advantage of that provision.

Mr. MENZIES.—They may adopt any other day?

Sir ALEXANDER PEACOCK.—Yes; but there has been a decided trend in the direction of having the Saturday half-

holiday in numbers of our larger country districts. It will be remembered that when the Government brought down the Bill last session, it contained a clause to make the Saturday half-holiday applicable to the whole State, with the proviso that, if the majority of the shopkeepers in any town on the border, or at the seaside, desired to have the half-holiday on any other day, that would be allowed. Honorable members will recognise the reason why that provision was included. If shops in towns on the border were compelled to close on Saturday, and the shops on the New South Wales side were open, business would naturally be attracted to the New South Wales shops. A discussion took place on that proposal when the Bill was before the Chamber last session, and the ultimate view of honorable members was that the Saturday half-holiday should be made universal throughout the State, but that there should be power given to any particular district to petition to be removed from the universal Saturday half-holiday, and to be given the half-holiday on any other day of the week. That is what is proposed in this Bill, and I think it will meet with the approval of honorable members generally, and will also suit those districts which are not favorable at present to the Saturday half-holiday provision.

Mr. LANGDON.—Would that be applicable to all occupations in the country?

Sir ALEXANDER PEACOCK.—To all shops and factories, with the exception of fourth schedule shops. Sub-clause (3) also provides that, on petition from any municipality, regulations may be made fixing an earlier hour of closing than 10 o'clock for Friday night. In some of the country towns where the Saturday half-holiday has been adopted, the shops keep open until half-past 10 o'clock on Friday night. Many of the shopkeepers have expressed a desire that there should be a provision for earlier closing on Friday nights in the winter. Clause 3 will give local option with regard to that.

Mr. LEMMON.—Will the effect of clause 3 be to sweep away the existing provisions for Wednesday and Thursday half-holiday in the country, and to establish the Saturday half-holiday until it is petitioned against?

Sir ALEXANDER PEACOCK.—Yes.

Mr. WARDE.—Was not a vote taken by the Traders' Association on the question?

Sir ALEXANDER PEACOCK.—I saw in the press that a vote was taken; but those of us who represent country districts know that the average man in the country does not trouble to answer correspondence with regard to legislation. Though ballot-papers were sent out, in order, if possible, to ascertain the views of the shopkeepers generally, very few of them voted one way or the other.

Mr. WARDE.—Was not the majority of the Country Storekeepers and Traders' Association favorable to the Saturday half-holiday?

Sir ALEXANDER PEACOCK.—I think, speaking generally, we will find that the Saturday half-holiday movement is spreading. The experience in the country will be somewhat the same as it was in the metropolitan area.

Mr. LEMMON.—Nearly the whole of the country branches of the A.N.A. were in favour of the Saturday half-holiday.

Sir ALEXANDER PEACOCK.—Some districts that adopted the Saturday half-holiday afterwards petitioned to be allowed to revert to the previous half-holiday. That has been the case in the Western District. We want to give a safety-valve to people, and not to force them unduly. I think the provision in the Bill will meet the views of everybody. Clause 4 covers three pages, and looks a formidable clause; but it is not so formidable as it looks. Shortly stated, it is a list of all the consequential amendments that will be necessary in the Consolidated Act if clause 2 be passed. It is just a matter of opinion whether those amendments should not have been placed in a schedule, rather than in a clause; but after consideration it was thought better to put them in a clause. If clause 2 is not passed, then clause 4 will be put aside. Clause 5 is as follows:—

> At the end of sub-section (1) of section 10 of the principal Act there shall be inserted the words—
>
> "Provided that, notwithstanding the provisions of the Public Service Acts, any member of the Police Force may be appointed by the Minister of Labour, by writing under his hand, to act as an inspector of factories in the district in which he is stationed."

The object of that is to simplify the method of the appointment of inspectors of factories in the country districts. As honorable members are aware, we utilize the members of the police force as inspectors of factories for many reasons. The

duties of administering the Act in the country districts are not so heavy as in the towns, and we pay the police a small honorarium, ranging from £3 to £12 per annum, for the work. When a police officer who has been appointed an inspector of factories is transferred, there is a lot of circumlocution before his successor can be appointed. I notice that the Postmaster-General complains that he finds a lot of red-tape in the administration of his Department. The circumlocution with regard to the appointment of Constable Jones to take the place of Constable Smith to administer our Factories Act is really surprising. A letter has to be sent by the Factories Department to the Under-Secretary, stating what is wanted. We ask the Under-Secretary to move the Public Service Commissioner. The Public Service Commissioner solemnly writes back again, and intimates that the police officer is to be exempt from the operation of the Public Service Act. Then we have to ascertain from the Chief Commissioner of Police whether he is agreeable that the new constable shall take the place of the old constable. Then the Under-Secretary is informed by the Chief Commissioner that there is no objection, and the Factories Department is acquainted in turn with the information that Jones can be appointed instead of Smith.

Mr. MACKEY.—Suppose he cannot be appointed; what happens?

Sir ALEXANDER PEACOCK.—That has not occurred yet. The object of clause 5 is to simplify the procedure. The Police Department agrees that it is highly desirable that members of the police force should be able to perform the duties of inspectors of factories, and report direct to the Minister of Labour; and the Minister of Labour should be able to appoint members of the force as inspectors straight off. Clause 6 is as follows:—

> At the end of section 12 of the principal Act there shall be inserted the words—
>
> "Provided that, for the purpose of tracing persons who have evaded naval or military training, the Minister may, once in every year, authorize any officer of the Department of Defence of the Commonwealth of Australia to inspect such records."

Section 12 of the principal Act makes it a misdemeanour for any officer of the Factories Department to disclose any of the information that comes to him in the execution of his duty and in the preparation of records. As honorable members know, all employers of labour have to send to the Department particulars, showing the names, ages, and rates of pay of their employés. The Commonwealth authorities, with a view to making their defence system perfect, desire to be able to inspect these records for the purpose of tracing persons who are evading military service, and I think the State should help the Commonwealth Government as much as it can in that direction. The clause gives the Minister power to authorize an officer of the Commonwealth Defence Forces to inspect these records; and I may say that it carries out a promise made by the Premier to the late Prime Minister of the Commonwealth when he preferred this request.

Mr. LEMMON.—Which Minister is referred to—the Minister of Labour or the Minister of Defence?

Sir ALEXANDER PEACOCK.—The Minister of Labour. Clause 7 is a lengthy provision, and covers the whole of a page. It provides amendments which will enable all regulations for ventilation, sanitary provision, fire escape, &c., in factories and shops to be made by one authority—the Minister of Labour. At present some regulations are made by the Factories Department, and others by the Board of Public Health. Then the regulations are administered in certain cases by the Health Department, in some cases by the Factories Department, and in other cases by a municipality and the Factories Department working together. The clause is designed to bring the passing and administration of all these regulations under one authority. There has long existed power for the Board of Public Health to make regulations for the ventilation of shops, but honorable members will be considerably surprised to learn that the power has never been exercised, although every one will agree that there is considerable need in some shops for ventilation in the interests of the health of the workers engaged in them. Early in January, 1910, the Board of Public Health was asked by the Department over which I preside to pass regulations for the purpose, but no regulations have ever been issued. The matter was brought up in a letter to the Premier, dated 13th August, 1912, from an employé in a city shop. Following on that, Dr. Ham had a conference with the then Minister of Labour. After

that interview, it was quite clear that the Board of Public Health and the city municipal authorities were at variance as to the best method to be adopted. The Board of Public Health took the view that the amount of ventilation should be based on the number of workers in a shop. The city architect, on behalf of the City Council, considered that such a method was impracticable, as the number varied constantly, and that the proper method was to take as a basis the number of superficial feet in the area. As a result of this conflict of authority, nothing has been done. The clause will enable the various regulations to be, as it were, consolidated, and it will simplify and assist procedure. I may as well say that there is no intention of seriously interfering with the effect of the regulations as they stand, but the clause will work in the direction of simplification.

Mr. WARDE.—Who is to be responsible for putting the regulations into operation?

Sir ALEXANDER PEACOCK.—The Factories Department. There will then be some one definitely to blame. In the past, what has been everybody's business in this connexion has been nobody's business.

Mr. WARDE.—I suppose you will get another leading article or two if you put them into operation.

Sir ALEXANDER PEACOCK.—Clause 8 seems a long one; but the explanation is very short. It is a recasting of the original section 37 of the principal Act. Its object is to retain all the essential provisions of that section, but to make its working more economical, and simpler for all parties. Under it, the overtime work for females and boys will still be limited with the same real safeguards as already exist; but the provision will work automatically. Clause 9 of the Bill proposes to add, at the end of section 38 of the principal Act, this sub-section—

> For the purposes of this section, "work" shall be deemed and taken to include performing any of the operations usually carried on in the factory.

Every honorable member who has listened to an explanation of an amending Factories Bill has heard the Minister explain provisions for tightening up the law as far as the Chinese are concerned. John Chinaman has been too slick and too clever.

Mr. HANNAH.—He knows too much for the average factory inspector.

Sir ALEXANDER PEACOCK.—Yes; and the law has broken down in a direction which will surprise honorable members. When the proposals were first brought forward by myself many years ago to restrict the time a Chinaman might work, there was a great howl in certain conservative quarters. Ultimately both Houses of Parliament realized, particularly in connexion with the furniture and laundry trade, that the Chinese should conform to the laws which had been framed in the interests of the white people and all sections of the community. Recently there was a case in which one of our inspectors (Mr. Ingham) was concerned. He instituted a prosecution against a Chinaman named Hie Lee, who had been found after hours ironing a shirt. On being caught, the Chinese said he was a lodger in the place, and that the shirt he was ironing was his own. The particular place was registered, and the Act requires work to cease at 5 o'clock. The justices dismissed the case. It was taken to the Supreme Court, and the Chief Justice upheld the decision. We were determined to test the law, so the matter was then taken to the High Court, which held that the meaning of the word "work" in what is now section 38 of the Consolidated Act, was "working by way of trade or business," and that although the place was a laundry, there was nothing to prevent a Chinese ironing his own shirt after hours, because that operation was not work within the meaning of the section.

Mr. PRENDERGAST.—You have only got to go to law long enough to get any decision you like.

Sir ALEXANDER PEACOCK.—All the Courts formed the opinion that our law was defective. It is well known that a large number of Chinese are engaged in the furniture trade, and although one of them may be caught working after hours making a suite of furniture, and competing with the Australian workers, he could get out of it.

Mr. MCGREGOR.—He could say he was going to be married.

Sir ALEXANDER PEACOCK.—Exactly. He can say he is going to get married, and that he was making the suite for himself. Afterwards he can go and dispose of the furniture. Therefore, we have to do something to meet that particular difficulty.

Mr. PRENDERGAST.—You must make the section say what it was intended originally to say, and which it did say, but which the Court says it did not say.

Sir ALEXANDER PEACOCK.—The honorable member has put it very well. The words to be added to section 38 are with the object of meeting such a case.

Mr. PRENDERGAST.—It will be all right until the next decision comes.

Sir ALEXANDER PEACOCK.—We are always busily engaged in Parliament amending laws the meaning of which the Courts say we have not made clear. Perhaps, if we had more legal members we might have more assistance.

Mr. HANNAH.—Save us, O Lord!

Sir ALEXANDER PEACOCK.—Compared with the time when I entered Parliament we have now very few legal members, but those we have are only too willing to help all Ministers and all members in connexion with proposed legislation. Clauses 10 and 11 deal with persons in charge of suction gas-engines and steam boilers. They were passed by this Chamber in 1910, but were rejected by the Legislative Council. It was then promised that they would be re-introduced. It is provided in the clauses that drivers of suction gas-engines of twenty-five horse-power or over must have certificates of competency and service. Clauses 12, 13, 14, 15, and 16 all deal with the same subject. They are designed to strengthen the law relating to the guarding of machinery in factories. Experience has shown that the guards or protectors provided under the direction of the Factories Department have been removed either with the sanction of the employer or without it, and prosecutions have failed because there is nothing in the law, as it stands, to make the factory-owner responsible for the guards being kept on the machines, and properly adjusted, nor is there anything enabling punishment to be inflicted upon a workman who neglects his own safety and dispenses with the guard provided. A new principle is introduced in clause 15, which makes the employé equally liable with the employer should he tamper with a machinery guard. Honorable members will agree that it is in the interests of everybody that all should be put on the same footing, and whether they are employers or employés they should be liable to be prosecuted.

Mr. HANNAH.—Have you made any provision for the protection of those working in the brass industry from the dust nuisance?

Sir ALEXANDER PEACOCK.—Not in this measure. Clause 17 contains restrictions as to young persons and women. The first portion of it prohibits any female with loose hair, or any male wearing a loose garment, working near moving machinery. Accidents have occurred which might have been avoided if there had been such a provision in the past. The remainder of the clause is a simplification of the existing three sections without any alteration of the law.

Mr. J. W. BILLSON (*Fitzroy*).—Have you got a definition of "loose hair"?

Sir ALEXANDER PEACOCK.—No; but I think the provision will be clear enough.

Mr. WARDE.—This means that she has to get her hair cut.

Sir ALEXANDER PEACOCK.—Clause 18 repeals section 99 of the principal Act. That section has been obsolete for years, and the extension of the Saturday half-holiday and other shop-closing provisions makes it imperative to repeal it. There is no principle involved. Clause 19 is an amendment asked for by the Victorian Shopkeepers and Traders' Association. As a condition to the extension of the shops provisions of the Act provided for in clause 2 of this Bill this association asks that the words "with the written consent of the Chief Inspector" be deleted. They give as reasons for asking for this deletion that these words are scarcely an additional safeguard against overtime work, because such consent is granted as a matter of course, the real safeguard being the provisions in the Act requiring the payment of extra wages, and tea money; that in country districts it would be impossible to obtain that consent when the emergency arose, for the reason that time would be necessary, whereas in town such consent can be obtained more quickly; that the provision for tea money and time and a half rates for overtime is the real safeguard against over-work, and the permission of the Chief Inspector is only a matter of form. In the country the employer wants to work his employés overtime, and he has to get the written consent of the Chief Inspector. Without getting that consent he is really breaking the law, and the Shopkeepers and Traders' Association have called attention to the fact that it is all right

for the employer in Melbourne, who can send an officer to the Department, or communicate with the Department by telephone. He can thus get the matter expedited, but the man in the country has a difficulty, and it is hampering trade. It is provided that the employer can work his employés overtime if he previously advises the Department in writing. For overtime he has, of course, to pay extra, and has to pay tea-money. The Shopkeepers and Traders' Association do not object to the provision in the law. They do not object to pay for overtime, but they find that the provision is cumbersome and difficult in operation. The officers in the Department have reported to me that it is highly desirable to adopt a simpler method of procedure. The provision was all right when it applied to Melbourne, Ballarat, and other large centres only. Clause 20 deals with the registration of shops. This is a new provision, and requires that all shops, wherever situated, shall be registered. In that way we shall have a complete record, and we shall be able to inspect, and get complete returns. The fees for the registration of shops are exactly the same as for the registration of factories. The lowest fee is 2s. 6d., and the majority of the shops will only have to pay that amount.

Mr. MACKEY.—Is it per annum?

Sir ALEXANDER PEACOCK.—Yes. Honorable members will see that this provision is necessary in the interests of the shopkeeper, because Boards have been created, and will be created, and without registration we shall not be able to compile a roll of voters. Shops kept by widows and registered as "small shops" will not have to pay the fee at all.

Mr. MCGREGOR.—Why make it an annual charge?

Sir ALEXANDER PEACOCK.—Because we incur expense in carrying on the administration.

Mr. MCGREGOR. — Why charge only 2s. 6d.?

Sir ALEXANDER PEACOCK.—Is the honorable member willing to raise it?

Mr. MCGREGOR.—No.

Sir ALEXANDER PEACOCK.—The highest fee charged is £3 3s., and that is for every class or kind of business in which more than sixty persons are employed. The fee is £2 2s. where more than thirty and not more than sixty persons are employed. The fee is £1 1s. where more than ten and not more than thirty are employed, and is 10s. where six and not more than ten are employed. In all other cases the fee is 2s. 6d.

Mr. ARGYLE.—Have you any idea what this will bring in?

Sir ALEXANDER PEACOCK.—No.

Mr. ARGYLE.—It will bring in a lot of money.

Sir ALEXANDER PEACOCK.—If so, that will be all the better for the administration of the Act. Taking the average place in the country, the fee will be 10s. per annum. Clause 21 provides for an extension of the exemptions contained in section 127 of the principal Act. This is in response to a request made by the Chamber of Manufactures. They asked that the exemptions should be extended to include persons who cart flowers to market, persons who cart newspapers, and persons engaged in carting material for the repair of tramways. In each of these cases the carting has to be done at hours when carting is forbidden. For instance, the material for repairing tramways has to be carted when the trams have ceased running, or before they have commenced to run.

Mr. J. W. BILLSON (*Fitzroy*).—That is a necessity.

Sir ALEXANDER PEACOCK.—Yes.

Mr. J. W. BILLSON (*Fitzroy*).—Is it necessary in the case of the carters of newspapers?

Sir ALEXANDER PEACOCK.—Yes. The provision exempting persons carting bone and meat refuse from butchers' shops is necessitated by the fact that municipal regulations make it a finable offence to cart such stuff, except at times when carting is forbidden by the Act. In many municipalities such refuse must be carted before 6 a.m. The Act provides that carting shall not commence before 7.30 a.m. If they cart before this, they break the carting sections of the Factories Act; if they cart after 6 a.m., they commit an offence against the municipal laws. Certain trades were exempted before, and, from experience, the Chamber of Manufactures has recommended the adoption of this alteration by Parliament.

Mr. LEMMON.—Last time you accepted an amendment from the honorable member for Jika Jika, and it has given trouble.

Sir ALEXANDER PEACOCK.—There is a good deal of trouble in connexion with these provisions. We want to do the fair thing and the right thing, and not to unduly hamper business. As to clause 22, I may say that a deputation from the Carters and Drivers' Union waited on me on the 14th August last, and asked for a certain number of amendments. This clause embodies an amendment they asked for, and will make it necessary for persons employing stablemen to keep a time-book. The carters have to do that now under section 130 of the Act. This amendment will have the effect of putting stablemen on the same basis as carters in regard to keeping a time-book. It was suggested by the Chamber of Manufactures that instead of a time-book, which is a cause of delay, each stableman should have a card, and enter the time on the card.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—Would this apply to the country?

Sir ALEXANDER PEACOCK.—It will apply to all places to which the determination extends.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—I suppose it would apply to grooms at country hotels.

Sir ALEXANDER PEACOCK.—I should say it would not. There is no new principle in clause 23 which is inserted to make the section read in accordance with the law. By sub-clause (3) of clause 24 we are amending section 136 of the principal Act. The new provision is to secure country members for country Boards, and town members for town Boards. Honorable members will see the reasonableness of the proposal, and how essential it is, in the interests of the people we are trying to benefit, that the members of the Boards shall reside and be engaged in the locality to which the determination is intended to apply. These persons will be best acquainted with the circumstances on which they are asked to legislate.

Mr. COTTER.—And more amenable to getting the sack.

Sir ALEXANDER PEACOCK.—I do not think the honorable member should put it that way. We can now speak confidently with regard to the benefits to be derived from the Wages Board system and our Factories Act, novel as they were in the first instance. The public have now been educated as to the benefits of our system, and there is a general disposition to recognise that the rights of both sides are protected. Employers recognise that it is really equally in their interest to have this protection, and the great majority of the employers are now the strongest supporters of the principle. This is because an employer is protected by the determinations of the Boards against the unfair competitor in his particular trade. Honorable members, if they think the matter over, will recognise that it is a proper principle to lay down that those engaged in the work on the Boards, whether employers or employés, should be representative directly of the section on whose behalf they are legislating.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—They have a knowledge of the conditions.

Mr. LEMMON.—That is largely the reason for the existence of the Federal Arbitration Court.

Sir ALEXANDER PEACOCK.—Sub-clause (4) effects really only a transposition, and is for consolidating purposes. Sub-clause (5) provides for the appointment of Boards in certain cases. The honorable member for Williamstown will remember the difficulty that occurred in connexion with a matter in which he was interested. It was pressed upon the Government two years ago that they should establish a Gas Meter Makers' Board, and both Houses of Parliament, on the facts submitted, passed the motion for the appointment of a Board. But after that resolution was passed, we were faced with a difficulty. There were no employers in the trade who could be appointed to represent the employers. This hampered us in the creation of the Board, and it took several months to complete the appointment. In the case of the Slaughtermen's Board, the employés refused to act. In connexion with the Stationery Board there were not sufficient employers to constitute a Board. This provision is to give the Minister power to appoint other persons than those qualified under the Act in such cases. In other words, if there should be a difficulty, for the reasons I have mentioned, in filling vacancies on a Board, the Minister is to have power to nominate persons in whom he has confidence, or whom he believes to be competent to exercise the functions on the Board, so that the employés in the trade may be protected, and the will of Parliament carried out. I think it took about

eighteen months before we got the Gas Meter Makers' Board constituted. In the case of the Stationery Board, those in the trade were quite willing to act, but there was the difficulty that I have referred to, owing to the fact that the shareholders in the stationery business are mostly resident in England. The employers wrote home, and some of the employés in Victoria, who were managers, were made shareholders.

Mr. WARDE.—How do you provide that members of the Board shall reside in the district?

Sir ALEXANDER PEACOCK. — I think the draughtsman has attended to that matter, but I will look into it, and explain in Committee what has been done.

Mr. ELMSLIE.—Secretaries of unions are still outlaws.

Sir ALEXANDER PEACOCK. — I should not like to put it that way. They are not provided for in this Bill. Under the present law, secretaries of organizations are not eligible, except under certain conditions, to be members of a Board.

Mr. LEMMON.—The apprenticeship conference almost unanimously condemned that provision in the Factories Act.

Sir ALEXANDER PEACOCK.—We are sure to hear something about that later on.

Mr. WARDE.—Under sub-clause (5) they may be members.

Sir ALEXANDER PEACOCK.—They could be under that. Clause 25 is merely a consolidating provision. Clause 26 is a provision that I should like to call attention to. It is as follows—

> For sub-section (1) of section 140 of the principal Act, there shall be substituted the following sub-section :—
>
> "(1) The Minister shall cause to be kept a roll of persons suitable to act as chairmen of Special Boards.
>
> The Governor in Council may at any time, by Order, add any name thereto, or remove any name therefrom.
>
> The members of a Special Board shall, within fourteen days after the date of their appointment, nominate, in writing, some person (not being one of such members) whose name is on the roll, to be chairman of such Special Board, and such person shall be appointed by the Governor in Council to such office."

That is a provision to secure suitable chairmen of Boards. At present, after the members of both sides on a Board have been elected, they can select a chairman, and if they fail to do so, the Governor in Council, under the present law, steps in and makes the appointment. This clause provides that the Minister shall keep a roll of those whom the Government think are suitable to be appointed to the position of chairman. After the representatives of the employers and the employés have been appointed, then the members of the Board will nominate in writing one of those on this roll. There will be power to add to the names, or remove any name from this roster. This, I believe, will facilitate the work of the Boards. Very often the members of a Board meet, but do not know whom to suggest as chairman; but if the Department has a roll of those who, from past experience, or in the judgment of the Minister, are held to be competent, one of these can be selected, and in this way the constitution of the Boards will be facilitated. Every one will admit that a great deal depends on the chairman, and on his capacity for sifting evidence in the responsible position which he holds. Very often the chairman of the Board has to give a casting vote.

Mr. LEMMON.—Will that prevent the Board from unanimously choosing another person than one who is on the roll?

An HONORABLE MEMBER.—There is power to add to the roll.

Sir ALEXANDER PEACOCK.—Yes, the Governor in Council may add names to the roll. I think that provision is pretty wide. Clause 27 deals with the question of overtime. It is an extension of the powers possessed under the law by special Boards. Certain Boards, in order to meet the exigencies of their trades, have desired to fix what is called daily overtime. There is power under the Act, as it is at present, for a Board to fix the number of hours that shall constitute a week's work, and it may order a higher rate for any hours worked in excess, but it has not power to fix a daily overtime. This clause is designed to give Boards that power. It is also intended to give Boards power to fix different rates, according to whether a man is engaged on a day shift or night shift, and to fix the hours for each shift, if necessary. It also gives Boards power to fix a payment for the time occupied by an employé in travelling between his place of residence and his work. Boards, at present, have not that power. I believe that the Amalgamated Society of Engineers have for years provided for that under their rules in the Old Country.

Mr. ELMSLIE.—And here also.

Sir ALEXANDER PEACOCK.—This is to give the Board power to do that. It will allow more elasticity in dealing with these questions, particularly in regard to daily overtime.

Mr. WARDE.—In other words, when they get it without the Board, the Board will be able to say they may do it.

Sir ALEXANDER PEACOCK.—The Boards have not this power at present, and we want to give it to them. I desire to call the attention of honorable members to clause 28. Shortly, this is to hasten the proceedings of Boards. I must confess that some of the Boards have unduly prolonged their sittings, from many causes. In some cases the time has been inordinately long, and this has been a disappointment to both the employers and the men engaged in the business. We do not think that this provision will deal unfairly with any Board which honestly desires to complete its work. Some Boards have completed their work in two sittings, while others have taken a couple of years. This provision, we hope, will have the effect of hurrying them up. Under it, fees are to cease after three months.

Mr. PRENDERGAST.—They are very long in coming to a determination because of the desire mostly of the employers, who veto any determination.

Sir ALEXANDER PEACOCK.—There are many cases in which the Boards are unduly long in coming to determinations, and we want to hurry them up.

Mr. PRENDERGAST.—Do not say it is the fees that have kept them back.

Sir ALEXANDER PEACOCK.—The honorable member wants to draw me out to say something, but I do not want to say it. My statement is that, for many reasons, the proceedings of some of the Boards have been unduly prolonged, and we want to hurry them up in the interests of every one concerned. After the two Houses of Parliament have passed the motion for the appointment of a Board in a trade, it is expected that there should be no delay in coming to a determination. It is not in the interest of the trade, nor of those engaged in it, that matters should be left in a position of doubt. Clause 29 is a rather complicated one. It repeals section 158 of the principal Act, but it preserves existing rights. That section gives Parliament the power to appoint certain boards. It is contended, however, that Parliament has power to appoint any boards it pleases, and, therefore, that part of the section is of no effect. The latter part of section 158 provides that wherever the lowest prices or rates have been determined under certain boards appointed under the authority of this section, those rates shall be the rates for the persons named wheresoever employed, notwithstanding that other rates have been fixed by other Boards. These words are difficult of interpretation, and clash with section 225, which latter section provides that a workman may sue for his wages; in any case, they are not necessary to secure to a person under any of these Boards the rates fixed. That is clearly the law, and to leave these words on the statute-book will not accomplish anything except to provide a complication and a possible difficulty. One effect that this section has, as it stands, is to limit the functions of a Board appointed in engineering, boilermaking, blacksmithing, and general ironwork—particularly as far as the first, engineering, is concerned. In order to get away from the limiting effect of the word "engineering," the Amalgamated Society of Engineers has asked that this section be repealed, in order that the resolution constituting the Engineers' Board may be recast. That resolution confines the powers of the Board to fixing the wages of persons employed in the process, trade, or business of a mechanical engineer. These words, "mechanical engineer" constitute a great difficulty in administration. It is found, in practice, that such a worker, for instance, as a blacksmith, a planer, a slotter, or borer, is in one case employed in the business of a mechanical engineer. If it is clear that his employer carries on that business, there is no difficulty in obtaining his wages under the determination. In many cases the same kind of worker is employed in a business which cannot be so classed, and his wages are unregulated. To put a concrete instance. A blacksmith working in the workshops of any of the large engineering companies is entitled to be paid the rates secured by the determination; while a blacksmith working next door whose employer is himself a blacksmith, and not a mechanical engineer, is unregulated. Unless section 158 is got rid of, the Chief Inspector and his officers advise me that they do not think it possible to so word the resolution that

is to take the place of the original resolution as to secure the relief asked for by the engineers. Clause 30 relates to our coal mines, and legalizes the cavilling system. That re-introduces a provision which was passed by this House in 1911, but rejected by the Legislative Council. Clause 31 is a new proposal; but I think honorable members of all shades of political opinion will agree that it is highly desirable, for the purpose of making things work much more easily. It gives power to create group Boards. Take the building trade, for instance; that trade includes masons, bricklayers, plasterers, carpenters, tuckpointers, slaters, tilers, fibrous plasterers, painters, plumbers, and builders' labourers. In each of these branches of building a Wages Board fixes the rates of pay, and they fix the hours of starting and the hours of ending work. That is done by each Board separately. They each fix the method of regulating overtime, they each have their own set of public holidays, and their own conditions as to apprentices and improvers, and the length of time they should serve; and yet all these men may be working on the same building. The clause will not interfere with the Wages Boards in any of these branches, so far as the fixing of rates of wages is concerned, but it gives power to co-ordinate the determinations of the Boards in the group, so as to secure, as far as possible, uniform conditions. As men employed in most of these trades may be engaged at the same time on the same building, it is only right, I think, that there should be some power of linking up the determinations, so as to bring about the same time for starting and knocking off work, the same holidays, and so on. This will enable things to work very much more smoothly, and, I think, will meet with the approval of both employers and employés. Clause 32 provides that, before any determination or amendment is published in the *Government Gazette*, it must be certified by the Chief Inspector of Factories to be within the powers granted to special Boards by law. Clause 33 provides means of forcing an employer or an apprentice to comply with the conditions of an indenture. We had a slight breakdown under the present Act, and the facts were as follow:—An inspector of factories, Mr. Martin, sued Minnie Waters in the Court of petty sessions in March, 1912. As the law stands at present, an apprentice can be fined and ordered to enter into a recognisance for the carrying out of the indenture; but there the power of the Court ends. In this particular case Minnie Waters broke her indenture by staying away from her employment. She was fined £1 and was ordered to enter into a surety of £10 to observe the terms of the indenture. She paid the £1, but neglected to enter into the surety. She was again brought before the Court, but counsel for the defence raised the plea of *res judicata*, and the matter had to end there. The present amendment of the law is intended to provide for power to enforce the decision of the Court of petty sessions. That will carry out what Parliament originally intended.

Mr. HANNAH.—I see you have not recognised the recommendations of the Conference that was called by the Government in regard to apprenticeship.

Sir ALEXANDER PEACOCK.—No. The Government, after the fullest consideration, thought that we should not overload the present Bill, and that that matter would have to be dealt with in a separate measure.

Mr. LEMMON.—Do you intend bringing it forward this session?

Sir ALEXANDER PEACOCK.—It will not be my fault if it is not brought in this session. Clause 34 is intended to provide a means whereby an employer will know for certain the experience his improver possesses. The wages of improvers are fixed by the Wages Board, usually according to the experience of the improver. It is found that in order to get employment boys sometimes understate their age and experience when they apply for work at a factory. They are then paid a lower wage than they are legally entitled to, and the employer, if a dispute occurs, is placed in a difficulty when a complaint of underpayment is made to the Factories Department. In some cases it is difficult to find out where the actual fault lies. The improver stoutly maintains that he gave his correct age when applying for employment. The employer maintains the opposite, and if the case is taken to Court the verdict may go either way. I have no doubt that some employers know very well that the lads are telling untruths, but they take the risk, and then trouble comes along a little later. There is another matter that is dealt with. At present an improver has

no means of proving what previous experience he has had. He may have been dismissed from other places of employment, and he is unable to prove how long he has been in the trade. In New Zealand there are provisions in the Factories Act making it compulsory for the employer to give any person leaving his employment a certificate showing the period served. Certain employers in Victoria, although it is not mandatory under our law, have followed the same practice, particularly in the confectionery trade. This clause makes the giving of such a certificate mandatory. The provision has been asked for by the Chamber of Manufactures. Clause 35 deals with the bread-makers' annual holiday. The object of the holiday is to enable persons engaged in that trade to have a trip down the Bay. Country bakers do not need such a provision, and do not observe it, and the object of this clause is to confine the operation of that holiday to the metropolitan district. Clause 36 deals with the holidays of bread-carters. Under section 204 of the principal Act they are given two holidays in each month—the first and third Wednesdays. When a public holiday occurs in the same week as the Wednesday, it is observed instead of the Wednesday. That applies, however, only to the first holiday in the month. There is no similar provision with regard to the second holiday. The effect of that is that if a public holiday, in accordance with what is known as the Sargood Act, is observed on a Monday, the bread-carters have got to take a holiday on the third Wednesday and on the third Monday too. The effect of the clause is to put the second holiday in the month in the same position as the first, namely, that it is not to be observed on the Wednesday if the previous Monday is a public holiday. I will temporarily pass over clauses 37, 38, and 39. Under clause 40 a police magistrate must be on the bench in any case where a prosecution under the Act is taken in a Court of petty sessions. In three-fourths of the cases that is the practice at present, but the Government feels that these cases are so highly technical that a police magistrate, versed in the law, should deal with them.

Mr. WARDE.—"Highly technical" is a very nice way of putting it. I never heard it put that way before.

Sir ALEXANDER PEACOCK.—Clause 41 is purely a machinery clause, and provides that certain signatures are to be judicially noticed. Clause 42 deals with offences under the Act. As the law stands at present, offences in connexion with the stamping of furniture may be prosecuted within twelve months. Offences in connexion with the unlawful paying or receiving of premiums may be prosecuted within six months, and all other offences under the Factories and Shops Act may be prosecuted within two months. Clause 42 provides that with regard to offences in connexion with the stamping of furniture, the period shall remain the same as at present, but that offences in connexion with the unlawful paying or receiving of premiums may be prosecuted within twelve months. The term for prosecuting other offences is left at two months. With regard to clause 43, I would point out that at present an employé may civilly sue for his wages at any time within twelve months of their becoming due. Employers have called attention to the unfairness of the provision. They point out that in some cases employés have gone on working without disclosing the fact that they were entitled to higher rates of pay, and in some instances they have concealed the fact from the employers until they have left the employment. Then long after they have left the employment they have sued for the higher rates. The employers consider that this is unfair. We do not want to take away the right of the employé to sue for his wages, but we limit the period in which he may sue to two months from the time the wages were due. That is copied from the Act in Queensland.

Mr. PRENDERGAST.—What about deliberate underpayment? The man who makes an agreement deliberately to underpay his employé may escape.

Sir ALEXANDER PEACOCK.—Within two months after the wages are due he may be prosecuted, and the employé may make a claim on him. I do not think it is fair to leave a prosecution hanging over his head for twelve months. If a man is going to be prosecuted, the prosecution should be lodged within two months after the time the offence is committed.

Mr. ELMSLIE.—He knows all along that he is breaking the law.

Sir ALEXANDER PEACOCK.—I have had lengthy experience of the working of the Factories and Shops Act, and one of the difficulties is in

connexion with the lodging of prosecutions. I think this clause is only fair. The employé who is underpaid knows that he is being robbed, as he calls it, and he should at the earliest possible moment make his demand for the proper rates, and launch his prosecution, or advise the Department, which acts as quickly as possible. Clause 44 is designed to allow University students to obtain experience in factories and engine shops without being classed as employés. There are a number of students at the University who are anxious to get a varied experience while they are students. The Crown Solicitor says that if they go to work to gain experience they have got to be paid full wages. That being so, the employers would want to keep them at one particular branch of the work, and they would not be able to get varied experience in the different branches. That would prevent them from obtaining that general knowledge which is so necessary to fit them for their professions. Clause 45 is a re-drafting of an existing section in a simpler form. I will now go back to clauses 37, 38, and 39, which provide for the substitution of a new Court of Industrial Appeals in place of the one we have at the present time. It may be interesting to honorable members if I, as the framer of the original Factories Act, just shortly go over the history of this legislation. It will be remembered that there was no provision in the original Act for a Court of Industrial Appeals at all. It may be remembered, too, by honorable members that as that legislation was considered for many years to be experimental, the period for which it should operate was limited. I think some of the present members of the House were present in the Chamber when, owing to a certain action taken by the then honorable member for Footscray, a crisis arose.

Mr. PRENDERGAST.—Do not talk about that.

Sir ALEXANDER PEACOCK.—As a result of that crisis we had a dissolution, and we were all sent to our masters, the people. I do not mention that dissolution to bring up any unpleasant memories, or to indicate any possibilities of the future, but only to remind honorable members of the stage in which factories legislation was at that time. The Act was limited to last only for the length of the Parliament, and as the dissolution came down like a stroke upon us, the Act went too, and we had no factories legislation at all. Honorable members will remember that there was a good deal of strong Conservative agitation at that time, but despite that, the principles of factories legislation, mainly with regard to Wages Boards, were so engrafted on the minds of the people that they got a shock when they found that that remedial legislation had gone, and candidates of all sections pledged themselves to their constituents at that time to provide for the restoration of that legislation. But when the Bill was brought down it was not brought down in the same form as the Act which had expired, but it had certain new proposals engrafted on it. It has been said of some of us that we were in favour of those proposals, because we did not raise a very strong protest against them. But our position was this: We wanted to get the measure which Parliament had previously passed restored to the statute-book, and so long as we could get the main principles we had to be content, whether we liked it or not. Features that were foreign to factories legislation, as it has been worked out in this State, were incorporated in that measure. Let me remind honorable members of some of them. The measure did away with majority rule on Wages Boards, and provided that there must be a majority of seven-tenths. As a result dead-locks occurred. Afterwards, we repealed that provision. There was also a provision in the measure that a Wages Board must take into consideration the rates of pay that were paid by reputable employers, and the trouble was to define who were reputable employers. Those provisions, as well as the provision for a Court of Industrial Appeals, were included in the measure. It is true that some of us opposed those provisions, but we wanted to have the measure placed on the statute-book, and there was a good deal of trouble to get another place to agree to it. A Conference had to be held between the two Chambers, and I was honoured with a seat on the Conference, although I was a member of the Opposition, on the motion of the then Premier, Mr. Irvine. We got the Act back on the statute-book with what I consider these blots upon it.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—You do not propose to abolish the Court of Industrial Appeals?

Sir ALEXANDER PEACOCK.—No. I did not like that Court as it was con-

stituted then. We have removed what I consider those other blots from the Act. Subsequent experience showed that they worked badly. I do not know whether it has struck honorable members as it has struck me, but I think that both employers and employés have taken up a peculiar position with regard to industrial legislation. Some of the employers who are of a Conservative tinge admire the Court of Industrial Appeals, and plead for its retention, and yet those same people in connexion with industrial legislation passed by the Commonwealth Parliament object to a Judge sitting.

An HONORABLE MEMBER.—And *vice versâ*.

Sir ALEXANDER PEACOCK.—Yes. The position is the most peculiar I have known in connexion with any big public question. The members of the Labour party have from the very beginning been stout opponents of the Court of Industrial Appeals with a Judge presiding, because they say a Judge could not possibly possess the same knowledge of the intricacies of a trade as a man engaged in that trade. But the greatest admirers of the principle that is incorporated in the Arbitration Act passed by the Commonwealth Parliament are our friends of the Labour party. I may be pardoned for saying that from the outset I have always considered that the beauty of our Wages Board system —and I admit that it has extended more than I anticipated—is its elasticity. The mere fact that men representing different sides, but engaged in the same trade, and acquainted with the conditions existing in connexion with it, meet under the presidency of an impartial chairman, has a wonderfully educating influence, as I have often contended on public platforms. The employers recognise some of the difficulties and troubles of the employés in maintaining their wives and families in decency and comfort, while the employés in many instances learn something of the difficulties with which the employers are confronted in successfully carrying on their businesses. I was greatly impressed with the statement of a professor from Ohio, who studied both the Federal and State systems here. He attended the meetings of the Wages Boards, and also the sittings of the Arbitration Court. The impression left on his mind by our Wages Board system was the wonderfully educating influence of the two sides conferring together, thus causing the industrial machine to work more easily. In regard to the Court of Industrial Appeals it is no reflection on our Supreme Court Judges to say that their training has never been in this particular direction. They are trained to deal with the intricacies of our laws as we pass them. Then, again, the Judge of that Court is continually changing. The Court is presided over by a certain Judge at one time, and another Judge on another occasion, and so on. There is not, therefore, that continuity which there is in the case of the Arbitration Court.

Mr. WARDE.—It does not seem to make much difference; the verdicts are always the same.

Mr. BAYLES.—The same thing applies to the Federal Arbitration Court.

Sir ALEXANDER PEACOCK.—Let me give the view of one of our most esteemed Judges on the matter. Mr. Justice a'Beckett, on the hearing of the fuel and fodder appeal on the 30th July, said—

> What is wanted for the satisfactory discharge of this duty is a wide acquaintance with industrial undertakings, and the work done in them, direct from personal observation, which a Judge secluded on the Bench does not possess, and cannot acquire.

Mr. BAYLES.—That applies to Mr. Justice Higgins just as well.

Sir ALEXANDER PEACOCK.—The Government have given this matter a good deal of consideration. Honorable members of all shades of public opinion desire to preserve industrial peace as far as possible. If we are doing our duty to the people we represent, we desire a system that is fair to both sides, a system under which the rights of the employer and the employé shall be equally considered. As I have indicated, the proposal of the Government is that if there is an appeal—and I think it is not an unwise provision to have such a safety valve —it should be made to a body to which neither side objects. Rightly or wrongly, the workers have not had any confidence in the present Court, and they have not exercised the rights which they might have exercised in appealing to that Court. I think that the body that we propose to create will have the effect of giving confidence to both the employer and the employé. The chairmen of our Wages Boards have had a long, wide, and varied experience. Under the provisions which I have outlined, if an appeal is lodged with the Minister, then, in a similar way,

to that adopted in connexion with the Marine Board, the Governor in Council would create from the roster of chairmen a Board of three to hear the appeal. It is stipulated that one of them shall not be the chairman of the particular Board whose decision is being appealed against. Some honorable members may say that the Board should be definitely constituted of three persons, and that it should be in existence all the time. I say "No."

Mr. WARDE.—It should be wiped away altogether.

Sir ALEXANDER PEACOCK.—There should be plenty of elasticity. Some chairmen would be most suited to hear certain appeals, while other chairmen could deal better with appeals against other determinations.

Mr. HANNAH.—There would still be friction.

Sir ALEXANDER PEACOCK.—The proposal may strike honorable members at first as somewhat novel, but it will be conceded that it will give greater satisfaction to one section of our citizens who have not exercised their right of appeal under the present law. I want honorable members to set aside anything in their minds with regard to the recent threatened industrial trouble. The proposals outlined in this Bill were passed by Cabinet some time ago. I admit that my blood was roused when I saw the criticism of a certain body yesterday, as well as that of a leading journal this morning, but I do not propose to deal with that. I recognise that in connexion with that trouble there are several other stages in which I will have to act, to some extent, as judge and a responsible Minister of the Crown; but when the facts are fully sifted, I am satisfied that some of those who have adversely criticized my action—they are few in number, because the general body of our citizens want to see industrial peace—will be prepared to admit that I was dealing with a difficult problem. It is not true, as stated, that I listened to merely one side of the story, and that is the only point in connexion with the criticism yesterday and this morning to which I will allude. If they had come to me or to responsible officers of the Department, or to the head of the Government, they would have ascertained that from the time the trouble arose my officers and I were in constant touch with the representative of the employers as well as with the representatives of the other side. The recognised secretary of the building employers waited on me last Tuesday week, and gave me the views of that particular body on all the phases of the matter. By arrangement with myself and at my suggestion officially, he saw the Chief Inspector of Factories. From that day to the time the action was taken there was as much conveyed officially by the representative of that side as by the representatives of the other side. The Chief Inspector of Factories and I had a most anxious time. I wish to acknowledge gratefully the splendid and unselfish work which the Chief Inspector and his officers did last week and the assistance which they gave me in that trying time. I want to let the public of Victoria know that the impression raised that the Minister and his officers were in constant contact with the representatives of one side, and were not receiving the views of the other side, is not borne out by the facts. The only difference was that in one case there was one representative, and in the other two representatives.

Mr. LEMMON.—The *Argus* representative knew that the negotiations were going on.

Sir ALEXANDER PEACOCK.—I want to thank honorable members for the way in which they have listened to me while explaining this Bill at such length. I am anxious, and so is the Government, to tighten up this legislation which is so firmly embedded in the minds and hearts of the people of Victoria, so as to make it more perfect, and remove existing difficulties and anomalies. I would ask honorable members representing all shades of political thought if they desire or intend to move amendments for improving the measure that, as a favour to myself and to their constituents on whose behalf they may be acting, they should have them circulated as early as possible, so that we may get them printed, and proceed with the discussion of this measure without unnecessary delay, thus avoiding any ground for the charge of sending it to another place at such a stage of the session that its passage into law will be jeopardized.

Mr. ELMSLIE.—I am glad that the Government have introduced this measure at a much earlier stage of the session than we have usually had such Bills in the past. More especially am I glad of the concluding remarks of the Minister

when he urged that amendments should be submitted early, so that the Bill may receive due consideration. I move—

That the debate be adjourned.

In view of what the Minister has said, I am loath to ask for an adjournment for any length of time, but I would ask him to allow the debate to be adjourned until early next week, and we shall endeavour to meet him.

Sir ALEXANDER PEACOCK.—Next Tuesday?

Mr. ELMSLIE.—Yes.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, October 21.

WORKERS' DWELLINGS BILL.

The debate (adjourned from October 8) was resumed on the motion of Mr. J. Cameron (*Gippsland East*—Honorary Minister) for the second reading of this Bill.

Mr. J. CAMERON (*Gippsland East*—Honorary Minister).—By leave, Mr. Speaker, I wish to say that I promised when the debate was resumed on this Bill that I would furnish information with regard to the cost of the estates purchased by the Government for workmen's homes, the money advanced in connexion with each estate, and the time of the purchase. The Brunswick estate was bought in 1900. The purchase money was £2,896, and the advance £1,125. Cadman's estate was purchased in 1905 for £844, and the advance was £3,102. The Dal. Campbell estate was purchased in 1904 for £2,357, and the advance was £4,102. The Footscray estate was purchased in 1904 for £2,486, and the advance was £5,719, The Glen Huntly estate was purchased in 1906 for £7,039, and the advance was £39,002. The Pender's Grove estate was purchased in 1906 for £23,327, and the advance was £25,163. The Phœnix estate was purchased in 1906 for £967, and the advance was £4,594.

Mr. J. W. BILLSON (*Fitzroy*).—Can you give the amounts due by the Pender's Grove settlers?

Mr. J. CAMERON (*Gippsland East*). Yes. The indebtedness in the case of Pender's Grove amounts to £293 13s. 8d. The Tooronga estate was purchased in 1911 for £17,675, and the advance was £32,436. The indebtedness in this case was £34 5s. 7d. The weekly payment for a four-roomed cottage amounts to 8s. a week, and the highest amount paid is 13s. 4d. I have a return from New Zealand dealing with the same subject, showing that the rents there range from 12s. 1d. to 14s. 9d. for houses of four or five rooms. Taking it all round, the rent here is a little less than in New Zealand. The following memorandum may be of some service to the House in showing what the municipalities will have to contend against owing to the existence of certain institutions:—

Building societies generally insist on about one-quarter margin; this, on a £300 house and land proposition, means £75 cash down. This, on a twelve-yearly table, means 15s a week repayment for interest and principal. Most of these repayment tables are on an 8 per cent. basis. These building societies have now before them the competition of enterprising building firms, who to-day will advance money at 7 per cent. on the daily balance owing, which is 1 per cent. less than the building societies charge, and only ½ per cent, dearer than mortgage money, when taking the mortgage penalty clauses into consideration, and the present high rate of interest. These firms take every proposal on its merits. In some cases, they take the land only as their margin, in other cases they ask for a small deposit, varying from £10 to £50 (in addition to the value of the land). They afterwards assist the borrower to secure trust money at 5 per cent. on mortgage, just so soon as the borrower has repaid sufficient to produce the two-fifths margin required to secure trust money. This is very much appreciated by the general public, for the worry of finding both principal and interest is thus reduced to finding interest only. When this position is reached, most prefer to open an account with the Savings Bank to provide for the principal; and when opportunity offers, they reduce their mortgage by the amount in their Savings Bank.

Mr. ELMSLIE.—I do not know whether to take this Bill seriously or not. I have sought in my own mind to find reasons why the measure has been introduced, especially in view of what has transpired in other directions. The Metropolitan Council Bill has been introduced, and it proposes to give municipal councils powers in certain directions. In addition to that, we have a Parliamentary Committee inquiring into the housing problem. On top of these we have this Bill submitted that seems to possess no finality about it. All it says is that the councils "may" do so and so. It is a matter of "may" and nothing else. When the councils have made up their minds, if they ever do, and have exercised the right given by the Bill they have to appeal to the Governor in Council for powers that probably they will be very

reluctant to take upon themselves. Whilst the measure will have the name of enabling municipal councils to provide workers' dwellings, I think it will become a dead letter, and be of no practical value to the workers. Another reason that comes to my mind in considering the Bill is that the Government already have power, under a special Act of Parliament to deal with the housing problem. They have the power, and they are the proper persons to exercise it to the best advantage. Up to a certain point they have exercised that power. Whilst there is a growing demand amongst the people to take advantage of the easy terms upon which houses can be obtained, the Government have not risen to the occasion and taken advantage of the powers given to them under the Act to which I have referred. Without desiring to cast any undeserved reflection on the municipal councils, we have to face the facts, and ask ourselves whether it is worth while taking up the time of the House in discussing a measure of this kind. We can all see that, with one or two exceptions, there is not the slightest chance of the municipal councils taking this duty upon themselves. We have only to look at the composition of most of the councils in the metropolitan area. A large proportion of these councillors are men engaged in the house and land business. It is their business to buy and sell houses, to act as agents, and to collect rents. If their councils entered into this business of erecting workers' dwellings as it should be entered into, it would be foreign to the interests of these men. If by the Bill the Government handed this duty over to the councils, and said they should perform it, then we could spend some time serviceably in discussing the Bill. As it is simply a matter of "may," I do not feel inclined to take up any further time. I believe that consideration of the measure is only a waste of time.

Mr. HANNAH.—I am very much of the same opinion as the leader of the Opposition. I think the introduction of this Bill is practically a waste of time. As the leader of the Opposition has said, if this power is given to the municipalities there is no hope that they will exercise it. The Ministry know that.

Mr. J. CAMERON (*Gippsland East*).—No, they do not.

Mr. HANNAH.—If they made inquiries they would know it. Can the Ministry say that there has been any demand from the metropolitan municipalities for this power? If the municipalities desire to have the power, there is plenty of work for them to do. The trouble is that with the present franchise, and the position of the councils, there is no likelihood of their doing it. The Minister, when he introduced this measure, mentioned the splendid work that has been done in connexion with workmen's homes under the Closer Settlement Board, and he repeated that statement to-day. Certainly at Footscray, West Brunswick, Pender's Grove, Glen Huntly, and Tooronga, great and good work has been done in this direction, but I would ask the Government why they should stop at what was done in this way two or three years ago. The Government propose now to stop short in that work, and hand it over to the municipalities, who, in my opinion, are not likely to do very much. It seems to me that it is playing with the Legislature to bring in this measure. It seems to be largely a waste of time. In New South Wales the Government have tackled the question. We, of course, have had experience in this work, but why turn back now, and hand this power over to the municipalities after the Government have carried it out successfully? In Western Australia the Government are going on with this work. Last session we had an excellent speech from the honorable member for Mornington on the question of slum dwellings. I think most honorable members will admit that it was a speech worthy of the occasion. If the policy he advocated was carried out, it would give to a large section in the metropolitan area the relief that is necessary. Honorable members must admit that one could not find fault with the honorable member's sentiments.

Mr. WARDE.—I never found fault with his speeches; it is his votes I object to.

Mr. HANNAH.—On that occasion the honorable member for Mornington showed clearly that he was prepared to go along the lines which it is necessary the country should follow at present, and I believe that there are other honorable members who would do the same. Why, then, take up the time of the House in asking us to go in the direction the Ministry now want us to travel? If I thought there was any desire on the part of the

councils to have this power, I would certainly give them the power, and afford them the opportunity of taking up the work. We have had deputation after deputation from various quarters on this subject, but up to the present the municipalities of Melbourne have not shown any desire to undertake this work. Where has the request come from for this particular measure?

Mr. J. CAMERON (*Gippsland East*).—It was stated that the Port Melbourne Council, if they had this power, would exercise it.

Mr. HANNAH.—If even one municipality in the whole State desires this power, then I am not going to put a stumbling block in the way of their obtaining it, because, if they exercise the power, it may result in other municipalities following in their footsteps. Anyhow, the need for dealing with this question scientifically and properly should be faced at once. Under the Metropolitan Council Bill certain powers are proposed to be given to the new body that is to be created. Who, then, will be the controlling authority in connexion with this power later on? Will it be the new Metropolitan Council, or will the municipalities retain the powers they are now being given in this respect? I feel that very little good will come from this measure, but if, as the Minister states, the Port Melbourne Council desire to get this power, I will not oppose their obtaining it. I believe that there is no place where the power is more required than in Port Melbourne. But there are other portions of the metropolis in which the housing problem is one of urgency. The district I represent—a manufacturing and industrial centre—requires to be largely rebuilt, the housing conditions being not of the best character. There is no land available there, and the authority taking up the work would have to repurchase areas already built upon, destroy the buildings, and replace them with more modern structures.

Mr. J. CAMERON (*Gippsland East*).—That is necessary, I should think, in some other cases.

Mr. HANNAH.—Very necessary. I feel that not very much good will come out of this Bill.

Mr. DOWNWARD.—I must say that I do not feel very much impressed with the importance of this Bill. From my experience of the municipal councils in country districts, I do not think they would exercise the powers under the Bill, nor do I think it desirable that they should. That a municipal council should become a land jobber, and build houses, and enter into trade of that character, would not, I think, be an acceptable proposal to the ratepayers, and a council could not carry out such work effectively. I do not say that the Bill can possibly do any harm. If there are any municipalities that desire to enter into such an industrial enterprise as buying land, building houses, and accepting the responsibility as to where they would get the money, I do not know where they are. It would be extremely difficult for municipalities to obtain the money to exercise these powers, even if the Bill was passed. The power might be exercised in a few cases of congestion in the industrial suburbs. The housing problem there might become so serious as to challenge the attention of some municipal council in the metropolitan area, but the Bill would not have general application to the country districts. It would not apply to the residential suburbs, but only to a few over-crowded industrial suburbs.

Mr. J. CAMERON (*Gippsland East*).—Surely they are worth helping.

Mr. DOWNWARD.—Instead of this Bill, we want a greater extension in the direction we have already gone by making available Crédit Foncier funds for enabling land to be bought and suitable buildings erected. When I was speaking on another matter, I quoted from the return which had been furnished to the honorable member for Collingwood on that subject. It showed that a great service had been rendered to houseless people by widening out the provision in regard to the powers of the Savings Banks Commissioners to make advances for that particular purpose. Some 2,500 persons have acquired land and buildings of their own, and upwards of £750,000 has been invested by the Savings Banks Commissioners in that direction. That has afforded the opportunity for a large number of men to purchase suitable pieces of land, and then to obtain the necessary capital to build on the long-extended terms of a mortgage that never matures. I am quite sure that those are the lines

along which we should go, and we should not ask municipal councils, which have no knowledge of the values of land, and which cannot carry out the purchase of land without obtaining the concurrence of the Governor in Council, to do this work. They will have to go to the Government, and ascertain whether the Government approve of any particular purchase of land.

Mr. J. CAMERON (*Gippsland East*).—They are not engineers, but they carry out very important works.

Mr. DOWNWARD.—They do; but I think that buying land and advancing money in this way is quite foreign to the business for which municipal councils are appointed. They have not the same advantages in the borrowing of money cheaply that the Government has. The Government secures a very large portion of the money it requires from the Savings Banks. In that way the Government has command of very large sums of money at low rates of interest. But a municipal council would have to borrow in the open market, and would have to meet its loans as they fell due, with the result that, unless they were successful in buying very cheaply indeed, they would very likely find that they had made a considerable loss. Then I can understand the number of properties that would be offered to the councils, and the very unpleasant results that might follow from the councils having the power to invest money in buying somebody's estate. Those are not lines, I think, upon which we can proceed with any measure of safety in handling the public funds. Therefore, I think the Bill will not serve any useful purpose. It will not be generally followed by the councils, if I know anything about municipal councils. Some councils have practically refused to be responsible in connexion with wire netting.

Mr. A. A. BILLSON (*Ovens*).—Have not purchases of property been carried out by municipalities in congested districts in England with great success?

Mr. DOWNWARD.—I admit that in densely congested districts a council might feel called upon to enter upon an enterprise of this kind, but it is proposed that this Bill should apply to all the municipalities in Victoria.

Mr. J. CAMERON (*Gippsland East*).—They need not act upon it.

Mr. DOWNWARD.—I know that. I know of only one industrial suburb where trouble has arisen on account of the congested population.

Mr. J. CAMERON (*Gippsland East*).—It was stated at a deputation that in Great Britain the municipalities have, in some instances, wiped out the slum areas altogether.

Mr. DOWNWARD.—It is the county councils that are doing that.

Mr. J. W. BILLSON (*Fitzroy*).—There it is being done by other municipalities as well.

Mr. DOWNWARD.—The Government in England is doing something in that direction, as well as the county councils. However, there is no need to oppose the Bill in any way. It is not one that can possibly do any harm, but I certainly think it is not a very pressing necessity, and will not achieve the purpose which the Honorary Minister expects it to achieve, and that is that municipal councils will float loans to the extent of £50,000 in excess of their present borrowing powers, and attempt to buy land and build houses. One or two of the industrial suburbs that are in great difficulty with regard to congestion may take advantage of the measure.

Mr. J. CAMERON (*Gippsland East*).—Then why not give them the chance?

Mr. DOWNWARD.—I say the Bill has nothing in it inimical to the public interests, and I do not propose to offer any opposition to it, but I do not feel any enthusiasm as to the purpose it will achieve.

Mr. J. W. BILLSON (*Fitzroy*).—I do not think there is very much enthusiasm from any part of the House in connexion with this Bill, but, at the same time, I should like to see it passed. I know there are very few municipalities at present which would take advantage of the powers conferred upon them by the Bill, but still, if there is only one that will put it into operation, and will purchase land and erect workers' dwellings on a cheap basis, and let them under reasonable conditions, we will be putting into operation a system I believe in, and if that municipality is successful, other councils will be encouraged to follow in its footsteps. Therefore, I think we would be doing wrong if we did not give them this power. Nearly the whole of the municipalities in other parts of the world have found slum life so injurious that powers of this kind are given to the councils, and they are

utilized to the great advantage of the workers in their respective districts. A Bill of this kind is urgently needed. As to whether the councils will put it into operation or not, I quite agree with the honorable member for Mornington, the leader of the Opposition, and the honorable member for Collingwood, that very few councils would be in favour of doing so. I can quite understand the honorable member for Mornington opposing the Bill, because I see no clause in it permitting the councils to sell, though there is a clause permitting them to lease. At the same time, I believe that in time to come the municipal councils will have a very different franchise from that which they have now, and will be composed of very much better men than at present, because with a wider franchise they will have a wider selection, and I believe the result will be a wiser selection. Of course, there is no real opposition to the Bill. Some honorable members think it will not be used, and that, therefore, it is not worth bothering about, but I desire that the councils shall have no real legal objection to putting a measure of this character into operation. If we give them that legal right, then their constituents outside, if they desire the councils to give effect to it, must set to work and put into the councils men who are prepared to give effect to the measure. If the present members of the various municipal councils are not in favour of a measure of this character, and will not give effect to it, they have a right to their opinions, and are perfectly justified in not acting upon the powers we are conferring upon them, but at the same time it will be the duty of their constituents to get men on the council who will represent them, and who will be prepared to put the measure into operation in order to abolish many of the slums which now exist by building workmen's homes and renting them at reasonable rates. The rents charged to-day are certainly exorbitant. I know that many working men in my own constituency have to pay two days' wages for a week's rent. That any working man should have to work two days out of the six for the landlord is, I think, an outrageous tax. I am not blaming the landlord for getting all he possibly can. I think he is justified in getting the full market value.

Mr. DOWNWARD.—Does he get more than a fair interest on his outlay?

Mr. J. W BILLSON (*Fitzroy*).—I do not say that he does.

Mr. DOWNWARD.—In Sydney the rents charged by the Government for houses are higher than those charged by private landlords.

Mr. J. W. BILLSON (*Fitzroy*).—I am speaking now of properties in my own district of which I have a knowledge, and I think for a man to have to pay two days' wages each week in rent is too heavy a tax to pay to the landlord.

Mr. DOWNWARD.—I agree with the honorable member.

Mr. J. W. BILLSON (*Fitzroy*).—As I say, I do not blame the landlords; I blame the system. If we can inaugurate a system that will bring about a much healthier existence for our workers, and make it easier for them to pay their rent, I think it is the duty of the Government and of the municipalities to put their heads together and devise ways and means by which reforms can be effected. It appears to me that if we wait for the Housing Committee to bring in its report, and then wait for the Government to act upon that report, we may have to wait a very long time. Indeed, this Government may never have an opportunity of acting upon the report. Let us hope they will not—that is, if we can get a better Government in, because, after all, we want the best. Even if the Government were prepared to build workers' homes, as has been suggested, the Government have not the power to lease them; they have only power to sell under certain conditions embodied in the Closer Settlement Acts. There is no perpetual leasing under those Acts, and to that extent this Bill is a great improvement.

Mr. ELMSLIE.—But they have section 69.

Mr. J. W. BILLSON (*Fitzroy*).—There is another point that should be mentioned. Suppose some of the municipal councils in the constituency of the honorable member for Mornington were to buy estates and lease them. The honorable member would not come to Parliament and ask that his constituents should be allowed to repudiate their obligations, and that the municipalities should forego the conditions under which those people took up the land; but where the Government is concerned there is no compunction about bleeding it to the very utmost extent on behalf of one's constituents. The municipal council is quite a

different body, and, generally speaking, I hope to see an amendment of the Local Government Act giving the workers themselves an equal vote of equal value with those of the wealthier sections in each municipality. I regard this Bill as the forerunner of a provision of that kind, and as one of the Bills that will pave the way for it. If the councils are determined not to take advantage of this measure, and there is a desire on the part of the public outside that they should do so, there will soon be organizing and agitating in order to force the Government to abolish the present iniquitous system of giving one vote to one man and three votes to another man. I do not see any reason why an amendment of that kind should not be introduced into the Bill now before us, and I now give notice that when the measure gets into Committee, I will move an amendment to abolish the old municipal franchise in order to adopt a wider franchise, which will place all the voters on the same footing.

Mr. M. K. McKENZIE (*Upper Goulburn*).—I think that the object of this Bill is a good one. Although it may not have a very wide application in practice, still, I think, that if there are councils which desire to operate under it, they should have the privilege of doing so. The housing of the workers is, of course, becoming a very difficult question. Proper provision is not being made at the present time. The tightness of the money market prevents speculators from building houses, because they fear that they will not get an adequate return, and there seems to be no other existing power to act as a substitute for the speculative builder. Therefore, things are getting worse, and must continue to do so, unless some power is instituted that will provide the necessary dwellings. The Government are not proceeding vigorously in that direction at the present time, and practically nothing is being done by speculative house builders. Therefore, any promise of assistance from outside bodies, such as municipal councils, should, I think, be welcomed. It has been said that the Bill will not be very generally used. Perhaps not; but if one or two councils try, and succeed, others will follow their example.

Mr. J. W. BILLSON (*Fitzroy*).—The same as in connexion with rating on unimproved values.

Mr. M. K. McKENZIE (*Upper Goulburn*).—Just so; but I do not know that that has been proved to be a success. However, I support this measure for an entirely different reason from the honorable member for Fitzroy. I do not think it is calculated to have the effect he wishes. If I thought it would, I certainly would oppose it. I do not think it is likely to have the effect of inducing any Government that is likely to be brought into existence in this State for a very long time to alter the voting power in connexion with municipalities so as to provide that one man shall pay the money and another man have the power. That is what the honorable member proposes. He proposes that the men who pay no rates——

Mr. HANNAH.—Who pay the rates?

Mr. M. K. McKENZIE (*Upper Goulburn*).—The people who own the property.

Mr. HANNAH.—The men who pay the rent.

Mr. M. K. McKENZIE (*Upper Goulburn*).—I can quite understand that there are fine-spun theories, and that it may be said that the man who is in occupation, and who has really paid for the land, is not the owner of the land, but that the whole of the people of the State are the owners. But I do not look at the matter from that point of view.

Mr. MACKINNON.—That would not go down in Upper Goulburn.

Mr. M. K. McKENZIE (*Upper Goulburn*).—No, it would not go down with a great many of the constituents of the honorable member either. I do not think the Bill is calculated to have that effect. I believe that it should be recognised that the man who pays a very large sum in rates has a much greater interest in municipal affairs than the man who is simply a lodger in the district, and who may go elsewhere. Men who have no property stake in a municipality would naturally vote for the expenditure of large sums of money, because they would not have to provide that money, or the interest on that money.

Mr. J. W. BILLSON (*Fitzroy*).—My experience is that they are not less honest than the other chaps.

Mr. M. K. McKENZIE (*Upper Goulburn*).—I am not alluding to their honesty.

Mr. J. W. BILLSON (*Fitzroy*).—You are alluding to their honesty of opinion.

Mr. M. K. McKENZIE (*Upper Goulburn*).—We had a great many people in this State who were in favour of what was called the bold policy of borrowing largely to develop the country, and so forth. In times past men were put into Parliament frequently to carry out a policy of that kind, and it is not unknown at the present time. Men were put into Parliament to carry on this work of development, and to borrow a large sum of money.

Mr. J. W. BILLSON (*Fitzroy*).—That is a right thing to do.

Mr. M. K. McKENZIE (*Upper Goulburn*).—I agree that it is, within moderate limits; but before the boom burst it was carried to excess. There is not the slightest doubt about that. When the boom burst, a great many men who had voted to put members into Parliament to carry out that policy took up their swags and cleared out, leaving others to pay the piper.

Mr. HANNAH.—Are you referring to the farthing in the pound men?

Mr. M. K. McKENZIE (*Upper Goulburn*).—Not at all. The honorable member for Fitzroy raised the question of honesty. I do not say those men acted dishonestly. They thought they were doing a good thing for the country.

Mr. J. W. BILLSON (*Fitzroy*).—You inferred that.

Mr. M. K. McKENZIE (*Upper Goulburn*).—I did not. I like to have a controversy with the honorable member, because he generally sticks to the point, although he is somewhat sophistical sometimes, from my point of view. To return to the Bill, I hope that the provision that the dwellings shall be leased, and not sold, will be struck out, and that power to sell will be given. When I was in Glasgow in 1879, a friend of mine, who took a very great interest in municipal government, and so forth, went with me to various parts of the city. We went down past the Salt Market, and saw the slums of Glasgow. That property was worth very little. The municipality of Glasgow conducted a vigorous policy there. They bought a large area of land—a straight strip right through the slums—and then pulled down the rookeries. They opened out a wide street, and sold the land under building conditions. When I came back to Glasgow seven years afterwards, I found a complete transformation through the enterprise and vigour of the municipal council. That sort of thing might be carried out here if we gave the municipalities the power. Even in this city we have slums. We have rookeries that should be pulled down, and narrow lanes where wide streets should be opened. If this power is given in this Bill, it will be acted upon to the great advantage of the city, and to the great advantage of the workers of the community. For these reasons I intend to vote for the second reading of the Bill in the hope that, in Committee, it will be brought more into conformity with the views that I hold.

Mr. WARDE.—I was very much surprised to hear the remarks of the honorable member for Upper Goulburn. His ideas seem to me altogether foreign to the position which owners of property occupy. He seems to be under the impression that, with regard to the rates a municipal council levies to carry out its work and develop its district, the only persons who pay are the property-owners. To me, it appears that there would be very little development if it were left only to the owners of property to pay the rates of any municipality. One has only to look at the city of Melbourne to-day and see the fine and enormous public houses being erected all over the city, with an enormous amount of accommodation for lodgers.

Mr. MURRAY.—Public houses?

Mr. WARDE.—What applies to public houses, in a lesser degree, applies to all sorts of private houses in any municipality. I am giving an illustration to show the enormous amount of money being spent to accommodate people in lodgings in the city of Melbourne. The people who are putting up those public houses know perfectly well that it is from the lodgers' rents that not only the rates which will be paid to the City Council of Melbourne for the maintenance of the city, but also the profit for the capital that has been put into the building by the owner, will come.

Mr. MEMBREY.—Under the present Act, tenants are regarded as ratepayers.

Mr. WARDE.—Exactly; but I go further than that. The argument arose on the point that a lodger is also a tenant. A lodger may rent a room for 7s. 6d. or 5s. per week, and may live in it for years. People rent flats in Collins-street at enormous rates, and also in suburbs such

as South Yarra. People in very fair and comfortable positions pay high rents to live in flats; and can the honorable member for Upper Goulburn say that those persons are not really the ratepayers, as well as the interest-providers, for the people who invested the money in the buildings?

Mr. M. K. McKENZIE (*Upper Goulburn*).—In a very small degree.

Mr. WARDE.—Then in that degree they are entitled to representation in the municipal council

Mr. M. K. McKENZIE (*Upper Goulburn*).—They have no stake. They can go away at once.

Mr. WARDE.—It is immaterial whether they move away or not. People reside in those places for many years.

Mr. M. K. McKENZIE (*Upper Goulburn*).—The owner of the property can not go away.

Mr. WARDE.—When the property ceases to return him, on the average, what he considers a fair rate of interest, the owner will sell out, and let some one else "nurse the baby."

Mr. M. K. McKENZIE (*Upper Goulburn*).—If he can.

Mr. WARDE.—The honorable member knows it as well as anybody. It is all a question of the investment of money for a return. When a man invests in property, he does so because he thinks he will possibly get a security and return a little better than he would get if he put the money into Government debentures, or on fixed deposit. That being the case, there can be no doubt that if justice is done, we will at least give to the lodgers a vote so that they may have some influence in connexion with the expenditure under the Bill. A good deal has been said as to the desirability of increasing the house accommodation for our working class population. I think that the best step which has been taken for many years—in fact, the only step which has been of assistance to the working class people of Melbourne—has been the establishment of workmen's homes such as we find at West Brunswick, where there are a large number of people settled under very comfortable conditions. In the district which I have the privilege to represent, we also find 300 people settled on the Government estate at Footscray West. There are something like ninety-five tenements. In those places, the people are purchasing their own homes. An allotment of a quarter of an acre, which is a reasonable piece of land for a workman to bring up his family on, is provided. I think that the average repayment, including purchase money as well as interest, works out at something like 9s. per week. In similar districts it will be found that rents of from 12s. 6d. to 15s. are being asked for similar houses on comparatively small allotments, and the ownership of the properties will never get into the hands of the tenants. I think it was the McLean Government which purchased the first of these suburban estates. It was not bought, however, for the purpose of workmen's homes. I believe it was purchased for the purpose of a cemetery for the northern suburbs. As it was not used for that purpose, it has been devoted to a far more useful and ornamental object. Splendid workmen's homes have been established there.

Mr. COTTER.—It is a better place to go to.

Mr. WARDE.—It all depends where the honorable member is going when he packs up. He is a better judge of where he is likely to land than I am. Personally, I hope it is not nearly as good a place as my final destination will be. While this Bill may afford an opportunity to do some good, I do not think that any great relief is going to be offered to the congested centres of Melbourne. In the first place, the Government reserve to the councils the right to resume properties for the purpose of establishing workmen's dwellings, because when we see that no person in receipt of more than £200 per annum can become an occupant of one of these homes, we recognise that any benefits will be principally confined to the wage-earning classes. No doubt that is the intention of the Government. In some of the inner municipalities, overcrowding exists to the greatest extent, housing accommodation being very scarce there. According to an account which I read, some visitors were recently going through one of the suburbs of Adelaide when they saw a crowd of people around an empty house, and they were puzzled to know the cause. It appears that two years ago there was such a demand for houses that the agent had notified that he would sell the key of this house by auction, on the verandah, at eleven o'clock, on that particular day. Over 100 people gathered there, and I believe £4 was paid for the

right of entry into the house. We have not reached that stage here yet, but it is said that in the Melbourne suburbs bonuses are being paid for agents to secure houses which are to let. Under this Bill very little will be done to ameliorate the conditions as far as the demand for houses is concerned. The amount of money which the councils are permitted to borrow under the measure is £50,000. Now, in the inner suburban areas, that would only represent about 100 houses. A house of five or six rooms provided with anything like reasonable air space and conveniences necessary for our present civilization, together with a reasonable allotment of land, could not be built for under £500. Considering that a clear return of 5 per cent. on that £500 is to be obtained, I cannot see any cheap rent for the workmen as the result of such expenditure. It means exactly what the honorable member for Fitzroy has said—16s. per week, or fully two days' wages earned by the average workman in order to pay for the outlay made by the council. In those circumstances, it does not appear to me that very much relief will be offered to the man who is looking for a home for himself. The only system that can work out satisfactorily is one under which areas of land will be provided within 4 miles of the city. Such areas can be obtained reasonably cheaply to-day. Ever since this Government has been in office that system has been at a stand-still. It has done nothing whatever to extend the system of workmen's homes, which has been so successful at Footscray and West Brunswick. I also believe that the people on the Glen Huntly Estate are fairly satisfactorily settled. The honorable member for Mornington referred to the workmen's homes near Sydney, where a suburb has been established. It is called Daceyville, after the late Treasurer of the Labour Government, who died after he had been in office for some time, and who had taken a great interest in the housing of the working classes. One of the first things he did as a Minister was to impress upon the Government the necessity of constructing proper houses for the use of the working classes. Instead of the houses being built in ones and twos, a contract was let for the erection of a considerable number. The result was that although the price seemed high, yet it compared favorably with the cost of those erected singly or in pairs under private contract. The price came out at a little below that for the same class of house built under the private contract system. The honorable member for Mornington said that some of the houses were let for as much as 21s. per week. I believe that is true. The honorable member might also have said that houses of four rooms at Daceyville are being let down to 14s. per week. Now, even 14s. per week is an excessive rent for those belonging to the working classes, notwithstanding the fact that minimum wages of 9s. or 10s. per day are supposed to be paid. Any one who has considered the wage question knows perfectly well that, although 10s., 11s., and 12s. per day may be paid to men, yet, owing to the time they are actually engaged, it works out at about £2 5s. per week year in and year out. That 14s. is a large rent out of a wage of £2 5s. The honorable member for Mornington referred to houses at Daceyville, for which 12s. 6d., and, as he said, as much as £1 1s., a week is paid. That is for the very best houses on the estate; but they are all good houses, and they are considerably better than houses to be obtained within the same area outside the estate. I am assured that, if you compare them with the privately-owned houses, there is a difference of from 5s. to 6s. a week in favour of those on Daceyville. It does not matter whether the houses are good, bad, or indifferent in New South Wales, South Australia, or Victoria. The point is that there is a scarcity of houses in Sydney and Melbourne. Even if we had sufficient houses, the rents, while they may not return more than a reasonable rate of interest to the owners, are still too high when compared with the wage-earning capacity of the people who have to live in them. The duty of the Government and of the municipalities is to see that the people are properly housed, and also to see that the rents are not extortionate, or out of proportion to the wages of the occupiers. If the Government continued the system which has been carried out under the Closer Settlement Act, they would do more beneficent work in the interests of this movement than by passing this Bill. I do not think there is any member who is not prepared to vote for this Bill. If the municipalities were prepared to put it into operation, some little good might be done. The Bill provides that the borrowing power of any municipality for this purpose is not to exceed

£50,000 per annum, and I conclude that it will be many years before sufficient houses are built by the municipalities, even if a fair proportion of them carry the work out as speedily as possible. The inner suburbs, in particular, are very much congested, and, owing to the fact that they were established fifty or sixty years ago, many ideas that the people had originally in regard to building have been completely revolutionized in later years. In the suburbs where I was principally brought up—in Collingwood and Fitzroy—it was a common occurrence for families of from five to eight to live in houses containing five rooms, and in the front portion of the building there was no more than 8 ft. 6 in. or 9 ft. between the floor and the ceiling. Then there were lean-tos at the back, which, no doubt, you will remember, Mr. Speaker. A man 6 ft. 6 in. high could not stand up with his hat on in numbers of these places. It is no discredit to the builders of these places, which, in those days, were considered little palaces. Such places in South Melbourne, Richmond, and Collingwood were then considered to be up to date. We know that there are the remains of hundreds of these houses to be found in the metropolis to-day. The situation is changed. What was considered a healthy home then is not considered so to-day. Most of the municipalities have a by-law providing that the distance between the floor and the ceiling must not be less than 10 feet. That by-law is put into operation for hygienic reasons, except where the houses are owned by elderly people, whom the municipalities do not like to interfere with. If the houses do not comply with that by-law, they are not allowed to be let.

Mr. MEMBREY.—In many cases they are somewhat lax in regard to that.

Mr. WARDE.—Most of the councils use a wise discretion. If the situation is to be improved, it is the duty of the Government to see that the people are housed properly. I suppose we have about 640,000 people now in the metropolis. During the last couple of days they have had an inch and a half of rain in the Mallee, and there has been a fall of 1 inch in the northern counties, where our wheat fields are principally situated. It is probable that we shall have 30,000,000 bushels of wheat. That means continued prosperity in the city. As long as we enjoy good seasons, as long as the produce is coming forward, and the prices of wool and stock remain high, there will be prosperity in the metropolis. This increased prosperity will increase the demand for houses in the years to come. Hence it is the duty of the Government to see that provision is made for the housing in comfortable conditions of the population that this prosperity will induce to settle in the metropolis. I intend to support the Bill, because it will give the municipalities an opportunity of doing something. They will be able to do some good if they avail themselves of the power conferred by the Bill; but as the borrowing power of each municipality is limited to £50,000 a year, I think the municipalities will not be able to meet the requirements of our increasing population at the rate at which I expect it to increase. It is the duty of the Government to continue the policy that has been the wisest, the least expensive, and the most beneficent to the people, namely, the erection of workmen's homes under the Closer Settlement Act, by which the people are enabled to secure homes at a rental of from 9s. to 10s. a week, and eventually to become the owners.

On the motion of Mr. ROGERS, the debate was adjourned until later in the day.

COURT OF CRIMINAL APPEAL BILL.

Mr. MACKEY moved the second reading of this Bill. He said—This Bill is practically a replica of an Act which has been in force in England for the last six years. A similar Act has been in force in New South Wales for the last two years. In England, as well as in Australia, it has been an anomaly in the law that there has been an absence of redress at law in very undoubted cases of hardship where a man has been convicted. In some cases where a man has been convicted fresh evidence may be discovered after his conviction which, if it had been given at the time of his trial, might have had a material effect upon the verdict of the jury. In cases of that kind, however, there is no provision in our law whereby the prisoner can obtain legal redress. The responsibility is placed upon the Attorney-General and the Government of the day of advising the Governor in matters of that kind, and it is an exceedingly difficult position for the Attorney-General or the Government to deal

with matters like that, with which they feel that the Judges, removed as they are from the sphere of political agitation, are in a far better position to deal. In other cases witnesses who have been instrumental in securing the conviction of a man may afterwards be found guilty of perjury with reference to the very evidence that they gave in that particular case; yet that does not entitle the person convicted even to a new trial.

Mr. ELMSLIE.—Would this Bill afford Ronald any relief?

Mr. MACKEY.—In the case mentioned by the honorable member, the difficulty arose in a civil matter. But the same difficulty, or a similar difficulty of the kind I have mentioned, might easily arise, and has arisen, in criminal matters. This Bill, following the lines of English legislation, gives ample powers to the Court of Appeal, which practically will be the Supreme Court sitting in its criminal jurisdiction, to give relief in these matters. The Court will have power to give leave to appeal on any grounds which it thinks may possibly save a miscarriage of justice, and, when hearing the appeal, it has ample powers. The Court of three or more Judges can hear fresh evidence, or may discuss matters that have arisen since the trial, such as in the case I have mentioned, where witnesses may have been convicted of perjury, knowing that if these facts were before the jury they would have considerable weight with them in arriving at their verdict. The Court has full power to have recourse to all documents used at the trial or not, so long as they are documents that are admissible as evidence. Appeals on questions of law are unqualified. On a matter of law, the prisoner can appeal without asking leave; on questions of fact he has to ask leave of the Judge of the Court, and, if leave is refused, the matter, of course, is referred to the Full Court. If he makes out a case then he is entitled, merely on matters of fact, to bring his case before the Court. When the case is heard, the prisoner, if he cannot engage counsel, is entitled to put the case before the Court in writing, if he so pleases. There is provision in the Bill, following the English provision, by which the Attorney-General is authorized to appoint a solicitor or counsel for the benefit of the prisoner. It will be seen that the measure is by no means a rich man's Bill. There is no appeal allowed from the decision of this Criminal Appeal Court to our Full Court. This will be a Full Court consisting of at least three Judges of our Supreme Court. Of course, under the Commonwealth Constitution Act, the High Court may hear an appeal from the Full Court on a criminal matter, or directly from the Criminal Court, and that power will remain. Nothing we can do in this Parliament can interfere with that. When the matter is before the Court of Criminal Appeal, the Court may either confirm the conviction or absolutely quash it, on the ground that the man ought not to have been convicted, or it may modify the conviction. That is, the Court may hold that the man should not have been found guilty on the charge on which he was convicted, but on some other charge which there is ample evidence to sustain on the facts before the jury. But this Bill makes a change, and an important change, on the English Act. In England, the Court of Appeal has no power to direct a new trial. The present Bill proposes to give the Court power to direct a new trial whenever it thinks considerations of justice demand it, in order to prevent a miscarriage of justice.

Mr. MACKINNON.—Where does this new power come from?

Mr. MACKEY.—It is a power which our Full Court has to-day, so it is nothing novel in the law in that regard, but it is only a limited power. In England, the absence of this power has been strongly commented upon, and some rather extraordinary anomalies have arisen in consequence. In one case, a man was charged with wounding, and his defence was that the attack he made on the other person was in self-defence. The Judge at the trial thought so little of this, believing that it would have very little weight with the jury, that he put forward a plea, in the man's interest really, as the Court subsequently said, that the man was possibly insane at the time he committed the offence. The jury found him guilty, but insane. The man appealed against the finding of his insanity. The Court said that his first defence of self-defence was not worth much, but that the prisoner was entitled to have his defence, good or bad, placed before the jury. That rule of law had been violated, and, therefore, that conviction had to be quashed. But there was no

power to order a new trial. Although the Court seemed to think that, even if that defence had been put before the jury, the result might have been the same, yet it had no power to order a new trial. Clearly, in that case, an order for a new trial would have been the proper way to deal with the matter. In another case, a prisoner, through some misunderstanding with the law officers, had not his witnesses present. He was convicted. He appealed on that ground, and the Appeal Court said that there was a chance of a miscarriage of justice in this case —that there was a misunderstanding about this evidence, which, if given, might or might not have seriously affected the jury—and, therefore, the Court quashed the conviction. But it had no power to order a new trial. In other cases, a Judge has misdirected the jury, and the conviction had been quashed, but there has been no power to order a new trial. I may refer to a recent case, which caused a good deal of sensation here. Some time ago, there was a case in which a man was found guilty of murder, and was sentenced to death. Afterwards, on appeal, the case went to the High Court, and the High Court ordered a new trial. If that case had been heard in England, under the English Act, the Court could not have ordered a new trial.

Mr. MURRAY.—That was a case where the man was sentenced to death. He could appeal.

Mr. MACKEY.—Under our Victorian law he could, but in England he could not.

Mr. MURRAY.—Without this law.

Mr. MACKEY.—This Bill incorporates the particular provisions of our Act under which the power to order a new trial is granted; but, in addition to that, it gives relief in many cases where the present law does not give relief. Under our law there cannot be an appeal on questions of fact. There cannot be an appeal to our Full Court on criminal matters on the ground that new evidence has transpired since the trial. If the sentence is excessive, there cannot be an appeal to our Full Court. In England, and in this Bill, power is given to appeal on the ground that the sentence is excessive. We have read statements at times that sentences here are not uniform, even allowing for the different facts and circumstances. But the Court of Criminal Appeal has freely used this power to revise sentences. Where sentences are excessive it may modify them.

Mr. MURRAY.—You have referred to the operation of this law in New South Wales. Has much been done there under it?

Mr. MACKEY.—It has only been in force there for something less than two years. I know there have been some cases under it, but to what extent it has been used in New South Wales I cannot say. I know that one case went from the Court of Criminal Appeal to the High Court, so that this power has been made use of in New South Wales.

Mr. MURRAY.—Do you say there has been an appeal in New South Wales to the High Court?

Mr. MACKEY. — Under our present law there is an appeal from our Full Court to the High Court on criminal matters, but only, of course, on those matters where the law allows an appeal. Those matters are limited, and do not cover all the cases where a miscarriage of justice may arise. On every matter on which to-day an appeal may go to our Full Court, in England before this Act was passed an appeal might have gone to what corresponds to the Full Court in England—the Court of Appeal—but those grounds did not cover the whole of the cases of possible miscarriage of justice. The English Parliament then passed what is known as the Criminal Appeal Court Act.

Mr. MURRAY.—Will there be any appeal from that Court?

Mr. MACKEY.—If this Bill becomes law, there will still be an appeal from the Criminal Court to the Court of Criminal Appeal, and then to the High Court.

Mr. MURRAY.—They may still go to the High Court?

Mr. MACKEY. — Yes, that is provided for by the Commonwealth law, and nothing that we can do can stop it.

Mr. PRENDERGAST.—If you allow an appeal on questions of fact, as well as on questions of law, the cases might be interminable.

Mr. MACKEY.—Only in those cases where the Court of Criminal Appeal thinks there has been a miscarriage of justice.

Mr. PRENDERGAST.—Then it may go into the facts again, and have practically a retrial.

Mr. MACKEY. — If the Court of Criminal Appeal thinks on a question of

fact that the man ought not to have been convicted at all—that there is no evidence to convict him—it would simply quash the conviction; but if it thought there was evidence before the Court on which he might fairly have been found guilty, but that there has been some misdirection of the jury, or that evidence has been discovered that might have exculpated the accused, he will be allowed a new trial. At the same time, on any question of fact he has to ask the Court for leave to argue the matter before it.

Mr. McLEOD.—There cannot be an appeal on the facts unless the Court thinks fit to grant leave?

Mr. MACKEY.—No. If the appeal is heard the Court goes into the question of facts. If new evidence is produced which the Court thinks might have a material effect on the jury, the Court will have power to order a new trial in order to prevent a miscarriage of justice.

Mr. MURRAY.—Would that new evidence have to be presented to the Court of Criminal Appeal?

Mr. MACKEY.—The character of it would have to be shown. The Court could call witnesses to enable it to judge whether that evidence would be material in enabling a jury to arrive at a conclusion.

Mr. MURRAY.—Is there no right of appeal on questions of law now in this country in criminal cases?

Mr. MACKEY.—To a limited extent only. In our Central Criminal Court if a Judge refuses to state a case on a point of law, he can be compelled by the Full Court to do so. But there is no such power with regard to a Judge of General Sessions. There is a decision of the Courts to that effect. Therefore, the law in that respect is not uniform. The Full Court has power over a Judge of the Supreme Court in its criminal jurisdiction which it does not possess over a County Court Judge sitting in General Sessions. This Bill proposes to give a similar power in both cases. Every power which the Court has to-day to give relief in criminal cases will continue to exist if this Bill be passed.

Mr. MURRAY.—But it gives the convicted person an additional hope of getting off?

Mr. MACKEY.—Yes, but he cannot get a new trial as of right. He has to show that there are good reasons for getting a new trial.

Mr. MURRAY.—What the Court thinks are good reasons?

Mr. MACKEY.—Yes. Sometimes a case is brought before Ministers sitting in Cabinet, who have to advise the Governor as to whether the prerogative of mercy shall be exercised where a man has been convicted, and new evidence has since been discovered. The question there is whether the man should be pardoned. There is no other means of giving him relief—there is no power to order a new trial. The Chief Secretary will understand in what grave difficulty the advisers of the Crown are placed in such cases. Under this Bill, the accused person, instead of going to the Attorney-General, will go to the Court of Criminal Appeal and ask that Court, after it has heard the new evidence, to order a new trial. If the Court thinks it reasonable to do so, it will order a new trial.

Mr. MURRAY.—You do not propose to go further, and to say that where the accused person has been acquitted, and fresh evidence is forthcoming, tending to establish his guilt, the Court should have power in that case also to order a new trial?

Mr. MACKEY.—No. That would be introducing a principle utterly unknown to our British law.

Mr. GRAHAM.—Could you not provide for the Scotch verdict of "not proven"?

Mr. MACKEY.—I am not sure what the effect of such a verdict is in Scotland. Is the accused in that case liable to be retried?

Mr. GRAHAM.—Yes.

Mr. MACKEY.—There is nothing in this Bill to interfere with the prerogative of mercy, which is vested in the Crown. All the Bill provides in that regard is that where the Attorney-General is asked to advise the Governor to exercise the prerogative of mercy, then instead of investigating all the facts himself in his Ministerial, or semi-judicial, capacity, he can, if he thinks fit, refer the matter to the Court of Criminal Appeal for investigation. The Court will give him an opinion on the facts, and, reinforced by that opinion, he is in a better position to advise the Crown how to deal with the matter. The Court in no way takes the place of the Crown in exercising the prerogative of mercy, nor can it do so. The prerogative of mercy will remain absolutely unaffected, but the Attorney-

General will be assisted by the Court in arriving at a judgment of the facts. In that matter, of course, the Court will act only in an advisory capacity. As I have said, the Bill is almost an exact copy of the English law, which, I think, has given eminent satisfaction. It differs only on one point, namely, that there is power in this Bill to order a new trial. Apart from that, every principle in the English Act, and the actual wording of it, has been followed as closely as possible. The only changes that have been made are those that are necessary to square with our local methods of drafting. There can be no question that a measure of this kind should be placed upon our statute-book. Even if it is not largely availed of, it will, I think, satisfy the public conscience. In cases where there is a suspicion that an innocent man may be suffering, the public will know that there is a means of relief open to him if he likes to avail himself of it, and that the allegations of himself or his friends can be tested by the cold and independent judgment of three Judges. I think the operation of the measure, if it becomes law, will give the same satisfaction as the Act has given in the Old Country.

Mr. MURRAY.—What is the limitation of the time for an appeal?

Mr. MACKEY.—As of course, ten days, but the Court itself is given power to allow an appeal at any time.

Mr. MURRAY.—It might be years afterwards.

Mr. MACKEY.—A man might be serving a sentence of fifteen or twenty years. Additional evidence might be discovered. Of course, the Court would take into account the fact that the evidence previously given might not be available, but it would be for the Court to say in each case whether the circumstances demanded that there should be a re-hearing or not.

Mr. MURRAY (Chief Secretary).—Of course, the honorable member for Gippsland West on this occasion, as always, has made the object of the Bill perfectly clear. It would appear to the ordinary layman that a man who had been unjustly sentenced, and who was undergoing a term of imprisonment, ought, if he could produce evidence that would alter the verdict that convicted him, to have some means of establishing his innocence. I understand that under the existing law there are grounds upon which an appeal may be made in a criminal case, but they do not go far enough. The honorable member for Gippsland West has stated what they are. This measure has been the law in England for six years, and for a couple of years in New South Wales. I apprehend that it would be very frequently made use of, or at any rate that convicted persons would attempt largely to get the possible benefits under the provisions of such a Bill as this. The reader of reports of cases that are brought before our courts at the present time, from the lowest up to the highest courts—I do not make any special reference to one court or another—gets the impression, not so much that the innocent are occasionally punished, but that the guilty too frequently escape. It is a most difficult matter now to establish the guilt of any one charged in the courts. I do not speak of trial by jury only, but the courts almost appear, in their tender solicitude lest an innocent person might be improperly punished, to display something that almost approaches ingenuity in finding reasons to let the apparently guilty escape. There seems always to be in the minds of our courts an apprehension lest they should do something that would undeservedly punish the person charged before them. The time that is occupied in trials that the ordinary man of the world would think should be disposed of quickly is perfectly appalling. I suppose really that if it were not so our courts would find very little to do. What appears to be a very simple case frequently drags its weary length before the courts for days and sometimes weeks.

Mr. MACKEY.—Not in criminal cases.

Mr. MURRAY.—I would like to thoroughly understand the Bill and what the possible effects of its operation might mean. The measure has only just been circulated. The Government have had no opportunity of getting that legal advice from the Crown Law advisers which we are entitled to so that we may be able to inform the House as to their opinions. The Premier has had an interview with the Attorney-General on this question. I believe some of the officers of the Crown Law Department have had the measure under consideration. I am given to understand that their opinion is entirely favorable to it, with certain amendments which I think will very

likely be introduced. If the House is agreeable, and the honorable member for Gippsland West will be satisfied, we will take the second reading of the Bill to-night, but go no further with it. When we get the opinion of the Crown Law advisers—the Crown Prosecutor amongst others—we will be able to deal intelligently with the measure. I have no further criticism to offer upon the Bill. I feel that I have not a sufficient knowledge of the law, or of the history of this measure in other places. It would have been of value to the House if the honorable member for Gippsland West had been able to give us information, not so much as to how the measure has worked in England, but as to how it has worked in New South Wales. I am perfectly certain that if the Bill becomes law a considerable proportion of convicted persons will endeavour to take advantage of the provisions of the measure. It would appear, even from what the honorable member for Gippsland West has said, to hold up to those who have been convicted a further opportunity of escaping punishment. It is perfectly plain to us that if evidence can afterwards be produced that was not forthcoming at the trial, which would have led to the acquittal of the person who was convicted, he should have the right, no matter at what period of his sentence, to obtain the benefit of that evidence. It would also appear as a complement to that, to the lay mind at any rate, that in a case where the Crown failed to secure a conviction from want of evidence that could not be produced at the time of the trial, if further evidence was obtainable afterwards, the person who was acquitted should again have to stand his trial. There is one provision in the measure which is a very proper one and which is absent from the English measure, and that is the provision giving power to the Court of Criminal Appeal to order a new trial. It appears to me, however, that the creation of this court will give no speedier finality to the trying of these cases. There is a power that cannot be taken away of appealing to the High Court from the Court of Criminal Appeal, if we create it. The honorable member for Gippsland West referred to the case of a doctor who was convicted under our law, and sentenced to death. on evidence that appeared to be sufficiently clear to the jury. I do not remember exactly the grounds of appeal.

Mr. MACKEY.—Misdirection of the jury.

Mr. MURRAY.—Yes. That was a Court which did not hear the evidence. These are fine legal points, which the majority of us, being laymen, cannot understand. After the jury had carefully considered the case, and brought in their verdict of guilty, we would have thought, in ordinary circumstances, that such a trial would have stood, and that there could have been no appeal. That was the general belief of the not-too-well-informed public on legal possibilities—that once a man was condemned to death, his only hope of escaping the gallows was not by a reversal of the verdict, but by the exercise of the Royal prerogative. Here was a case which opened the eyes of the public. In Parliament we are being gradually educated to the extraordinary subtleties of the law which seem almost to pass human understanding. One of the great factors in our education on many important questions of law has been the honorable member who introduces this Bill—I think we owe him a debt of gratitude—until some of us almost begin to feel that we are becoming lawyers ourselves. If honorable members are satisfied to let the second reading go through to-night, the Bill will be considered by the Attorney-General and the Crown Law Department, and when the measure next comes before the House their opinion will be available as a guide for honorable members in dealing with the matter.

Mr. PRENDERGAST.—One is very doubtful as to how to cast his vote in connexion with a measure of this kind. As far as the proposition of the Government is concerned, it would suit me, because I want to further compare this Bill with the English law. I find that no provision is made in the measure, although it may be arranged by administration, for a shorthand writer in connexion with the original case. That is provided for in the English Act.

Mr. MACKEY.—The English Act provides that in all criminal cases shorthand notes shall be taken, altogether apart from whether there is an appeal or not.

Mr. PRENDERGAST.—If this Bill is to be thoroughly operative, such a provision must be made. The honorable member for Gippsland West acknowledged to-night that it is only on questions of law, such as misdirection of the jury, that appeals can take place at the present time in a criminal case. On a question

of fact, where there is least likelihood of any misdirection, and where there is more likely to be a completely open trial, it is proposed that an appeal should be allowed. In connexion with the bringing of new evidence, I would point out that in all criminal cases the Attorney-General can take into consideration the whole of the facts of the trial. If any fresh evidence may be adduced, it goes before the Attorney-General after the case has been decided, and after the sentence has been recorded. Therefore, on questions of fact, there practically is an appeal, but it goes to the Attorney-General. The only modifying influence in connexion with his position is that he invariably calls for a report from the Judge in such a case.

Mr. MACKINNON.—But he cannot get rid of the conviction.

Mr. PRENDERGAST.—No; but he can modify it very materially. There is a further means of getting rid of the conviction. The Governor in Council can get rid of it.

Mr. MURRAY.—In what way?

Mr. PRENDERGAST.—If a man is sentenced to death, the Governor in Council can commute the sentence.

Mr. MURRAY.—That does not get rid of the conviction.

Mr. PRENDERGAST.—The Governor in Council has power to do anything that can be claimed under this Bill. I do not say that it is not advisable to have an alteration such as is proposed, but it is quite clear that there is an opportunity of getting questions of fact considered. If there are any cases in which an appeal might be allowed on questions of fact, it is required more, I think, in connexion with civil cases. Look at the position in the case of Ronald *versus* Harper. On the evidence of certain men a verdict was given against the plaintiff. The prime portion of the evidence to get one man out of his trouble was given by witnesses who were afterwards sent to gaol for perjury in that very case. To-day Mr. Ronald cannot get that case re-opened. I do not say, and no man would be justified in saying, that the result would be different; but, all the same, it might have been different if the case had been retried. Mr. Ronald has had no chance of going before the Court again, in order to show that there was no other evidence of any consequence against him than that given by the people who were sent to gaol for the perjured evidence which they gave. Surely that is a case which demands the intervention of Parliament for the purpose of seeing that a fair trial is given to everything in connexion with it, so that the Court may judge what was right and what was wrong, and that the decision should not be allowed to stand as a verdict obtained by the perjured evidence of men who were sent to gaol for their perjury. In America, the appeal is interminable. Look at the Thaw case. That case has been going up and down the American Courts for years.

Mr. MURRAY.—He is in the lunatic asylum.

Mr. PRENDERGAST.—Yes; that was one of the means for getting an appeal. It did not follow that he was a lunatic, although he was in an asylum.

Mr. MURRAY.—They got him into an asylum, and they cannot get him out.

Mr. PRENDERGAST.—In scores of cases in America this interminable appeal has enabled individuals, but only wealthy persons, to go from Court to Court, until they can get a decision in their favour, which, as I said in connexion with another case, is bound to come if one can last long enough. The position here is that it is proposed to enlarge the system of appeals. I have heard statements in favour of appeals made in this House which would appeal to anybody's reason. How to provide for that without abuse is one of the things which we desire to effect in connexion with this Bill. The honorable member for Gippsland West has made a clear enough statement, but he is appealing in the interests of those who suffer imprisonment unjustly. If that is all the Bill would do, the House would agree to it in five minutes. The question is whether the guilty man, who has money, may not be able to make interminable use of the Courts, in order to get away from the just punishment which the law has decreed. Allusion has been made to criminal cases in which technical points have been argued. We know these cases, unfortunately. We have always held that it is better that some guilty persons should escape than that any innocent person should be punished. If there is one advantage more than another under our law it is that men who have the slightest chance of proving their innocence will have very little difficulty in saving themselves from conviction. If

judged from the punitive point of view it will be found that our criminal records stand better than those of any State in the Commonwealth, and they are probably on a par with the very best records in the world. I know one case in which an individual escaped punishment three times for an offence. With the knowledge that it is easy to escape punishment, still I say that our criminal records show a better result than those of any State in the Commonwealth. As to the question of appeals, I may point out that in all cases in which any one with money is tried for an offence and convicted, notice of appeal is sure to be given, and the points of appeal have to be argued some time afterwards.

Mr. MACKEY.—On giving notice of appeal you have to state the points.

Mr. PRENDERGAST.—It would be well if we could arrange that on notice of appeal being given, the appeal should only be on the points of which notice was given at the time.

Mr. MACKEY.—But there are many cases in which no counsel appears.

Mr. PRENDERGAST.—That, no doubt, is a very important point, but, as a rule, those who appeal are represented by counsel. The class who give notice of appeal, and cannot go on, are prevented through want of money. In cases where counsel is engaged, and a man is convicted, counsel knows that there are further fees attached to the matter, and gives notice of appeal. Then he cudgels his brain for the points. That is adding expense to the law. There should be some protection on this matter in regard to the real points of the appeal which are taken to get men off who should be punished. One hesitates to oppose a Bill of this description. One hesitates to prevent any one from getting a fair and open chance of fighting for his freedom. One does not like to think for a moment of a person being convicted of an offence of which he was not guilty. For these reasons we do not offer vigorous opposition to such a Bill as this. It opens up consideration of the question of facts on which a man is more likely to get justice than on questions of law. In a case that came before the High Court, and is reported in this morning's papers, three Judges were on one side and two on the other, and there was, of course, a majority decision. I am not criticising the decision, but I mention it to show the uncertainty of the law. They did not disagree on a question of fact.

Mr. MACKEY.—It was a question of fact in that case.

Mr. PRENDERGAST.—It is remarkable that Judges should take opposite views on a question of fact. That position is more likely to occur on questions of law. Men may form different conclusions on reading an Act of Parliament, but on questions of fact they seldom disagree. This Bill will enable appeals on questions of fact on which Judges may be moderately sure of their position. At present there is the full right of appeal on questions of law.

Mr. MACKINNON.—I am very glad to support the Bill, because I think it supplies a long-felt want. Most of the arguments of the honorable member for North Melbourne have been used for the last fifty years against criminal appeals. No doubt, the honorable member has a strong point when he refers to the way these appeals are argued. The experience of this law in England, where it has been in force for six or seven years, is that there is no delay, and that there is no special advantage given to the rich suitor that he does not get in other cases. Special facility is offered in the Bill for poor appellants, who have their appeals tried without any expense at all. When in England I had an opportunity of meeting the Director of Public Prosecutions, Sir Charles Mathews. I asked him how this Act was working in England, and he said it was working admirably. I regard that as very favorable evidence, coming from one who is responsible for all the criminal prosecutions in England. He does not appear in the Courts, but directs the proceedings from his office. If any one will take the trouble to look at the reports of cases tried in the Court of Criminal Appeal in England, he will find that they are nearly all cases of poor people, and that many of the cases turn on the question of insanity. A great deal depends on the doctrines of insanity to determine exactly how the jury is to be directed, and there have been frequent misdirections by the Judges.

Mr. PRENDERGAST.—You are talking about a public defender.

Mr. MACKINNON.—The Public Prosecutor in England has a great deal to do with the administration of this law. Here we substitute the Attorney-General, who practically performs the same functions. Sir Charles Mathews has

had a great deal to do with this measure in England. The reports of the cases show that they are nearly all cases of poor people. A great proportion of them turn on the question of insanity, and on a misdirection by the Judge or some miscarriage of that kind. Judges are only human, and they make mistakes occasionally. The argument which the honorable member for North Melbourne has used was used by Judges when this measure was introduced in England; so that the honorable member is in good company in his contention. It was pleaded that the rich criminal would have the advantage of being able to obtain interminable delays, and that there would be no end to proceedings in criminal cases. Experience, however, has not proved that to be so. On the contrary, experience shows that these cases have been very rapidly disposed of, and that substantial justice is done.

Mr. PRENDERGAST. — Have you any figures of the number of reversals that have been made?

Mr. MACKINNON.—I have not been able to find any such figures. I only got this Bill last night, and I have endeavoured to ascertain whether there is any report with regard to the administration of the Act in England. I am sorry to say, however, that I have not been able to find out what is the proportion of reversals, which would be interesting information. There are a great many reversals, of course. Those are the cases which are reported, because cases are more interesting to lawyers where a reversal takes place than where there is no reversal. The former classes of cases point out where a Judge has made a misdirection; and this, of course, is valuable information to lawyers and to the public. I was surprised at the view which the Chief Secretary took of this matter, and I caunot help thinking that he is rather influenced by his situation as Chief Secretary and head of the police. He takes quite a policeman's view of the matter. We know that a policeman gets up a case, puts in a lot of time over it, and feels absolutely certain that he has got his criminal; so that he is greatly disappointed when, either through the ingenuity of the lawyers, or through the infirmity of the testimony, the alleged culprit escapes. It is common knowledge that the police are constantly disappointed when men who are accused escape in that way, and are constantly trying to have the cases re-opened. I think the Chief Secretary takes the official view of the matter; whereas, in my opinion, the true view is that which was stated by the honorable member for North Melbourne, namely, that it is better that ten guilty men should escape than that one innocent man should be convicted. Whatever way we look at it, experience shows that this measure has worked very satisfactorily in England. We hear of no complaints there, of no desire to repeal it; and it seems to me to give, in many cases, a fair chance of getting justice for persons who would otherwise be convicted and condemned as criminals. The honorable member for North Melbourne suggests that the Attorney-General can now review those convictions. No doubt he can; but it is a very unsatisfactory result to an innocent man simply to be allowed to go free, and yet to have the brand of criminality placed upon him. His conviction remains on the records, and no doubt all sorts of reasons for his release may be alleged. It may be said that he had a friend in high places, and was able to get a "pull" so as to obtain his release. It would be very much more satisfactory to have the whole conviction reversed and blotted out of the records. The present situation is not at all a satisfactory one for any one who is administering the Attorney-General's Office. It throws on him a very grave responsibility; and I think a provision which will enable him to shift the consideration of the matter to a Court of Appeal, properly constituted, must be satisfactory, at any rate, from his point of view. There are one or two points in connexion with the Bill to which I may refer. One is the provision with regard to counsel being assigned to appellants. Clause 12 provides—

> The Attorney-General may at any time assign to an appellant a solicitor and counsel, or counsel only, in any appeal, or proceedings preliminary or incidental to an appeal, in which, in the opinion of the Court, it appears desirable in the interests of justice that the appellant should have legal aid, and that he has not sufficient means to enable him to obtain that aid.

It will be noticed that the words are used here "in which, in the opinion of the Court, it appears desirable" that counsel should be assigned to the appellant. I think it would be very much better if the words used here were "in the opinion

of the Attorney-General." That is the present practice; and I think if it were adopted under this measure, it would save delay and prove much more satisfactory. The Attorney-General decides now, in connexion with ordinary trials, whether counsel shall be assigned to a prisoner, and I think the matter is one which might be left to the Attorney-General under this measure.

Mr. PRENDERGAST.—Do you intend to suggest any amendment to that effect?

Mr. MACKINNON.—I am simply suggesting that we should substitute the opinion of the Attorney-General for the opinion of the Court. I am not very strong on the point; but this, as I have said, has been the practice hitherto. The Attorney-General either deals with the matter himself, or takes the opinion of one of the Crown Prosecutors with regard to it. There may be some reason for throwing the matter on the Court, as proposed in the Bill. I think that in England it is left entirely to the Court, and it is the Court which assigns counsel. The Court may pick out any barrister present and ask him to take the prisoner's case in hand. On the whole, I do not think we can make any mistake in passing this measure, because, undoubtedly, there have been cases which have made the public very uneasy; and it is so difficult, especially in cases where the persons concerned are poor and uninfluential, to get a fair chance, even with regard to having a point of law finally dealt with, that it seems to me this proposed Court of Appeal will provide great relief. The fact which seemed to carry weight in England at the time this measure was passed there, was that there had been a good many cases in which the public conscience had been rather outraged by the conviction of persons who were considered to be innocent, and to have been unjustly dealt with. The public conscience is undoubtedly very much relieved when the public know that cases of that kind will come up before a properly constituted Court, and be dealt with in a proper way. I do not think, therefore, we need have any fear whatever in adopting legislation of this kind. It has not shown any objectionable effects in the Old Country; and, as our law is practically identical with that of England, I do not think that any abuse can arise in connexion with the measure here. The argument that it may be availed of by rich criminals is one that might be used in connexion with all kinds of cases, either civil or criminal; but I do not think there is any reason for believing that the rich criminal will have any greater advantage under this measure than a rich suitor has in connexion with ordinary legal proceedings.

Mr. McLEOD.—If a layman may venture to express an opinion in connexion with this Bill, which is a legal matter, but which has a wide bearing in the public interest, I should like to say that I heartily approve of the object the honorable member has in introducing it. Any one who has been for a time in the Executive Council, and knows the numbers of petitions that come up there asking for the remission of sentences, or the release of some one who has been convicted, and reads the statements that are made in numbers of these cases, which, if correct, show that there has been a miscarriage of justice, will agree that there should be some means of inquiring into these statements, to ascertain whether they are made merely for the purpose of influencing the Executive Council, or whether they are genuine statements of fact which may be regarded as evidence that has been disclosed subsequent to the trial. We all know that, in a very large number of criminal cases, all the facts do not come out. Frequently I have had a feeling of great dissatisfaction after dealing in the Executive Council with these petitions. One feels that serious statements have been made, and that one has no means of probing them to the bottom to ascertain whether they are correct, and whether a man has not been wrongly convicted. On the other hand, one would like to know whether reckless assertions have been made—practically perjury—in order to get some relative or friend out of trouble. That is the uneasy feeling I have had, and other members of the Executive Council have had, when we have been called on to deal with petitions of this character.

Mr. PRENDERGAST.—They are not all criminal cases; there are a lot of civil cases.

Mr. McLEOD.—Not before the Executive Council. The appeals are usually for the remission of sentences. The civil cases do not come before the Executive Council. A petition will be sent to the Attorney-General, and remitted to the Executive Council to consider what recommendation should be made to the Governor in Council in regard to it. If

a man has been convicted wrongly, and if the Governor in Council exercises the power of remitting the sentence, what satisfaction is that to the man? As pointed out by the honorable member for Prahran, the record remains in the Courts of the State that he has been convicted, and the question will always be raised whether he did not get off more by influence than through it being shown that he should not have been convicted. There is no means of probing in a Court of law the statements that are made on his behalf that he has been wrongly convicted. I am glad to see that a more humane feeling towards the prisoner in these matters is gaining ground in our Courts and through the whole of our laws. A strong argument has been advanced that there is a danger, if this appeal is allowed, of criminal proceedings being greatly prolonged. But there are many causes which tend to a person being wrongly convicted. In many cases there may be spite; and in many cases people do not like to be mixed up with the case and give evidence. In many cases important evidence is not available until long after the conviction. There is another matter which is recognised in our Courts of law. There may be such strong local excitement in connexion with a particular class of crime with which a man is charged that it may influence juries, and the Courts recognise the principle of a change of venue, so that the accused may be tried in a locality to which this excitement does not extend.

Mr. MURRAY.—Is not that generally on account of the local feeling being strongly in favour of the accused?

Mr. McLEOD.—Very often it is otherwise. Suppose an atrocious crime is committed, and public feeling is aroused. The public feeling often is that the first man caught is the offender. There is always the danger of the public mind being so horrified with the accusation and the character of the offence as to tend to the detriment of the prisoner when he is being tried. The law Courts recognise that there are cases where public feeling is aroused in a locality, and that a prisoner may not obtain a fair trial if his case is dealt with there. In regard to the right of appeal prolonging criminal trials, I would point out that there is the anomaly in our law to-day that crimes against property are dealt with much more severely than crimes against the person. I think that a man convicted of a criminal offence should have as good a chance of showing his innocence as a man concerned in a civil case has of putting his version of the matter before the Courts. The man charged with a criminal offence has only one Court he can go to. Where it is a matter affecting property, the position is very different. I think we all feel that, when a man's liberty, and possibly his life, are at stake, we should give him every reasonable facility of having his case fully heard. I realize what the honorable member for North Melbourne stated in regard to the experience in the American Courts; but we know that the system there lends itself to cases going from one Court to another, and lasting over a number of years. In this Bill the proposed system is intended to be short, sharp, and decisive. I do not feel any fear that a poor man will suffer, since he will be able to state his case in writing.

Mr. PRENDERGAST.—He has to state the points on which he appeals. He has no chance.

Mr. McLEOD.—He has to state the points of the matter on which he holds he was wrongly convicted, and has to refer to the evidence which will substantiate his statements. But there is also the provision that the Attorney-General may assign counsel to him. I think that, under those circumstances, a man is given every chance. Then there is the matter referred to by the honorable member for North Melbourne in regard to difference of opinion of the Judges. I think that is one of the strongest arguments for an Appeal Court in this matter. A Judge may give misdirections in a matter of law. He may draw conclusions from matters of fact that he should not draw, and the conclusions he draws from matters of fact are very important. The honorable member for Gippsland West is entitled to very great credit for his endeavour to bring our law in this respect up to date. If any safeguards are found necessary later on, the law, of course, can always be amended. I think it is a wise, safe, and humane attempt to bring our criminal law right up to date. As a layman, while I have been acting as an Executive Councillor, I know that I have felt grave dissatisfaction whenever a decision has been given, because I have had a doubt whether the

statements which were made in the case were correct, and I should have liked, if possible, to have had some means of ascertaining whether the statements were correct, and whether, possibly, some person was not wrongly suffering imprisonment. All that can be done in such a case is to remit the sentence, but the stigma still remains upon the man. For these reasons, I think this Bill is a humane measure, and I think its provisions are sufficiently safeguarded. If they are not, they can be safeguarded further to meet difficulties that may arise in practice in the future.

Mr. FARTHING. — Any layman would feel reluctant to express an opinion on a Bill of this kind, but I rise to support the Bill. The honorable member for Prahran has stated that public opinion in the Old Country was very much outraged recently by several miscarriages of justice which had occurred there. He need not have travelled so far. If he had read the Bendigo papers recently, he would have seen several headings in regard to miscarriage of justice and verdicts which could not be understood. I would allude to one particular case there, where quite recently a miner was charged with "intent to steal gold"—not with stealing gold. This man was carrying out a mining operation known as mullocking up one of the drives. He saw there a piece of quartz bearing gold in one of the walls, and said to his mate, "It is rather a pity to cover that up with mullock. We will take it out, and keep it for the company." He added, "I will take the drill and you can use the hammer." His mate was not very well, and a third man was called in. While this third man was using the hammer, the shift boss came up, and said, "What are you doing here?" They explained the position, but he was not satisfied, and ordered the two men to the surface. The result was that those two men were charged with intent to steal gold. One man in particular had always borne an unblemished character. The case came before a certain Judge in Bendigo, and an eminent counsel was briefed to defend the accused person. It is stated that this counsel was so satisfied that the case was a flimsy one that he never went to any pains to prove the man innocent, and did not call a lot of evidence he might have called. The result was that the man who had held the drill was sentenced to two years' hard labour, and is at the present moment serving that sentence in Pentridge. Strange to say, the other man who was using the hammer was deemed not guilty. The point in the matter which I consider to be wrong is that the whole responsibility of saying whether the man who was convicted is guilty or not guilty, now rests with the Attorney-General. I have been interested in this particular case in connexion with the honorable member for Bendigo West, so that I know exactly what I am talking about. A numerously signed petition was got up in Bendigo. The whole district was up in arms against the decision. The petition was sent down to the Governor, but the Governor sent it on to the Attorney-General. That gentleman asked for fresh evidence. Fresh evidence was forthcoming, and was sworn to by some of the most reputable men in Bendigo. But, naturally, such a responsibility as the Attorney-General had to take on his shoulders was one that no man could take lightly. We are given to understand from the press that the Attorney-General refuses to take any steps in the matter. Now, the character of that man who has been convicted has always been above reproach. All the members of his family have likewise borne a good character. He may not have shown the very best judgment in doing what he was not expected to do, but perhaps it was only an excess of zeal that took that man out of the beaten track in order to earn money for the company. If there were such a Court as is proposed by this Bill, such a case would come before it, and the matter could be finally settled. Having gone into all the facts of the case, I say that, in my opinion, the man is innocent. Legal men who are capable of judging, also say, after going into all the facts of the case, that that poor individual who is now doing his two years' hard labour is totally innocent. At the worst, he is only convicted of an intention. To me it does not seem a very dreadful thing, but if we had a Court of Criminal Appeal the whole matter might be cleared up. When cases like this are liable to occur, I venture to say a great deal of harm is done, because the whole of the miners in that particular district are now feeling very uneasy as to whether they are going to get justice or not. In one or two cases that have happened since, men who have actually been found guilty

of stealing gold have been allowed to go free, because it has been their first offence, yet in the other case, where the only charge was an intention to steal, the man got two years hard labour. I give this Bill my hearty support.

The motion was agreed to.

The Bill was then read a second time and committed (Mr. SOLLY in the chair).

Clause 1—(Short title and application).

Mr. MURRAY (Chief Secretary).—I would ask the honorable member in charge of the Bill to allow progress to be reported, so that we might get the advice of the Crown law officers upon the measure. I should like, Mr. Solly, to congratulate you on your first appearance as one of our Deputy Chairmen. I am sure you will maintain the high traditions of the office, and possibly add lustre to it.

Mr. ELMSLIE.—On behalf of honorable members on this (the Opposition) side, I am glad of the opportunity, Mr. Solly, to offer you our congratulations on occupying the position of Acting Chairman. I am sure that no man in the House is more fitted to occupy it. Any assistance we can render you will, I am sure, be gladly given by honorable members on this side of the chamber, equally with those on the Ministerial side.

The ACTING CHAIRMAN (Mr. SOLLY).—I am very pleased indeed with the remarks made by the Chief Secretary and the leader of the Opposition. I can only say I shall do my best while occupying that position to uphold the traditions of the Chair on every occasion.

Mr. PRENDERGAST.—I think the statement made by the honorable member for East Melbourne should be inquired into by the Minister of Mines.

Mr. MURRAY.—It is a matter for the Attorney-General.

Mr. PRENDERGAST.—There will be some difficulty in dealing with the matter, because honorable members on the Ministerial side of the House agreed almost unanimously, although we on this (the Opposition) side fought against it week after week, to the drastic legislation which made it possible for men to be sent to gaol without a fair trial. The case mentioned by the honorable member is only one of fifty cases that might be brought forward where the same injustice has been done. I hope an inquiry will be made with the view to liberating this man.

Progress was then reported.

CASH-ORDER SYSTEM ABOLITION BILL.

The debate (adjourned from September 3), on Mr. McGregor's motion for the second reading of this Bill, was resumed.

Mr. MENZIES.—The more this Bill is looked into, the more, I think, it will appear that there is room for considerable difference of opinion upon it. There appear to be three parties to the cash-order system. In the first place, there is the cash-order firm, which, according to its own testimony, does not make very large profits. In the second place, there is the client, who, whatever else he may fail to get, certainly has to foot a bill for a substantial amount of interest for a very limited amount of accommodation; and, in the third place there is the trader, who, it appears to me, really stands in the best position of the three. Yet we find that the principal opponent of the system is the body which is considered to represent trading interests in Victoria, so that leads one to ask, What are the real reasons for opposing the system, and are the grounds sound ones from a commercial point of view? I think this House will probably be principally concerned in protecting the public. I think that honorable members, on whatever side of the House they may sit, if they believed the public were going to get the worst of the deal, would endeavour to protect the public. So far as I have been able to look into the merits or demerits of the system, it appears to me that the public finally are the ones who have to pay.

Mr. HANNAH.—Don't the public pay every time?

Mr. MENZIES.—They do; but I take it that it is the desire of the House that they should not pay inordinate prices. When the measure was last under consideration, most of the speakers compared the cash-order system with other systems of credit which obtain, and they left the impression on my mind that they were choosing the lesser evil. Hardly any speaker gave unstinted approval to the cash-order system, unless it was the honorable member for Melbourne, who seemed to approve of the system thoroughly. Most of the members who spoke seemed to think that it was some improvement at least on some of the credit sys-

tems which obtain to-day. I notice that a circular has been distributed by a certain eminent legal authority, practically in vindication of the cash-order system, and he points out that it has many advantages, but it strikes me in this way. Say a man wants to purchase £100 worth of goods, though I take it that there are not a great many customers who would operate under a system of this kind who would be likely to purchase goods to that extent. In the first place he is called upon to pay 5 per cent. to the cash order firm. Then he is called upon to pay the first instalment—£5. That would be an amount of £10 paid down before he began to operate on the order. Then, when he had got his goods, the vendor would go to the cash order firm, and in return for the order would get £100, less 15 per cent. It seems to me that that has been established clearly. The honorable member for Melbourne, I think, admitted that 15 per cent. was the amount of discount collected. We have a total amount of 25 per cent. paid to what is essentially a parasite on the trading community. I think honorable members on the Opposition side of the House more particularly, who oppose anything in the shape of the middle man, will look askance at a system of this kind.

Mr. HANNAH.—Would you support the abolition of the time-payment system?

Mr. MENZIES.—I am not dealing with that question at present. That will be a matter for future consideration. It is always good business to deal with one subject at a time. It seems to me that the cash-order system is not too good on the face of it for this reason. I know a different view may be held from the one I am about to put, but it appears to me that in nearly every case the goods which can be purchased under the cash-order system are goods which might reasonably be done without. It looks as if the system cannot be applied to the purchase of foods or other necessaries of life. As a rule, the margin of profit shown would not permit of such a parasite battening upon that style of business. The articles enumerated are those which, for the most part, could be done without. Therefore, I think one of the first results of the system is to encourage people to indulge in credit who might otherwise not do so. That is a rather bad feature. A great deal has been made of the fact that under the system a purchaser goes to the trader and buys goods on the very best cash basis, and only afterwards—quite a number of speakers have emphasized that—do they present the cash order. A man would be a novice in business who would not soon discover the class of client with whom he was dealing.

Mr. J. W. BILLSON (*Fitzroy*).—How could he do so?

Mr. MENZIES.—Easily. My experience is that people who avail themselves of any particular system soon become known to the trader. While that simple device of withholding the cash order until the goods are purchased may be effective once or twice, it would only take a short time before the trader realized with whom he was dealing. It does appear to me that the plea which has been put forward so strenuously, that it is only after purchasing the goods that the order is presented, and that, therefore, the identity of the customer under this system would not be discovered, is too thin. In a very little time the trader, who is usually a fairly alert man, would say to himself, "Here comes a man operating under the cash-order system"; and it would not be necessary for the intending purchaser to make it apparent that he had a cash order up his sleeve.

Mr. WARDE.—Why would he say that if it was no advantage?

Mr. MENZIES.—I am only stating that it would soon become apparent to the trader that the customer was one of that class. The deduction I make is this: A trader keen in his business might not be over-scrupulous—I suppose there are such men trading, although I do not think they are more common in business than in any other department of life. Still a man who took advantage of that knowledge could easily put up the price, or, if he failed to do that, it would be an easy matter not to give him the same value in goods.

Mr. WARDE.—It might be the salesman, and not the principal; and the salesman would not have any personal interest in descending to that dishonesty.

Mr. MENZIES.—I have yet to learn that the salesman does not take sufficient interest in his employer's business to be as keenly alert as the employer himself. I do not think it would take long for this class of people to be picked out. Now, the trader has subsequently to send

the orders to the Cash Order Company, which charges him 15 per cent. for sending along the business, and also for collecting the money. I am not going to say that at first sight this does not seem to be a pretty fair proposition. I do not know many people who go out and gather business, all clean business, for any trading concern on a 10 per cent. basis, and then collect the money at 2½ per cent. or 5 per cent. Therefore, the charge does not appear excessive, as far as the ordinary system of credit is concerned. A cash order company may plead that it does a special line in gathering business and in debt collection, but I cannot get away from the fact that it becomes at once a parasite, and may, in time, ruin a business, more especially if that business is showing only a slender margin of profit.

Mr. HANNAH.—They do show a slender margin

Mr. MENZIES.—They do. I would direct the attention of the honorable member for Collingwood to an address delivered by the President of the Chamber of Manufactures, even although he may not accept all that falls from that gentleman's lips. In that address, it was shown conclusively that there are only about 359 employers among the manufacturing class who paid income tax on over £1,000 last year. There need be no haziness about that statement. It came as a surprise to me, and I took the trouble to verify the figures, which I found to be accurate.

Mr. ELMSLIE.—How did you verify the statement?

Mr. MENZIES.—By Mr. Laughton's statistics.

Mr. HANNAH.—On what page?

Mr. MENZIES.—That can be found in the address.

Mr. WARDE.—How many of these traders will be classed as manufacturers?

Mr. MENZIES.—The President of the Chamber was talking about manufacturers. I am replying to the suggestion that the profits of traders are not slender. Those who have had a little experience in business know that there are a great many concerns which are practically simply turning round from one year to another providing wages, and giving very slender profits indeed.

Mr. WARDE.—The honorable member will admit that the traders make more money than the manufacturers.

Mr. MENZIES.—I am not prepared to admit that. Let me tell the honorable member my experience when I went into the country and set up as a trader myself. It is not a comfortable thought, but it is a fact, nevertheless, that, at the end of eighteen years, in the three or four centres of the particular area in which I was doing business, there was hardly one trader who had continued in business during that period. There had been a complete change of traders. In taking a retrospect, it was simply astonishing to find that there were so few. I am not thinking of those who retired. The great percentage practically failed in business as traders in that north-western portion of Victoria.

Mr. WARDE. — Principally through gambling in land.

Mr. MENZIES.—Nothing of the sort. Those men who did any good during the period I have referred to were very largely men who, instead of gambling in land, may have been "left" in that direction.

Mr. WARDE.—I know men in your district who lost a lot by gambling in land.

Mr. MENZIES.—Very few of these traders lost money through gambling in land. Many of them, who were making very liberal advances and supplying the credit of the district, found themselves loaded up with land that meant their ruin and in some cases proved a great difficulty to the banks. I was endeavouring to prove that the margin of profit in a great number of businesses is not really as great as many people believe. A business in the centre of Ballarat was submitted to me some years ago, and I was told that it would show a return of something like 12 per cent. I turned it down, because I considered the margin was too slender. I take it that under this proposition, as far as I can understand it, the trader has all the best of it, if there is any best in it. How is it that the association which represents the trader steadfastly sets its face against this proposal? I am driven to the conclusion that while it appears all right for the man who is doing the business, the man who refuses to take it on is a marked man, and is likely to suffer. I understand that there can be no compulsion in it, but there is this trouble that whilst a man may be doing the business, another man in the same business a little lower down in the street who started to fight against it, begins to weaken in his

position on account of his competitor getting the business. The great trading association I have referred to, which speaks practically for the majority of traders in Victoria, is against this system. I cannot believe that this association is taking the wrong view, and it says that this is too great a tax to put on any legitimate business. This additional tax is too severe a parasite to batten down on industry, and the association says that the result finally must be to injure and cripple the purchasing power of customers. That is the view I take, and I sincerely trust that the Bill will receive proper consideration, because I believe this system is fraught with a good deal of mischief to the trading community.

Mr. CARLISLE.—I may say that I have not heard any argument from the last speaker that would induce me to vote for the measure. I have looked into the matter, and I find that there is really nothing in the Bill that should cause the House to pass it. The traders are quite able to look after themselves.

Mr. MURRAY.—But what about the other people, the customers?

Mr. CARLISLE.—They do not require to be looked after. This system is to enable people to buy clothing. It does not refer to groceries.

Mr. MCGREGOR.—Why not?

Mr. CARLISLE.—The cash-order people do not deal in groceries. They charge the storekeeper 15 per cent. on the orders sent to him, and they provide the buyer with a money order with which to pay the shopkeeper. Listening to the last speaker, one would think that the profits in the clothing business were very small; but I am assured that the profits amount to anything between 100 per cent. and 150 per cent. I am sure that on a good deal of drapery the profit is over 100 per cent. I am not speaking of my own knowledge, but from knowledge imparted to me. In some of the millinery shops, an article that cost 10s. is sold at £3, or £3 10s. The cash-order company finds the buyer and finds the money, and, in return, asks for part of the trader's profits. The trader is not under any compulsion, and need not take the business on unless he likes. I should like to see a division taken on the Bill to-night, for it has been hanging on year after year. As that seems impossible, I move—

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until November 5, the honorable member for Benalla to have leave to continue his speech on the resumption of the debate.

The House adjourned at half-past nine o'clock.

LEGISLATIVE ASSEMBLY.

Thursday, October 16, 1913.

The SPEAKER took the chair at eight minutes past eleven o'clock a.m.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by Mr. MCPHERSON, from residents of Hawthorn; by Mr. JOHNSTONE, from residents of Winchelsea; and by Mr. PLAIN, from residents of Geelong.

A petition was presented by Mr. MCLACHLAN, from residents on the Glenaladale Estate, praying that section 69 of the Closer Settlement Act 1904 might be repealed.

ESTIMATES.

Mr. WATT (Treasurer) presented a message from His Excellency the Lieutenant-Governor transmitting Estimates of Revenue and Expenditure for the financial year 1913-14, in lieu of the Estimate of Expenditure for the first five months of the year 1913-14, transmitted on the 2nd July, 1913, and 26th August, 1913, and recommending an appropriation of the Consolidated Revenue accordingly.

THE BUDGET.

The House having resolved itself into Committee of Supply,

Mr. WATT (Treasurer) proceeded to submit the financial statement for the year. He said—Mr. Chairman, I have the honour to submit for the information of honorable members the financial statement of the year.

REVENUE AND EXPENDITURE, 1912-13.

For 1912-13 I estimated that the revenue would be £10,120,000, and we received £10,203,080. The expenditure I estimated at £10,097,407, and the actual

was £10,184,671. As against an estimated surplus of £22,593, the results show a surplus of £18,409.

Railways.

The railway accounts, when separated from the general revenue and expenditure of last year, show:—Railway revenue, £5,250,599; and expenditure, £5,147,506. In the railway accounts there is therefore a surplus of £103,093. The revenue from all other sources was £4,952,481, and all other expenditure £5,037,165, leaving a deficit of £84,684, which deducted from the railway credit shows a net surplus of £18,409. The surplus has been applied to the reduction of the Consolidated Revenue deficit, in accordance with the provisions of the Trust Funds Act of 1903.

Review of Last Quinquennium.

As this is the fifth successive financial statement which I have had the privilege of presenting to honorable members, I shall take the opportunity of glancing over that quinquennial period. First of all, I will compare the revenues of 1908-9 and 1912-13. The revenue for the year 1908-9 was £8,195,378, and for 1912-13 £10,203,080, an increase of £2,007,702. When I seek the sources of this increase, I find that the railway revenue has gone up since 1908-9 by £1,061,098, which is over 50 per cent. of the £2,007,702. Other State works yield an addition of £301,238, the principal item being the coal mine, £212,299. Turning to various State taxes I find that the income tax returns more by £237,772, the land tax —which is a new tax within the period— by £222,716, probate duty by £25,264, duty stamps by £26,900, and other State taxes by £5,751, making the direct taxation increase of £518,403. The revenues for forests are higher by £15,952, ports and harbors (State proportion) by £28,234, interest on advances (principally interest on transferred properties) by £202,984, and all other State revenues by £117,502, making the gross increase £2,245,411. From this there is a deduction to be made. From the Commonwealth in 1908-9, under the Braddon clause, we received £1,929,542, as against last year's *per capita* payment of £1,691,833, the comparative reduction being £237,709. After subtracting that we get the net increase, as before stated, of £2,007,702.

Expenditure 1912-13 compared with 1908-9.

Turning to expenditure, I find that the increases in votes and appropriations in 1912-13, as compared with 1908-9, are as follows:—The railways show an increase of £1,185,097, divided thus— Working expenses, £1,007,994; interest, £164,927; all other railway expenditure, £12,176. On education the increase is £200,412. The State coal mine (including £10,084 placed to the depreciation account and £30,834 to sinking fund) shows an increase of £212,299. This being a new item there was no corresponding expenditure in 1908-9. For the Department of Agriculture the total is £49,560, the principal increases being— Maffra sugar factory, £28,000; export trade, £11,175; stock and dairy supervision, £5,360. For the Water Supply Department the increase, including interest on loans, amounts to £67,146. It will be interesting for honorable members to know that the receipts last year, including interest, were £230,922, and in 1908-9, £154,740. That is an increase in the period named of £76,182. In expenditure on the Forests Department the increase is £33,319. Last year the forests revenue was £54,754, and the expenditure £53,322, showing a surplus of £1,432. The police increases amount to £57,851. Other increases are—Hospitals for the insane, £41,717; neglected children, £40,205; immigration and oversea advertising, £121,701; land tax office and valuations, £40,792; Government Printing Office, £27,702; interest on loans other than railway and waterworks loans, £68,213; appropriations for redemption of funded debt, £38,655; and all other net increases, including the surplus of £18,409 for 1912-13, £93,860. That shows a gross increase of £2,278,529, and after deducting the amount of £270,827, paid for old-age pensions in 1908-9, we get the net expenditure increase to which I have referred of £2,007,702.

Loan Expenditure.

The loan expenditure for the quinquennium was—On railways, £5,367,047; water supply, £1,428,154; closer settlement, £2,803,792; coal mine, £150,000; wire netting, £175,410; other works and advances to municipalities, £217,581. That makes a total quinquennial expenditure from loans of £10,141,984. I now wish to give some figures relating to the

Public Debt.

From the following statement, showing the public debt at the 30th June, 1908, and 30th June, 1913, it will be seen that we have practically provided locally for the whole of our loan requirements during the past five years:—

—	1908.	1913.	—
	£	£	
London	37,533,136	37,381,578	London Liability Reduced £151,558
Melbourne	15,772,351	25,395,146	Melbourne Liability Increased £9,662,795
	53,305,487	62,776,724	Total Increase £9,471,237

Mr. Mackinnon.—Does that include the last London loan of £1,000,000?

Mr. WATT.—No. The statement is only up to the 30th June. At the beginning of the financial year 1908-9 the securities held in Melbourne represented less than 30 per cent. of our public debt. They now amount to over 40 per cent.

Redemption Funds.

There was held at 30th June, 1913, in cash and investments, on account of redemption fund, £1,211,447, as against £612,297 held at the 30th June, 1908, thus showing during the period a betterment of position by £599,150. In addition to the increase of £599,150, in cash and securities, held on account of the funds, stock and debentures totalling £762,200 have been purchased and cancelled, indicating an improvement of £1,361,350. The contributions to these funds now amount to £277,000 per annum.

Public Works Expenditure, 1908-9 to 1912-13.

Out of the revenues of the past five years there has been expended on public works (excluding railways), £2,457,000. The principal items were—State school buildings, £684,000; asylum buildings, £273,000; roads, bridges, &c. (including special grants to municipalities, but excluding endowment), £310,000; wharfs and jetties, £129,000; police, reformatory, and penal buildings, £93,000; public library, £88,000; court houses, £80,000; improvements of Crown lands, £133,000; all other works and buildings, £667,000.

Railway Construction.

At the 1st January, 1909, we had authority to construct 103 miles of railways. Since then Parliament has passed authorizations for 644 miles, making a total of 747 miles. The authorized cost of these lines was £3,044,235. The mileage opened for traffic since January, 1909, totals 354 miles, for which the authorized cost was £1,267,345. There are now under construction 132 miles, to cost £631,048, and the length of railways passed, but not yet commenced, is 261 miles, costing in all £1,145,842. Included in the latter are the Border railways—Murrayville to Pinnaroo, and Mumbannar to Mount Gambier. The area of the country served by the lines opened and authorized since 1st January, 1909, is about 8,000,000 acres. These railways are promoting land settlement and cultivation. They make also for additional traffic to older lines, for the establishment of numerous townships, and for permanent and productive development.

Construction of New Rolling-stock.

The following figures indicate the expansion in the construction of railway rolling-stock during the two quinquennial periods ending 30th June, 1908 and 1913 respectively:—

—	Five years ending 1908.	Five years ending 1913.	Increase in last period.
Locomotives ...	69	192	123
Cars	78	380	302
Trucks ...	1,372	5,510	4,138
Vans and Sundry ...	80	175	95

It is anticipated that during the current financial year the rolling-stock will be further increased to the extent indicated hereafter—Locomotives, 70; cars, vans, and sundry stock, 186; trucks, 1,551.

Land Tax.

The Land Tax receipts last year amounted to £308,275, as against the previous year's £293,823, being an increase of £14,452. The receipts of 1912-13 include arrears of tax outstanding at the end of the previous year, and although the amount brought to account shows an increase over

the receipts for 1911-12, an analysis of the three years' operations shows that the amount of tax for the year 1913 was less than that for the two preceding years. The following table shows the number of taxpayers, and the amount of the assessments:—

Year.	No. of Taxpayers.	Assessment for the Year.
		£
1911	74,319	279,439
1912	76,422	279,205
1913	75,562	275,676

The reduction in numbers and in the amount of tax is presumably due to the subdivision of large holdings, and the increase of smaller holdings entitled to exemptions. The number of taxpayers who reduced the value of their holdings in 1912 was 8,404, the reduction in unimproved value being £6,626,195. The number who have increased their holdings was 5,572, representing an unimproved value of £3,591,766. In both cases the valuations given are the owners'. The valuations are proceeding satisfactorily. About 218,000 have been received, and there are 170,000 more to be made. The valuations in hand are being compared with those made by the owners, who are being notified of adjustments of their tax arising from erroneous valuations.

Income Tax.

The receipts last year from income tax amounted to £542,236. This was approximately £100,000 more than the receipts for 1911-12. The reasons for this increase are:—There were 5,984 more assessments dealt with last year than in 1911-12, and as the average tax payable was £8 8s. 4d., these account for £50,000. In 1912-13, 97.9 per cent. of the tax payable was brought to account—that is a remarkable achievement—as against 93.4 per cent. in 1911-12. The difference, 4.5 per cent., is equivalent to £25,000. From companies' assessments the increase was £12,000, and the average tax payable per individual went up from £8 1s. 6d. to £8 8s. 4d., being an increase of 6s. 10d., which amounts to £13,000. Of the total tax, 17 per cent. was derived from incomes not exceeding £500, and 83 per cent. from incomes over £500.

Mr. Warde.—Are those the only two grades you have taken out?

Mr. Watt.—That is all I take out here, but I could supply honorable members with a mass of detailed information that we have in the office. I have not got it with me, but I will be glad to give it to honorable members.

Loan Flotations.

In order to provide for the redemption of the £4,000,000 4 per cent. loan which matured on the first of this month, as well as for railway works, arrangements had to be made for raising a considerable sum on the London market. I am glad to be able to inform honorable members that, despite the unfavorable market which has been ruling for the last year, the redemption operations were carried through very satisfactorily. The net cash available for redemption purposes was provided as follows:—From redemption loan flotations—June issue, £2,887,671; September issue, £956,250; the Melbourne and Metropolitan Board of Works owed £128,877 (moneys expended out of Loan No. 760 on Yan Yean Works), which the Board repaid in cash; out of the redemption funds £23,000 worth of securities under this loan had been purchased prior to 1st October, 1913, and the estimated balance to be provided by redemption funds is £4,202, which makes the total cash applied to redemption £4,000,000. A loan of £1,000,000 for railways under authority of Act No. 2428 was also floated in September concurrently with the last £1,000,000 floated for redemption purposes. Both loans floated were issued at 98 per cent., and carry 4 per cent. interest. The £3,000,000 issued in June will mature in 1918, or upon three months' notice up to 1922, at the option of the Government, and the £2,000,000 floated in September will mature in 1940, or upon three months' notice up to 1960, at the option of the Government.

State Coal Mine.

The revenue last financial year from the State coal mine was £212,299. The expenditure was—for working expenses, £165,274; for interest on capital, £6,107; showing a surplus of £40,918. This surplus has been appropriated as follows in accordance with the provisions of section 96 of the Coal Mines Act No. 2240:—To the Coal Mines Sinking Fund, £30,834; to the Coal Mines Depreciation

Fund, £10,084. The aggregate amount credited to these reserve funds up to 30th June last (including above provision) was —Sinking Fund, £45,846; Depreciation Fund, £25,001; or a total of £70,847, which is approximately half the amount we put into the mine, although it has been open for only about three years. Of the moneys credited to these funds there have been applied out of sinking fund for redemption of coal mine loans, £7,050; for investment in coal mine loans, £6,000; for recouping Consolidated Revenue the net amount advanced to meet the deficiency in coal mine accounts in 1909-10 (as shown in the mine balance-sheet on pages 59-62, Budget-papers, 1910-11), £21,834; and there was cash in hand at 30th June, £10,962; making a total of £45,846. In regard to this sum of £21,834, which is the difference between an expenditure of £46,695 and receipts amounting to £24,861, I may say that there was some comment in certain quarters slightly unfavorable as to the financial proposition the Government then made to Parliament. We pushed on with the opening and development of the mine at a very rapid pace in the early stages, chiefly because there were coal strikes in Newcastle and on other coal fields in New South Wales, and the Railways Commissioners were extremely anxious that at any price we should secure a supply of coal. When the new manager took charge—and a very expert man he is—I asked him to estimate the amount of work then thrown away to secure emergency coal. That amount was estimated by him at £21,834. As some unfavourable comment was made about it, and as we are making such huge profits out of the mine, I thought it advisable to lift that amount and debit the mine with it. Out of Depreciation Fund there is an investment in Government debentures of £14,661, and the cash in hand was £10,340; making the total amount £25,001. So that after deducting the amounts applied to redemption of loans and recouped to Consolidated Revenue, the balance at credit of the funds at 30th June was £41,963. These figures indicate the wisdom of the investment in the State Coal Mine, and the general health of its finances. Last year the total coal produced and disposed of was 457,653 tons. The railways took 266,880 tons; other Departments, 10,601 tons; and the quantity sold to the public was 180,172 tons. The average number of employés during the year was:—Coal miners, 468; wheelers and others, 250; surface men, 221; or a total of 939. The average earnings of the miners—after deducting cost of explosives and lights—works out at 13s. 5½d. per man per day. The manager estimates that there is still 21,000,000 tons of coal available, and that is after allowing for 20 per cent. loss in working. The mine has already produced 1,434,000 tons.

Mr. PRENDERGAST (to Mr. Menzies).—How do you like that for Packer's crowd?

Mr. WATT.—There are no packers employed in the coal mine.

CLOSER SETTLEMENT.

During 1912-13 twenty-four additional properties were purchased for subdivision. The area acquired was 31,528 acres; the total cost was £323,761; and the average per acre was £10 5s. 5d. Under sections 6 and 11, forty-three properties were purchased at a cost of £73,449. The area of these was 11,698 acres, and the average price per acre was £6 5s. 8d. The total area acquired to date is 563,554 acres, and the prime cost is £4,184,448. The price averages for country lands £7 6s. 6d. per acre. Advances have been made for improvements—to lessees, £222,180; to Crown tenants, £116,475; and for wire netting, £13,692; making a total of £352,347. In addition to these the cost of improvements which have been effected by the Board amounts to £54,671. The finances of the Board will require careful and firm handling, as the interest payable to the Treasurer on Closer Settlement Loans for this year is estimated at £156,659. The control and management of closer settlement holdings in irrigation districts was last year transferred to the Water Commission. Substantial progress is being shown in these closer settled areas, and it is believed that now the initial difficulties are being overcome, the future results will be entirely satisfactory.

Mr. WARDE.—How do the repayments compare with the liabilities?

Mr. WATT.—The repayments during recent years have not been quite so satisfactory as other features.

Mr. HOGAN.—Can you tell us the area of land not disposed of?

Mr. WATT.—Will honorable members kindly requisition the Government for the information, when it will be supplied with courtesy? I am endeavouring to present an outline of the facts in as short a compass as possible. I think honorable members will see that when I have finished I have covered the ground pretty well in as little time as possible. I am a great believer in explaining to the House at any time, but more particularly at the appropriate time, all the facts connected with our finances.

Mr. MACKINNON.—We are likely to have a debate about closer settlement later on.

Mr. WATT.—I do not know whether that remark has any political significance. I am dealing not with politics, but with money.

SHIP-BUILDING YARD.

The capital cost of the yard is about £55,000. The most modern machinery has been installed, and the plant is capable of putting out £100,000 worth of work per annum. It was only on the 7th April last that the yards were actually opened, and there has been already a large amount of work undertaken. The hull of a suction dredge has been built and launched, and is now being fitted with machinery. A grab hopper, self-loading dredge for use at the outer ports is in course of contruction, and will be launched before the end of December. A 1,000-ton suction dredge, for use at the outer ports, is also in the course of construction. There is likewise in hand a 150-ton barge for the Explosives Department. The s.s. *Albert* is being overhauled and fitted with new boilers. Repairs have been effected on the torpedo destroyers *Melbourne* and *Encounter*, the Government steamer *Lady Loch*, and the South Pole expedition steamer *Aurora*. The yards have been well equipped, and with good management should insure efficiency and economy in all the work undertaken.

WIRE NETTING.

Last year 2,149 miles of wire netting was supplied to municipalities. With the exception of 500 miles imported from England, all this netting was manufactured in Australia. Since August, 1908, a total of 7,982 miles has been distributed. The value of this quantity amounts to £194,815. The plant at Pentridge is now supplying at the rate of 500 miles per annum.

COUNTRY ROADS BOARD.

On page 60 of the Budget-papers appears the account of the Country Roads Board Fund. The credits for 1912-13 (the first year of its operation) are:—From fees and fines of motor cars, &c. £18,975, from unused roads and water frontages £25,084, from fees for traction engines £1,244, making the total receipts £45,303. The expenses of the Board amounted to £1,538, leaving the balance to the credit of the fund at the 30th June last £43,765. No loan moneys were raised last year for the purposes of the Board, but, as it is undertaking almost immediately works of a permanent nature, such provision will soon be necessary. The Board first embarked upon an inspection of the Gippsland roads, as it considered this part of the State demanded early consideration, and because it was thought advisable to undertake the investigation during the winter months, with the view of obtaining an accurate impression of the conditions of settlement, and of the district's actual requirements.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—In Gippsland alone?

Mr. WATT.—I speak of the State as a whole now. Plans are being prepared for submission to the municipalities, showing the roads which it is proposed to place under the Board's jurisdiction; and as soon as the Board and the municipalities arrive at an agreement, the Government will provide the money for constructing and improving these main and developmental thoroughfares. The bulk of the work will be carried out by the shire councils. It is estimated that this year's expenditure will amount to £200,000, of which £150,000 will be for the construction, and £50,000 for maintenance.

TRADE AND PRODUCTION.

I propose to again take a glance at the figures of the past five years in relation to trade and production and certain other matters which illustrate the progress of the community.

OVERSEA TRADE.

The value of Victorian imports in 1912 was £25,081,074, and of exports £19,113,121, making the total trade for last year £44,194,195, the imports being in excess of exports by £5,967,953. The value of our imports in 1908 was

£16,433,382, and of our exports £15,165,031, making the total trade for 1908 £31,598,413, the imports in that year exceeding the exports by only £1,268,351. In five years the total overseas trade has increased by £12,595,782, or almost 40 per cent. During that period imports have increased by £8,647,692, or 52 per cent., while the exports have only increased by £3,948,090, or 26 per cent. It will therefore be noted that, during the past five years, our imports have increased at twice the rate of our exports.

Mr. ELMSLIE.—And we are more prosperous than ever we were.

Mr. WATT.—Is that a Free Trade interjection?

Mr. ELMSLIE.—No.

Mr. WATT.—It looks like it.

Mr. M. K. McKENZIE (*Upper Goulburn*).—The seasons have to do with that.

Mr. WATT.—Honorable members will observe that I am paying them the compliment of allowing them to draw their own conclusions. I am giving facts, not deductions.

Mr. HOGAN.—The honorable gentleman did not refrain from deductions when he saddled an honorable member with the imputation of being a Free Trader.

Mr. WATT.—Sometimes deductions are facts.

Mr. HOGAN.—Do you not reckon that the country is more prosperous than five years ago?

Mr. WATT.—Has not every figure I have used shown that?

Mr. HOGAN.—The leader of the Opposition stated the same thing as the Premier stated, yet he is called a Free Trader.

Mr. WATT.—Some honorable members of this House are less modest than they were in 1908. I have not stated that, but that is a fact too.

PRODUCTION.

The value of our agricultural, pastoral, dairying, mineral, and other products, including the value added in the course of manufacture, was in 1912-13 £47,290,459, and in 1908-9 £36,421,797, being an increase of £10,868,662, or 30 per cent.

WOOL.

The weight of the wool clip in 1912-13 is shown as 88,762,612 lbs., which is above that of 1908-9 by 1,226,161 lbs., but compared with 1911-12 shows a decrease of 21,700,429 lbs. This decrease is, of course, due to the dry season in 1911-12 and to the low lambing percentage.

WHEAT.

The value of the wheat yield for the season ended 1st March, 1913, is set down at £4,343,202, being a decrease as compared with the 1909 season of £62,101, although the quantity of wheat produced was greater in 1913 by 2,877,455 bushels. The lower price accounts for the smaller value. It is estimated that the area under grain for the 1913-14 season is 2,581,000 acres, or an increase on the 1908-9 figures of 801,095 acres.

FACTORIES.

In 1912 there were 5,263 factories, employing 116,108 hands. The machinery and plant were valued at £19,457,795. The wages paid amounted to £10,102,244, which averaged per employé per annum £87 0s. 2d. The value of the material used was £27,002,302, and the output £45,410,773. As compared with 1908 there was an increase in factories of 655, employés 22,300, value of plant £3,911,162, wages paid £3,721,948, average wage £18 19s. 11d., material used £8,340,232, and output £14,623,013.

FRIENDLY SOCIETIES.

In 1912 the membership of these societies was 153,921. The funds amounted to £2,361,464, or an average per member of £15 6s. 10d., and the annual income was £580,371. As compared with 1908, these figures show increases in membership of 23,873, and in funds of £473,573, or an average per member of (over the whole of the effective membership) 16s. 6d. and in annual income of £99,174. In the special stock created for the investment of friendly societies funds, sixteen societies had £328,362 at their credit in the Treasury on the 30th June last.

Mr. WARDE.—Does the honorable gentleman not give a statement of the average assets and liabilities of friendly societies?

Mr. WATT.—I never give that in the Budget statement. It is always given by the actuary, with a full analysis, which can only be imperfectly portrayed in a few lines. Honorable members have it annually as a Parliamentary paper.

BANKS OF ISSUE.

The amount on deposit in the Victorian banks at 31st December, 1912, was £47,258,048, as against, in 1908, £36,634,993, being an increase in five years of £10,623,055, or 29 per cent. The coin and bullion held by the banks in 1908 was £7,310,729. In 1912 it was £7,321,292 and Australian notes £1,011,430, a total of £8,322,722.

Mr. MACKINNON. — Some people think the banks hold the money very hard, too.

Mr. WATT.—In individual cases. The increase of deposits has been general throughout the Commonwealth, and I find that, at the 30th June last year, the Australian banks held deposits earning interest £84,397,756, amount at call £65,408,841, making the total £149,806,597, being an increase compared with 1908 of £36,112,209. The deposits earning interest increased in five years by £16,718,816, or nearly 25 per cent., and the money at call by £19,393,393, or more than 42 per cent.

SAVINGS BANK.

This year the number of depositors in the Savings Bank of Victoria is 674,542. The total amount on deposit is £21,508,126, being an average for each depositor of £31 17s. 8d. The number of depositors in 1909 was 532,425, and the amount on deposit £14,101,710, averaging £26 9s. 8d., so that the number of depositors has increased by 142,117, the total amount on deposit by £7,406,416, or more than 50 per cent., and the average for each depositor by £5 8s. 0d., or a little more than 20 per cent.

CRÉDIT FONCIER.

As the figures showing the quinquennial results of the Crédit Foncier Department would be of little value to honorable members, I shall only give details of the position of the business as at the 30th June last.

FARMERS' ADVANCES.

The Commissioners have, since the inception of the Crédit Foncier system in 1897, made advances to farmers of £3,208,903. The total repayments have been £1,697,104, leaving the balance outstanding at 30th June, 1913, £1,511,799, which represents 3,350 loans, averaging £451 each. There were only twelve farmers in arrear for payment of interest and sinking fund at 30th June, and the arrears amounted to £67.

HOUSE AND SHOP PROPERTY ADVANCES.

Under the Act which was passed less than two years ago, the Commissioners have advanced £1,196,370, and the repayments have amounted to £60,315, leaving the balance outstanding at 30th June last £1,136,055, which represents 4,063 loans, averaging £279 12s. 2d. There were only five borrowers in arrear, and their liability was £28. The figures I have quoted indicate our financial stability and progress. I turn now to the estimates for the current year, in the framing of which I have not been unmindful of the magnificent and timely rains which have visited Victoria during the last two months.

FINANCIAL YEAR 1913-14.

I estimate the revenue for this year at £10,604,271, which is an increase on the actual receipts for last year of £401,191. The principal increases in this calculation are—Railways, £290,201; probate duty, £106,918; *per capita* payment, £51,264; and the decreases allowed for are—Income tax, £46,736; miscellaneous, £33,178. The explanation of the anticipated decrease in income tax will, I think, be apparent to honorable members, because of the fact that practically no arrears are coming from last year into this year, as was the case in former years. I estimate the expenditure for 1913-14 on account of—Special appropriations, £3,080,172, and of votes, £7,514,379, making a total of £10,594,551, and giving an estimated surplus of £9,720. The estimated railway revenue is £5,540,800.

An HONORABLE MEMBER.—Does that allow for the abolition of local rates on new lines?

Mr. WATT.—No; it is not proposed to remove those rates. The estimated expenditure, including all charges against railway revenue and interest on railway loans, is £5,404,147, leaving an estimated railway surplus of £136,653. The expected general revenue (excluding railways) is £5,063,471, and the expenditure £5,190,404, which shows a deficit on account of general revenue of £126,933. Deducting this from the railway credit, we expect the net surplus as stated of £9,720. There will be no pro-

posals for alterations in taxation this year. The usual measures for re-enacting income tax, land tax, and probate and estate duties will, in due course, be submitted. I have had an index of the Estimates prepared this year on the lines suggested by the Public Accounts Committee which I hope will be found helpful to honorable members and others interested in State finance. Honorable members will see that index given at the head of the Estimates.

THE CURRENT YEAR COMPARED WITH LAST YEAR.

The estimated expenditure for the present year is £10,594,551, and the actual for last year was £10,184,671. The increased expenditure estimated for this year is, therefore, £409,880. The services and appropriations responsible for this increase are as follows:—Taking the railways, the working expenses have gone up by £177,337. In explanation of that I might mention several items which account for the bulk of the increase. The increased wages to the staff on the basis of 8s. per day to labourers is £63,000, and the extension of the camping-out allowance, £9,000; or a total of £72,000. Increased train mileage and maintenance of new lines involve an increased expenditure of £55,400, repairs to locomotives and other rolling-stock, £23,500; the strengthening of light lines, £15,000; and the re-arrangement of the Flinders-street yard preparatory to electrification, and the enlargement of various railway stations, £10,000. Other railway increases are as follows:—Interest on loans, £79,223; contribution to accident fund, £3,185; making the gross increase £259,745, but there is a decrease in railways pensions of £3,104, which gives a net increase in the railway estimates for 1913-14, as compared with 1912-13 expenditure, of £256,641. The other salient items are:—Education, £56,000, of which teachers' salaries account for £37,000; technical education, £11,700; scholarships and exhibitions, £2,300; sundry increases, £5,000; mines and mining development, £23,000; agriculture, £24,000; police, £23,000; interest (other than railways), £16,000; grants to municipalities, £9,000.

COUNTRY PASSENGER TRAFFIC.

Special attention has been given to the question of improving the train service for the conveyance of passengers on country lines, and, in accordance with the policy adopted by the Government, at least one passenger train daily is now running to and from Melbourne and every country town with a population of not less than 2,000 people. The following statement illustrates the increase which had taken place in the country passenger traffic during the last seven years:—

—	Year 1906-7.	Year 1912-13.	Increase 1912-13 over 1906-7.	Percentage Increase 1912-13 over 1906-7.
Number of passenger journeys ..	5,758,239	8,510,261	2,752,922	47·9
Revenue	£989,285	£1,387,785	£398,500	40.2

SUBURBAN PASSENGER TRAFFIC.

The passenger traffic on the suburban lines has continued to increase at a remarkable rate, and the development which has occurred during the last seven years may be thus stated:—

—	Year 1906-7.	Year 1912-13.	Increase 1912-13 over 1906-7.	Percentage Increase 1912-13 over 1906-7.
Number of passenger journeys ..	64,162,344	103,003,647	38,841,303	60·5
Revenue	£645,448	£1,040,774	£395,326	61·24

These figures include race and special traffic, but not the traffic on the St. Kilda-Brighton street railway, the revenue from which source amounted to £16,765 for the year, as compared with £9,514 in 1906-7. In view of the close approach of electrification, it will be of interest to the Committee to note that the rate of increase on which our calculations were based has already been exceeded. Taking a percentage slightly under that of the average increase over the last two years, the passenger journeys under steam conditions for the year 1914-15 would be 120,000,000, as against 115,000,000 estimated in January, 1912, or an increase of over 4 per cent. I propose to intimate at a later stage the details of a measure that will be introduced, dealing with the question of relaying lines with heavier rails, so as to render the provisions adopted by Parliament in former years somewhat more elastic to meet new

requirements. If I did not desire to compress my Budget Statement, I could give additional figures with regard to the development of railway traffic, and indicate its apparent causes, but I think the figures I have already given are sufficient to indicate the more general use that is being made by town and country alike of the railway system.

Electrification of the Melbourne Suburban Railways.

Contracts, involving a total expenditure of approximately £1,250,000, have been let for a considerable portion of the electrical equipment and machinery, and for the power station buildings. It is not proposed at present to obtain from outside sources any of the power required for the railway electrification scheme, and arrangements have accordingly been made to exercise options over additional units for the power-house so as to provide for a total capacity of 60,000 kw., which it is estimated will be sufficient for the conversion of all our present suburban lines. Much of the preparatory work has been carried out by the Department, and the anticipation that conversion operations will be completed early in 1917 is likely to be realized. It has been decided to change the situation of the power-house to a site lower down the River Yarra. This determination has been arrived at after careful consideration by the Commissioners in consultation with Mr. Merz. The flow of water in the old course of the river is gradually lessening, while our expectations of the eventual power requirements have been greatly increased since the old site was originally selected. An adequate supply of cold water for a large production plant is of the utmost importance, and the Government considered that it was not wise to take any step which would prevent future expansion of the power of the station to its utmost economical output.

Mr. McGregor.—Is there any loss owing to the alteration of the site?

Mr. WATT.—No; practically a credit, taking all the circumstances into consideration; in other words, the original site would have been more costly to retain.

Mr. Langdon.—I hope it will not interfere with the harbor improvements.

Mr. WATT.—I know the anxiety of the honorable member to protect the harbor, and I can assure him that the Railways Commissioners have consulted the Harbor Trust authorities in order to ascertain the objective of their plans at or near the mouth of the Yarra.

Mr. Lemmon.—Do the Commissioners say what they purpose doing with the railway to Yarraville?

Mr. WATT.—They are ready to serve the establishments bordering on the line on suitable terms. For some time an agitation has been on foot to get railway communication for those river factories.

Abolition of Competitive Rates.

In pursuance of the policy of decentralization, and to facilitate the development of the outer ports, the competitive freight rates between Melbourne and the eastern and western coastal districts, which had incidentally exercised an influence on the rates between Melbourne and certain inland portions of the State, were abolished on 1st January last, so that the goods rates are now practically uniform throughout the State. At the same time the highest scale of rates (Class 3) was also abolished. The estimated loss of revenue entailed by these two alterations is over £7,000 per annum.

Concessions to the Staff.

According to the promise of the Government, given early in the present session, a further increase was made as from 1st July, 1913, in the wages of railway employés; the men in labouring avocations can now attain a wage of 8s. per day, whilst the minimum for a skilled labourer has been increased to 8s. 6d. per day. Certain consequential increments became necessary in respect of men in the related grades, and the details are being adjusted by the Commissioners. Authority was also given for an extension of the "camping out" allowance to certain employés not in receipt of that concession, viz., men engaged in re-sleepering and relaying and other way gangs (excluding single men without dependents), and for the supply of tents free of charge to all men in such gangs. The concessions referred to will involve an increase of approximately £72,000 per annum in the working expenses.

Border Railways.

Agreements have been executed by the Governments of New South Wales and Victoria providing for the construction of three important lines into Western

Riverina and for linking them with the Victorian railway system. These new lines are to cross the Murray at Wentworth, Euston, and Moama. After entering the territory of the Mother State, the Wentworth and Euston connexions will each take its course through fertile lands for a distance of 40 miles, and the Moama extension will have its terminus at Moulamein, about 80 miles to the north-west. It is estimated by authorities capable of judging that these lines will render practicable the settlement of upwards of 3,000,000 acres of land hitherto unprovided with railway facilities. Since this portion of the Budget was arranged, I regret to say that I have received information from the Premier of New South Wales to the effect that, in the rush at the end of their session, many Railway Bills, including these Border Railway Bills, were defeated in the Upper House.

Mr. LEMMON.—I understand, with the strong opposition of Mr. Wade.

Mr. WATT.—I do not remember that. The honorable member understands a number of queer things.

Mr. LEMMON.—The records of *Hansard* will show it.

Mr. WATT.—The honorable member cannot have got that *Hansard* yet; it is not here.

Mr. LEMMON.—The *Sydney Morning Herald* shows it.

Mr. WATT.—I have read a number of things, mistaken and otherwise, in the press, but I am not in a position to analyze them. I am now presenting the facts with this notification that we are hopeful that in the next session of the New South Wales Parliament the Border Railway Bills will be re-introduced, and that the Government of Victoria is willing to act with New South Wales as soon as they are carried.

Mr. J. W. BILLSON (*Fitzroy*).—I hope they will be carried by the same people who introduced them.

Mr. WATT.—I do not express an opinion on that. Loan Application Bills, to render available moneys for railways and other public works, will be brought in later in the session.

EDUCATION.

During recent discussions in the House, a suggestion has been made that the Department was not sufficiently mindful of its paramount obligation to develop efficient primary schools, especially in the remote portions of this State. The number of elementary schools in operation in June, 1909, was 2,029; June, 1911, was 2,053; June, 1913, was 2,126. During the past two years 185 applications have been received for the establishment of new schools. Of these, only twenty-five applications were refused, and there are thirty cases still pending. Of the elementary schools in operation, no fewer than 351 have average attendances of less than fifteen pupils. The majority of these schools are in sparsely populated districts, where the conditions of life are somewhat primitive. Male teachers must be placed in charge. As the salaries of these male teachers range from £120 minimum to £200 maximum, it follows that the cost of instruction per child in such cases is high. In 1908-9 the average attendance of pupils throughout the State was 145,749, in 1911-12 it was 151,055; and it is very gratifying to record that for 1912-13 the average attendance was still further increased, now reaching 152,569. The gross enrolment for the same year was 3,323 in excess of that for the previous year.

SALARIES OF ELEMENTARY SCHOOL TEACHERS.

The salaries of elementary school teachers, to which Parliament has recently devoted attention, for the years 1900-01, 1908-9, and 1912-13, were as follow:—1900-01, £498,058; 1908-9, £538,132; and 1912-13, £704,887. For 1913-14 the estimate is £721,737.

HIGHER ELEMENTARY SCHOOLS.

Eighteen higher elementary schools have been established, all except two being in country centres. During 1912-13 the expenditure on these schools was—Salaries and maintenance, £10,608; buildings, &c., £10,646; or a total of £21,254.

DISTRICT HIGH SCHOOLS.

Twenty-two district high schools are now in operation, only two of which are in the metropolitan area. The expenditure for 1912-13 on these schools was—Salaries, £35,539; buildings, &c., £18,042; or a total of £53,581.

JUNIOR TECHNICAL SCHOOLS.

The success of the Latrobe-street Junior Technical School justified the establishment of similar schools at the Swinburne

Technical School, and at Ballarat, Bendigo, Geelong, and Collingwood. There are now in operation six of these junior technical schools, and the experiment so far has proved very satisfactory. In these schools boys are given two years' practical training, from the age of thirteen and upwards, for industrial occupations.

TECHNICAL SCHOOLS.

During 1912-13 three new technical schools were opened. In each case substantial encouragement was given to the Department by contributions in cash, buildings, and land. At Beechworth, a building was bought and transferred to the Education Department by the municipal council. At Collingwood, buildings and land were transferred to the Department by the Collingwood City Council. At Sunshine, 5 acres of land and a contribution of £2,000 were given by Mr. H. V. McKay.

SCHOLARSHIPS.

In accordance with the forecast given in the Governor's speech, regulations have been prepared for a considerable extension of the scholarship system, involving an ultimate increase in expenditure of between £15,000 and £16,000. Up to the present the holders of scholarships have mainly taken up courses of study in secondary schools, which lead them through the University to the learned professions. Under the proposed scheme provision is made, not only for scholarships of the type hitherto existing, but for scholarships and bursaries advancing boys to junior and higher technical schools. In future every branch of State education will be taken into account, and prizes offered in connexion with each class of school established under the provisions of the Education Act of 1910. A proportionate number of scholarships will be awarded to pupils of registered primary schools. All winners of scholarships leading to secondary education will be allowed a choice of attending either a district high school or an approved registered secondary school. Another important alteration provides that a number of the highest prizes, which carry students forward to full courses in higher technical schools and the University, will be open for general competition, and not confined, as formerly, to the holders of junior scholarships. Naturally this important proposal will involve the preparation of new courses of study, and the fixing of corresponding standards and conditions of examination. It would not be practicable or fair to inaugurate it within the two months which will elapse between now and the close of the school year. The proposal, however, provides for the extension of one type of scholarship already in existence, and as pupils have during the year been following the necessary course, it is proposed to give effect to this portion of the scheme forthwith. This means that instead of fifty scholarships being available next December, there will be 100, and that their value will be increased from £8 to £12. As regards the other new features in the proposal, regulations will be issued shortly, so that the pupils of all schools (both those under the Education Department and registered schools) will have a full year in which to prepare themselves.

STATE SCHOOL BUILDINGS.

During the last five years the total expenditure on education buildings has been:—State school buildings, £637,190; higher elementary, high schools, and agricultural high schools, £67,772; teachers' residences, £21,380; making a total for the five years of £726,342. Despite this large expenditure, there are still pressing demands for new buildings and repairs to old schools. After giving much consideration to the increasing demands, and to the ways and means of meeting them, the Government has decided that it would be impossible to provide sufficient sums out of revenue to cover the whole cost, which is estimated for the next five years to be—For buildings, £500,000; for maintenance, £200,000. The maintenance must be a charge against revenue, but for new buildings we propose to make a loan provision of £500,000, extending over the next three years. And in order that such loan may only appear in the Public Debt of the State for a very short period, we propose providing out of the Redemption Funds for an annual reduction of the liability at the rate of £50,000 a year. In other words, while we shall have expended £500,000 loan moneys on school buildings in the next three years, the liability will be liquidated in ten years.

SPECIAL FUNDS.

On page 64 of the Budget-papers is an account of the £110,000 which was trans-

ferred from the Assurance Fund, under authority of Act No. 2297. Of the £50,000 made available for erection of teachers' residences, £21,380 has been expended. The balance in hand is £29,307, which includes £687 received from rents of buildings. The sum of £15,000 was appropriated for the establishment of a fund for insuring the buildings and fences of properties upon which the Closer Settlement Board had made advances. The machinery for giving effect to these sections of the Act has only recently been completed, and is now in operation. The Government Buildings Fire Insurance Fund received £15,000, and has also been credited with £6,000 appropriated from revenue. The investments of this fund have earned £60, and the balance at credit, after paying £219 for repairs to buildings, is £20,841. The Public Officers' Fidelity Guarantee Fund also received £15,000 from the Assurance Fund, and the accumulated interest on the investment of this sum amounts to £1,007. The fund has only been called upon to make good deficiencies amounting to £101, and has a balance at credit of £15,906. The Government Employés' Accident Fund was started with £4,000 from the Assurance Fund, which was supplemented by appropriations from revenue during the three years the Act has been in force of £800 per annum. Out of these moneys £557 has been paid in compensation, and there is a balance at credit of £5,843. The £11,000 set aside for improvements to the strong room at the Titles Office has all been expended.

MINING.

Our annual gold yield has for some years shown a steady decline, some of the best and most regularly producing mines having reached old age and poverty without the development of a corresponding number of youthful successors. Nevertheless, the industry plays, and is likely to continue to play, an important part in the progress and material welfare of the State. Though the production of 516,000 ounces for 1912 does not favorably compare with preceding years, its value was over £2,000,000, and it was responsible, according to the Government Statist, for the support of 60,000 persons. Over twenty years ago, in 1891, the gold yield was only 576,000 ounces. It afterwards rose to and remained for many years at over 800,000 ounces annually, before starting the descent to recent figures. The total value of gold won in Victoria to the present is over £290,000,000, and when we reflect that our total wheat production has reached about £70,000,000 only, it can be readily understood that the standard of yield established by gold mining in its early days cannot be lived up to indefinitely. From the precedent of 1891, as well as from the general outlook, there is reason to hope that the downward course of our gold yield has, to use an appropriate mining term, nearly reached bedrock. From dredging and sluicing we may expect a further gradual decline, but the prospects of lode and deep alluvial mining are of quite a hopeful character. At Ararat and Beaufort important new mines have appeared within the last couple of years, and considerable areas of promising alluvial ground hitherto untried have, during the last twelve months, been taken up by investors. In lode mining, Bendigo maintains her reputation for always having a fair number of good yielders and dividend-payers on her list, while at Ballarat West there has been a revival of energetic mining on a field which, only a few years ago, was thought by many to have seen its last days. At Costerfield, gold and antimony mining has appreciably increased, and regular shipments of ore are being made to England. A large pump-sluicing plant has been recently erected by English investors at a cost of £32,000 at Toora for tin sluicing, and much activity is being shown in prospecting many promising tin lodes in the North-east. Of the various causes to which the decline of gold mining has been attributed, perhaps the chief of those within human control are the misleading statements on which companies are frequently formed by unscrupulous promoters, and the subsequent loss, as investors in mining, of persons "once bitten twice shy," the absurdly inadequate cash provided by many companies at their inception, the early ensuing financial difficulties, and consequent inability to carry through a development programme, calculated to give the lode or lead being tested a proper trial, and the culpable neglect of most mining companies either to put aside out of profits a decent reserve fund for a day of adversity, or to keep development and ore reserves well ahead of extraction. As far as it is practicable, it is intended that the influence of the State shall, in future, be directed

towards inducing more business-like methods in the formation and conduct of mining companies. A Bill to amend the Mining Companies (No Liability) sections of the Companies Act, under which it will be a penal offence to issue, knowingly, incorrect or misleading statements of a material character in a prospectus, is now before Parliament. The Bill provides also for the closing of many avenues leading to the exploitation of investors, and for reforms in other directions. The Government has decided that assistance by the State to mining will not be rendered in future without due weight being given to the financial considerations mentioned. We shall discontinue the doling out here and there of a few hundred pounds to save weakly-constituted companies from 3d. or 6d. per share in calls, or to encourage them to perform an amount of prospecting or developing too small to be useful. But if a situation of importance to a district or the industry generally should arise wherein, in the specific words of the Mining Development Acts, "the expenditure of large sums will be necessary, extending over a considerable period of time," then we shall in no niggardly spirit endeavour to assist companies or individuals whose properties show prospects of success. It is essential in all cases that work shall not cease before showing some conclusive result, favorable or otherwise. Consequently, stipulations are now being made by the Mines Department in the case of every advance that the company's financial arrangements shall be adequate for the completion of the approved scheme. The first chapter in the history of most mines is their discovery and preliminary development by prospectors and co-operatively working miners. Practical encouragement to these will be continued in the form of advances up to a maximum of £250 as has been done for many years past. The money made available under the various Acts for mining development has been almost expended. To give effect to the policy I have set forth, it will be necessary to provide additional authority. Consequently, members will be asked to approve of a Mining Development Bill, authorizing the expenditure of £100,000, of which £75,000 shall be for gold-mining companies, £10,000 for minerals and metals other than gold, and £15,000 for co-operative prospectors and working miners. Attention is also being given to our brown coal resources. By boring operations, we are increasing our information as to the quality, extent, and distribution of the coal beds. Exhaustive tests are being made as to the value of lignite when directly used as fuel, for power-gas production, and for the output of by-products, such as sulphate of ammonia, benzine, paraffin oils, dyes, &c.

Mr. PRENDERGAST.—In prospecting for coal in other places than Westernport, have you any outlook?

Mr. WATT.—I wish the honorable member would not interrupt. I am just coming to that. In a bore operating between Morwell and Traralgon, and situate 3½ miles from the nearest proved occurrence, seams of brown coal about 400 feet thick have been revealed.

Mr. HANNAH.—That has come down. It used to be 800 feet.

Mr. WATT.—The honorable member never heard of this before. This exploratory work will be gradually extended over about 1,000 square miles of territory, chiefly in the Morwell and Alberton districts. It is not unreasonable to anticipate that, in vast deposits of good brown coal, Victoria will in the future find compensation for her comparatively limited resources of bituminous coal. Altogether the sums set apart this year under Special Appropriations and votes for the furtherance of the mining industry total £54,880.

SICK AND DISTRESSED MINERS.

The Government are impressed by the unanimous recommendation of the committee of members representing mining districts that, pending legislation of a wider character, relief should be given in existing cases of sickness and distress amongst miners. We therefore propose to allocate out of this year's charity vote a sum of £2,500, in addition to sums already devoted to this purpose.

WATER SUPPLY.

The area under irrigation in 1912-13 was 231,000 acres, which was 16,000 acres more than the previous year. The gross revenue of the Commission in 1912-13 was £176,140, as against £152,820 for 1911-12—an increase of £23,320. During last year a sum of £259,000 was expended on Irrigation and Water Supply Works in country districts. The main western channel from Waranga Reservoir to the Serpentine Creek, which is practically completed, is now being used to supply Goulburn water to the Western Irrigation Dis-

trict of Tragowel Plains. Designs have been prepared for a reservoir at Melton of a capacity of some 10,000 acre feet of water for the supply of the proposed Werribee Irrigation District. The estimated cost is £55,000. The investigations so far made of the "Sugar Loaf" storage site, on the Upper Goulburn, indicate that a reservoir with a storage capacity of 720,000 acre feet can be constructed whenever the carrying out of the work is warranted. The cost is estimated at approximately £1,500,000. The "Compulsory Irrigation Charge" system, under which water-rights in acre-feet are allotted to holdings, and charged for, whether the water is used or not, is now in force in the Bacchus Marsh, Cohuna, Gannawarra, Koondrook, Koyuga, Merbein, Nyah, Rochester, Rodney, Shepparton, Swan Hill, and Tragowel Plains districts. Flood protection works on the Goulburn are being carried out under the Flood Protection Act 1911, which transfers control to the Water Commission. These works have been in the direction of facilitating the discharge of the river, by cutting across larger bends, by building new levees, and by strengthening existing ones. It is proposed to make this year a charge on all lands benefited by the scheme of works. The duty of preparing schemes of drainage for such areas as Koo-wee-rup Swamp and Moe Swamp now devolves upon the Water Commission. The Commission is now preparing a scheme for the drainage of the first-named area. In the Wimmera supply system, which covers an area of over 6,000 square miles, the main eastern channel has now been completed to the Richardson River, thus connecting Sea Lake districts with the Wimmera River and Lake Lonsdale supplies. Over 300 miles of new main and distributary channels were constructed last year. The total length of the channels in this system is now over 3,000 miles. In the Northern Mallee, the work of improving the Crown lands by provision of water tanks, boring, and road-making, has been steadily carried on during the year. In an area of over 1,000,000 acres, which has been recently settled, there are now forty-two tanks with a capacity of 340,000 cubic yards, and sixty-nine water bores, while 1,625 miles of roads have been cleared and grubbed. The total expenditure to date is £64,500. During last year, a sum of £33,000 was expended in the Northern Mallee in sinking tanks, boring for water, and clearing roads. Water supply schemes were, during the year, constructed by the Commission in the towns of Hopetoun, Quambatook, Woomelang, and Watchem. Waterworks Trusts were constituted for Morwell and Maffra, and improvements were made by the various controlling bodies to the pipe services in Avoca, Alexandra, Colac, Charlton, Donald, Dandenong, Euroa, Elmore, Glenrowan, Kerang, Kilmore, Longwood, Lilydale, Mooroopna, Rochester, St. Arnaud, Shepparton, Tatura, Traralgon, Trentham, and Warracknabeal. Last year, there was an ample supply in all irrigation districts, the channels were in an effective state, and deliveries were equal to all requirements.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—Query!

Mr. WATT.—There is no query about that. In the waterworks districts also, wherever suitable storage tanks had been constructed by settlers, and connected with the Commission's channels, a good result was shown. It is, however, more clearly demonstrated each year that the construction of suitable storage tanks by settlers in Waterworks Districts is essential to the full success of the Commission's work. The States of New South Wales, South Australia, and Victoria, have united in a request to the Commonwealth Government to convene a conference, with a view to a settlement of the problem of the conservation and the use of the waters of the Murray River, and the Government is hopeful that a satisfactory partnership in relation to these important works will soon be established.

FORESTS.

It is satisfactory to note that the revenue of the Forests Department is keeping pace with the increased expenditure in recent years. Last year the revenue was £54,754, and the expenditure was £53,322, leaving a surplus of £1,432. During the year extensive improvements have been made—100 miles of fencing was erected, and 60 miles netted to control the rabbit pest. In the central districts, over 10,000 acres of young ironbark, box, and messmate forests have been largely improved. The output from the tree nurseries is steadily increasing; over 4,000,000 plants were raised last year at Creswick, Macedon, Broadford, and Frankston. Whilst the bulk was reserved for State plantations, supplies were granted to settlers, and liberal grants

made for improving State school gardens and reserves. During the year, arrangements have been made for the cutting and conversion of large quantities of redgum of prime quality for harbor and railway works on the Kilmany Estate, near Sale, and the Crown frontage of the River Latrobe, adjacent thereto. A short tramway of about 2 miles in length has been constructed to connect the mill with the main Gippsland line, and it is estimated that about 8,000,000 superficial feet of this durable and valuable timber will now be available from this source for State works, which are eagerly awaiting the supply.

Werribee Research Farm.

The Central Research Farm, which has been established at Werribee, will materially assist in promoting sound and advanced agricultural education, more particularly in the practices suitable to present and future circumstances of the State. The main features to which attention is being directed are:—(*a*) Improvement of wheat and other cereals by selection and cross-breeding; (*b*) soil renovation, fertilization, and cultivation treatment; (*c*) rotation of crops and improved cropping practices; (*d*) irrigation practices; (*e*) investigations concerning soil moisture, nitrification, fertility, nutrition of plants, and drainage of soils; (*f*) improvement of pastures and trials of artificial grassing; and (*g*) improvement of live stock, particularly as regards dietary, milk yield, and the production of standard types of export lambs. The accurate records of such research work, prosecuted under practical conditions, must prove of immense value to the agriculturists of this and the other States of Australia.

Fruit.

A study of the question of fruit production and export has convinced the Government of its growing importance. During the last few years this trade has given encouraging evidence of steady expansion. The exports to England, Germany, and other Continental ports last year totalled 449,402 cases, as compared with 319,932 cases in the previous year. The establishment of cool storage for fruit gave a permanent impetus to the trade by preventing the recurring gluts of the local market, as well as providing means for conditioning fruit for shipment. These benefits are now, I imagine, fully appreciated by the producers. During my recent visit to London, I gave some time to investigating the marketing of our fruits. The methods of handling and selling at Covent Garden and the Monument Buildings (the two principal London depôts) cannot be regarded as satisfactory to our growers, but it is not easy to propound a scheme to give better results to those interested. There are, however, some remedies for the disabilities existing in this trade which are within our own control, and which demand early consideration. To get the full value for his produce, the Victorian exporter must direct more attention to grading, packing, and labelling. He must also study the tastes and requirements of the consumers, the varieties which carry best, and which will stand after delivery, and not ripen too quickly. The Department of Agriculture proposes to communicate the views it has formed, upon careful advice, as to the measures calculated to popularize our fruit products to the growers and exporters throughout the State. To enhance the reputation, create a better demand, and raise the prices of not only our fruits, but all our exportable foodstuffs, my conclusions are briefly: That more attention must be given to (*a*) the quality of our exports, and in maintaining a regular standard; (*b*) advertising in the provinces the foods which Australia can supply, and the depôts from which they can be directly obtained; (*c*) a better distribution of our supplies among the great consuming centres in the United Kingdom. In this work we will endeavour to co-operate with the Government of the Commonwealth, in order that our producers may get the benefit of the most valuable assistance in the improvement and expansion of the trade in the United Kingdom and the Continent of Europe.

Mr. Elmslie.—What about that line of steam-ships advocated by the Minister of Agriculture.

Mr. WATT.—I am not a very profound believer in Government steam-ships. I would be disposed to place the honorable member for Collingwood in charge of an experimental one to pilot it across the ocean.

Mr. Hannah.—You have your work cut out to pilot your own.

Mr. WATT.—I suppose the honorable member means the State barque. That is now steaming up the flowing stream of progress.

OUTER PORTS.

Tenders have been invited for the extensive harbor works at Portland and Warrnambool, and a tender accepted for the alterations and improvements at Port Fairy, provided for in the Loan Application Bill of last year.

Mr. HANNAH.—Are you going to waste money at Port Fairy?

Mr. WATT.—I would be satisfied to hand the honorable member over to the representative of that district, and I should be glad to see him as an exhibit in this Chamber afterwards. It is estimated that the expenditure this financial year will be—at Portland, £48,000; at Warrnambool, £25,000; and at Port Fairy, £5,000; a total of £78,000. As already mentioned, the dredges required for work at the outer ports are being constructed at the ship-building yards. Dredging operations on a large scale have been carried on at all the outer ports during last year, and, with the construction works shortly to be undertaken, it is safe to predict that these important outlets of trade will rapidly be brought abreast of requirements. Investigations are being conducted with a view of determining whether a permanent harbor can be constructed at Gabo Island, which, when connected with the main land by tramway, will provide an outlet for the large supplies of good building timber in East Gippsland.

PORT PHILLIP HEADS.

Some years ago the Government embarked upon the work of deepening the entrance to Port Phillip, with a view to the reception and accommodation of the largest vessels trading to Australia. The conditions of wind and tide in the Rip render such operations slow and costly, and, with a view to obtaining greater despatch in its execution, the Government has arranged with the Government of the Commonwealth to secure the advice of Sir Maurice Fitzmaurice, a British expert of wide experience and high attainments, who will shortly arrive in Australia. The undertaking is without parallel in the Southern Hemisphere, but we strongly feel that no barriers should be allowed to exist calculated to adversely affect the maritime interests of our great and growing trade.

DEPARTMENT OF LABOUR AND TRADE.

Steps are being taken by the Government to establish a new Department of Labour and Trade. In most of the other States of Australia such a Department exists, and I believe that with careful organization it will lead to the better service of the public, and more economical and effective administration. The control of our laws dealing with shops and factories, apprenticeship, accident prevention, and workers' compensation will be handed to this Department. The various undertakings more or less of a trading character, which are scattered amongst the other Departments, such as the State coal mine, Government cool stores, Labour and Immigration Bureau, sugar factory, ship-building yard, and wire netting supply, will be gathered up and placed under one Minister. The Government considers that business skill and experience are more likely to be associated with these important enterprises, as a result of the specialized ability and sustained effort which will be thus encouraged.

CONCLUSION.

Since the delivery of my last Budget, I have had the experience of a rapid tour through the Old World, during which I endeavoured to collect impressions and make observations that were not superficial. I returned sure in the conviction that Australia is a well-conditioned land. It might well be named the "land of great opportunities." We have a higher standard of living, a wider horizon of legislative ambition, a keener sense of social justice, and a smaller margin of misery than most other countries. This may be attributed to the rich gifts of Providence, the instinct of inherited freedom, and the wise determination of successive Parliaments, who have striven to plant our civilization on firm foundations, and avoid the errors and evils of older societies. It is not in a spirit of boastfulness, but only out of a sense of thankfulness, that we make favorable comparison between ourselves and European countries, for almost all the good things we possess we owe to them. Great Britain and Ireland have furnished us with their best pioneer stock. If we have emulated, and, in some instances, surpassed, the better practices of our parent

lands, it is not because we are a superior people, but because we have enjoyed superior conditions. I regard it as the primary duty of every Government to maintain and heighten the national ideals and to perseveringly strive to improve the material prosperity of the people. In our judgment, three things are requisite to achieve this purpose in Australia or Victoria. First, a long-sighted view of our prospects and responsibilities, which will take into account, not merely the problems of the passing hour, but also the long and fruitful future which stretches ahead. Secondly, the courage, founded upon a confidence in that future, which will impel us to undertake with steady reliance the big developmental work of the Continent. And, third, the recognition that hard work—the oldest-fashioned and most conspicuous of British qualities—alone can win individual or national reward in this distant part of the Empire. For these tasks there is all time, but no time to waste; and my view is that nothing should cause Victoria to slacken her efforts to accomplish the development of her territory, and the well-being of her people.

The ACTING CHAIRMAN (Mr. OUTTRIM).—I desire to inform honorable members that on the first item of the Estimates a full discussion will be allowed on the Budget statement. After the first item is passed, honorable members will be required to confine themselves to the particular item then under discussion.

Mr. ELMSLIE.—I would ask the Treasurer to grant the usual adjournment for a fortnight.

Mr. WATT.—I will agree to an adjournment of a week.

Mr. ELMSLIE.—We have the Metropolitan Council Bill next week, and an adjournment of one week would, therefore, not be sufficient. I would suggest a fortnight.

Mr. WATT.—I cannot agree to more than a week, but I will meet the wishes of the Committee as far as I am able.

Progress was reported.

ROYAL COMMISSION ON BRICK INDUSTRY.

Mr. MURRAY (Chief Secretary) moved—

That the sum of £200 be fixed as the maximum expenditure of the Royal Commission appointed for the purpose of inquiring and reporting upon the brick industry, being the addition of £100 to the amount previously fixed by an Order in Council dated the 20th May, 1913.

The motion was agreed to.

WONTHAGGI LAND BILL.

The motion of Mr. Murray (Chief Secretary) for the second reading of this Bill (on which the debate had been adjourned on October 9), was agreed to.

The Bill was then read a second time and committed.

Clause 1 was agreed to.

Clause 2—

In paragraph (*b*) of sub-section (3) of section four of the principal Act for the words "from the date of the commencement of this Act" there shall be substituted the words "from and after the thirty-first day of December One thousand nine hundred and eleven."

Mr. J. W. BILLSON (*Fitzroy*). — I understand from the second-reading speech of the Chief Secretary that this provision is to date from the 31st December, 1911. It is now the year 1913. Is it the intention of the Government to make these people a present of the rent for the two years intervening? Is it the intention of the Government to make them a present of the price that they agreed to pay at auction, as opposed to that which the Government themselves have decided is a fair rent? Is it proposed to give these people who bid at auction for this land, outbidding other people who would have been agreeable to carry out their contract, the preference as against honest men who really recognised that the rent proposed at the time was unreasonable? I think some statement by the Minister is due to the Committee as to the real intention of the clause.

Mr. MURRAY (Chief Secretary).—If honorable members will turn to the Act of 1912, they will see that that Act came into operation immediately it was passed. Re-valuations were made of these properties, and considerable reductions were made by Mr. Reed, the Surveyor-General, Mr. Broome, and I think there was another competent person engaged with them in the work. Approximately, the valuations were reduced to about one-

third of the original figures. This clause does not alter the amounts which the holders will have to pay, but it antedates by twelve months the commencement of the new valuations. That is to say, they are to operate from the beginning, instead of from the end, of the year. It became plain that these men had agreed to give far too much for the land.

Mr. J. W. BILLSON (*Fitzroy*).—How about the men who were jockeyed out of the land, and might have been prepared to pay the full price?

Mr. MURRAY.—It was a bargain that the State could not hold these men to. We heard the statement made by the Treasurer to-day in connexion with the State Coal Mine, and it was a very satisfactory one.

Mr. J. W. BILLSON (*Fitzroy*).—We are not dealing with the mine now.

Mr. MURRAY.—The effect of this amendment of the law will be that the State will forego an additional sum of about £3,000 by ante-dating the operation of the Act of 1912. The valuations have been fairly made, and these people could not get on without this relief. The holders for the most part have, for various reasons, not been successful in their businesses, and the Government think, and I am certain Parliament will also think, that this is only a fair remission or relief to give to those holders. The State cannot be oppressive to those with whom it has dealings. If it finds that the contracting parties have made a bad bargain, which cannot possibly be kept, I think it is the duty of the State not to be harder-hearted than an ordinary private individual would be.

Mr. ELMSLIE.—Would you get a private individual to make concessions of this kind to his lessees?

Mr. MURRAY.—I think that a private individual would probably have done so before now. If the leases were surrendered, it would be impossible to get other people to take them up at anything like the original prices. These holders entered into an agreement for the purchase of the land at prices that were far beyond what has proved to be the real value. What a State has a right to expect for what it disposes of is the fair value. These lands were worth no more at the beginning of 1912 than they are worth now. Therefore, it is equitable that the re-valuations should operate from a date earlier than that on which they were made. It is not fair for us to say, "We will insist upon your paying these high valuations from the time you made the contract." We do not go back so far as that in making the reduction, as, perhaps, the holders have a right to ask, but we say, "It is a fair thing to make this compromise with you."

Mr. HANNAH.—But they did make the agreement.

Mr. MURRAY.—I am certain the honorable member would be the last to insist that poor people should be held to a bad bargain that they had made with the State.

Mr. J. W. BILLSON (*Fitzroy*).—It is not the poor people; it is the business people.

Mr. MURRAY.—Most of them are poor people.

Mr. J. W. BILLSON (*Fitzroy*).—You did not do the same in the case of the miners.

Mr. MURRAY.—The miners got their land at very low prices. These are the facts of the case, and the honorable member for the district will corroborate what I have said.

Mr. DOWNWARD.—The question that has been raised by the honorable member for Fitzroy takes us back to the original conditions under which these people agreed to pay rentals for the land which, in the light of recent developments, have proved to be perfectly absurd. It would be very difficult to find now, in any town of the size of Wonthaggi, land which is valued at from £15 to £20 a foot, which is the case at Wonthaggi, even under the re-valuations.

Mr. HANNAH.—At Shepparton £70 per foot has been paid.

Mr. DOWNWARD.—And when honorable members are told that a reduction of two-thirds has been made, it will be seen how very excessive the original valuations were. It will be remembered that, when these people tendered, very glowing prospects were held out as to the future of Wonthaggi. It was said it would soon develop into a town like Newcastle, with 20,000 or 30,000 people. Moreover, these business people were required by the Government to move before the winter from the low ground near the mine, where the original camp was situated, and they found themselves under the necessity of obtaining this other land. They were not under the impression, even then, that the lands were worth what they were

being run up to by speculators and others outside, and, at the first auction sale, they held off, with the result that they found that the blocks they required were being taken at these very high prices by other persons. Therefore, at the second sale, they had to come in, and either bid for the land or lose their business altogether.

Mr. HANNAH.—Whose fault was it that the prices were run up in that way at the first sale?

Mr. DOWNWARD.—It was done by outside speculators.

Mr. HANNAH.—The Government knew about that, and were warned about it.

Mr. DOWNWARD.—The great prospects did not develop, and shortly after the mine was established it was seen that the business people could not pay such high rentals. The result was that the present Chief Secretary, who was then Premier, came to Wonthaggi, and, recognising that reductions should be made, he promised to introduce a Bill to bring down the rentals. From time to time that measure was delayed. A large deputation came to Melbourne on the subject at the time of the strike in Wonthaggi. Business had then almost come to a standstill, although these people were still expected to pay their high rents. The Chief Secretary promised the deputation that the matter would have his attention at the earliest possible moment. In spite of all his efforts to get it through, however, the Bill did not become law until about the beginning of the present year. Two years had elapsed from the time they had agitated for a reduction of the rentals. Therefore, they urged, as the rentals had been shown to be absurdly high, that the new valuations should date back to the commencement of the leases. The Chief Secretary was not prepared to concede that, but he recognised that a claim had been established by his promise to give the relief which he had not been able to afford sooner. Therefore, he agreed to allow the reduced valuations to date back twelve months prior to the passing of that Act. That would take them back to 31st December, 1911. At the present time the rentals are very high.

Mr. J. W. BILLSON (*Fitzroy*).—Have they not been reduced?

Mr. DOWNWARD.—Not yet. They are to date back.

Mr. J. W. BILLSON (*Fitzroy*). — To 1911?

Mr. DOWNWARD.—Yes. That was in accordance with the promises made from time to time.

Mr. J. W. BILLSON (*Fitzroy*).—When were the promises made?

Mr. DOWNWARD.—When the Governor visited Wonthaggi shortly after the mine was opened, the present Chief Secretary made the promise.

Mr. J. W. BILLSON (*Fitzroy*).—Why did not he carry it out last year?

Mr. DOWNWARD.—Because he was not able to get the Bill brought on.

Mr. J. W. BILLSON (*Fitzroy*). — The Bill was brought on.

Mr. DOWNWARD. — That did not deal with the re-valuations.

Mr. J. W. BILLSON (*Fitzroy*).—Neither does this.

Mr. DOWNWARD.—Under this Bill they will date back twelve months prior to the passing of the Act.

Mr. J. W. BILLSON (*Fitzroy*).—Next year there will be another proposal to date back.

Mr. DOWNWARD.—No, I think not. At the last deputation which waited on the Government some of the men gave particulars which, I am sure, they furnished with reluctance. They disclosed the state of their private affairs. It was shown that men with important businesses were quite unable to make such payments. They could not take advantage even of the extended terms of the lease without paying the arrears which they owed. It was made manifest that only a few could comply with the conditions. There were a few men who had complied with the building conditions. They were well-to-do men. If the Government insisted on the payment of those high rentals, and gave no concessions in remissions, only those well-to-do men would have been able to take advantage of the freehold provision, or the extended lease. It was made clear that all the men in poorer circumstances would not be able to pay up the arrears. When speaking on the subject in the first place, I mentioned that with such terms, ten years was too short for these people to pay the money in. I knew the position so well. The proposed remission of rent will amount to about £3,000.

Mr. MURRAY.—I think as it is one year it will be about £1,500.

Mr. DOWNWARD.—Apart from the remission of rent, however, the Bill will allow a longer term for the payments, but they will carry interest. This concession is very important to all the poorer men in business at Wonthaggi. If it is not made, there are a number of men who will get the whole of the business, because they are the only ones who can go through with the conditions. That is the reason why we have pressed the Chief Secretary to make this concession. All the arrears must be paid before the men can benefit by the last Act. I am sure if honorable members knew exactly those who would be unable to avail themselves of that measure, they would insist that all the poorer men should participate in the benefits. Therefore, I hope that the Committee will agree to this clause. If honorable members make the slightest inquiry they will find that the concession is urgently needed, not by the well-to-do business people, but by the poorer ones.

Mr. J. W. BILLSON (*Fitzroy*).—Originally, as the Committee knows, this land did not go off very well. An auction sale was then arranged, and men bid for these business sites, prices which I and most honorable members considered were unreasonable. At that time the honorable member for Collingwood strongly protested against the action of the Government in disposing of the sites in such a way. The honorable members who supported the Government have been most anxious to reverse the effects of that policy ever since, although they laughed and jeered at the honorable member for Collingwood at that time.

Mr. DOWNWARD.—Who jeered?

Mr. J. W. BILLSON (*Fitzroy*).—A large number of honorable members in this House laughed at the idea. It was painful to see it. The honorable member for Collingwood was absolutely correct in his opposition to the Government's methods.

Mr. MURRAY.—He wanted the Government to fix the price, and then invite applications.

Mr. J. W. BILLSON (*Fitzroy*).—Yes, that was the proper thing to do. Anyhow, the Government were doing wrong, and the honorable member for Collingwood pointed it out. The result of their action is that honest men who desired to establish businesses in Wonthaggi, and recognised what was a reasonable rent to pay to permit of them founding a decent and prosperous business, were outbid.

Mr. FARTHING.—Lucky men.

Mr. J. W. BILLSON (*Fitzroy*).—That all depends on the point of view. The man who fails in some circumstances may succeed under other conditions. A number of the men who were prevented from going there might have made a success of it if they had had the opportunity. But whether they were lucky men or not, the right thing was not done. We started on the leasehold principle. We were going to establish at Wonthaggi a Government city. We were going to take the whole of the unearned increment to improve Wonthaggi, and make a model city of it, and we were going to insure to the miner who worked at that mine a home so long as he worked there. This Bill upsets all the calculations that we made.

Mr. MURRAY.—This clause does not deal with that.

Mr. J. W. BILLSON (*Fitzroy*).—The next clause does. The Government then said, "We made a mistake; you can buy the land, and get extended terms." I think the terms were to extend from ten to twenty years. They then made these people a present of all the rent that they had paid, inasmuch as it was provided that it should be counted as payment towards the freehold, so that those men who bought got a double advantage. Although they may have paid inordinate prices in the form of rent, eventually the money they had paid was regarded as purchase money.

Mr. MURRAY.—That is taken into consideration in the re-valuation.

Mr. J. W. BILLSON (*Fitzroy*).—It does not matter whether it is or not. The higher the rents these people pay, the quicker they will be able to liquidate the debt owing to the Government for the freehold. Sub-section (3) of section 4 of the Act passed last year provides:—

> The rent payable by the lessee of any lease of Crown land in the township of Wonthaggi as a site for any purpose other than for a dwelling solely, shall be—
>
> . . . . . .
>
> (*b*) As regards any lease (the term of which is extended under this section) for the first ten years from the date of the commencement of this Act, and for every successive period of ten years, such amount per annum as shall from time to time be fixed by the Board.

The Government were convinced twelve months ago that that was the right thing

to do, and they had the whole-hearted support of the Ministerial side of the House. The honorable member for Mornington asserts that at the opening of the mine the Government made a promise that this should be done.

Mr. DOWNWARD.—When the Governor was down there.

Mr. J. W. BILLSON (*Fitzroy*).—At the opening of the mine——

Mr. DOWNWARD.—At the inspection of the mine, in the early part of 1911.

Mr. J. W. BILLSON (*Fitzroy*).—Yet the Government brought down a Bill in 1912 that made the fulfilment of the promise date from 1912, instead of 1911, and the honorable member for Mornington and others passed that Bill because it was carrying out the promise which the Government had made to the settlers at Wonthaggi. That was the reason given last year when the Bill was brought in.

Mr. DOWNWARD.—About twelve months after the promise was made.

Mr. J. W. BILLSON (*Fitzroy*).—And two years afterwards the Government bring in a Bill which ante-dates the measure passed last session twelve months. If last year's measure was just, then this Bill is not.

Mr. DOWNWARD.—There was no re-valuation then.

Mr. J. W. BILLSON (*Fitzroy*).—That does not matter. The Act of 1912 came into force in December last, and the re-valuations, whenever they are made, will operate from the date of the passage of that Act. Now the honorable member for Mornington and the Government desire that these people should be given a present by ante-dating the Act passed last year by twelve months. Mind you, this is giving away the money that has been legitimately paid in rent by the settlers to the State.

Mr. DOWNWARD.—The Government are not giving it away; the rent is in arrears, and in many cases the Government would not be able to get it. They have not got it; that is the trouble.

Mr. J. W. BILLSON (*Fitzroy*).—This is the first time I have known a Bill to be introduced into Parliament in order to allow people to escape their liabilities. The Chief Secretary, in introducing the Bill, said, "I do not think honorable members ought to be more hard on these people than private individuals would be."

Mr. DOWNWARD.—The Government came to the assistance of Mildura with £10,000 to save the town.

Mr. J. W. BILLSON (*Fitzroy*).—Governments have done a lot of funny things. They have written off a lot of money in connexion with irrigation Probably the amount would run into a couple of millions of pounds. I do not know whether that was justifiable. The Government provided head works for the irrigationists costing thousands and thousands of pounds, on which no interest is charged to the irrigationists to-day.

Mr. DOWNWARD.—Then why do you object to these people at Wonthaggi getting some concession that they need so badly?

Mr. J. W. BILLSON (*Fitzroy*).—The argument of the honorable member is that if we start wrong no one should endeavour to put us on the right track. The honorable member got into the wrong groove at the start, and he cannot understand any one trying to get him out of it. If the Government promised that the provisions of the measure passed last year should take effect from 1911, then last year they misled the House, and the measure of last year was carried under false pretences.

Mr. DOWNWARD.—No; it works automatically.

Mr. J. W. BILLSON (*Fitzroy*).—Then this will come up every year automatically.

Mr. DOWNWARD.—This cannot be done unless the House concurs in it.

Mr. J. W. BILLSON (*Fitzroy*).—Neither could it be done last year without the House concurring. According to the honorable member's statement, long before 1912 the Government promised to give these people the relief they are now proposing to give them. Yet in 1912 they brought down to the House a Bill that involved enormous concessions from the public funds to the settlers at Wonthaggi, and assured the House that that would be the final settlement with which all parties would be satisfied. Now the Government have drawn up another Bill to give the settlers other concessions, proving conclusively that the statements that were made to the House last year were false, and that the Act passed last year did not carry out the agreement that had been made.

Mr. MURRAY.—The Act of last year provides for the conversion from leasehold to freehold.

Mr. J. W. BILLSON (*Fitzroy*).—It made other concessions, too. It provided that the money paid in the form of rent should be counted as part of the purchase money. Though the high rents at Wonthaggi have been cried out about, those who have paid them have simply paid them as a deposit towards the purchase of their holdings, and not as rent at all.

Mr. DOWNWARD.—No; it is only in connexion with the miners' cottages that the rents go towards the purchase money. Business people do not get that concession.

Mr. J. W. BILLSON (*Fitzroy*).—If the House is agreeable to making the settlers a present of this money, I have no objection. I only hope that settlers in other districts will be granted similar concessions, but I want the House to be fully seised of what it is doing. We passed an Act providing that the reduced estimates of rent were to come into force in 1912. The Government have now brought in a Bill to make the Act come into force twelve months earlier. If that is the policy of the Government, and they have a majority behind them, any protest we make will fail. There is another matter that it would be just as well for the honorable member for Mornington and the Chief Secretary to ponder over a little. The settlers asked for a reduction of the rents and of the price of the land. A re-valuation is demanded, and acceded to by the Government when the land values have come down. Are the custodians of the public estate prepared to adopt that as a principle or only as an expedient? Must they adopt it in certain circumstances to retain support, or will they adopt it as a principle, and revalue those lands that settlers are occupying as leasehold or freehold? Will they revalue those lands that have increased in value as well as those that have depreciated? Have they the courage to increase the appraisement of land taken up under certain conditions because the land has increased in value? Are they prepared to bring in a Bill to increase the payments of settlers or to increase the price of the land because of the unearned increment? Where land has been enhanced in value the Government say nothing at all, but it is different where land has been reduced in value, because our anticipations have not been realized. If the statement made in the Budget to-day is true concerning Wonthaggi, our anticipations are likely to be realized in the future. It would be much better if the Government had remitted for the time being rents that are due and cannot be paid. That could be done provisionally until the affairs of Wonthaggi were in a better condition. I do not think this wholesale playing with the public funds does credit to the Government and the House.

Mr. FARTHING.—The Minister in charge of this Bill has stated that he thinks the proposed concession is a fair one. It is not a fair compromise, for it does not go far enough. I can well remember when the auction sales were held the hysteria that existed, and the glowing pictures painted of what Wonthaggi was going to be. It was to be a kind of Utopia, where no evils would exist. It was to be a place where the whole of the money coming to the Crown was to be spent in improvements, and where no rates and taxes were to be paid. These were the conditions that the general public were led to believe were going to exist, and they were the conditions put forward by the auctioneers who conducted the sales. I attended two of the sales, and I can speak from personal experience with regard to one of them. A lot of people were led to believe at that time that the conditions of Wonthaggi——

Mr. MURRAY.—Would it not be more correct to say that they led themselves to believe?

Mr. FARTHING.—No. The auctioneers who were conducting the sales were authorized to do so by the Government, and were supposed to speak in the name of the Government. The promises they made should have been honoured, but they were not. The rates and taxes were about the highest in the whole of the State. At one time the water-rate was outrageous. The business people who went there and spent their money were grossly misled, with the result that quite a number of them have been through the Insolvency Court. Some were lucky enough to get out by selling to others or by other means. Quite a number had to allow their leases to fall in, for they could not keep up their payments. The concessions that are to be made now, although they are being tardily made, are only right and fair. The Wonthaggi settlers and the business people have not up to the present been given a fair deal, and the Government are only doing now, at a late hour, what they should do.

Mr. HANNAH.—The Government must admit that the lines they took up originally were wrong, and that the conditions they imposed were of such a nature in the early history of Wonthaggi as not to show very much wisdom on the part of those responsible.

Mr. MURRAY.—It was not the conditions that were imposed, but the prices that were offered at auction.

Mr. HANNAH.—The honorable gentleman, who was Premier at the time of the first sale, knew perfectly well that speculators were out to collar what they considered to be the best sites for speculative purposes. Many of these men had to forfeit to other individuals because they could not transfer. The matter was mentioned in the House, but the then Minister of Mines, who is now Agent-General, was obdurate. He would not listen to reason. We could see what was going to eventuate with regard to the booming of the values. We knew that the values were not warranted. The Government led numbers of men into the position of competing for land in what they were told was going to be a model public city. The Minister of Mines at that time said it would be a second Geelong.

Mr. MURRAY.—That has been verified.

Mr. HANNAH.—He said it would be a second Geelong in regard to population.

Mr. MURRAY.—The population might have been 10,000 if it had not been for the strikes.

Mr. HANNAH.—If it had not been for the Murray Government the population might have been 20,000, because coal could have been produced to sell to the public. Had the Murray Government the pluck and backbone it ought to have possessed, it would have seen that the public was supplied with coal. Then the promises made to the people going there to do business would have been fulfilled.

Mr. MURRAY.—Is this relevant to the Bill?

Mr. HANNAH.—Yes; it has a direct bearing on it. If we had had business capacity brought to bear upon this, the results would have been different.

Mr. MURRAY.—If it was not for that bad clay the honorable member chose down there, we should have been all right.

Mr. HANNAH.—If it had not been for the stubbornness of the then Minister, the brick kiln would not have been where it is, and thousands of pounds would have been saved to this community. The site upon which a considerable amount of money had been spent was a place where good bricks could have been made, but I found that this particular site had been promised to the Salvation Army. Sooner than make a success on that site, and allow the machinery to be erected there, the Minister swapped horses, although it did not make any difference to the Salvation Army where they were located. We proved that there was good material at that site for making bricks. I implored the Minister not to change the sites, but when I found that he thought he knew more than a practical man, I told him to go on, and I have never been near the site since. The machinery was removed to a place where the clay was not suitable for the manufacture of bricks by the method adopted.

Mr. MURRAY.—I think the honorable member, and the former Minister, were equally to blame about the brick-making. The Minister gave us to understand that he was guided entirely by the honorable member's advice, and that he had implicit faith in the honorable member where bricks were concerned.

Mr. HANNAH.—I think I informed the Treasurer, if not the Chief Secretary, that he would come to ruin at this site, and waste all the money that was expended there. The present manager, if he tells what he knows to be correct, will say that he asked me if anything could be done to prevail upon the Minister not to remove from the present site, and I went out of my way to do that, but the Minister was obdurate, as he was in most of these things. I have had a great deal of experience in building and with building material. The Minister followed his own inclinations, against the advice of a practical man, who has built a number of big kilns.

Mr. MURRAY.—I think this is a matter the Brick Commission might inquire into.

Mr. HANNAH.—If the honorable gentleman likes, we will give the facts, if he will include this matter within the scope of the Commission.

Mr. MURRAY.—The honorable member can take no part in that inquiry, he being an interested party.

Mr. HANNAH.—The measure before us is one that places honorable members in a very unfortunate position. The clause we are now considering is the crux of the measure. Certain representations were made to the House by the honorable member for Mornington, and also by the honorable member for East Melbourne. It is to be deplored that, as the result of the conditions laid down by the then Government, nothing but disaster could follow. The Government have gone against the advice of those who wanted to see Wonthaggi a success. The Government stated that they believed in the principle of leasehold. Is it a fair and honest thing for a Government to place upon the statute-book the principle of leasehold, and from the very jump endeavour to kill that system? The strongest opponents of leasehold must admit that it has not had a fair run.

Mr. MURRAY.—It is the same everywhere. People no sooner get the leasehold than they want the freehold.

Mr. HANNAH.—All Governments have not the same quality of backbone. We have seen a Government in New Zealand with backbone. They did not run away from the principle.

Mr. MURRAY.—They have in New Zealand.

Mr. HANNAH.—It is another Government.

Mr. MURRAY.—It is a pretty good Government, then.

Mr. HANNAH.—When this principle was introduced, a good many speeches were delivered on the Bill. The present Minister of Lands, who is at present absent through illness, was in charge of the measure, and he had the facts at his disposal more than the present Chief Secretary has. We had a measure before us which was to do a certain thing from the passing of that measure. I have looked the matter up, and find that not a word was then said as to these promises that the change was to go back to the period when the Governor visited the field. It is funny that two years after that event we should be told that, from the period of that visit, this alteration was promised. Twelve months after that we had a Bill before us, and not a word was said about a promise made at the time of the visit of the Governor, nor about a change that was to take place from that period.

Mr. SOLLY.—That was done over a social glass.

Mr. HANNAH.—I do not know whether it was over a social glass or a convivial glass.

Mr. MURRAY.—Wonthaggi is a teetotal township.

Mr. HANNAH.—It very much depends on which club one belongs to.

Mr. MURRAY.—I had not the honour of being introduced to any club.

Mr. HANNAH.—I certainly do protest strongly against what is proposed. The honorable gentleman knows that I impressed the matter upon him, and absolutely convinced him on one occasion. He sent for the Minister, and Mr. Reed was also called in. The honorable gentleman believed that what I placed before him should be done, but he was powerless, and it was not done, and there has been a great deal of misery as the result of bungling.

Mr. MURRAY.—That man of iron, the Baron of Wonthaggi, was "running the show."

Mr. HANNAH.—He was not able to "run the show" when it came to the question of selling coal to the public. Surely he should have had the power to compel the Government to sell coal to the public, and so enable a greater output to be made from the mine. That is the secret of the whole of the trouble we are experiencing to-day. The Government should have endeavoured to keep faith with the public, so as to enable all classes to get coal from this mine as they could from any other mine. But, unfortunately, to-day one-third of the coal produced goes into slack, and only a privileged section of the community are able to purchase all that slack coal at less rates, so we are told, than it is produced at.

Mr. MURRAY.—Oh, no.

Mr. HANNAH.—Yes; I am told that the slack coal is sold at lower rates than it costs to produce it, when you allow for all the charges. Seeing that only a certain privileged section who buy the slack in this way can get this coal to-day, surely the time has arrived when we ought, in connexion with the management of this town, to take some action which would have the effect of changing the condition of things. If matters had been carried out three years ago in the

way that ought to have been adopted, the town of Wonthaggi would have been now a prosperous place; and, instead of having a population of only 5,000 or 6,000, it would have probably a population of 15,000.

Mr. MURRAY.—Are the tenants to be made responsible for any mistakes of the Government?

Mr. HANNAH.—No; but I want to hold the Government responsible for the want of capacity in dealing with Wonthaggi generally, and with the development of this coal mine.

Mr. MURRAY.—You make the House smile when you talk of want of capacity.

Mr. HANNAH.—Of course, I know it would be impossible to compel the honorable gentleman to do anything when it is beyond his capacity to do it. I do not blame him, of course. If he has not the capacity to do a thing, he cannot be expected to do it.

Mr. MURRAY.—Nature so richly endowed the honorable member with capacity that very little was left for anybody else.

Mr. HANNAH.—Seeing that the honorable gentleman came before me, I had to take what was left. I think I have put my finger on the weak spot in connexion with the action of the Chief Secretary and the Government as regards Wonthaggi during the last four years. They have been too weak-kneed to carry out the policy which should have been carried out in the interests of the country.

Mr. MURRAY.—This is too big a speech for a little Bill like this. You should make it on the Budget.

Mr. HANNAH.—I think I have a perfect right, on this Bill, to point out the reason why it is necessary now to take a retrograde step of this kind.

Mr. MURRAY.—Why "stone-wall" a little measure like this, that is for the relief of poor people?

Mr. HANNAH.—I am not doing anything of the kind. I have had a great deal of sympathy with many of these men from the beginning; but I contend that if the honorable gentleman and the Government had shown a little statesmanship and capacity in the past, a measure of this kind would not have been necessary. The Chief Secretary admits the blunders which have been made in connexion with this matter by now bringing forward a measure that proposes to take quite a different course. The Government started out by professing to adopt a policy different from any that had been previously adopted in Victoria, with regard to leasehold, for the purpose of making Wonthaggi a model State-owned town; and now we see, as the result of the bungling which has been displayed from the beginning in carrying out that policy, the abject failure which has ensued up to the present. And why has there been this failure, so far as the carrying out of the principle is concerned? Simply because the carrying out of that principle was loaded with such conditions as the honorable member for Mornington knows were unjust and unfair. The honorable member for Fitzroy, myself, and other honorable members, tried to persuade the then Minister of Mines, who has been termed by the Chief Secretary the "Baron of Wonthaggi," to adopt a different course.

Mr. ELMSLIE.—The "Iron Baron of Wonthaggi."

Mr. HANNAH.—In the absence of that gentleman, I do not want to put any blame upon him.

Mr. MURRAY.—You have blamed him for the bricks, at any rate.

Mr. HANNAH.—I have blamed him in his presence, and I think I was quite correct in doing so. I do not want, however, to blame any man behind his back by saying anything about him which I would not be prepared to say before his face. As far as this particular measure is concerned, it seems to me that we have to accept it in view of the position that we are up against just now. That, however, does not speak very much for those gentlemen who tried to do something but had not the capacity to do it—who endeavoured to do the right thing and did not know how, but simply blundered along on lines which they now admit to have been wrong. The chickens have come home to roost, with the result that the Government must come before the House in this abject way and admit, in this short Bill, that failure has followed them in connexion with the carrying out of a principle which they only pretended to support, and which, in fact, they really tried to kill from its inception. In view of the statements which we have heard with regard to the great possibilities in connexion with the deve-

lopment of this coal mine, I trust that, if the Government have not the backbone, in the interests of the coal industry, to do what is required, they will step out and give somebody else that has the capacity a chance of carrying out the development of this mine.

Mr. ELMSLIE.—Mr. Chairman, I do not know whether you have heard of Dr. Watts, who is credited with a couplet something to this effect—

> Oh, what a tangled web we weave
> When first we practise to deceive.

Mr. MURRAY.—That is not Dr. Watts.

Mr. ELMSLIE.—I thought it was. It seems, from the discussion which has taken place, and from the remarks of the honorable member for Mornington and the honorable member for East Melbourne, that there has been nothing but deception and deceit from the beginning with regard to this township. The auctioneers were liars, and no one was honest in connexion with the matter in any way.

Mr. CARLISLE.—Who are the auctioneers?

Mr. ELMSLIE.—I do not know; but some very nasty things have been said about the power they wielded, and the influence which they exercised on people who went to Wonthaggi to obtain land. It is quite evident that a huge blunder was made, and that a great deal of injustice has been done. We have had the Wonthaggi land business before us on several occasions. We have abandoned the leasehold principle, and gone into freehold, and even that has not had the desired effect. What I object to is that less than twelve months ago the Government came down with a measure which we were told would give the relief that these men should have, and now the Government bring forward another measure, and tell us that the other Bill did not go far enough. This shows at once that the last measure was an ill-digested one.

Mr. MURRAY.—It did not concede enough.

Mr. ELMSLIE.—That means it was ill-digested. What guarantee have we that within another twelve months we will not be asked to pass another Bill of this kind? Taking the whole history of the dealings in Wonthaggi land, we find that from the start there has been nothing but alterations and fresh legislation, and all the time a poor mouth is made about the men who have invested there. We can sympathize with them, and with any one else who makes a bad bargain, but these men were not forced into it. They went into the open market as keen, shrewd business men.

Mr. MURRAY.—They were not keen, shrewd business men.

Mr. ELMSLIE.—From what I have heard there are plenty of them who have been successful. It is true that some of them have gone insolvent, but instances of that kind will be found amongst the business men in any town. I do not think it is fair to say that those men became insolvent because of the high prices charged for the land. However, there is no need for the State to be a harsh landlord. In one way, I am glad to welcome this Bill, because if it is passed there is no reason why similar relief should not be given in the future to purchasers of land from the Government in other districts besides Wonthaggi. I have a place in my mind's eye, not far from the constituency represented by the Chief Secretary, where land was purchased by the Government at more than twice its value.

Mr. MURRAY.—You are referring to the Keayang Estate?

Mr. ELMSLIE.—Yes.

Mr. MURRAY.—Those settlers will have to get some relief. The matter is being dealt with now.

Mr. ELMSLIE.—I am glad to hear it. It is pitiful to read the letters from poor, unfortunate men and women there who are making a hard fight, but are fettered in every way.

Mr. MURRAY.—What we are giving to the men at Wonthaggi is a small thing for the Government, but it is a big thing for them.

Mr. ELMSLIE.—Quite so. I am not opposed to the concession, but I am opposed to this piecemeal kind of legislation. We do not know where we are, and have an uneasy feeling that there is no finality in what we are doing.

Mr. COTTER.—Instead of acknowledging manfully that previous legislation has been a failure, the Government come along now, within twelve months, and ask us to amend it. It was pointed out to the Government when the last Bill was before us that the measure must be a failure, but the Government had a majority on the Ministerial benches, and decided that, rightly or wrongly, their proposals should be adopted. There should have been no necessity for this Bill at all. If the

Government had brains and capacity enough to handle these matters, they had an ideal opportunity at Wonthaggi.

Mr. MURRAY.—Do not pour water on a drowned rat.

Mr. COTTER.—Before the State Coal Mine was begun, Wonthaggi was practically a wilderness. It is the expenditure of the people's money that has made Wonthaggi township. The Government had the opportunity of making it an ideal township, but they did not understand the position, and they bungled the leasehold principle from first to last. From the outset this Government had no sympathy with the leasehold principle. These re-valuations would not have been necessary if the matter had been handled properly in the first place. At the first auction sale, the local people were not prepared to give what the Government considered to be reasonable prices. The then Minister of Mines, Mr. McBride, said, "I will make them pay proper prices for the land." Speculators then went down from Melbourne, and gave two or three times as much as the land was worth. What were supposed to be business frontages were sold in Murray-street. I would like to see any business being done there.

Mr. J. W. BILLSON (*Fitzroy*).—One could not imagine any business being done in Murray-street.

Mr. MURRAY.—We ought to have a Billson-street as well.

Mr. COTTER.—There is a Billson-street there already.

Mr. MURRAY.—We should also have a Cotter-street.

Mr. COTTER.—I hope you will not have it in some of the places I saw. When I was there I saw a scraper taking 3 feet off the roads, because wrong levels had been adopted. The whole thing has been bungled. I have no objection otherwise to the Bill, but I think the Chief Secretary might have said, "This measure is the result of a jovial visit we paid to Wonthaggi, when I took His Excellency the Governor down there."

Mr. MURRAY.—No. His Excellency took me down.

Mr. COTTER.—The Chief Secretary should have said, "This Bill is the result of our previous bungling. Put it right this time, and we will be able to continue in a right manner." The people of the State will be able to see with what efficiency they have been governed in the past.

The clause was agreed to, as was also clause 3.

Clause 4—(Purchase of State-owned cottages).

Mr. COTTER.—I would like the Chief Secretary to reconsider this clause. It makes some provision for cottages for men working in the State Coal Mine. Other men may be working in business places in Wonthaggi, and may wish to own homes of their own.

Mr. MURRAY (Chief Secretary).—The object of the clause is to do exactly what the honorable member wants. It puts other people in the same position as mine employés.

The clause was agreed to.

Clause 5—

Notwithstanding anything contained in any lease of any Crown land in the township of Wonthaggi as a site for any purpose other than for a dwelling solely, the buildings erected thereon may be constructed of such materials (not necessarily stone, brick, or concrete) as the Board approves.

Mr. HANNAH.—This clause knocks out the condition as to the erection of stone, brick, or concrete buildings.

Mr. MURRAY.—So that good, substantial wooden buildings may be approved of.

Mr. HANNAH.—What chance is there of having substantial buildings in Wonthaggi if weatherboard structures are permitted? If stone, brick, or concrete buildings had been insisted on from the start, a large number of people would not have gone to the expense of putting up temporary structures. All that was unnecessary expense.

Mr. ELMSLIE.—This will make another crop of grievances.

Mr. HANNAH.—Yes. Certain men have complied with the conditions which were laid down. Now it is proposed that those who did not do what was stipulated may be able to have wooden buildings.

Mr. MURRAY (Chief Secretary).—What the honorable member for Collingwood says is quite right. As far as I understand the position, it is this: Some of the occupiers of these business sites have spent about all the money they possess. They have put up respectable buildings, although they are not of brick or stone or concrete, the materials of which it was intended all the business houses of Wonthaggi were to be built after three years' occupation. At the end of three years a temporary

tenement was to be superseded by a building of a more durable material, such as I have mentioned. Now some of the men have, as I have said, spent all their money, but they have got what would be considered in many country towns, respectable buildings, sufficiently good for carrying on their businesses, although they are buildings of wood. If you compel those men to remove their wooden structures, which are suitable for all their requirements, they would actually be in a worse position than if they had erected no building at all. They would have to demolish and remove them, and get what they could for the material.

Mr. HANNAH.—Temporary wooden buildings are to be allowed to remain?

Mr. MURRAY.—Some of the tenements, regular ramshackle, old affairs, should be removed at once. The Board will have to consider all the circumstances. It has been urged that it is putting a heavy tax on people who have good wooden structures to compel them to erect expensive brick or stone buildings. Of course, if that brick experiment had turned out a success, the cost of doing so would have been less.

Mr. HANNAH.—They can turn out a good brick.

Mr. MURRAY.—What the honorable member for Collingwood says is absolutely correct. If the original site for the works had been adhered to, it would have been attended with a considerable measure of success. They went, however, to a spot where the clay was of an unsuitable character. That was evident to those who accompanied His Excellency the Governor on that historic visit to Wonthaggi. I admit it is hardly fair to those who have complied with the conditions, and put up excellent brick structures, that others should be allowed to erect buildings of a less substantial material. However, I dare say that the man who has the finest and most imposing structure will have certain advantages over the man whose tenement is of a less magnificent character. The Board will have to use very careful discretion as to what they approve. It would never do to allow men to put up undesirable or unsightly structures in competition with others who have erected a respectable class of building. One objection to the wooden building in any centre is its greater liability to fire. I would like, as every honorable member would like, to see, not only in Wonthaggi, but elsewhere, all our buildings constructed of stone or brick. The day will come when that will be done. It does seem a somewhat drastic condition to impose on Wonthaggi that all the edifices in the township shall be of brick, while we see numbers of wooden buildings in the suburbs clustered around Melbourne, even in the great city which the honorable member for Collingwood represents.

Mr. HANNAH.—They were constructed many years ago. They are building only of brick in Collingwood now.

Mr. MURRAY.—The honorable member would hardly go so far as to say that, as they are only building brick buildings now, all the wooden edifices should be swept away. I know that in Richmond there are a great number of wooden houses, and many of them will be permitted to remain for years to come. When they are superseded, I trust there will be building laws in operation which will compel the erection of residences or places of business of material after the heart of the honorable member for Collingwood, such as brick, the very finest kind of brick. I think this relaxation of the original condition may be safely trusted to the Board, and that nothing unsubstantial or flimsy in character will be permitted in the township of Wonthaggi.

Mr. HANNAH.—The Chief Secretary has practically admitted what I contended in connexion with this clause. People had to erect substantial buildings, and the consequences to them have been serious. The Government laid down conditions that were taken from the city of Melbourne building regulations, and I could name some people who have been ruined through having to put up the buildings required. Some of the people will never be able to get a fair return. Now, other people who come along, besides getting a certain concession in connexion with the rents they will have to pay, will be able to carry on their businesses in what are practically temporary structures. The Chief Secretary must see that an injustice was done to those who, at the beginning, complied with the building conditions laid down.

Mr. DOWNWARD.—We recognise that.

Mr. HANNAH.—I tried to persuade the Government to make the conditions easier, but nothing would do them but the city of Melbourne building regulations. Those regulations were applied to Wonthaggi, and that was most unfair to the people who had to erect buildings.

Mr. DOWNWARD. — While we recognise that there is some little unfairness to those people who complied with the very stringent building conditions laid down, it would have improved the town if similar structures to those erected under those conditions had been erected all over it. The justification for this provision is the same as the justification for the reduction of the rentals, and that is, that a number of the leaseholders could not possibly carry out the conditions of the lease. Many of them have buildings suitable for carrying on their businesses constructed of material other than brick or stone, so provision is made that they need not pull down those buildings, but may carry on their businesses in them. There is no danger of a number of ramshackle buildings being allowed in Wonthaggi, because the Board of Land and Works will see to that. The people will not be allowed to determine the kind of buildings they will put up, but the buildings must be approved of by the Board, and the Board will give notice to those who have ramshackle buildings to pull them down. But there will be no danger of any hardship being inflicted, as would be the case without this provision. The men who have erected suitable temporary buildings, seeing that the three years is now all but expired, would, without this provision, besides having to make payment of all arrears forthwith, have to pull down their present buildings and erect brick, stone, or concrete buildings. There are practically no bricks at Wonthaggi. There are a few kilns there, but there are not very many bricks, and it would be a most expensive undertaking to erect a brick building. I may say that the Government have not run after these people to make them the two concessions given in the Bill. I have had considerable difficulty in getting the Government to make these very necessary concessions. It is not very easy to get the Government to write off money. Although it has been done in the past, it has only been done, I think, when it has been brought home to the Government that the necessities of the case imperatively demand it, and I am glad to see that the Government has recognised that it is necessary to give relief to the people at Wonthaggi in both particulars dealt with in the Bill. I am only sorry that the Government was not sufficiently impressed to be induced to date the reduced valuations back right to the commencement of the leases. It is a hardship to the poorer section of the people that that has not been done. The justification for doing it would be that the new valuations made by competent men, with a full knowledge of the town, are actually two-thirds lower than the old valuations. That shows that it is very unfair not to date the reduced valuations right back to the commencement of the leases. However, I am always ready to take half a loaf rather than no bread, and I do not feel justified in battling with the Government in order to get the reduced valuations dated right back to the commencement of the leases. I am sure honorable members will see subsequently that the provisions they have agreed to are very necessary in the interests of a large section of the people at Wonthaggi.

The clause was agreed to.

The Bill was reported without amendment, and the report was adopted.

On the motion of Mr. MURRAY (Chief Secretary) the Bill was then read a third time.

CRESSY LAND BILL.

Mr. MURRAY (Chief Secretary) moved the second reading of this Bill. He said—The Bill revokes a reservation of land that was reserved for State school purposes in 1874. The area of the land is 1 acre. It is not required for the purposes of education. The Education Department agrees to the revocation. After the revocation the area will become Crown land, and it is intended to use it as a site for a police station.

The motion was agreed to.

The Bill was then read a second time, and was afterwards passed through its remaining stages.

ADJOURNMENT.

Geelong Waterworks and Sewerage Trust.

Mr. WATT (Premier).—I move—

That the House do now adjourn.

Mr. ELMSLIE.—I desire to bring under the notice of the Premier what I

consider to be a rather important matter. Section 15 of the Geelong Waterworks and Sewerage Act provides that—

Every contract, when for executing works by the Trust, shall contain a clause that the contractor shall not employ any workman or labourer for a longer time than eight hours in each working day. No workman or labourer employed by the Trust shall be required to work more than eight hours each day, except in cases of accident or emergency, and in all such cases the overtime shall be paid for as follows :—

Then it goes on to specify the overtime rates. This is a public body carrying on a public work, and if any one should act up, not only to the spirit but the letter of an Act of Parliament, such a body should do so. Parliament deliberately placed this section in the Act so that the workmen employed either by contractors or directly by the Trust should work only a certain number of hours per day, namely eight. The facts are that these Geelong Commissioners have ignored that section. Trouble is likely to arise, and will be brought about by the very fact that these men on the Trust have seen fit to go over the head of Parliament by framing labour conditions of their own. I have a copy of the specification for the construction of pipes, and the Commissioners have inserted a clause dealing with the hours of labour, instead of doing as Parliament directs. They have brought about conditions of their own, and the consequence is that there is a lot of trouble to-day. Sub-clause (4) of clause 27, drafted by the Trust and dealing with the rates of wages to be paid and the number of hours to be worked, provides that—

In all classes of labour, forty-eight hours shall be considered as a week's work, except in the case of masons, when forty-five hours shall constitute a week's work. This rule, however, shall not apply to those workmen, the necessities of whose employment demand that longer hours shall be worked, as in the case of firemen, who usually have to get up steam for the day's work. The necessity for longer hours of labour in special cases shall be determined by the engineer, whose decision shall be final.

The Act of Parliament prescribes that the hours of work shall be eight hours per day, and that overtime shall be paid, yet the Commissioners, in this clause of theirs, provide for forty-eight hours per week. Even this clause they have inserted is not being carried out, and the men are working on the pipes for twelve hours per day, and are not receiving overtime rates. Parliament distinctly inserted the section I have referred to, but the trouble is that there is no method of enforcing it. No provision is made for punishing the Commissioners for any breach of the section. One would think that such a body, if it found the Act of Parliament was working against the best interests of the undertaking, would come to Parliament and endeavour to get it amended. Instead of that, the Commissioners set up conditions that are contrary to the spirit of the Act, and then they do not observe the flimsy thing they have brought into existence. I do not expect an answer now, but I am bringing the matter forward so that the Premier may make inquiries. I hope his inquiries will result in preventing the trouble that is likely to arise, not only in Geelong, but in other places as well.

Mr. WATT (Premier).—This is the first I have heard of this matter, but I shall take immediate steps to ascertain whether the information supplied to the honorable member is correct. I can promise, without the slightest hesitation, that I will take other steps to see that the Act is observed by this body.

The motion was agreed to.

The House adjourned at a quarter to four o'clock p.m. until Tuesday, October 21.

LEGISLATIVE COUNCIL.

Tuesday, October 21, 1913.

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

IMMIGRATION.

MISSION TO SWITZERLAND.

The Hon. W. S. MANIFOLD (in the absence of the Hon. H. F. RICHARDSON) asked the Attorney-General—

If the Government is prepared to favorably consider the proposal made by the Beech Forest Progress Association that Mr. Deppeler should be authorized to proceed to Switzerland, at his own expense, to induce some of his fellow countrymen with money and ability to come out and settle in the Beech Forest district on closer settlement terms?

The Hon. J. D. BROWN (Attorney-General).—The Minister in charge of immigration, who is dealing with the proposal put forward by the Beech Forest Progress Association, is now awaiting further information from Mr. Deppeler as

to the terms and conditions which he proposes to place before his fellow-countrymen in Switzerland.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by the Hon. A. ROBINSON, from certain electors in Albert Park, South Melbourne, and other districts; from certain electors in St. Kilda, Windsor, and other districts; from certain electors in Elsternwick and other districts; by the Hon. A. HICKS, from certain electors in Castlemaine, Chewton, and other districts; by the Hon. A. A. AUSTIN, from certain electors in Lethbridge; by the Hon. J. K. MERRITT, from certain electors in Auburn, Hawthorn, and other districts; by the Hon. A. O. SACHSE, from certain electors in Rutherglen; from certain electors in Tungamah; from certain electors in Burramine and other districts; from certain electors in Telford, Yarrawonga, and other districts; by the Hon. T. BEGGS, from certain electors in Streatham, Westmere, and other districts; by the Hon. E. J. CROOKE, from certain electors in Toora, Welshpool, and other districts; from certain electors in Maffra and other districts; by the Hon. W. L. R. CLARKE, from certain electors in Lauriston; from certain electors in Malmsbury; by the Hon. W. J. EVANS, from certain electors in Preston; and by the Hon. J. D. BROWN (Attorney-General), from certain electors in Carngham, Linton, and other districts.

CLOSER SETTLEMENT.

The Hon. J. D. BROWN (Attorney-General), in compliance with an order of the House (dated October 7), presented a return in regard to the areas of land purchased for closer settlement purposes, the amount paid, and other particulars. He said the return he was now presenting, on the motion of Mr. Richardson, was not absolutely complete, inasmuch as certain information the honorable member desired involved a long search in the Office of Titles. A search was now being carried on, and it would be, perhaps, a week or two before it was possible to complete it. He had thought, however, that it would be better to present the information that had been obtained so that no time might be lost.

STATE INSURANCE OF WORKMEN'S HOMES.

The Hon. J. D. BROWN (Attorney-General), in compliance with an order of the House (dated October 8), presented a return in regard to State Insurance on Workmen's Homes.

CRESSY LAND BILL.

This Bill was received from the Legislative Assembly, and, on the motion of the Hon. J. D. BROWN (Attorney-General), was read a first time.

WONTHAGGI LAND BILL.

This Bill was received from the Legislative Assembly, and, on the motion of the Hon. F. HAGELTHORN (Minister of Public Works), was read a first time.

CLOSER SETTLEMENT ACTS AMENDMENT BILL.

The debate (adjourned from October 8) on the Hon. A. Robinson's motion for the second reading of this Bill, was resumed.

The Hon. R. B. REES said that when the debate was adjourned on the last occasion he was discussing the question of change of opinion and the opinions that were expressed in 1904, when the Closer Settlement Bill was introduced by the then Government. It was emphasized in those days that we required to have people settled more closely on our country lands, and also that it was necessary to give better facilities for the housing of a certain class of people in the metropolis and other centres of population. The point then emphasized was that it was necessary to widen the facilities for people obtaining irrigable land, and also ordinary farming land, and the fact was also emphasized strongly that then, as now, certain people—poor people or people of the middle class—were unable to obtain homes of their own, either in the country or in the town. It was contended that we should do away to a certain extent with the landlord principle, and allow people to become their own landlords. In dealing with this question, he asked himself three questions. First, What were the interests and the rights of the State in connexion with section 69? Second, What were the interests and rights of the individuals concerned? And third, What was his bounden duty, as a representative of the people, in try-

ing to bring together the rights of the State and the rights of the individuals in this matter? He perceived, from his memory of the discussions that had taken place during the last eight or ten years, that the interests of the State could best be served by having people settled on our lands as farmers and freeholders—not on very large areas, but on areas sufficiently large to enable them to make homes for themselves and a comfortable living. The Government had sent railways into the country, and had spent enormous sums of money on schools, irrigation, and other public works, and still we were finding more and more that there was an exodus of people from the country to the towns, and especially to the great centre of Melbourne, which was rendering nugatory the efforts at peopling in the country, and making unremunerative the large amount of money spent on public works for the benefit of the people in the country. Honorable members must recognise that the great problem facing Victoria today, as it was facing practically the rest of the world, was to settle the people fairly closely on the land on areas sufficiently large to enable them to make a living. In Victoria, there was a concentration of people in the cities. In England, and even in the United States, there was the cry that the people were leaving the land and coming into the towns to live. In Europe, of course, where very intense cultivation was carried on, people could live in the towns and villages, and cultivate the small areas of land which they held, quite near to the centres of population, but under the conditions in Victoria it was impossible for a man to live in the city and cultivate land in the country properly. What we wanted in Victoria was to have people residing on the land. From that point of view, the interests of the State demanded that Parliament should do all it could to make people live on the land, or induce them to do so. He conceived that it was in the interests of the State that we should have as many freeholders as possible. He was a great believer in peasant proprietorship. Although it was necessary in England, and probably was also necessary here under certain conditions, to have a certain number of people holding land under leasehold and paying rent to land-owners, he thought that the best policy for Victoria was to have peasant proprietorship. That was what the public were demanding. There should be a number of holdings sufficiently large for men and their families to live comfortably on, and the man on the land should be the owner of the land in fee simple. He should be the absolute owner of the land, so far as was consistent with the rights of the State when any of that land was required for public purposes. That had been recognised in connexion with the issue of grants in Victoria for large and small areas. A lot had been heard about what were called "spotted titles." He was sorry such a phrase had been coined, and he thought that the man who coined it had done an irreparable injury to Victoria. A certain newspaper seemed to be emphasizing that phrase. Shakspeare said—

> Who steals my purse steals trash; 'tis something, nothing;
> 'Twas mine, 'tis his, and has been slave to thousands;
> But he that filches from me my good name
> Robs me of that which not enriches him
> And makes me poor indeed.

He (Mr. Rees) contended that the man who coined the term "spotted titles" robbed Victoria of her good name, so far as the issue of titles was concerned, and had done an irreparable injury to the State by that untrue and improper term. It would be almost impossible for a number of years to overcome that stigma, which had been thrown on the titles quite unjustly and wrongly by a certain newspaper and some gentlemen. The question was whether certain individuals were being wronged. Mr. Dickson, one of the best public servants, and a man of very wide experience in inquiring into public questions and judging on evidence, was appointed as a Commissioner, and he took great pains to find out how much truth there was in the large number of statements that were contained in affidavits presented to the House last year by certain settlers. Mr. Dickson took a great deal of evidence. He (Mr. Rees) found that honorable members, to a large extent, failed to appreciate what Mr. Dickson's finding was. He had heard certain honorable members say that, in effect, Mr. Dickson had found in favour of repealing section 69. It had also been said that certain men who had come to Victoria to take up land had been misled, and that our own people who had taken up closer settlement blocks had also been misled. What were the facts? As he

had heard the President say, ignorance of the law was no defence in any Court of justice. People were supposed to know what the law provided, and, as a matter of fact, the residence condition had been emphasized since 1904, and even before 1904. Parliament would never have dreamed of authorizing the Government to spend hundreds of thousands of pounds in purchasing land from large owners of estates in order to cut it up and sell it to people under conditions that would again allow of aggregation. Any man who took up a closer-settlement block, who thought that the Government, after purchasing land from a large holder and cutting it up, would allow the new settler, after residing on it for twelve years, to speculate in the land, must have thought that the Government were bereft of their senses. Assuming that a settler had never heard of sections 69 and 70 of the Act of 1904, if he thought that he would be allowed to speculate in the land after he had resided on it for twelve years, he must have thought that the Government were giving him special treatment apart from any one else. As a matter of fact, any man must reason to himself that he was either being treated differently from any other citizen when he got a block under closer settlement, or that there were certain restrictions and reservations that he would have to abide by which other people who bought land in the open market would not have to undergo. Any man could have bought land in Victoria in the open market during the last eight or ten years, because land-owners in all parts of the State had been subdividing their holdings. Land values had gone up, and the Government by its operations had helped to put them up. At any rate, any man during that period could have bought land in the open market, and could have obtained a freehold title without any of the restrictions that were contained in the Closer Settlement Acts. What would a man who had bought land in that way have thought if men pampered by the Government who had bought land under closer settlement conditions were allowed to traffic in that land on exactly the same conditions as applied to the man who had bought in the open market? That man would certainly think it very unfair for the Government to treat certain people in an exceptional way, and allow them to speculate in their holdings, while he himself had to go into the open market and face the most stringent competition. Now, was it true that these closer settlers were misled? Did other men know all the reservations that were contained in the titles of land they bought in the open market, and for which they believed they held an unencumbered certificate of title? As a matter of fact, he (Mr. Rees) did not himself know all that was contained in the freehold titles he held. He had lately had a rude awakening by finding that there were often certain conditions and reservations in the original Crown grant which were not disclosed in the title, even though the certificate of title had at the foot of it the words, "Encumbrances, nil." He did not grumble on that account, but recognised that he was amenable to the law, and should have known what was in the law. Before he dealt with the question of reservations he wanted to know whether these people were so innocent as they were supposed to be. He had already dealt with one of the prime movers in the agitation concerning section 69. It was very significant that neither that gentleman nor the other two or three prime movers in the matter bothered their heads two or three years ago about section 69. The bogy to them at that time was section 79 of the Closer Settlement Act 1909. He held in his hand a circular issued by a gentleman named Duffield, of Pender's Grove, and signing himself, "Honorary Secretary of the Metropolitan Closer Settlement Estates Conference." That conference carried certain resolutions, of which this was the first—

> That the Closer Settlement Act 1904, containing as it does conditions that one man can only hold one allotment, and that lessees have to reside for all time on the allotments for eight months in the year, is a sufficient protection against speculation.

That was dated 11th July, 1911

The Hon. W. L. R. CLARKE. — That refers to "lessees."

The Hon. R. B. REES said that that was a mere quibble. The conditions of the lease were carried into the Crown grant, just as was done by section 74 of the Transfer of Land Act, with which the honorable member, as a large land-holder, should be familiar. If the honorable

member did not know about section 74 he would not declare that he had been misled, and that the titles given to him were a fraud. It would be noticed that in this resolution it was stated, "Lessees have to reside for all time on the allotments for eight months in the year." Later on in the same circular this paragraph appeared—

> You are requested to use your best endeavours to have section 79 of the Closer Settlement Act 1909 repealed.

There was no question whatever at that time about section 69. Section 79 was the bugbear, and that section had already been repealed by Parliament. Parliament had gone more than half way—it had gone three-fourths of the way—yet now these settlers were raising the quibble about section 69. Were these people really deceived? Surely most of them read the newspapers. At all events, their leaders did so. As long ago as March, 1905, a representative of the *Age* interviewed a number of the settlers on the Walmer Estate, at Horsham, and in an article stated—

> The *Age* representative interviewed a number of settlers this morning, and some interesting views were expressed. Though under the new Act some of the conditions of selection have been liberalized in favour of those desirous of settling on the land, the Act is not regarded with universal favour. The principal objections to the new, as compared with the old, Act appear to be the perpetual residence qualification and the restriction imposed against an occupant selling his land.

Therefore, in March, 1905, some of these very settlers objected to the perpetual residence condition, showing that they knew all about it at that time. This did not agree with a lot of the evidence that was given before the Commission. Then again, Hamilton was one of the places where the agitation against section 69 was fairly strong. The settlers at Konong Wootong South especially were very anxious now that they had allotments of 500 or 600 acres to be allowed to speculate in them, and obtain the increment in the value of the land. The *Hamilton Spectator*, however, in October, 1905, contained an article in which the true conditions of settlement were fully set out. One paragraph was—

> It shall not be lawful for a lessee to transfer his allotment until after the expiration of the first six years of his lease.

Then it went on to say that the settler must put in perpetual residence. It added—

> Every Crown grant shall contain like conditions of residence by the owner as are required by the lessee.

The Hon. FRANK CLARKE.—A Government official stated afterwards that that was all wrong.

The Hon. R. B. REES said that that had been denied. He would show directly what the Government officials said to these people on the spot. Now, coming to Mr. Marshall Lyle, a discussion took place at a deputation in July, 1910, between the Minister (Mr. Watt), Mr. Marshall Lyle, and Mr. Ramage. The latter was a prominent lawyer's clerk who recently applied for leave to be examined for admission to practise as a solicitor, and yet he stated that he did not know about section 69. The following was an extract from the report of the deputation—

> Mr. Lyle.—There is an idea that the fee-simple carries with it the right to transfer.
>
> The Minister.—Every title of land that the Board has dealt with from the inception of closer settlement in its three forms has been a limited title.
>
> Mr. Ramage stated that the settlers were entitled to the fee-simple of their allotments at the expiration of twelve years on paying what they owed. An estate in fee simple was an estate without restriction on alienation. The Act under discussion restricted alienation, and, therefore, the Government was bumping up against a principle of law; the Act might, if fought, be overridden and made *ultra vires*.
>
> The Minister.—We are not offering under this Act an estate in fee simple.
>
> Mr. Ramage.—Yes, the lease says so.
>
> The Minister.—We deliberately limit the ancient conception of those words in our legislation, and do it advisedly.

After that deputation took place, Mr. Lyle built a beautiful house on his allotment—a real old Bobby Burns kind of place. He spent a lot of money on the property, knowing very well the limited title he was going to get. It would be seen also that Mr. Ramage could not possibly have been mistaken after his interview with the Minister as to the nature of the title.

The Hon. A. ROBINSON. — He knew afterwards, of course. I read from that report last year.

The Hon. R. B. REES said the trouble was that Mr. Robinson stopped short at certain places. Then it was said that the Secretary of the Closer Settlement

Board had suppressed certain information. If that officer had been called to the bar of the House, he (Mr. Rees) was quite sure that he would have given that statement a most clear and emphatic denial. He (Mr. Rees) had been trying to find out whether there had been any equivocation so far as the secretary was concerned with regard to his explanations of these particular sections in the law. There were many restrictive sections in the Act. Was it possible for the secretary or any officer to go through the Act and explain every section to every applicant? It would be impossible to explain every restrictive section. If section 69 was the most important provision why was it that the various conferences did not ask for its repeal instead of the repeal of section 79? They never asked for the repeal of section 69 until Mr. Robinson and others came on the scene.

The Hon. A. ROBINSON.—That is not so. There were deputations to the Minister of Lands asking for the repeal of section 69 before that time.

The Hon. R. B. REES said that Mr. Jenkins, dealing with the Konong Wootong Estate, said that before proceeding to take evidence he desired to make a few explanatory remarks, after which any one present could ask any questions, which he would answer. Then he said that the first condition of settlement was that the successful applicant must be a permanent resident on the property. Mr. Jenkins and others sat as a Board to inquire into the fitness of the applicants. In other cases he emphasized the fact that permanent residence was one of the conditions under the Act. Then in the Board's annual report of 1909-10 it was stated that too much importance could not be attached to the principle of permanent residence if closer settlement was to be effectively maintained. The question of permanent residence had been emphasized over and over again. The officers did not particularly specify section 69, and that was where the quibble came in, but they said in a general way that permanent residence must be carried out. The officers emphasized every time and everywhere that permanent residence was a condition. Mr. Robinson had interjected that a deputation went to the Minister of Lands about section 69. The following was a letter from Charles Mizon, secretary to the Pender's Grove Settlers' Association:—

SIR,

The Penders Grove Settlers' Association have decided to give unanimous support to members and settlers on the Pender's Grove Estate who have signed the enclosed petition, in assisting them to have section 79 of Closer Settlement Act 1909, No. 2229 repealed, and we respectfully ask you to favorably consider their petition.

It was since the legal gentlemen came on the scene that section 69 had been mentioned. Emphasis had been placed on section 69 since the repeal of section 79. When Parliament repealed section 79 the settlers shifted their ground and asked for the repeal of section 69. Now he wished to deal with the question of "spotted titles." Were there many titles in Victoria that were not spotted? He used the term, although he did not consider it a good one. His attention had been drawn to section 74 of the Transfer of Land Act of 1890, and he tried to find out what it really meant. With that object in view he interviewed the Registrar of Titles, who very kindly gave him information that he would read to the House. That gentleman stated—

As desired, I beg to submit herewith three specimen copies of certificates of titles issued by this office in relation to—

(*a*) Suburban lands.
(*b*) Urban lands.
(*c*) Country lands.

The Commissioner told him that probably two-thirds of the titles issued in Victoria had certain restrictions on them. When the land was granted by the Crown there were certain reservations, and although certificates of title were issued subsequently, and these restrictions were not carried on to those titles, they nevertheless existed.

The Hon. W. L. R. CLARKE.—They do no harm.

The Hon. R. B. REES said he would show that section 69 did no harm. The Registrar of Titles went on to say—

On the face of them, each of these certificates of title would seem to indicate that the respective registered proprietors hold the lands respectively described therein free from condition; but that is not so, as section 49 of Act No. 301, the Transfer of Land Statute, enacted on 1st June, 1866 (now embodied in section 74 of the Transfer of Land Act 1890, No. 1149) specifically provides, *inter alia*, that the land included in any certificate of title shall be deemed to be subject to the reservations, exceptions, conditions, and powers, if any, contained in the grant thereof. As a matter of fact, each of the above-mentioned certificates of title is

subject to conditions and reservations contained in the Crown grants thereof, as follows :—

(*a*) The grant from the Crown contains a reservation of such land as may be required for making public ways, canals, or railroads, and also all sand, stone, gravel, indigenous timber, and other materials which might be required for construction or repair of public ways, bridges, canals, and railroads, or any fences, embankments, dams, sewers, &c.

That referred to a certificate of title of which he had a copy. It was headed—

"Certificate of title, under the Transfer of Land Statute 1890."

The Hon. FRANK CLARKE said he wished to know if Mr. Rees was in order in discussing these matters.

The PRESIDENT.—Certainly.

The Hon. R. B. REES said that the certificate of title of which he had a copy stated—

John Smith, of Smith-street, Collingwood, butcher, is now the proprietor of an estate in fee simple, subject to the encumbrances notified hereunder, in all that piece of land delineated and coloured red on the map in the margin, containing 4 acres or thereabouts, being parts of Crown Portion 9, parish of Moorabbin, county of Bourke.

Dated the 28th day of March, One thousand eight hundred and seventy-six.

This was signed by the Registrar of Titles, and contained the statement "Encumbrances referred to—nil." If he (Mr. Rees) purchased the block of land referred to he would think that he had a title absolutely free from any encumbrance. He would think that no railway could be made through the land without paying him compensation, and that the Government could not take sand, gravel, or indigenous timber from the land without paying compensation. As a matter of fact, there were encumbrances on the land, although not specified on the certificate of title. If he went to the Titles office and made inquiries he would find that there were encumbrances on the land. He would give the conditions imposed on titles dealing with urban lands.

(*b*) The grant from the Crown contains a reservation of so much land as may be required for railway purposes, with a provision for compensation of not more than £1 an acre for the land required, and expressly excluding any claim for compensation for severance.

. . . . .

This person paid £1 an acre for the ground years ago, but now it was of great value. The Government could run a railway through the land and pay only £1 an acre for it without paying any compensation for severance. There were also reservations for auriferous and other purposes. This was a certificate of title in fee simple, and it was stated on it "Encumbrances—nil." Then as to the country lands, the Registrar stated—

(*c*) The grant from the Crown contains similar reservations and conditions, except that the compensation fixed for the land required for railway purposes is 25s. an acre; but, in all other respects, the reservations and conditions accord with (*b*).

The Registrar went on to say—

It was not until Act 872 was enacted that any duty was cast upon the Office of Titles to indorse upon future certificates of title any of the conditions contained in the grants of land from the Crown; but section 41 of that Act (now re-enacted in section 75 of Act 1149) provided that from 1st January, 1886, there should be indorsed on all future Certificates of Title any special building condition, or condition giving the Crown power to resume land for railway purposes, or condition against free alienation contained in any grant of the land described in such certificate. This provision was, however, treated as a dead letter; and it was not until the present Commissioner of Titles assumed office, in 1910, that any effect was given to it. However, every certificate of title issued since that date has been indorsed in accordance with the requirements of section 75 of Act 1149. It will be seen, however, that section 75 by no means covers all the conditions and reservations contained in Crown grants; for instance, no provision is made for the indorsement of conditions for the resumption of land for drains, canals, public ways, &c.; consequently, the fact that a certificate of title does not make any reference to conditions in the Crown grant does not mean that the land comprised therein is free from conditions.

It was thus evident that people who held land under the Closer Settlement Act and complained of section 69 were not treated differently from the large majority of people in Victoria. The odious expression, "spotted titles," applied to three-fourths of the titles in Victoria. They were all more or less spotted because they had conditions on them. The members of this House, according to the *Age*, were all very rich men. He could not agree with that statement, for he was only a poor man. Those of them who owned land did not say that their titles were bad. They were quite content to accept the titles and hold them, notwithstanding the reservations that were disclosed on the face of the titles. On Saturday night and Sunday morning he was at Wycheproof, where he stayed with a big farmer. There were water channels

running through that man's land, which he had held in fee simple for nearly thirty years. He asked the owner whether he had been paid compensation on account of the channels going through his land, and he replied, "No, I do not want any." "But they asked you for permission," he had said to the farmer. "Yes," was the reply, "the officer said, 'We are going to take channels through,' but I had already heard of that from the surveyor." The Government went through that man's land knowing the conditions of the title and took what was required for channels without effectively asking his permission and without paying him any compensation. The Government authorities knew that they had the right to do so although he felt certain the farmer did not know. The farmer thought he was holding land in fee simple without any reservation. The farmer had said that he had an ordinary certificate of title and was quite surprised when told that probably the certificate of title did not disclose the whole of the conditions under which he held his land. That farmer did not grumble. Why then should they attach so much importance to the howl raised by a few settlers at Pender's Grove or Glen Huntly, people who were making a fine profit out of the land, and paying only 10s. a week in liquidation of their indebtedness to the Crown. As a matter of fact, they could get 25s. a week in rent for their houses if they threw them open to competition. He had the temerity to say that all Mr. Robinson read was on one side. He supposed all honorable members did that sort of thing more or less. He (Mr. Rees) had read Mr. Dickson's report with a great deal of pleasure because that gentleman seemed to show that the position which he (Mr. Rees) was fighting for was the correct one. Mr. Dickson belonged to the happy band of those doing right for their country and not the crowd of wreckers trying to break our closer settlement system up. In his report, Mr. Dickson quoted part of the regulations which stated *inter alia* that the grant in fee of the lands was, "subject to such covenants, conditions, exceptions and reservations as the Governor in Council may direct." That was in the lease as set out in the regulations of 1st March, 1905, page 912, third schedule. Then in one of the bulletins it was stated—

> The settler will obtain a complete title to his land by paying 6 per cent. per annum on the cost for thirty-one and a half years.

That meant that the settler would get a complete title similar to the titles which he had read as being issued by the Government and by the Titles Office. They were complete titles as generally understood. They contained reservations and conditions, but all persons believed that they were complete titles. In his conclusions Mr. Dickson said—

> I am satisfied, from the evidence—
>
> (1) That, when the settlers referred to applied for, and were granted allotments, they were unaware of the existence or substance of section 69 of the Closer Settlement Act 1904.

He (Mr. Rees) wanted to emphasize that. Some honorable members had argued that because the settlers did not know of the existence of section 69 it should be wiped out. It was impossible for the officers who were showing intending settlers land and explaining the conditions under which they could get it to specifically mention section 69; in fact, they did not think that it was a greater embargo than section 70 or section 79. Therefore, they did not specifically mention section 69. It would be impossible for them to know that section 69 would be singled out in the way it had been any more than section 70 or section 79. Mr. Dickson continued—

> (2) That the said section was not particularly disclosed to the said settlers by the Closer Settlement Board, or its officers, and its alleged nature and effect were not explained to such settlers by the said Board, or its officers.

The Hon. FRANK CLARKE.—How do you explain that?

The Hon. R. B. REES said that the officers did explain that there was perpetual residence. What more was necessary. Although they did not mention section 69 specifically, they emphasized the fact that perpetual residence was required. Mr. Dickson further said—

> It was not the practice of the officers to inform intending applicants that the condition of residence embodied in a lease would also be one of the conditions of a Crown grant. Certain instructions were, for a time at least, observed that "undue prominence" was not to be given to the condition of residence enacted by section 69.

He had been trying to find where those instructions were. He did not know where the Commissioner found

them. Of course, some witness might have said, "I did not think we were intended to give undue prominence to the section." After all, this was a business proposition. He would like to ask any honorable member dealing largely in land if he would give undue prominence to such a condition when selling to the public.

The Hon. D. MELVILLE.—The conditions of the title are always prominently set forth.

The Hon. R. B. REES said he knew his friend Mr. Melville was always absolutely honest and above board, and that when he sold wool he emphasized the fact that it contained a little bit of sand.

The Hon. D. MELVILLE.—Nothing of the sort.

The Hon. R. B. REES said Mr. Melville emphasized nothing at all, but if the wool contained sand or dirt or anything else he sold it. He had been unable to find, except in a casual remark by a witness, a statement that the officers were instructed not to give undue prominence to certain sections. They were trying to get rid of the land, and they honestly and thoroughly believed that there were no oppressive conditions in the titles they were to issue, that the people who were to take up the land would be able to make a living on it and prosper and that the people who went on closer settlement areas were treated infinitely better than those buying in the open market. Therefore, they did not give any undue prominence to any such condition.

An HONORABLE MEMBER.—They were instructed not to do so.

The Hon. R. B. REES said they were not instructed not to do so. One witness said, in a bantering way, "Certainly we were not instructed to give great prominence to section 69." The documents and everything they did went to emphasize the fact that perpetual residence was necessary. Now, did the Commissioner find that section 69 was oppressive or against the interests of closer settlement? That was the crux of the position. Mr. Beckett said that it was a dreadful thing for people to come here and get a title which was not negotiable and of no value, a title which bound the settlers like serfs to the soil. That was a strong statement to make, and the honorable member was entirely wrong. A man could sell his block after six years, or he could let his block, or he could appoint a person to live on it. The settler was no more a serf than any other man holding land. He had marvellous freedom under section 69 and the other provisions of the Act. He (Mr. Rees) could not see where the serfdom came in, and he was surprised at Mr. Beckett, who was usually so mild and judicial, speaking in that way. In his finding, the Commissioner was very guarded. He said—

> While such amendment of section 69 has, in some degree, minimized the alleged effect of the residence condition in the Crown grant, . . .

The Commissioner was not sure that there was a bad effect.

The Hon. A. ROBINSON.—He was not appointed to inquire into that.

The Hon. R. B. REES said he was appointed to inquire into the truth of the remarkable documents presented to the House by the honorable member. Three-fourths of them were untrue. People had perjured themselves in signing that document, but it had been worded in such a way that they could not be got at for perjury.

The Hon. A. ROBINSON.—A scandalous thing to say.

The Hon. R. B. REES said he apologized.

The PRESIDENT.—The honorable member must not take notice of interjections, and honorable members must not carry on a conversation.

The Hon. R. B. REES said that the man who drew up that document drew it in such a way that you could not go for any of these men for perjury. It was so evasive, so to speak. It was made a matter of opinion. The question was whether they knew that section 69 was so-and-so, and the men said they did not know about section 69, and that it was not revealed to them. How could that be proved one way or another now? It was one of those things that were in the air, and a lot of the arguments about oppression was a matter of sentiment, and very much in the air. The Commissioner stated—

> While such amendment of section 69 has in some degree minimized the alleged effect of the residence condition in the Crown grant, I am of opinion, in view of the evidence in regard to such section, that it should be further amended by providing that an owner may let his property

without the necessity of approval by any authority, and that residence may be complied with by the tenant. On non-compliance by the tenant the owner, after certain notice, to be at liberty to re-enter and occupy without legal process.

That was the crux of the finding of the Royal Commission. Did he say that section 69 should be wiped out, as this Bill said? No. He said that section 69 should be retained; but that we might as well liberalize it a little by giving power to sublet without the authority or approval of anybody. Some honorable members disagreed with that, but he was giving the Commissioner's finding, and nobody could cavil at Mr. Dickson or his finding. It was also stated—

The alleged difficulties mentioned by the settlers have, to a further extent, been met by the provisions of sections 18 and 19 of Act No. 2438.

The Commissioner did not believe, as a matter of fact, that there were difficulties; but he gave the benefit of the doubt, and said there were alleged difficulties. He (Mr. Rees) could not see why the Royal Commissioner did not come out and say that he could not see any difficulties, except what were mentioned in the previous clause of the report. As a matter of fact, the settlers' grievances had been wiped out, and they were now shifting their ground in order to have another grievance. It was worse than the question of Home Rule for Ireland. The Commissioner further stated—

The latter section enables the Closer Settlement Board to advance to a lessee whose lease has been current not less than six years, or to the Crown grantee of an allotment, a sum not exceeding 60 per cent. of the value of the improvements on the land and 60 per cent. of the total amount of the purchase money or principal paid in respect of the allotment, such sum not to exceed in any one case £1,000.

That had relieved a lot of those alleged grievances. The word "alleged" was put in apparently because Mr. Dickson believed they had been already removed. It was further stated—

In my opinion, the Board should be empowered to advance on the improved or market value of the land.

He (Mr. Rees) was astonished at Mr. Sachse in that eloquent speech he made the other night inferring that the Royal Commissioner had recommended that section 69 should be repealed. The Commissioner most emphatically stated that section 69 should remain, but be amended in a certain direction.

The Hon. A. O. SACHSE.—I gave no indication that I wanted section 69 repealed. I strongly support it.

The Hon. R. B. REES said the honorable member, nevertheless, supported the Bill.

The Hon. A. O. SACHSE.—To remove an injustice.

The Hon. R. B. REES said he would like to read a report of the Closer Settlement Board, in connexion with other grievances.

The PRESIDENT.—Other grievances have nothing to do with this Bill. This has only to do with one grievance, and the honorable member should confine his remarks on the Bill to this particular one.

The Hon. R. B. REES said he would not deal with further grievances; but he thought he had shown that the grievances under section 69 were, apparently, not now in existence. He would like to show the attitude of the people in certain closer settlement areas. There were two kinds of settlers. There were those in the workmen's homes, for whom he had no sympathy whatever. They were making a grand thing out of their holdings. But the other class, who were the men on the land, he had every sympathy for. They should have every consideration that the Government could extend to them—and the Government had extended wonderful consideration to the closer settlers on the areas in the north. As he had stated before, they were allowed to sell after six years, provided that they had complied with the conditions, the incoming tenant to take on the liability to the Board, and the outgoing tenant to get any increment he could obtain from the incoming tenant. Section 69 did not prevent a settler from obtaining the enhanced value of his land. A typical case had been mentioned to him (Mr. Rees). A man took an area of about 320 acres from the Board at £3 10s. an acre. Since taking up the land, a water channel had come by the property, increasing the value of the land to approximately £9 or £10 an acre. He (Mr. Rees) was told by the Board itself that that man could cut his land into two, keeping, say, 120 acres for himself and selling 200 acres. The Board could not refuse to give its permission to another family being put on the land, or half-a-dozen families. Supposing this man had paid off 10s. an acre during the

time he held the land, and still owed the Board £3. The incoming tenant would pay £9. That would be an increment on the 200 acres of £1,200, which would be the outgoing tenant's profit. The Closer Settlement Board would accept the balance of £3 in the ordinary instalments, and the purchaser would come in as another tenant. The difficulty was largely one of sentiment. He went to Glen Huntly last week, and the first man he met was one who was painting the front of his house, which was a beautiful Queen Anne villa. The allotment was 60 feet by 200 feet. This man's name was Mr. Ingram, and he was a guard on the railways. He stated that he had bought recently from a man named Slater. He (Mr. Rees) asked whether he had paid Slater an increment in value for going out, and he said he had. He had paid Slater a certain amount in cash, as Slater wanted to get to some other part. Mr. Ingram took over Slater's liability to the Board. He (Mr. Rees) asked Mr. Ingram whether he had any grievance, and he said, "Yes. I should like to see section 69 abolished." He (Mr. Rees) asked, "By-the-bye, what does it say?" and the reply was, "Well, I do not know; I am not a lawyer; but it does not give a clear title." "Not a clear title?" he (Mr. Rees) asked, "Was there any difficulty about your buying from Slater?" Mr. Ingram said he had not any difficulty at all. When he went to the Board, the Board said, "Certainly, certainly; make your bargain with Slater, and enter into possession." He (Mr. Rees) then asked, "Why, then, are you grumbling about section 69?" and the reply again was, "I should like to have a clear title." That man would not want the title for twenty-five or thirty years, if he did not pay cash, but paid off by the ordinary instalments. He (Mr. Rees) also saw a lady working in her front garden. It was a beautiful place. He would give 27s. 6d. a week for it as a speculator, and he would give 25s. a week for the other place. All that these people were paying was 9s. 6d. or 10s. a week, and that was wiping off the principal debt. This lady said she had purchased the house from a Mr. Apthorpe, who had to go to Tasmania. She had found no difficulty in regard to the purchase. She paid a certain amount of money, went to the Board, and took over the liability. She was living in this nice house at a cost of about 10s., which was paying off the instalments. One would have to pay about 27s. 6d. for a similar house. These people could sell, transfer, and do anything with their land. Yet honorable members said that the settlers were tied like serfs to their holdings. It seemed to him that a good many honorable members had not made inquiries. He (Mr. Rees) walked along a nice avenue, and he came to the house of the arch offender in this matter—Mr. Marshall Lyle. He found a nice house, built, he was told, in the style of the house of Bobbie Burns. He was sorry to say that the place was closed. The garden was well kept. Of course, he need not dwell on the sad condition of affairs that rendered the transfer of that property necessary, but he would say—and it was a public matter—that Mr. Lyle, as well as others agitating in this matter, desired to speculate. If Mr. Lyle or any other settler wanted to sell his property, he had, of course, to get a tenant who would comply with the conditions of the Closer Settlement Act. Honorable members must understand that a man taking up a holding in this area must have only a certain income—he thought the limit was £200 a year. There was that stipulation so that the settlers would be from within the working class or the clerks' class. As a matter of fact, he could not see how Mr. Marshall Lyle got the place at all. He presumed that Mr. Lyle desired to go into the open market and get hold of a tenant who would pay him 30s. a week for that place. Of course, a working man, or a clerk, could not pay 30s. a week rent, though that was the honest rent value of Mr. Lyle's house. Mr. Lyle said in effect, "Knock out section 69 and let me let the house; I will get 30s. a week." Mr. Lyle paid to the Closer Settlement Board the handsome sum of 9s. a week. That included re-payment of the advance he got for building.

The Hon. W. J. EVANS.—But he put on improvements himself.

The Hon. R. B. REES said that, supposing Mr. Lyle had put on £200 worth of improvements, a return of 5 per cent. would be £10 a year—say, 5s. a week. Therefore, if he let the house for 30s. per week he would get a bonus of 15s. or 16s. per week.

The Hon. A. ROBINSON.—Would any one give 30s. a week for that house?

The Hon. R. B. REES.—Yes, it was worth 30s. a week of any one's money. He (Mr. Rees) interviewed several more people. There was Mr. Ramage, a gentleman who, he presumed and hoped, was now getting on in the world. Mr. Ramage desired to get a larger house, and to go into better surroundings, perhaps at Toorak or Malvern. He would then be a swell. He desired to vacate his present home, which was a very nice and comfortable home, and, of course, would like to let it in the open market at the best price.

The Hon. A. ROBINSON.—What authority have you for making that statement?

The Hon. R. B. REES said he was making all his statements on his own authority. He had shown that the whole desire of the people who were agitating was to get power to speculate with their land. He had shown that they had marvellous liberty under the law as it stood. The original conditions had been liberalized. Section 79 had been repealed. Power had been given to take live stock as security for an advance. There was power to transfer, sub-let, or mortgage a lease held under workers' homes or agricultural labourers' allotment conditions within the first six years. As soon as the holder of a worker's home allotment or an agricultural labourer's allotment put up his house, he could lease, sub-let, or mortgage it. In the back country, after six years' residence, a man could transfer, sub-let, or mortgage his land. Power had been given to advance up to £1,000 on an allotment. Mr. Robinson and other honorable members had said a good deal about an embargo being placed on the borrowing powers of the settlers. He (Mr. Rees) wished there was a greater restriction on the power of borrowing generally. He believed that it was the curse of Victoria that any one who held a little security could go to the Jews or the Gentiles and borrow money on that security for some speculative purpose. Many men had lost their homes and positions simply because they had power to borrow almost without restriction on their securities. He thought it would be well if a greater amount of supervision and care were taken so that people might not be allowed to pawn their holdings, as they did to-day. Honorable members who went on a tour through the Goulburn Valley the other day heard that people had absolutely lost their holdings by pawning them with agricultural implement makers. A salesman who could persuade any one to buy anything came to a man's homestead and sold him machinery, whether the man wanted it or not. Honorable members had heard of a man who owned 50 acres and who had bought three hay rakes. They heard of another man with a small holding who had bought a reaper and binder, and another who had bought a milking machine, and had never used it. The machine had been lying idle for a year. It was unfortunate that there was no means of preventing people from being taken down in a sense by very wily and clever salesmen. He wished to refer to an article which appeared in the *Argus* the other day, and it was very sad to find a leading newspaper like the *Argus* publishing such an article. It had three headings—"Spotted Titles," "Dunrobin Estate," "Bitter Complaints."

The Hon. H. F. RICHARDSON.—A very good article.

The Hon. R. B. REES said that if the honorable member was not ashamed of the article he ought to be. This was the complaint of one settler—

> If, at the end of twelve years, I was able to convert my holding into cash the position would be entirely different. Should my son then show no inclination for the work I would have the means to set him up in a business more to his liking.

That was the twaddle put in the paper by this man. The whole complaint in the article was that the people could not sell their land or deal with it, and that they were tied to it, as Mr. Beckett had said, like serfs. Perhaps the settlers had read Mr. Beckett's speech, and it could be quite understood that if men in the back country read a speech by the honorable member, they would conclude that his statements were true. These settlers believed that they were tied like serfs to the soil. The *Argus* reporter, if he knew the facts, could have reassured the settler who complained, by saying, "My dear man, you can sell out after six years; you can take the increment value of your holding after six years; you can set your son up in business, and you can retire to the sleepy hollow of Geelong." There was no embargo placed on these people selling their land. They were under a misapprehension. They had read in the press that they were tied to the soil, and that section 69 held them in its grip. The *Argus* led the settlers to believe that if the son of a couple holding land under

the Closer Settlement Act turned out to be a loafer instead of a farmer, the old man and woman would have to carry on the place until their dying days, and then would not be able to dispose of it by will. A big paper like the *Argus* ought to be a public educator, and tell the truth, instead of trying to injure the credit of the State. Under the Closer Settlement law personal residence on the holdings was required. If that condition was done away with it would intensify the trouble there was at present of people leaving their holdings and coming to live in Melbourne. The abolition of that condition would destroy the whole of our closer settlement scheme, which the late Sir Thomas Bent used to refer to as his golden-haired girl. He would emphasize the fact that the Commissioner who inquired into the complaints of the settlers did not recommend the repeal of section 69. He merely recommended that section 69 should be amended in a certain way. A good deal of the trouble complained about by the settlers had been removed. Section 79 had been struck out, and, as the Commissioner stated, the alleged grievances of the settlers were practically wiped out by the ameliorative legislation passed last year. It was said that section 69 injured closer settlement. If Mr. Robinson thought that section 69 injured closer settlement, he should propose that it should be repealed altogether, instead of repealing it only so far as it related to settlers taking up land prior to 1912.

The Hon. W. J. EVANS.—This is only the first instalment.

The Hon. R. B. REES said that he understood this was the first instalment towards wiping out all the closer settlement conditions. If section 69 was injurious, honorable members should wipe it out altogether, instead of tinkering with it. The time was not opportune for dealing with this matter. He had made inquiries at the Closer Settlement Department, and he found that there was not one settler who had qualified for his title yet. It would be from six to ten years before most of the settlers were qualified to obtain their titles. Section 69 had nothing whatever to do with a man holding land under lease. The time was not opportune for changing the law, and therefore honorable members should negative Mr. Robinson's proposal.

The Hon. D. MELVILLE said that in making a few remarks on this Bill, he could not help congratulating four of the new members of the House, who had tackled some of the greatest questions that were likely to come before Parliament for many a day. He himself lived in the midst of the persons who had been petitioning and complaining about section 69 of the Closer Settlement Act. He had them on the west of his residence, on the south, and on the north. He knew the lives of these men, and the kind of people they were, and he was never so much surprised as he was at the remarks made by Mr. Rees concerning these settlers. The honorable member had recently visited Patagonia at the Government expense, no doubt, in order to secure Welsh settlers for Victoria.

The PRESIDENT.—That has nothing to do with this Bill.

The Hon. D. MELVILLE said that he represented the settlers on the estates to which he had referred, and, therefore, when they were called prevaricators and addressed as men who had laid themselves open to the most grievous aspersions by signing declarations, he was expected to say something in their defence. Mr. Rees had stated that most of those declarations were false. He (Mr. Melville) threw that statement back at the honorable member. He knew enough of these people to be quite sure that they did not in any way deserve such a cruel aspersion. Then the honorable member complained because the title that was to be given to these people was called a spotted title. The honorable member said it was a scandal that such a term should be used. Why was it a scandal? Perhaps it would be better to say that there was a blister on the title. The honorable member knew what a blister was.

The Hon. R. B. REES.—No, I do not.

The Hon. D. MELVILLE said the honorable member was told that he was going too far when he said that if these closer settlement titles were spotted, then the bulk of our land titles were spotted. It was the glory of our ancestors that they should live each in "his very ain dwelling." Was it any worse to speak of a spotted title than to refer to a non-unionist as a "scab"? Mr. Rees had endeavoured to make out a case showing the necessity for section 69. The contention put forward on behalf of the Government was equivalent to saying that after a man had done twelve years' probation on the land, he was not to be trusted.

He was to be chained to the land like a Greek slave. Was this a free country? Was that the way in which we had fought the battle for the simplification of titles in the old days? Was Mr. Rees aware of the long struggle that was necessary to secure the simplification of titles under the Torrens Act? The McLean Government, of which he (Mr. Melville) was a member, established workmen's homes. Some of the streets in those settlements were named after Mr. McLean, Sir Alexander Peacock, and Mr. Murray.

The Hon. R. B. REES.—And Mr. Melville.

The Hon. D. MELVILLE said that that scheme was one of the best things ever done for working men, and he was sorry that Mr. Rees, who was one of the magnates of the Mallee, should make such statements with regard to the settlers in other parts of the State. Some of the men who went on to the Mallee got their land in big blocks, and were given forty years to pay for it without interest. Mr. Rees was one of those magnates, and he was complaining bitterly that the settler on a workman's home block should get any profit arising from his investment. Mr. Rees was kicking away the ladder that enabled him to climb up. He had the heart to come to this House, and sneer at his (Mr. Melville's) constituents. These poor men on these settlements were branded. Let Mr. Robinson, who so manfully took this matter up, think over what this all meant. The men at Thornbury and Glen Huntly had written to him (Mr. Melville) on this matter. They knew that he always believed that no Government would interfere with their titles. These men had to slave for their wives and children. Talking of evasion, he would like to know if the Government had carried out their own conditions. When they prepared plans for the first workmen's settlement they showed a railway running from Flemington-road. Those who were children at that time had grown into manhood and womanhood, but still there was no railway. The people who took up the land trusted the Government. Was that not evasion by the Government? Fifteen years ago the proposal to construct that railway was an inducement to the people to take up the land.

The PRESIDENT.—That has nothing to do with this Bill, which deals only with section 69.

The Hon D. MELVILLE said it was only by way of comparison that he mentioned the matter. He wished to show how the Government was evading. It was a serious charge to make against any Government. The people of Victoria would not be satisfied with leasehold nor with imperfect titles. He had lived in his present residence since 1859. The Government dare not offer him a title with a blister on it.

The Hon. R. B. REES.—There is a blister on it.

The Hon. D. MELVILLE said there was no blister on it.

The Hon. R. B. REES.—I do not mean that it is mortgaged.

The Hon. D. MELVILLE said it was a mystery to know what the honorable member was aiming at to-night. When the honorable member spoke of spotted titles his conscience was pricking him. He had evidently degenerated since he visited Patagonia. Nothing was more clearly indicated in the history of land subdivision than the remarkable words "title perfect." He was sure the Government would not allow this blot to remain much longer, because they would feel the effects of it if they did. The people understood that a man who took up land under such a title was chained like a slave to a gum tree. Why should not justice be done to the man who slaved on the land, and whose wife and children also worked like slaves? The people he was speaking of were not like those magnates who had thousands of acres given to them. The poor men who settled on these blocks under the Closer Settlement Act would have to sacrifice their future and their ambition. It was branded on their titles that they were once poor men, and that the Government assisted them.

The Hon. A. HICKS said that a good deal could be said both for and against this Bill. It proposed to undo what Parliament did some years ago, and what Mr. Melville and other gentlemen who were in this House at the time approved of. The Bill introduced by Mr. Robinson was defended on certain grounds. Mr. Robinson based his arguments on the fact that the settlers were misled, that the Royal Commission's findings were in their favour, and that if section 69 were struck out it would not lead to aggregation. Those were the main points. About nine years ago, when

the President was leader of that House, the Government decided to go in for closer settlement. The question was before the electors, and the Government of the day was authorized to inaugurate a closer settlement scheme. It was found that up to that time the land policy had not been a success in the respect that while it had settled many people on the land they had remained on it for but a little time, had sold out, and returned to the city. The electors and Parliament decided that if we were going in for closer settlement it should really be closer settlement, and that, therefore, there should be one man, one block, and perpetual residence. That policy was discussed very fully by the electors and by the *Argus* and the *Age*. It was thoroughly discussed in both Houses, and it was passed without a division in both of them. Large estates were bought for the purpose. They were not bought to place people on the land for merely a few years, but so that the people would settle on them, and make their homes on them. Furthermore, a system of compulsory purchase was authorized. It was decided that the Government, on a resolution of the two Houses, could acquire any estate and cut it up for closer settlement. It was decided that there must be perpetual residence. Four and a half millions of money had been borrowed for this purpose, but on the condition that there was to be perpetual residence. If the people were permitted to settle on this land, and sell out when they liked, the electors would not have pledged their honour and their faith to borrow the money for the purpose. The money was borrowed in good faith by the people of Victoria on the condition that there should be perpetual residence. Many settlers throughout Victoria did not know the meaning of the conditions under which they took up their land. He was talking last week to a gentleman in Murchison who had said that he believed in wiping out section 69, because the settler could never sell his land. He (Mr. Hicks) had said to him, "After you have been there for six years you can sell the block, or you can put your son on it if he is over 18 years of age, or after 12 years have expired you can, if you like, get the Crown grant and let it, or you can put an overseer on the land if you choose." The settler replied, "Can a man do all that with a closer settlement block? That is not so bad after all. I would not fight about it if that is so." The settlers had been told that if they died their children would not be able to sell the blocks, and that they and their descendants must remain on them from generation to generation. That was all moonshine. The settler could almost do what he liked with a block provided some one lived upon it.

AN HONORABLE MEMBER.—For eight months in the year.

The Hon. A. HICKS.—Yes. If a man went into the open market to buy a piece of land the usual condition was that he must pay down one-fifth of the purchase money. Then he had to pay 5 per cent.—perhaps more now that the money market was so tight—and the balance within ten years. Under the Closer Settlement Act the conditions were very different. The settler was not asked to pay down a penny. All he was asked was to pay 4½ per cent. on the unpaid purchase money. The payment of instalments had been so adjusted that by paying the equivalent of 6 per cent. annually for 31½ years the land became his own. Where could such conditions be secured outside? The closer settlement system was not established for the man of wealth or means. It was established for the poor man who had not many pounds to his credit. It was to help a man who did not possess land, and who wanted to get a block, a man who had perhaps only £100 in his possession. To such a man the Government said, "If you are an honest man and able to work, we are prepared to let you have a block. If you pay 6 per cent. for 31½ years the land will become your own." Of the 4,000 closer settlers not 400 would have been on the land to-day if they had not been assisted in that way by the Government. It had been stated that the amendment or repeal of section 69 would lead to the aggregation of land. Personally he did not think it would lead to the aggregation of land, because section 70 would block that. There was, however, an aggregation of residence. If section 69, which contained the residence condition, were wiped out, a man might live in the city and let his land. It would be possible for one man to look after ten blocks, and for the owners to live in Melbourne, Bendigo or Ballarat. Under such an arrangement settlers could leave

the estates and a man could let his land on the share system. One man with two or three sons could plough the soil, sow the seed, and reap the harvest. One man, with his sons, could, perhaps, have five blocks. There would be no residence, and the land would pay splendidly for the man in Melbourne. But was closer settlement brought in for that purpose? Was not the system established so that there should be residence? If residence were done away with, there would be no such thing as closer settlement. Should the residence condition be wiped out, it would mean removing the key-stone of the arch. A good deal had been said about what the settlers wanted. What about the people in the cities and towns? Ask the men who had put up big shops and hotels what they thought of the matter, and whether they believed in residence. He thought they would say that section 69 should not be altered.

The Hon. J. D. BROWN.—Ninety-nine out of a hundred will.

The Hon. A. ROBINSON (to Mr. Hicks).—Do you speak for the hotelkeepers?

The Hon. A. HICKS said he spoke for his electors. Storekeepers in the inland towns and cities felt this very much. The other day the statement was published in a newspaper that some of the storekeepers were to be boycotted by the settlers in a certain area because those storekeepers would not use their influence in trying to get section 69 repealed.

An HONORABLE MEMBER.—Where was that?

The Hon. A. HICKS said it was in Rochester. It had been stated that most of the settlers were dissatisfied. He could not say whether that was so, but he did know that some of them were perfectly well satisfied. Some of the settlers felt that if it were not for the help which they had received from the Government they would never have got an acre of land at all. Many of them had done very well, and were quite satisfied. In fairness to some of his electors, he would like to say that he had received a letter from settlers in Kennington at Bendigo, asking him to vote for the repeal of section 69. He had also received a letter from settlers at Memsie with a similar request. One settler at Memsie, however, had sent him along a letter which he would like to read. It was as follows:—

I feel called upon to write you a few lines in reference to a matter which I feel is of vital importance to the country. I refer to the agitation which is on foot to knock the residence clause out of the Closer Settlement Act. I might here say this agitation first saw the light of day amongst the small holdings somewhere about Melbourne, and those responsible for it have since sent petitions to all the country closer settlement estates, with a request that the settlers attach their names to them, and have the petitions sent to members of Parliament representing the various districts in which the estates are situated. I suppose you have received one before this. Nearly all the settlers on this estate have signed; but, since signing, several have told me that without the residence clause the closer settlement would be worse than useless. The reason they gave for signing was that it would suit their pocket best to have the clause struck out, as they could then sell to whoever they pleased; and the large land-holder would be in the position to give a better price than a landless buyer, such as the Act permits at present. Some have other excuses, which I have not time to enumerate, but "£ *s. d.*" is at the bottom of all of it.

I am a settler myself, and I can truthfully say that, without the closer settlement, I had no possible chance whatever of becoming a farmer, as I had a very limited amount of capital, and no bank in the State would lend any one in my position £2,500, at 4½ per cent. interest, with thirty-one and a half years to repay it in. This, sir, is what the Closer Settlement Act of Victoria is doing at the present moment. Lots of settlers appear to forget this; but I am game to bet that 75 per cent. of the settlers would not own an acre, had it not been for the lenient conditions in the Closer Settlement Act.

In the event of the residence clause being cut out, what do you find in the Act to prevent a moneyed man, with a number of sons and daughters, buying each one of them £2,500 worth of closer settlement land; in fact, he could buy a whole blooming estate if he had money enough, and found "dummies" enough. Neither the buyer, his sons, daughters, or "dummies," need reside on it, but could stock it with sheep, appoint a manager, and a boundary-rider with a few dogs, while he himself helped Sir George Reid at the banquets in London.

Before being cut up, the estate ran about 10,000 sheep, and employed on an average about one poorly-paid man to the 1,000 sheep, also a few sheep dogs, and as he did little or no cultivating, he required practically no farming implements; all he wanted to work the 10,000 acres being two or three saddle hacks, a few stockwhips, and about a dozen pairs of shears. I think the shearers found their own. In regard to rations for the men, he bought all he required in Melbourne. His suits came from England, while his daughters and wife had theirs sent along from Paris. All told, it is estimated that he did not spend £100 per annum in the district. I leave it to you to vote as your conscience tells you. In my opinion, if you knock out clause

69, you are doing the community and the country an everlasting injustice.

I am,
Yours truly,
(Sgd.) FREDK. HEITMANN, Memsie.

It certainly seemed to him that, as shown by the evidence given before the Royal Commission, some of the settlers did not get the information that they ought to have received. This was particularly so in connexion with those who came from over the sea. The oversea settlers had no means of really knowing what the conditions were under the Closer Settlement Act, and he did not think they would bother to ask very much about the conditions. As regarded the people here in Victoria, however, who read the newspapers, and knew what was done in Parliament, he did not see how they could plead ignorance at all. He had a good deal of sympathy with those settlers who had come across the sea, and who did not trouble to inquire into the conditions. No doubt at that time, seven or eight years ago, there was a great rush for land. There was a land hunger, and people who were anxious to get on the land did not care very much about the title. He supposed that for one block in those days there were ten applicants, and more. The people said, "Give me a piece of land; put me on the land." and they did not trouble to inquire about the conditions in connexion with leases, Crown grants, or anything else. Now Parliament was authorized by the people to pass the Closer Settlement Act of 1904, containing section 69. The policy of that Act was adopted by Parliament after the people had spoken, and, under those circumstances, he would say that, before the policy was changed the people should speak again, and if there was such a strong feeling in the State over this matter, and the electors felt that an injustice had been done to the selectors, then the people would speak against section 69 at the next general election. For his part, he was prepared to wait until the people spoke on the subject. As the people had adopted the policy, it was for the people to reverse it. He was prepared to wait for another twelve months or two years. There was no immediate hurry in the matter. There was no one who could get his Crown grant for another three years, and the people, at the next general election, would have an opportunity of saying whether they desired to wipe out the residence condition or not. Mr. Manifold had stated that the honour of the State was at stake in the matter. But there was also the honour of the people who provided the money to purchase these lands, and the people must be kept faith with. What did the people provide this money for? For residence; and if the people were going to wipe out the residence provision, then they should say so. There must be a general election within twelve months, and if the feeling on this subject was so strong, and was growing as had been stated, then the people would say, to whatever Government was in office, "You must wipe out the residence condition."

The Hon. J. G. AIKMAN.—This Government has a charmed life.

The Hon. A. HICKS said it might be that before the time came for a general election, if the feeling grew strong enough, the Government would have to do something in the matter. It might be that they would have to compromise; that they would say, perhaps, to settlers, "When you have been on the land for thirty-one years, in view of the fact that, perhaps, you have been misled, you can have a free, unencumbered title." Something might be done in this way, but to give 4,000 people now the privilege of having a clear title after twelve years' residence was a thing he could not vote for until the people had spoken their will on the subject. For these reasons he intended to vote against the Bill.

The Hon. H. F. RICHARDSON said that since the House last discussed this matter some honorable members, including himself, had had the privilege of visiting the Goulburn Valley closer settlement district. He desired to thank the Government for arranging that trip. He went to the Goulburn Valley with a good deal of apprehension that the closer settlement policy was not so satisfactory as he had hoped for, but from what he saw there he felt that the prospects ahead of closer settlement were very bright indeed. He believed that with a proper system and proper tact in dealing with the matter, the Closer Settlement Board would have very satisfactory results in connexion with closer settlement. He had come back from that visit of inspection, however, more determined than ever to support the Bill now before the

House. From conversations he had had with settlers in all parts of the Goulburn Valley district, and also from letters which he had received from the Closer Settlement Association in the South-Western Province, he felt that the House would be doing only justice to the people who had taken up these closer settlement blocks if it passed the Bill. He regretted that he could not follow the special pleading which had been indulged in by the Attorney-General. No doubt the honorable gentleman did his best to bolster up a very bad case, but he did not know that the Attorney-General's lengthy speech, or the evidence which he quoted, would affect a single vote in the Council, as far as the Bill was concerned.

The Hon. J. G. AIKMAN.—Wait till you hear Mr. Adamson.

The Hon. H. F. RICHARDSON said he felt that Mr. Adamson, if he expressed his own personal feelings on the subject, would be supporting the Bill under discussion. He knew that Mr. Adamson had had a good deal to do with the selling of private estates, and he did not think that, in connexion with any of those estates, there was a provision similar to that in section 69. If there had been any such condition, he did not think Mr. Adamson would have made many sales. As far as he (Mr. Richardson) was concerned, he had had twenty-five or thirty years' experience of land selling, and he was satisfied that no vendor would attempt to put in a clause in the conditions of sale similar to section 69. If he did make any such attempt he would certainly not be able to effect a satisfactory sale.

The Hon. J. D. BROWN.—Land is being sold with the condition that is in section 69 every day in the week.

The Hon. H. F. RICHARDSON.—By private vendors?

The Hon. J. D. BROWN.—No.

The Hon. H. F. RICHARDSON said he was referring to private vendors. The Attorney-General need not think that the Government were the only people subdividing land in Victoria. As far as the South-Western Province was concerned, there was more land being cut up by private vendors, and more estates being subdivided, than had been done by the Government.

The Hon. J. D. BROWN.—I am very glad to hear it.

The Hon. H. F. RICHARDSON said he felt that nothing would do more to popularize the Council throughout Victoria than to pass the Bill under discussion.

The Hon. J. D. BROWN.—It is popular enough now.

The Hon. H. F. RICHARDSON said it would be far more popular if it carried this Bill. During the recent Federal campaign he had had a good deal to do with election meetings in the Corio electorate, and on several occasions, at places where there were closer settlements, when discussing this question, he had found that the Legislative Council, owing to the action which it took last session, stood far better with those people than ever it had done before. On one occasion, when he met a number of closer settlers at a meeting, nearly all who were persent were Labour sympathizers. He said, "Are you aware that the Legislative Council have been fighting your battle in this matter?" and he might mention that at one of those settlements thirteen votes which had gone to Labour at the previous election went to the Liberal candidate at the last election. He was satisfied that any honorable members who opposed the repeal of section 69 would, at the next election, have thousands of votes cast against them. He had received a letter from a closer settler on the Eurack Estate, which was as follows:—

> In answer to yours dated August 7th, the settlers interested are pleased they can depend on your support relative to the repeal of that unwarranted and unjust clause 69, Land Act 1904.

He might mention that the Eurack Estate was cut up without the subdivisions being subject to any provision similar to section 69.

> Eurack was settled twelve years ago, with the clear, unrestricted titles. A few have been altered since, for what reason I do not know. Two blocks have been bought with clause 69 in Act. The lawyer, Mr. Sewell, of Colac, never discovered same. Purchasers did not know till recently that the titles contained same. My own case, I was granted a forfeited block, which the previous settler could not make a success of, five and a half years ago; and I never knew that there was any difference between his lease and the one I now hold, with the exception of twelve years instead of six; and I think it is unjust that the block adjoining mine is clear and unrestricted. Mine is under Land Act 1904, and is just as good, but being under that Act reduces its value considerably. Most of the original settlers are still in occupation. There are a few changes, but practically no aggregation, with, perhaps, one or two exceptions, and

those cases are deserving, as one family of fourteen, with five over twenty-one years, could not possibly live on one block. The population of Eurack when it was first settled was 120, including infants, to-day—twelve years after—206 persons are living on Eurack. You will please receive from Mr. J. G. Johnstone, M.L.A., copy of circular issued to all settlers on Eurack in January, 1905, asking them to come under 1904 Act without disclosing clause 69.

It had been stated that if section 69 was struck out it would lead to aggregation. The Eurack Estate was taken up without section 69 being in the conditions, and he felt satisfied that, even if that section was struck out, with the extra provisions that there were in the Act, there was no danger of aggregation occurring. It was stated that aggregation took place under the old system of land selection. But that was an extraordinary argument to use. Under that system land could be taken up at £1 an acre, with a condition for improvements to the extent of £1. The land that was bought by the Closer Settlement Board cost up to £20 an acre. Take the case of the Werribee Estate, where over 20,000 acres were purchased at £13 an acre. Would anybody contend that aggregation would take place there as it would under the old system when land could be obtained for £1 an acre? He had been discussing this matter with settlers in the Goulburn Valley, and one of them used an argument which must carry weight. This man said that he took up his block and would pay for it, but the time would come when he might want to borrow money with which to put his sons on other blocks. He could not borrow from the Government, and if he went to a financial institution or a private money-lender he could not obtain a loan on account of the blot on his title. His children might have assisted him to put improvements on his block, raising its value to £60 an acre, as was the case with some of that land which had been improved for fruit-growing, and yet that settler had a security that could not be used. Of course, one knew it would be argued that this condition did not affect the people at present. But was it not natural that they should look forward to the future when they would want to raise money for the purpose he mentioned? They would then find that the land had not the same value as if they had bought it from a private person.

The Hon. J. D. BROWN.—We do not want them to borrow and speculate.

The Hon. H. F. RICHARDSON said he could not understand why, if a man who owned a 60-acre block, and improved it, wanted to buy an adjoining block, it was going to be a bad thing to allow him to do so. From every one of the estates in his district requests had come that he should do his best to have section 69 struck out. If the Government would agree to that they would improve the Closer Settlement Act.

The Hon. J. D. BROWN.—We say no.

The Hon. H. F. RICHARDSON said that he did not believe some of the Government were honest in opposing this proposal. He believed they realized that it would be a good thing if the section was struck out.

The Hon. J. D. BROWN.—The Government would not buy another block.

The Hon. H. F. RICHARDSON said he was satisfied the Government would buy dozens of other estates if section 69 was struck out, and they would make the biggest success of closer settlement it was possible to make. A settler was riding between Mr. Elwood Mead and himself (Mr. Richardson) in a car, and he asked the settler what was his opinion of section 69. Much to Mr. Mead's surprise the man said he would abolish section 69, and if that were done he could bring up dozens of men from Melbourne who would take up the land. He was referring to new arrivals. He (Mr. Richardson) knew of two new arrivals who went to Shepparton, and when they found what the title was like they left for Queensland to invest their money there. Through this blot on our legislation, Victoria was losing numbers of desirable men. This matter had been inquired into by the Royal Commission, and it was no use Mr. Rees making fun of the summing up or saying that these men had perjured themselves in the declarations. One did not know what these men would say when the statements that they were perjurers went to the Goulburn Valley.

The Hon. R. B. REES.—I did not say that.

The Hon. H. F. RICHARDSON said that he regretted that these statements were made. The declarations were signed by the settlers in all honesty. He could speak for those who signed in the South-Western Province. Section 69 was kept in the back ground. That was the summing up of the Royal Commission, and practically the same thing was said by the

secretary of the Board. If the present Closer Settlement Board were given reasonable legislation they would make a very big success with the system. There were still large areas of land throughout the State to be subdivided, but that could not be done with such unreasonable legislation as we now had.

The Hon. E. J. CROOKE stated that he did not agree with the views of the Attorney-General, or with Mr. Rees and Mr. Hicks, that in passing this Bill the House would be legislating against the principle of residence. The question of residence was of very great importance. Under the old Act a man was allowed to take up land under the non-residential sections, paying twice as much for the land and putting on double as much in the way of improvements as the man who took up land under the residential provisions. The non-residential provisions worked very much to the disadvantage of the country districts. They brought into existence a large number of absentee land-owners, who practically did nothing to the land, and they made their profit practically out of those who did improve their blocks and sent the district ahead. Eventually they were able to sell out at a considerable profit, not through what they had done, but through what their neighbours had done. That had the effect of making a large number of people support the unimproved land tax in order to get at these individuals. They had had a disagreeable surprise, but that was by the way. With regard to the question dealt with in the Bill, he did not think it at all surprising that people had fallen in. When land settlement came into Victoria it was always on one principle. There had always been a period during which the settler had to fulfil certain conditions. At the end of that period the settler had the right to get either the Crown grant or a lease, which latter was a perfectly good title. People were brought up to this system, and it had gone on for two generations. When this new form of settlement was introduced they naturally thought that the same things would happen. In fact he did not believe that one man in a hundred read the Land Act when taking up land. Even if Mr. Rees spent an hour or one hour and three-quarters telling some of these men what section 69 really meant, they would go home practically none the wiser. But if they came to a stock or station agent and tried to get some cash on their land, and the agent said that the title was no good, these people would understand the conditions in those three or four words. That was exactly what had happened. When people came to get an advance to buy stock, the fact came home to them that their title was no good, and in that way many people had been crippled financially. He did not think that people realized the extent to which auctioneers and stock and station agents settled people on the land. When they saw a good man, although he might not be worth a penny, it was to their advantage to help him. They were able to judge whether a man was a good man or not, and in many cases they would put a man on the land and renew his bills year after year until he got a good footing. They did not do it for charity. It paid them. A large number of people had been settled on the land by that means. He was sure any one with country interests would indorse that statement. Last year he said that he knew from his own knowledge that a considerable number of people had been misled. He did not say they were purposely misled. It was their own fault, no doubt, to some extent. The opinion he then expressed had been thoroughly indorsed by the Commissioner appointed by the Government. That gentleman examined witnesses, and, judging from the press reports, he certainly did so from a departmental point of view. The Commissioner was decidedly hostile to the settlers, and yet he had to give a report which thoroughly indorsed all that had been stated in the House with regard to the grievances of the settlers. The Commissioner even went further than he (Mr. Crooke) anticipated, and consequently the action taken by the House last year was thoroughly justified. He (Mr. Crooke) did not desire to blame the Department. He did not think the officers were to blame in any way. Persons were recommended for blocks, and went on to them in due course, and he thought the officers in many cases were quite as much surprised as the settlers themselves when they found out what the conditions were. The members of the

Government had put up a very good fight against the Bill. The Attorney-General, he believed, was thoroughly convinced that he was on the right track, and that all the witnesses who gave evidence were perjurers, while the Commissioner did not know what he was talking about. If he (Mr. Crooke) held up a piece of paper and said that it was white, and his statement was indorsed by the Commissioner and by all the witnesses who had given evidence, the Attorney-General would still maintain that it was black. It was no doubt a very good thing to thoroughly believe in one's own case. It was a splendid thing for the leader of the Government in the Council, who had to fight things whether he believed in them or not, to be able to convince himself that he was right. He believed the honorable gentleman had been able to convince himself that he was right in this case, in spite of all the evidence to the contrary. He congratulated the honorable gentleman, but he was sure that a large majority of honorable members were satisfied that they would only be doing justice to the settlers if they passed the Bill.

The Hon. W. L. R. CLARKE said Mr. Crooke had put a good many points in the way he (Mr. Clarke) would like to have done himself, and as he had intended to. As he could not improve on the way Mr. Crooke had spoken, he would not touch upon those points, but he was anxious to bear testimony to the character of the settlers who signed the affidavits that were presented last session. He had met a good many of them, and had spoken with them face to face. He also attended the Royal Commission when it sat at Melton and Sydenham. He listened to the witnesses giving their evidence and to Mr. Dickson putting them through a cross-examination to see if there was any doubt about their statements. He was not surprised at all when the Attorney-General said that in giving their evidence the witnesses had sometimes halted and stumbled, because the searching character of the cross-examination conducted by the Commissioner was enough to make any one halt and stumble. He felt most indignant at the way in which Mr. Dickson cross-examined the witnesses, and he felt they should at least have had somebody to protect them. The Commissioner appeared to be attacking the settlers' side of the case straight away, but as he (Mr. Clarke) listened he saw that the questions asked were very searching and thorough, and probed right down to the very heart of the matter. He saw then they were not an attack on the settlers, but were simply asked in order to get to the very truth of things. He found from talking to the settlers afterwards that they did not object to the way in which the searching questions had been put to them. A much better idea of the feelings of the men could be formed from listening to their evidence than from reading that evidence, and he was impressed with the feeling that these men were absolutely speaking the truth. He felt that their evidence was given in the utmost good faith, and he felt indignant that members of the Government had branded them as perjurers. He felt sure that all the settlers and farmers of every description, when they found the Government, without the slightest justification, saying that the witnesses had committed perjury——

The Hon. J. D. BROWN.—When did they say that?

The Hon. W. L. R. CLARKE said the Attorney-General had said that time after time.

The Hon. J. D. BROWN.—I never said so once.

The Hon. W. L. R. CLARKE said he heard the honorable gentleman say so.

The PRESIDENT.—The honorable member must accept any denial made by an honorable member in this House.

The Hon. W. L. R. CLARKE said he was delighted to hear the Attorney-General denying that. At the present moment he had not got *Hansard*.

The PRESIDENT.—The honorable member must absolutely accept the denial of any honorable member in this House.

The Hon. W. L. R. CLARKE said that while he accepted the Attorney-General's denial, he had certainly heard the honorable gentleman throw a great deal of doubt on the statements of the settlers, and say that their affidavits were absolutely worthless. He did not think the honorable gentleman would deny that. The honorable gentleman threw that aspersion upon the whole farming community, and made the question one between the interests of the settlers and farmers and the interests of the office staff. It was proved before the

Royal Commission that the officers had not placed before the settlers the conditions as they ought to have done. He believed that the Government had in this case made a very false step in going against the settlers and farmers. The effect would be to discourage people taking up land. The Attorney-General tried very hard to get the House to believe that there had been no request for the Bill from the settlers.

The Hon. J. D. BROWN.—Neither there has.

The Hon. W. L. R. CLARKE said he was glad the honorable gentleman owned up to that. He could tell the Attorney-General that wherever he had been throughout the country the request for the Bill was universal. The feeling was that the settlers had been treated very badly indeed. If the Attorney-General ever went into the country he must certainly shut his eyes, and his ears as well. The honorable gentleman said that this was a question that should be referred to a Judge and jury. He (Mr. Clarke) did not know much about juries except what he saw in the paper, but he was quite sure that Mr. Crooke represented a very fair type of juryman, and he hoped the honorable gentleman would take Mr. Crooke's verdict. The Attorney-General and other honorable members who had spoken against the Bill had tried very hard to get the House and the country to believe that the Bill was simply engineered by a party of lawyers. They had given various names, and made various innuendoes to try and make the country believe that a party of lawyers who had acquired houses in Melbourne under the Act, or who had clients interested, had engineered this agitation. He objected to that, because this was a country matter altogether. The Bill was asked for by the people in the country, and by the people who wanted to see more settlers placed on the land. To say that the Bill was engineered by people in Melbourne who had nothing to do with the country, was simply drawing a red herring across the trail.

The Hon. J. D. BROWN.—I said it was engineered by speculators, and the proof of that is overwhelming.

The Hon. W. L. R. CLARKE said that must be the last cry the Government were reduced to. How could a city speculator make his living on one of these closer settlement blocks? Honorable members had seen the blocks with tiny little houses on them. Only a man of courage and energy who intended to make his block a stepping-stone to something finer, not only for himself but for his sons and daughters, would go on one of these blocks. The great thing about the closer settlement system was to enable a man to go on a block where he would be able to found not only a home, but one which he could use as a stepping-stone to a better home. What inducement was there for a man to come from England, America, or somewhere else to take up a tiny little block of land here if he could not get something better afterwards? The great thing was that a man of energy and enterprise could, after saving money on a small block, sell out and start again on a better block. Then he could let the less important block to another poor man. In that way not only would the block be the starting point of one family, but it might become the starting point for 10 or 20 families one after another. One result of this would be that in course of time we would have a population here capable of defending our shores. Apart from that aspect of the case, why should not a man who had gone through great hardships and toil, and whose family had also toiled hard to make a success for themselves on the land—why should that man, after he had actually paid for his block, be treated by the Victorian Government in a far worse way than any private land-owner would have treated him? Why should that man be tied down under section 69 of the Act? The State was putting these people on the land in the interests of the State as a whole, and not merely for the sake of the settlers themselves. After a settler had worked for twelve years on his block, why should he not have some hope extended to him that he would be treated by the State at least as liberally as most of our land-holders had been treated?

The Hon. J. D. BROWN.—They are being treated far more liberally than other land-holders.

The Hon. W. L. R. CLARKE said his experience was that many people had been much better treated in buying land in the ordinary way. Why should the men on the closer settlement areas be robbed of the hope of eventually getting

a good title without any spot on it? Mr. Rees objected to the term "spotted titles," but that was the term that had been used by Ministers themselves. The Government themselves were entirely responsible for those titles. He was sure that the practical men in the Government must have advised their colleagues to blot out section 69, but other Ministers were keen about keeping in these old conservative provisions. Other countries had shown us the way to settle people on the land, and it was with those countries that we had to compete in obtaining settlers for Victoria. That was another reason why the terms we offered should not be less liberal than those offered in other countries. It had been asked whether these settlers were really so innocent that they did not know anything about section 69 when they took up their blocks. It was to decide that question that the Attorney-General appointed a Royal Commission. The report of the Commissioner showed clearly that the settlers did not know the effect of section 69.

The Hon. R. B. REES.—The report does not say that.

The Hon. W. L. R. CLARKE said the Commissioner stated:—

> I am satisfied from the evidence that, when the settlers referred to applied for and were granted allotments, they were unaware of the existence or substance of section 69 of the Closer Settlement Act.

He was satisfied that the Government did not carry on this experiment for the good of the men on the land so much as for the good of Victoria. If the Government were now going to act like a dishonest landlord, who took every advantage he possibly could of the ignorance or poverty of his tenant, there was no doubt whatever that it would have a very bad effect upon the minds of people in the Old Country. As Mr. Melville had pointed out, the people in Scotland would first of all look to see whether they could get a genuine honest title. They wanted to know exactly what conditions they had to expect, and it would be most damaging to Victoria if it became known that vital conditions were withheld. One reason which led many people to support the repeal of section 69 was the insulting attitude which the Government had taken up towards the settlers by doubting their good faith when they put forward their affidavits. A great many of the settlers who signed those affidavits were respectable people who were absolutely trusted by those who knew them, and there could be no doubt whatever that a large proportion of the affidavits were absolutely genuine. The settlers were misled by the pamphlets put forward by this and previous Governments. Those pamphlets would certainly mislead ordinary people who had complete trust in anything that was stated by the Government. For the honour of Victoria he hoped the Government would not go back on the promises that had been made to intending settlers. In his (Mr. Clarke's) opinion, a wrong had been done, and the honour of Victoria demanded that that wrong should as far as possible be righted. The request for this Bill was a genuine request throughout the country, not only from the settlers themselves, but from their friends, and from those who took an interest in the settlement of the State. If the Government threw cold water on the report of the Royal Commission which they themselves appointed, an easy way out of the difficulty would be to appoint as another Royal Commission a man whom the whole community would trust. He (Mr. Clarke) looked at the question not so much from the point of view of what had happened in the past as from the point of view as to how it would affect intending settlers in the future. It was above all things important that people should be got to settle on the land. The Attorney-General had dived into *May* and other authorities to prove that this was not a public question, and that the Bill was a private one. He (Mr. Clarke) believed that it was the most important public question in Victoria at the present time, and its importance fully justified the stand which had been taken in support of the Bill.

The Hon. J. G. AIKMAN said he understood that several honorable members had still to speak on the Bill. He therefore moved:—

> That the debate be now adjourned.

The Hon. T. BEGGS expressed the hope that the debate would not be adjourned so early. Country members came a long way to attend the meetings of the House, and for several nights this Bill had been before the Chamber. Tomorrow would be a short day, and as the Bill was of such importance, he hoped the debate would be continued for some little time longer this evening.

The Hon. A. A. AUSTIN said that on two or three occasions this session the Attorney-General, when the House was adjourning at the end of the week, asked members to be prepared to sit for at least two or three days in the following week. Last week, without giving any reason, the honorable gentleman moved that the House adjourn over Wednesday until the following week. This Bill had been on the notice-paper for weeks, and should be dealt with. He, therefore, strongly objected to the adjournment.

The Hon. W. J. EVANS said he hoped the House would agree to the adjournment of the debate. If there was any possibility of the debate being finished to-night he could understand the reasons for opposing the adjournment. Almost every member who had spoken had made a long speech, and most of the speakers were country members. It was recognised that this was one of the most important debates that had taken place in the Chamber. All members claimed the right to express themselves as they thought fit. It was now half-past 9, and it was generally understood at the beginning of the session that the House would adjourn at that hour. He intended to speak, and he supposed his speech would occupy the best part of an hour. There would be nothing gained by refusing the adjournment. It would be an act of courtesy on the part of country members to agree to the adjournment, so that the town members would have a full opportunity of expressing themselves.

The motion for the adjournment of the debate was negatived.

The Hon. J. K. MERRITT said this subject had been debated at such length that very little more could be said about it. He had recently been through an election at which this question was very prominent. He investigated it, and he felt that now he should give his views upon it, especially as he had heard many things said to-night that he could not agree with. The men who took up these areas had been spoken about in very harsh terms. He was sorry that that had occurred. He took special pains to interview many of these people, and he was quite sure that they were good, honest, straightforward men who spoke the truth when they said they had been misled. Moreover, he would like to point out that the gentleman who opposed him at the election, and who was formerly a member of this House and of the present Government, also looked into this question, came to the conclusion that the settlers had this grievance, and promised to do his best to work and vote for the repeal of section 69. That gentleman, who must have had good ground for supporting the section when it was passed, must have had very solid ground for promising the settlers to work and vote for the repeal of it. Therefore, he (Mr. Merritt) felt it doubly to be his duty to raise his voice in this House and vote for the Bill. He felt, in the interests of the settlers, not only in the country districts, but in the town areas, that this dispute should be settled. The matter was thought of such importance that the House had gone very fully into it, and the Government had appointed a Royal Commission to take evidence and bring up a report. That report had been quoted from in the House, and stated most clearly that there was no doubt that the settlers had been misled. In a British community like this, when it was shown by an authority created by the Government that people had been misled, it was the duty of the Government to rectify any injustice that had been done. It was one of the highest moral standards of the British nation that when a subject suffered injustice it should be rectified. He could not understand why so much doubt had been cast on these men. He had interviewed many of them, and recently had had an opportunity, for which he thanked the Government, of seeing settlers on certain areas in the country. He availed himself of the occasion to ascertain the views of men who settled on these lands. He interviewed them quietly and jointly with other members of the party. He spoke to some men at great length. He remembered speaking to one. He was a Cornishman, and was settled at Bamawm. That settlement had gone ahead very much, and was one of the richest in the district. This man was a young Cornishman who had seen an advertisement at Home which induced him to come out here. He said he was promised land under favorable conditions, and that at the end of twelve years he was to get a clear title to it. He (Mr. Merritt) had in his hand an advertisement issued by the Government of Victoria. He tore it out of *Sands and McDougall's Directory*. It set out under the head of "Closer Settlement" the different classes of allotments that could be obtained, and then stated that the payments extended

over 31½ years, and that the freehold might be obtained at any time after the first twelve years on payment of the balance of the purchase money. As a man who had lived in England for some years, and who was not versed in the technicalities of the law, he (Mr. Merritt) always understood that when a person was promised a freehold title it meant a title that gave him free possession to do exactly what he liked with the land. That was his impression, and it was a common impression in the minds of Englishmen. He said that advisedly, because he had lived in England, and seen a good deal of the country there. He had some knowledge of what the people there thought when they took up a freehold or a leasehold. When the Government of Victoria sought settlers in Great Britain, and promised that at the end of twelve years the settler should have a freehold title, 99 out of every 100 persons in Great Britain would understand by that that they were to get a title that would give absolutely free possession, and without any outside conditions being imposed. There was nothing said in the advertisement he had referred to as to any condition about living on the land permanently. To return to the Cornishman to whom he had referred, he (Mr. Merritt) might say that that was the advertisement which induced that man to come out here and take up the land. That man travelled down to Plymouth, where he interviewed Mr. Mead. Mr. Mead assured the intending settler that it was perfectly correct that he would get a freehold title at the end of twelve years. He (Mr. Merritt) asked this Cornishman if he said anything to Mr. Mead, or if Mr. Mead said anything to him about the condition of residence, and he replied that nothing of the sort was mentioned. He said he had expected to get his freehold title at the end of twelve years, but now he found he could not get it. He also said that there were many men in the district who had the same opinion. Of that he (Mr. Merritt) was able to satisfy himself, for he had spoken to other men who held the same opinion. This man said he was quite sure that the title was doing a great deal of injury to Victoria. He (Mr. Merritt) felt that that was the correct view to take, and therefore it was very important that this question should be settled. He hoped that the Government would see its way to accept in good faith what these men said, and the judgment of men who had looked into the question. Members should certainly see that justice was done to these men. They should not suffer any disadvantage from the fact that these things were not pointed out to them. Some men on the recent trip pointed out to the Parliamentary party that large numbers of lads were growing up. They had been brought out with the object of settling them on the land, and would really become the best class of settlers. They were growing up in the country, and they were strong and well able to do the work. It was stated that when they grew to manhood, and were entitled to take up land, they would find very much better inducements in the other States, where there was no such thing as section 69. New South Wales, Queensland, and Western Australia offered lands for settlement without any such restriction as was contained in section 69. Therefore, if these very desirable settlers were able to exercise a choice they would drift away from Victoria. That kind of drift had been going on during the last few years. Victoria had been losing a great many desirable men because of the generous terms offered in the other States which he had mentioned. For that reason he was very anxious that the Government should deal resolutely and promptly with this question. If the Act had not accomplished all that it should do it was better to recognise and remedy its faults, and thus prevent the drift to which he had referred. We wanted to keep these men in Victoria, and we wanted them to be satisfied, and make a decent living, so that they could send a good account of Victoria to the Old Country. Canada was offering free grants of land without such a provision as section 69, and treating settlers very generously. Such inducements had great weight with people in Great Britain. Of course, it was necessary to guard against aggregation. He recognised what that evil had been in the past, when large areas of country had been gradually gathered up by individual holders. There seemed to be no fear that those conditions could again prevail. The position nowadays was altogether different. In the old times land was worth very little, but these closer settlement areas were worth a great deal. It was hardly thinkable that any one would gather up land worth £20 per acre and

run sheep upon it. It would not pay any large holder to do that, or to take up these areas and treat them in the way the present settlers were able to treat them. There should be no fear of aggregation becoming the evil which it was in the past. Moreover, section 70 dealt efficiently with that phase of the matter. He thought there was sufficient safeguard against a recurrence of the evil. For the sake of our good name and the welfare of our country, the injustice which he felt sure had been done to these settlers should be rectified. The settlers should be treated openly and candidly. He hoped that these men would not, as had been suggested, be called into question as to the affidavits which they had made. He had questioned many of the settlers, and he was quite convinced that they were perfectly honest. Therefore, he hoped that reflections would not again be cast upon them. The settlers simply wanted justice, and he felt that under the Bill they would get what they asked.

The Hon. W. C. ANGLISS said there had been a great deal of argument on both sides, and, with other honorable members, he regretted that so much heat had been imparted into the debate. He was one of those who had gone around the closer settlement estates a couple of weeks ago. It was an object-lesson to him to see the settlements, and the conditions under which the settlers worked. He had devoted two days of his rather busy time to going into the matter, in order to ascertain the exact position. He must admit that the Government and the Closer Settlement Board had done great work. The greatest credit was due to them for the way in which the settlers had been handled. It was a great pity that the Government did not see their way clear to remove the grievance which the settlers had. There was no question that a great number of the settlers were in deadly earnest. They felt that they were suffering through some great misunderstanding. He would not go so far as to say that they had been deceived. He could hardly credit any Government or official going so far as to deceive them. It was very apparent to those who visited the settlements, and talked with the settlers, that this grievance should be removed. Amongst others he had met on that visit was an old friend of his, who was an excellent judge of land. He was not a closer settler, but had a holding of his own of fairly large acreage. When he was asked what he thought of the closer settlement system, he said that it was not likely to be popular or much used unless section 69 was removed. He had pointed out that settlers, when they went into a township, could not get credit for tools or machinery which they required. It certainly seemed that the settlers laboured under great difficulties. If section 69 were repealed, the settlers would find it easier to get credit for what they required, and their conditions would be far more comfortable than at present. He had a newspaper clipping which showed that the Government's own bank—the Savings Bank—would not lend money to these settlers. That showed that they did not think much of the security. It had been said that there were only a few dissatisfied settlers. He had received the following letter, signed by fifty-six settlers of the Overnewton and Arundel Estates:—

> We, the undersigned settlers on the Overnewton and Arundel Estates, respectfully request you, as our representative in Parliament, to do your very best in support of any Bill brought forward for the repeal of section 69 of the Closer Settlement Act 1904. The report of the Royal Commission shows, beyond a doubt, that we were unaware of its existence, and that, had we known of it, we would not have taken up closer settlement lands. We feel we are asking only for simple British justice—to get what we pay for—and believe that the one-man-one-block provision in section 70 is quite sufficient to prevent aggregation and speculation, and should be the only restriction on the freehold.

That indicated that the dissatisfaction was more widespread than the Government seemed to think. He had another letter, which dealt rather fully with the matter. The writer gave certain facts which he thought might be of use in the debate. It was stated in the letter—

> I am myself one of the 700 declarants who have, I consider, been grossly insulted by the manner in which our affidavits were received by the Ministry.
>
> In the harvest of 1912, I engaged an Englishman—name Thompson—who, with his brother, came out to take up land at Rochester under closer settlement conditions, having been induced to do so by circulars and lectures he had read and heard in England, and in Canada, where he had been farming for eight years. There was no mention of perpetual residence in any of the pamphlets, and several distinctly stated that after twelve years a freehold title would be granted. There were many other statements

they found to be equally misleading. He and his brother possessed a fair amount of capital, and were thoroughly experienced farmers, also had had considerable irrigation work, and were sober, steady, well-educated men, of splendid physique, one being 6 feet 3 inches in height, the other 5 feet 11 inches. In fact, they were the very type of men we require. They went to Rochester and Shepparton estates; but were thoroughly disgusted when they found—not through the Board's officers—that the title was so bad, and decided not to touch land under such conditions. They also said the grading was very faulty, and that the price of the land at Rochester was nearly double what they had been told in England. They were not dissatisfied with Victoria, but considered they had not sufficient capital to buy land off private settlers; so decided to return to Canada, where they said the conditions were much more generous, but they had found the climate rather trying. The elder one, who worked for me, was the best man I have had for the last ten or fifteen years, and I offered to keep him on; but he and his brother decided to return to Canada, which they did in March. There were six other young men in British Columbia who were coming out to Victoria if the Thompsons' verdict was favorable, men whose circumstances and experience were similar; but, on hearing such an unfavorable report, they have decided to remain in Canada.

The PRESIDENT.—This letter is hardly relevant. The Bill is not to repeal section 69, but merely to postpone the coming into operation of the section. Moreover, the letter is about people who did not take up land at all. If the Bill were for the repeal of the Act, the letter would be relevant, but it has nothing whatever to do with relieving past settlers.

The Hon. W. C. ANGLISS said people who had acquired leaseholds at Wonthaggi were granted freeholds. They had obtained the land with their eyes open. If the Wonthaggi people were entitled to such a concession, surely the Government could give a somewhat similar privilege to these closer settlers who had taken up land under a misunderstanding. He was sure that the desire of the Government was to do away with centralization as much as possible, and this was likely to be carried out if they would only make the conditions of the men settling on the land more favorable than they were at present.

The Hon. A. HICKS.—So that they can get away to the city.

The Hon. W. C. ANGLISS said he would be the last to attempt to do anything which was likely to bring people from the country to the city. He did not believe in that. He believed we should do all we could to get people into the country. He would do all he could to make the land attractive to the people, and he thought that if the Government could only see their way to alter section 69 the country would be made more attractive to the settlers. He saw a number of young fellows on the closer settlements which honorable members visited recently, and he found that their only grievance was section 69. After discussing the matter with men who knew something about country conditions, and using his own common sense, he had come to the conclusion that there was everything to gain by section 69 being repealed. He did not believe in the aggregation of land, but he could hardly see how aggregation could come in at all if the section was repealed. Any land was expensive when once you started to irrigate it, and it had to be closely worked, requiring a great deal of labour, so that he did not think there would be any opening for aggregation to come in. He was out at Doncaster the other day where he saw what was really an object lesson as to what could be done even without closer settlement under the Government. The population there had very largely increased during the last three years, and the people who had land there—although there was no such flaw in their title such as that provided by section 69—did not go in for aggregation in connexion with the splendid fruit farms which were to be seen in the district. Neither did he think that there was the slightest fear of aggregation in connexion with the land that would be affected by section 69. A few years ago he was on a trip from Sydney to Vancouver, and on the ship there were quite a number of young Australians, most of them Victorians, from the Western District, who were going to Canada——

The PRESIDENT.—The honorable member is not speaking with reference to the Bill. The Bill is not for the purpose of repealing section 69. It is merely for the purpose of postponing its operation. But the honorable member is arguing about the repeal of the section.

The Hon. W. C. ANGLISS said he thought a great number of young men were being driven out of the State owing to the operation of our present laws.

The Hon. J. D. BROWN.—We never can compete with Canada.

The Hon. W. C. ANGLISS said he quite agreed with the Attorney-General.

Nevertheless, he thought we were driving a great number of young men out of Victoria.

The PRESIDENT.—I have told the honorable member that that is foreign to the Bill.

The Hon. W. C. ANGLISS said there was no question but that the conditions under which our settlers were being placed on the land were not likely to make settlement popular, and as one who had a great interest in the country, and would like to see it go ahead—who would like to see two blades of grass growing where one was growing now—he would like to see the elimination of section 69 so as to make closer settlement more popular.

On the motion of the Hon. W. J. EVANS, the debate was adjourned until the following day.

The House adjourned at eight minutes past ten o'clock.

LEGISLATIVE ASSEMBLY.

Tuesday, October 21, 1913.

The SPEAKER took the chair at twenty-six minutes to 4 o'clock p.m.

PUBLIC SERVICE.

LEAVE FOR RIFLE MATCHES.

Mr. LEMMON asked the Premier—

If it is the intention of the Government to permit servants of the State to take part in the forthcoming rifle matches of the Victorian Rifle Association, under such conditions that the time occupied shall not affect their annual leave?

Mr. WATT (Premier).—The Secretary to the Victorian Rifle Association was informed, on the 8th August last, that public officers would be granted the desired leave on the usual terms and conditions, *i.e.*, provided it could be given without public business being interfered with, and without expense to the Government. On the 1st October, the heads of the various Departments were informed accordingly.

COLONIAL MUTUAL LIFE ASSURANCE SOCIETY.

Mr. MEMBREY asked the Premier—

If the Government is yet in a position to indicate what steps it proposes taking in connexion with the inquiry recently held into the affairs of The Colonial Mutual Life Assurance Society Limited?

Mr. WATT (Premier).—The Government has considered this matter. It is not proposed to make a charge upon the society for the inspectors' fees, which are assessed by those gentlemen at £2,310, nor for clerical assistance employed by them, valued at £600, nor for £100 sundry expenses. The Attorney-General has already directed that steps be taken with a view to the prosecution of the petitioners. The Government does not consider it would be wise to ask Parliament to pass any resolution indorsing the report of the inspectors.

IMMIGRATION.

OFFICERS' MISSIONS TO GREAT BRITAIN—COST OF ADVERTISING.

Mr. WEBBER asked the Minister of Lands—

If he will inform the House when the returns ordered by the House on the 6th and 19th August last, relative to the mission of Miss Cuthbertson and Mr. Whitehead to Great Britain, will be laid on the table?

Mr. MURRAY (Chief Secretary).—These returns will be laid on the table to-day.

Subsequently,

Mr. MURRAY (Chief Secretary), in compliance with orders of the House, dated August 6, August 19, and September 17, presented returns showing the cost and results of Miss Cuthbertson's and Mr. Whitehead's missions to Great Britain to secure girl immigrants, and artisans and mechanics; and also the cost of advertising for immigrants in Great Britain.

EDUCATION DEPARTMENT.

MUNICIPAL CONTRIBUTIONS TO SCHOOLS.

Mr. McLACHLAN moved—

That there be laid before this House a return with regard to the cost of establishing high schools, higher elementary schools, and sloyd and cookery classes in this State, showing—

1. The names of the municipalities, and the amount contributed by each.
2. The names of the towns interested, and the amount contributed by each.

The motion was agreed to.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture les-

sons in State schools were presented by Mr. CARLISLE, from certain adult residents of the Electoral District of Benalla; by Mr. ELMSLIE, from certain adult residents of the Electoral District of Albert Park; by Mr. JOHNSTONE, from certain adult residents of the Electoral District of Polwarth; from certain adult residents of the Districts of Corangamite and Hampden; by Mr. LAWSON, from certain adult residents of the Electoral District of Castlemaine and Maldon; by Mr. McLACHLAN, from certain adult residents of the District of Maffra, Gippsland; by Mr. MEMBREY, from certain adult residents of the Electoral District of Jika Jika; by Mr. MENZIES, from certain adult residents of the Electoral District of Lowan; by Mr. SNOWBALL, from certain adult residents of the Electoral District of Brighton (Hampton Division); and by Mr. WATT (Premier), from certain adult residents of the Electoral District of Essendon.

Petitions praying that section 69 of the Closer Settlement Act 1904 be repealed, were presented by Mr. J. CAMERON (*Gippsland East,* Honorary Minister) (for Mr. Speaker), from certain settlers on the Glen Huntly Estate; from certain settlers on the Tooronga Estate; by Mr. GRAHAM (Minister of Water Supply), from certain settlers on the Numurkah Estate; by Mr. LANGDON, from certain settlers on the Hurstwood Estate; from certain settlers on the Memsie Estate, Bridgewater; from certain settlers on the Oaklands Estate; by Mr. LIVINGSTON, from certain settlers on the Winnindoo and Karadoc Estates; from certain settlers on the Kilmany Park Estate; from certain settlers on the Richmond Vale Estate; by Mr. MEMBREY, from certain settlers on the Pender's Grove Estate; by Mr. MURRAY (Chief Secretary), from certain settlers on the Warrnambool Village Settlement, West Reserve, Workmen's Homes Allotments; by Sir ALEXANDER PEACOCK (Minister of Public Instruction), from certain settlers on the Ballarat Common Closer Settlement Estate; from certain settlers on the Waubra Estate; by Mr. THOMSON (Honorary Minister), from certain settlers on the Strathkellar Estate; and by Mr. WARDE, from certain settlers on the Footscray Workmen's Homes Estate (two petitions).

CLOSER SETTLEMENT AREAS.

COST OF ADVERTISING.

Mr. MURRAY (Chief Secretary), in compliance with an order of the House dated September 17, presented a return showing the total cost of advertising closer settlement areas in Victorian newspapers for each financial year since the policy was adopted.

METROPOLITAN COUNCIL BILL.

The debate (adjourned from September 23), on the motion of Mr. Watt (Premier), for the second reading of this Bill, was resumed.

Mr. ELMSLIE.—I feel somewhat at a disadvantage this afternoon in offering a few remarks on this measure, because there is a general impression abroad, to use a saying that is common just now, that it is merely out for a gallop, and the colours are not up.

Mr. WATT.—And I suppose you will say next that the jockey is stiff?

Mr. ELMSLIE.—I would not like to say the jockey is stiff, but I would like to have a word or two with the owner. In his second-reading speech, the Premier seemed to me as though he felt it incumbent on him to offer some excuse for bringing the measure forward, and, to a certain extent, I can sympathize with him in the feelings he seemed to express on that occasion. On looking around outside, one must be struck with the fact that there does not seem much of a demand on the part of the public for this measure. The Premier gave us a history of the agitation that has gone on for many years, and he showed very conclusively that it consisted of spurts, but that there was no continued agitation for a greater Melbourne scheme. He seemed to attach the greatest importance to the agitation that had been conducted by the Australian Natives' Association and the Political Labour Council of Victoria. It does not matter very much from my point of view whether there has been strong and consistent agitation for the measure or not. We are faced with the fact that the Bill has been introduced, and that we have to indorse, amend, or reject it. As far as I have been able to gauge the opinion of the public outside, there seems to be a great deal of misconception as to what the Bill really provides. Nine out of ten men in the street who will condescend to speak to one about it, in answer to inquiries, believe undoubtedly that, if the Bill becomes law,

the whole of the municipal councils in the metropolitan area will be abolished. Beyond the shadow of a doubt the consensus of public opinion is in favour of unification, and not federation. Another thing that seems to give satisfaction in certain quarters, though it undoubtedly does not in others, is that the Bill contains some germs of municipal Socialism. Though the proposals of the Government tend in that direction, the measure will not, in the form it is submitted, allow us to enter into a very wide region of municipal Socialism. It certainly does not go anything like as far in that direction as I should like. On making inquiries into what has taken place in other parts of the world, one cannot fail to be struck by the fact that though we may call ourselves advanced in Victoria and Australia, we are far behind other parts of the world in connexion with municipally owned and controlled utilities. We have a great deal to learn yet of the benefits of utilities under municipal ownership and direction. We have been told, rightly or wrongly, that in Victoria the art of municipal government has very nearly reached the acme of perfection, and if one sought for corroboration of that view in several directions, it could be easily found. The basis of the municipal government in several countries has been founded on the system in operation in Victoria. Recognising that we have reached a fairly high standard in regard to municipal government, it behoves us to be extremely careful, and to think deeply over any proposed alteration in the form of municipal government that we have been acquainted with so long. For many years, there has been talk about a Greater Melbourne Council scheme, but when one searches for any details that have been submitted, the search is in vain. I have been able to find broad statements as to what the constitution of the council should be, but I have looked in vain for any of those details that are absolutely essential in considering a scheme of this character. On hunting up the files of the journals, and looking over the reports of speeches that have been delivered on the subject, I was struck with the very vague manner in which the whole question has been discussed. The underlying reason for the advocacy of the establishment of a Greater Melbourne Council seems to me to have been that in other parts of the world bodies constituted somewhat on the lines proposed in the Bill have been successful. I have already referred to the agitation of the Political Labour Council and the Australian Natives' Association. Those are the only two public bodies so far as I can ascertain, that have given much thought or consideration to this question. It is a significant fact that both of those bodies have come practically to the same determination as to the form which the constitution of the Greater Melbourne scheme should take. After all, I take it that the real impelling force that was behind the Government in the introduction of this measure was the necessity of speedily bringing into operation some body or some control to take over the management of our tramway system. I presume the Government thought this was an opportune time to enter into a wider sphere of operations, and to submit to this House for consideration the scheme that is embodied in the Bill. In the remarks I intend to make this afternoon, it would be absurd, of course, to attempt any criticism of a detailed character of the very many important proposals that the Bill contains. I shall content myself with taking objection to what I believe to be very serious blots upon the measure that has been submitted to us, but before I proceed I should like to call the attention of honorable members to the fact that when the Bill is analyzed it will be found to contain enough matter and parts for at least fifteen separate Bills. Some of the schedules, more especially those dealing with fire brigades, are really Bills in themselves. Therefore, I can understand in some measure that the Government have no hope—may I say no desire—that the Bill should become law this session. I do not know whether it is a wise or an unwise thing to do, but, in my opinion, the Government show considerable tact, and possibly some judgment, in submitting the measure to the House for criticism and review if their desire is later on to take advantage of the opinions that are expressed by honorable members, and, casting party behind them, to endeavour next session to bring in a measure amended to some extent on account of the criticism it receives. First of all, let us see what the Bill contains. It proposes a federation, leaving the present councils in ex-

istence, though certainly with restricted powers. The existing franchise for the municipalities is to be a feature, and an important feature, in this measure, certainly with some minor restrictions which are not worth while considering. Men and women may sit as councillors. That is a bit of an advance upon the old order of things. The Bill also proposes that the metropolitan council shall take over the management of the tramways, and, in my opinion, side by side with the franchise, that is one of the most important proposals in the measure. The Bill dissolves the Melbourne and Metropolitan Board of Works, and provides that the new council shall take over water and sewerage. That is not such an important step as might appear at the first blush, because the great work of originating and carrying into full effect the scheme for sewerage for the metropolis has already been almost completed, and so far as the metropolitan council is concerned, it will only be a question of administration, and not one of policy. It is also proposed to dissolve the present Metropolitan Fire Brigades Board, and that the council shall take over the management of the fire brigades. There is one feature in the Bill which I cannot understand. The Government proposes that the new council shall be all-powerful, and evidently pre-supposes that it will have all the knowledge necessary to manage successfully the very important duties placed upon its shoulders; yet they go out of their way to call into existence an advisory Board, showing, to my mind, that the Government have some want of faith in that direction and a feeling that their proposals are not as they should be. If that were not so, they would not propose to fasten an excrescence on the council in the shape of an advisory Board. It is proposed that the metropolitan council shall take over the management of parks and gardens, rivers, creeks, and watercourses. On three occasions in the course of his speech in introducing the measure, the Premier used the term "foreshores," giving the impression that power was given to this council to take over the foreshores within the metropolitan area. On looking through the Bill, I fail to see where that is done. However, I may have something to say about that later on. The council may deal—and I wish to emphasize "may"—with electric light, power, and gas. It is to take over the markets, abattoirs, and saleyards, and deal with noxious trades, meat supervision, hackney carriages, and carters, frame building regulations, demolish slums, and construct new buildings and streets, and it may sell or lease the land that is resumed or upon which dwellings are destroyed. Another important feature in the Bill, and one which I totally disagree with, one that is extremely undemocratic, and would hardly be expected to be introduced at this time of day, or by a Government professing such a liberal or democratic policy as the present Government, is that the basis of representation adopted is not population, but valuation.

Mr. HANNAH.—Bricks and mortar.

Mr. ELMSLIE. — Exactly. Bricks and mortar are to be the basis of representation, and not the people or the brains of those who compose the citizens. The Bill does not give us adult franchise. It does not provide for payment of members. It does not provide for the erection of workers' dwellings outside slum areas. While the new council is given power to remove or demolish slum dwellings and erect new ones, it is not given power to enter into the most essential function of such a body, namely, the proper housing of the workmen who desire to live within the area controlled by the council. It is true that the Premier, in his speech on the second reading, stated that if the Bill submitted by the Government giving municipal councils power to adopt a system of taxation on unimproved values, became law, it would be necessary to amend the present measure in the same direction. As this Bill now stands, however, there is no provision whatever enabling the council to adopt that most democratic form of taxation. There is another item that is conspicuous by its absence, and that is with regard to the control of our cemeteries. Nearly all the other greater council schemes that I have made myself acquainted with take over the management of cemeteries, and I should have thought that that was one of the first things that would have been embodied in this Bill.

Mr. WATT.—The honorable member has already said that the Bill contains enough material for fifteen Bills. Now he wants to add two more items.

Mr. ELMSLIE.—I make no complaint as to the scope of the Bill. What I am complaining about chiefly is what it does not contain. It is the duty of honorable

members to make a measure of this character as perfect as possible, and we should not, for the sake of ease or comfort, leave out any of the things which we think should be embodied in such a Bill. I am pointing out what I believe ought to be embodied in the measure, leaving it to the good sense of the House or the Government to say whether I have made out my case or not. There is another important omission in the Bill, or, at any rate, the matter is not made very clear. While the conditions of contract, so far as works are concerned, are made clear and distinct, I am afraid that their very clearness and distinctness will make it impossible to introduce the system known as day labour. We have the experience of many of the municipal councils to-day, and we have had experience in the construction of railways, that the day-labour system is more economical and more efficient than the contract system which has been in operation. I believe that a measure of this kind would not be perfect by any means if by some oversight the system of day labour were barred. I do not profess to be a lawyer, but it seems to me that the stringency with which the contract provisions are surrounded would render it impossible for any works under this Bill to be carried out under the day-labour system.

Mr. WATT.—Stringency in the contract provisions would drive them to day labour, would it not?

Mr. ELMSLIE.—There is no provision in the Bill for regulations in that direction. I hope I am wrong. I shall endeavour, when the Bill is in Committee, to give to this council the right to introduce the day-labour system.

Mr. WATT.—It has the full right under the Bill.

Mr. ELMSLIE.—I do not think so. The Bill does not provide for a betterment rate. I shall not go into the question as to whether that should be brought into operation. Where a large expenditure of public money has taken place, and where special property and special areas have been wonderfully improved in value, the people who have contributed to the increase in value ought to be able to say, with every sense of fair play and justice, that the owners of this property should pay something in the direction I have indicated. There is no provision in the Bill for the initiative and referendum. The power of initiating legislative projects and the power of veto is a most democratic principle. In a democratic country like this, there should be no two opinions as to the wisdom of introducing a provision providing for the initiative and referendum.

Mr. WATT.—This is not a legislative body at all.

Mr. ELMSLIE.—The honorable gentleman carefully impressed on the House, when moving the second reading of the Bill, that this was a purely administrative body. Having read the Bill, and studied it, I venture to disagree with him. In many respects this body is legislative as well as administrative. I believe that the lighting of the metropolis is one of the utilities that ought to be common to the whole of the metropolis. This Bill is not clear on that question. It leaves the matter of lighting to the various councils.

Mr. WATT.—The Bill gives all the power to make lighting uniform and universal.

Mr. ELMSLIE.—I do not think it does. There is nothing in the measure dealing with the taking over of the metropolitan hydraulic power supply. That is a utility which, as much as any other proposed to be taken over, should be given to this body. To-day this business is a monopoly, and a monopoly in more respects than in the direction of providing the power. It is practically a trust, and might well be taken over with advantage to the people who require to use that power in carrying on their daily business. There is another very important omission, namely, that of the use of destructors. If there is any function common to the whole of the councils, it is the disposal of garbage and refuse in some expeditious and sanitary way. We know the nuisance created in some of the suburbs by the various methods adopted in disposing of refuse. We know what stenches arise from the different tips. I believe that this matter could be much more effectively and more economically dealt with if the power of dealing with refuse by means of destructors was handed over to this body. I urge this view on the consideration of the Government and the House, because I find that it is one of the utilities taken over by councils in various parts of the world, and carried on by them as a profitable concern. I have now briefly expressed some of my views on some of the proposals in the Bill, and some that should be in it.

I propose now to deal with a few of them, but not at any great length. The first thing I take objection to is the federal nature of the scheme. I have been driven by the force of experience and example, and by reading, to the conclusion that the most successful form of municipal government for a large area is that of unification as against the federal system. I propose, also, to deal with the franchise, the number of members on the council, and the tramways. There are many other proposals to which exception will be taken. I may mention the question of dealing with electric light and gas, and the power to deal with the housing question. There is no guarantee that, under this Bill, these utilities will be dealt with as the great bulk of the people would like to see them dealt with. There is too much of "may" and not enough of "shall" in the Bill. Now, as to the federal aspect of this measure. I may say that a federal body is a body controlling works common to all the municipalities concerned, whilst these councils are kept in existence for purely local affairs. Unification means an absolute and complete union of all the councils within the area, and not only carrying out the functions common to all, but all the local affairs as well. My inquiries have been necessarily hurried, but I find that in most countries unification or amalgamation is the most general system of municipal government. I believe that the London County Council is the only body of the kind under the federal system, and I am informed by persons who have been in London recently, who have made inquiries and taken an interest in the matter, that, in many quarters, there is a strong agitation that the government of that area under the London County Council should be in the direction of unification. There is nothing like experience. There is nothing like going abroad and getting examples of successful forms of government of the character we are considering. I have already stated that, so far as I know, the only form of federal municipal government is that of the London County Council. In Great Britain there are dozens of examples of successful municipal government under a unified scheme. In the following places the system of unification is in existence, and the system of government has been frequently mentioned in discussions as a successful one for the management of public utilities—Birmingham, Bradford, Bristol, Bolton, Cardiff, Dublin, Edinburgh, Glasgow, Liverpool, Manchester, and Sheffield. I mention these as some examples. With these examples before us, we cannot, as the Premier attempts to do, dismiss unification as impracticable. He even said that it would be dropsical. He said it was his belief that if a system of unification for Greater Melbourne was introduced, it would break down of its own weight. If that is true so far as Melbourne is concerned, how is it that, in cities such as I have mentioned, with a larger population, and that deal with more utilities, the scheme of unification has not broken down of its own weight?

Mr. MEMBREY.—Have you the area of them?

Mr. ELMSLIE.—No; but I think that our area is greater than any of them.

Mr. MACKINNON.—Have you the number of existing municipalities in these areas?

Mr. WATT.—In Cardiff, for instance?

Mr. ELMSLIE.—I have no knowledge of the matter. It is not unfair to say that this Bill is based on the London County Council pattern. With the advantage of a knowledge of the features of local self-government in our metropolis, and comparing it with the systems in operation elsewhere, more especially in Great Britain, I have been forced to the conclusion that a unified system should be adopted for the constitution of a Greater Melbourne Council. Both the factors mentioned lead me to the conclusion that at least the same efficiency can be obtained under unification as under the federal system, and that the cost will be much less under unification. Later on I shall endeavour to show what has led me to that conclusion. It is true that the Premier was somewhat comforting to those who, in criticising the measure, expressed the opinion that the creation of this Metropolitan Council would lead to further taxation. The Premier showed that 2d. was the limit to which this council could go in imposing further taxation. That was somewhat comforting until one made an examination of the position in which the present councils would be left. The Premier submitted figures as to the revenue of which the councils would be relieved in some cases,

and as to the amounts which they would gain by not being called upon to make certain payments in various directions. After a close analysis of the figures submitted by the honorable gentleman one must be forced to the conclusion that the present councils, when they are shorn of their powers and much of their revenue, must do one of three things if they desire to carry on their utilities and functions as they are carrying them on to-day. Either they must cease being up-to-date in their operations, or they must go in for retrenchment, or they will be compelled to increase taxation. Whether we agree or disagree with the town clerk of Melbourne, we must all admit that he has had a wide experience of municipal government. He was sent abroad by his council to examine the various forms of municipal government in the Old Country. I do not intend to weary honorable members with quotations during my speech, but I would like to give a short extract from the town clerk's evidence before the Royal Commission upon the unification or federation of municipalities on 23rd January, 1905, when he said—

> I conferred with the supporters of unification in the provincial cities, and with those who had been earnest and consistent opponents of some of the unification schemes which, despite their opposition, had been successful; and, strange as it may seem, I may say the result was unanimously in favour of the benefits and advantages of unification as against federation.

Mr. WATT.—Rather a new attitude for a leader of the Labour party to be supporting the town clerk of Melbourne.

Mr. ELMSLIE.—I am not supporting the town clerk of Melbourne, but the leader of the Labour party or of any other party, if he desires to gain information that will be of value, should not be above going to any source from which he may obtain experience and knowledge.

Mr. WATT.—I have heard him described on your side of the House as one of the apostles of Conservatism.

Mr. ELMSLIE.—It is not a question of policy or of opinion, but of facts obtained after examination. The town clerk was sent abroad by his council to make inquiries as to whether the federal or unified form of municipal government would be the better. After searching inquiries had been made by him he came back and reported that, in his opinion, a unified scheme of municipal government was the better to consider.

Mr. WATT.—Would you believe everything a man says when he comes back from abroad?

Mr. ELMSLIE.—Does the honorable gentleman invite me to doubt some of his statements?

Mr. WATT.—There was a statement by one of your colleagues about a 13s. breakfast.

Mr. ELMSLIE.—I am certain that any statement made by my colleague as to his experience abroad will be believed, not only by me, but by every other honorable member when it is a question of facts.

Mr. WATT.—Your faith shall be counted for righteousness.

Mr. ELMSLIE.—I hold no brief for Mr. Clayton.

Mr. HANNAH.—Does the Premier hold that no good can come out of Nazareth?

Mr. ELMSLIE.—I know of no man with greater experience and who brings a keener mind to bear on municipal government than Mr. Clayton. I now wish to refer to the figures presented by the Premier. I do not quote them for the purpose of disproving them or with the intention of casting any reflection, because I do not for one moment say that the Premier gave any other figures than those which he believed to be absolutely correct. However, I do say that I believe that it is possible for him to make a mistake as well as those gentlemen whose aid and assistance I have sought. The information which I have obtained, however, demonstrates that further inquiries should be made. It is quite possible that the losses of existing municipal councils will be much greater than we are led to believe by the table of figures submitted by the Premier. Boiled down, the Premier's figures show that the loss to the various councils will be £53,224. Now, I wrote to the town clerks of the various councils which it is proposed to cover by the Metropolitan Council and asked for their criticism of the Premier's figures. In nearly all cases I have received replies. The total amount of the loss which they estimate they will sustain is £61,000 and not £53,000 as estimated by the Premier.

Mr. WATT.—That is a mighty small difference after all the fuss.

Mr. ELMSLIE.—It is not a mighty small difference.

Mr. WATT.—The figures I gave were taken by the principal Government muni-

cipal auditor from the official balance-sheets of the councils.

Mr. WARDE.—In some municipalities it will mean 4d. in the £1.

Mr. WATT.—It will mean more with the bureaucratic unification which is being advocated.

Mr. ELMSLIE.—The Premier says that Brunswick will lose £313 in revenue but the council says that its loss will be £1,036.

Mr. WATT.—Could I get those figures?

Mr. ELMSLIE.—Yes. The Premier says that Caulfield will gain £500 but the council there says that it will lose £410. Collingwood and Essendon say that the Premier's estimates are correct. Then the Premier says that Fitzroy will lose £685. The town clerk of Fitzroy, a gentleman very skilled and experienced in municipal government, and a most reliable officer who knows his business, says that the Fitzroy Council will lose £2,580.

Mr. WATT.—Would you pause now and give us the details. It all depends on what you take.

Mr. ELMSLIE.—Probably that is the explanation.

Mr. WATT.—I have given all of the figures which I have taken. What have they taken?

Mr. ELMSLIE.—The Hawthorn council says that the Premier's estimate is correct. As far as Prahran is concerned, the Premier estimates that the loss will be £2,060 but the town clerk puts it down at £2,708.

Mr. WATT.—Taking the trams and everything?

Mr. ELMSLIE.—Let me revert to the position of the Fitzroy Council. I have here a statement as to how the Bill will affect the revenue and expenditure of that city—

Fire brigades gain £1,094, loss £12.
Parks (contribution to Edinburgh Gardens saved) gain £250, loss £10.
Tramways; rates lost now per annum, £2,332; future revenue lost, £20,000.

I have not taken that future revenue lost into consideration. On electric lighting the rates lost would be £35, and on gas works £1,067.

Mr. WATT.—Nothing like it.

Mr. ELMSLIE.—I am giving my authority. On markets and weigh-bridges the loss of fees would be £121. The present contribution for weights and measures is £30, and the loss would be £12.

Mr. WATT.—We are not taking weights and measures over at all.

Mr. ELMSLIE.—On meat supervision the loss in fees would be £35, hackney carriages £280, building fees £150. According to these figures, the total gain would be £1,619, and the total loss £4,104.

Mr. WATT.—The Fitzroy Council joined in the request for this Bill.

Mr. ELMSLIE.—That is quite possible. I am not here as an apologist for what the Fitzroy Council did. I am only stating the figures given to me, and they show that the figures given by the Premier require more thorough examination. Then, in the case of Richmond, the Premier stated the loss would be £673. The town clerk of Richmond says they will lose £2,196. The figures for South Melbourne, for a wonder, are correct. St. Kilda, the Premier says, will lose £51; the council says it will lose £142. The figures for Brighton, Camberwell, and Coburg are correct. In the case of Northcote, the Premier says the loss will be £587. The town clerk's figures are £20 different. However, taking the figures submitted by the Premier himself, the total loss to the councils will be £53,000, and that amount will have to be made up if the councils are to carry on in the future as they have been doing in the past.

Mr. WATT.—The bulk of it is in the city of Melbourne.

Mr. ELMSLIE.—It is true that the city of Melbourne contributes £42,000, but that still leaves £11,000 divided over about——

Mr. WATT.—Twenty-three municipalities.

Mr. ELMSLIE.—No; about twelve municipalities. You cannot take an average in a matter of this kind. You must take the councils which suffer the actual loss, and it is those councils which will have to increase their rates. Therefore, while the Premier has made out a case that the metropolitan council is not going to inflict a very large increase of taxation, I contend that if these proposals are carried out they will lead to an immense increase in taxation so far as twelve or fourteen of the municipalities are concerned. Furthermore, while the Bill, as it stands, lays down clearly and specifically what the taxation powers of the new council are to be, what guarantee have we as to what is going to happen in

the future? Because a provision of that kind is embodied in this measure, it does not make it permanent.

Mr. WATT.—Hear, hear!

Mr. ELMSLIE.—The Premier was very emphatic in answering the statements that had been made, and in declaring that this Bill did not mean increased taxation, so far as the new council was concerned.

Mr. WATT.—I said that this was a self-contained financial scheme within the taxation provided for.

Mr. ELMSLIE.—It does not follow that that provision is going to be permanent.

Mr. WATT.—That would be an argument against any Bill.

Mr. ELMSLIE.—I wish the Premier would allow me to finish my speech. We listened to him very patiently when he was introducing the Bill, and I ask for the same indulgence. The honorable gentleman is very astute at that kind of business when he wants to throw any one off the perch.

Mr. WATT.—Call me a "stiff" jockey.

Mr. HANNAH.—We will have to draw the Speaker's attention to these interruptions.

Mr. ELMSLIE.—I say that the embodiment in this measure of restricted powers of taxation is no guarantee that in the future those powers of taxation will not be increased. Therefore, in the end, the scheme may cost more than the Premier would have us believe.

Mr. MENZIES.—The disparity is only about £10,000, is it not?

Mr. ELMSLIE.—That is, taking the Premier's own figures. If we take the figures of the town clerks, it will be much more.

Mr. WATT.—They wrongly include many things. They do not know what is in the Bill.

Mr. ELMSLIE.—That is quite possible.

Mr. HANNAH.—I rise to a point of order. When the Premier is addressing the House, he is usually protected. I now ask whether it is in order for the Premier to be continually interjecting when another honorable member is making a speech.

Mr. WATT (Premier).—On the point of order, the honorable member for Collingwood probably recollects that when he interjects he is often pulled up because his interjection is not illuminative. Whilst all interjections are theoretically disorderly, according to the rules of Parliament, yet those that help debate are frequently allowed.

The SPEAKER.—The honorable member for Collingwood need not restrict his question to the Premier, because all interjections are disorderly. I do what I can to protect the honorable member who is addressing the House, but it is sometimes difficult, not only when the Premier interjects, but also when other honorable members interject.

Mr. ELMSLIE.—There is another direction in which I believe unification would save a large expenditure to the ratepayers. The Government proposes to federate twenty-five municipalities. But we are still to have twenty-five town halls, twenty-five town clerks, twenty-five surveyors, twenty-five staffs of all kinds, twenty-five mayors, twenty-five sets of offices to keep up, and the duplication of expenses of all kinds. At present, it is absurd to see a steam roller or a gang of men doing up one side of the street, and another gang doing the other side, when the work could be done much more economically by the one body. If the municipalities were unified, a very large proportion of this unnecessary expense would be done away with. In that way, there would be an immense saving to the ratepayers by the creation of one unified council, and, I believe, in the long run great relief in the taxation of the people. Under the scheme which the Government submit to us the same expenditure will go on as now goes on, but on top of that a metropolitan council is superimposed. Where is the money to come from to provide for the payment of the officers, not only of the bodies that are already in existence, but also for the new bodies that will be brought into existence under this measure? It is beyond the shadow of a doubt that the creation of this metropolitan council will enormously increase the expenditure on municipal government in the metropolitan area. It is true that this expenditure will be met to some extent, as it is met already in the case of the Melbourne and Metropolitan Board of Works, by the profits that are derived from the utilities that are to be taken over. But if the new council is to make itself serviceable to the metropolitan area, by taking over gas, tramways, and so on, and if the tramway system is to be extended, and brought

up-to-date, so as to be of the greatest service to the people instead of a mere profit-making machine, the profits which are realized to-day must, to a large extent, disappear. Coming now to the question of franchise, I regard that as one of the serious blots upon the Bill. I can hardly conceive that it is consistent for a Liberal Government—giving them all the credit of the name that they take unto themselves—to propose that the metropolitan council that is to be created under the Bill should have a franchise of the kind provided for in the measure. Is that the best that Liberalism can give us? Does the proposal really come from the inner consciousness of Ministers that the representatives of the people on this council shall be elected upon a property qualification, and, worse than that, a varying property qualification? It not only means that you must have some property in order to record a vote, but it means that you have more votes the more property you have. Do the Premier and the Government really believe that that is the proper basis upon which this council should be elected? I had always thought that Liberalism was a little more democratic in that direction, because we cannot hide from ourselves the fact that this metropolitan council, if it is created, is going to interfere more with, and enter more into, the daily lives and the health and well-being of the people than our municipal councils do at the present time. Not only will its operations extend to every property owner, but every man, woman, and child living within that area will be brought within its influence, and will have to obey the laws and regulations which the new council enacts. Are we to have the spectacle in a Greater Melbourne scheme of people having to obey the laws and pay the taxes without having a voice in the government? I am surprised, astounded, and even shocked, that at this hour of the day we should have a professedly Liberal Government coming forward with such a conservative proposal.

Mr. WATT.—Most of your arguments on the Bill are more conservative than this franchise.

Mr. ELMSLIE.—Unification is much more liberal in this direction than federation. The Premier in introducing the Bill did not attempt to give any justification for the franchise. He simply said that it existed, and because it exists amongst the councils it should go on. He made no attempt to defend it in any shape or form. Taking the honorable gentleman at the value put upon him by some of his supporters, one would think that he would have come forward with a bold proposal, and that he would have broken down the old limitations.

Mr. WATT.—You know the old maxim, "Be bold, but not too bold."

Mr. ELMSLIE.—Be virtuous, but not too virtuous. We have adult suffrage for our National Parliament. It is good enough to elect the representatives to control the destinies of the nation.

Mr. WATT.—A splendid working machine.

Mr. ELMSLIE.—If there were fewer Liberals and more Laborites in the Parliament it would be better. Would any one dream of making an alteration in the franchise in our National and State Parliaments?

Mr. WARDE.—Yes, if they dared.

Mr. ELMSLIE.—If they dared! It is a fact, whether the Premier throws stones or not, that this is a more conservative franchise than any in Australia or in England in connexion with a council of this character. In old crusted, Tory England, in America, and on the Continent, the franchise is far more liberal than in this proposal, submitted in the twentieth century in democratic Victoria, which used to be in the van of democracy. In this year of our Lord, 1913, we have a Government professedly Liberal—but Liberal in nothing but its professions, judging by this Bill—coming forward and submitting this franchise to a democratic people.

Mr. MENZIES.—Would you agree to equal taxation, irrespective of valuation?

Mr. ELMSLIE.—I do not understand what the honorable member means.

Mr. WATT.—He means a poll-tax for municipal purposes.

Mr. ELMSLIE.—Does the honorable member for Lowan take exception to the franchise of the Federal and the State Parliaments?

Mr. MENZIES.—We tax a man according to the value of his property.

Mr. ELMSLIE.—Yes, under this scheme, but the tenant pays the taxes. This measure goes much further than dealing with the property of individuals. It deals with the government of the property of the whole of the people. The whole of the people's property is to be governed by special representation—by

the fact that you must own a certain amount of property. The whole of the people own many of the utilities, but the whole people are not to have a voice in the government. This Bill should not become law with such a proposal in it.

Mr. WATT.—You know it is not correct to say that only the owners of property have votes.

Mr. ELMSLIE.—If I said that I made a slip. This is really a ratepayers' franchise.

Mr. WARDE.—You may pay £4 a week for a flat without having a vote.

Mr. ELMSLIE.—Quite so. Honorable members know very well the arguments that can be advanced in this respect. It ought to be quite unnecessary to have to advance any argument at all in an Assembly like this against the introduction of such a franchise. I wish now to deal with the question of representation, and going abroad again for experience, I think the proposal of the Government to create a council of thirty members, with a possible extension, is altogether insufficient. I am specially compelled to come to that conclusion, seeing that the Australian Natives' Association and the Political Labour Council have suggested that there should be seventy members for the proper government of this concern. Under the Bill the system of government by committees is to be brought into existence, and taking into consideration the number of utilities for which it will be necessary to appoint committees, I think a membership of thirty is altogether too small. We must have at least twelve committees. The work cannot be carried on with fewer than twelve committees, and if we divide twelve into thirty it gives us two and a half, which will be the number of members on each committee. There are vast interests at stake, such as the tramways, water supply and sewerage, gas and electric light, and the management of the parks and gardens. With an unpaid council the members could only give their spare time to the work. If we want them to do effective work, which we expect them to do, no man should be on more than one committee. Putting one man on several committees will not be satisfactory. The same names may appear on different committees, but the inclination will be in the direction of specializing. We will be handing over our utilities not to a council of thirty, but to committees composed of two or three persons at most. We know that where committees exist the real work is done by the committees, and that, in the open councils, the reports of the committees are rushed through. The reports are very seldom discussed at any length. It is impossible to expect men filling these positions, either in an honorary capacity or as paid members, to have a complete grasp of the whole of the utilities and functions that they will be called upon to deal with. It is essential for the safety of the scheme, and for the successful management of the various concerns, that we should have a council of seventy or eighty members. We have no examples in Australia, but there are examples in the Old World, and in no case do I find the number of members so small as in this proposal. Glasgow has one council dealing with 1,000,000 people, and many more utilities than we have, and it consists of 114 members. Manchester, with a population of 714,000 people, has a council dealing with practically the same utilities as ours, but consisting of 120 members. Birmingham, with a population of 526,000, has a council of 140 members. If ever it can be said that there is safety in numbers I think it may be said in this case, for it is proposed to cut this council into committees, and it is absurd to suppose that every member will be able to get into touch with every one of the functions. I did propose to say something about the payment, but it should not be necessary to point out that for a council of this nature payment of members is an essential feature. We want the best that is in men. We do not want men to give the fag-end of their day and their tired brains to the work. If the work is worth doing properly, and is going to be of any advantage to the people, the people should pay these men properly for their experience and their ability. There is a curious feature in the Bill that I cannot understand at all. It proposes that the members shall act in an honorary capacity. The proposal really is that the council "may" pay its chairman £1,000 a year. He is to have no fixity of tenure, The Bill says that the council "may" elect him for one, two, or three years, and he is not called upon to have any special qualifications. Does the Government think that a specially qualified man will give up his own business on the off-chance of being elected chairman at £1,000 a

year? Does any one think that such a salary will prove of any advantage to the people who have to find the money? I do not believe it. We will find that the £1,000 will be spent on social functions, just as the mayors' allowances are now. The chairman of the Melbourne and Metropolitan Board of Works has a fixed tenure. He is elected for a definite period, and may be re-elected. He can give up his business and devote the whole of his time and energy to the Board. I might also mention the Melbourne Harbor Trust. That body does not deal with anything like the wide ramifications of this proposal. It does not deal with anything like the revenue that will ultimately be received by this council. Yet we pay the chairman of that body £1,500 a year. He is elected for a fixed term. In addition, we fee the members of that Board. Their influence is not so far-reaching, and they are not called upon to exercise their brains in such diverse directions as the Metropolitan Council will be. Yet the Government propose to have honorary members on the Metropolitan Council, although their work will be more far-reaching in its effects, and demand closer attention and greater knowledge than that of the Melbourne Harbor Trust. I cannot understand the position which the Premier has taken up. The Chairman of the Metropolitan Council should have a fixed tenure, and it should be made worth his while to devote the whole of his time to his duties. With a fair screw and a proper tenure for the position we could possibly get the best man. Under the proposals of the Government, and more especially with the restricted franchise, there is no guarantee that we will get the man most suitable for the position. Now I come to what I consider one of the most important proposals in the Bill. As I have said, the necessity for establishing some body to deal with our tramways is, I believe, the impelling force behind the Government in connexion with the introduction of this measure. No matter what view we take of the proposals of the Government, we all agree that one controlling body for the management and extension of our tramway system is essential. There are many and varied opinions as to the proper course to take in connexion with the management of our tramways. Some, possibly I would be right in saying all, councils say that there should be a tramways trust, and that the councils should have an all-powerful voice in the management. The Government propose that the Metropolitan Council should control and manage our tramway system. I do not believe that either proposal is best for the proper management of the means of transit in the metropolitan area to-day. I can quite understand the municipalities wanting to get control of the tramways. There are two reasons for them desiring it. First of all an Act of Parliament states that in 1916 the present tramways should fall into the hands of the municipalities. Secondly, if the municipalities got hold of such a good paying proposition they would be provided with a large amount of revenue, and would be able to improve their own particular localities. Further, they would in the near future be able to reduce their rates. I was a member of the Tramway Fares Commission. In giving evidence before that body, Mr. Sprigg, who was at one time secretary of the Melbourne Tramway Company, advanced the opinion that if the Melbourne City Council got hold of the tramways, as it proposed, the profits from the system would be so great that it would be able to carry on with a sixpenny rate. Honorable members can easily understand from that one of the strong forces which is operating to obtain for the councils the control and management of the tramway system. However, we have to consider other things such as the public convenience, the proper extension of our tramways, and the development of the system. Further, we are confronted with the housing problem, and the desirability of abolishing our slum areas. That can only be accomplished by the proper extension of our tramway system. It must be borne in mind that many of our railway lines which are profitable to-day did not pay at the outset. If Melbourne is to be provided with a proper tramway system it must be in the hands of a body which will make extensions, which for the time being may not be profitable, although eventually, owing to the settlement which will follow them, they will become payable. Our suburban railways are to be electrified, and there can be no question that in the near future the tramway system will also be electrified. Therefore, it becomes a matter for serious consideration as to how we shall deal with the matter from the electrical point of view. We do not

want to be in this position—that the people as represented by the Government will be manufacturing electrical power, and by a round-about method selling it to themselves, thereby increasing the cost. If the tramways and all methods of transit in and around Melbourne were under one head and one control, namely, the Government, I believe we would have a better and a more efficient tram service, and more economical management, while extensions would be made in the proper directions and cut-throat competition would be avoided. The earnings of one service would not be obtained at the expense of the other. What might be lost in competition, as far as the railways are concerned, would be more than made up by the profits earned on the tramways. Experts have led us to believe that railways, whether under steam or electricity, can not possibly hope to compete with a tramway system within a 5-mile radius. At the present time the Railways Commissioners, as representing the Government, have had to enter into negotiations and agreements with the tramway companies, so that an unfair system of competition should not prevail. Should the Metropolitan Council get hold of our tramways it is quite easy to conceive, if they run the lines where they think fit, without any consideration as to whether they will deprive the railways of revenue or not, that in the near future the people of the country will be able to say with truth that it is at their expense that the residents of the metropolis are receiving railway facilities. There was a Royal Commission appointed to inquire into and report on the railway and tramway service for Melbourne and its suburbs. It is quite true that Commission recommended municipal control. One reason which it gave for that was—

> The cable tramways being the property of the municipalities, there is no compensation to be paid.

In taking from the councils the ownership, management, and control of our tramway systems we would have to recognise certain vested interests or rights which the councils possess. It would be necessary to recompense the councils for any loss they might sustain, giving them what was considered a fair thing. I do not propose, as the Government propose, to take away from the councils all their rights as far as the tramways are concerned. In handing the tramways over to one central authority I propose that the rights of the municipalities shall be considered, and that some compensation should be afforded them. At the end of 1916 the present trams become the property of the municipalities by Act of Parliament, and we should not be a party to a steal in that direction. The second reason given by the Royal Commission was—

> The tramway facilities of the metropolis are provided almost exclusively for the benefit of its residents, who should be financially responsible therefor.

I do not agree with that. Our tramway system is not provided exclusively for the residents of the metropolis. There are many thousands, possibly hundreds of thousands, and perhaps millions, who use the trams who are visitors from the country and elsewhere. Another reason given was—

> The State as a whole should be exempt from any ultimate financial responsibility in what is essentially a local undertaking.

If it is a local undertaking there is something in that, but I regard the question of passenger traffic as a question for the whole people, and not a section. In making its recommendations the Commission recognised various difficulties, and did not hesitate to point them out. The Commission went into the matter without bias and prejudice, and gave careful consideration to the evidence of experts and others, spending much time and energy and ability in arriving at its conclusions. While recommending municipal control, the Commissioners pointed out that certain precautions would have to be taken. Here are some of them—

> The Commission recommends municipal control of the tramway system, but that this control should be co-ordinated with—
>
> (1) The management of the suburban railways for the purpose of—
>
> (*a*) Avoiding undue competition.

I say that if our tramway management is given to the Metropolitan Council it would be a humiliating and improper and unbusiness-like proceeding for the Commissioners to have to enter into some arrangement with the council. The Commissioners should not have to say to that council, "Please do not enter into competition with us, because we will be losing some money." Under another

system nothing of the kind would be necessary—

(*b*) Development of Melbourne, so as to give a maximum of travelling facilities at a minimum of capital and working expenditure.
(*c*) Electric power supply.
(*d*) Distribution of electric power and lighting for public and private purposes.

(2) State Treasury for the purpose of raising loan money.

They make these things conditional on municipal control. The main point is that they recognise that there is great danger that the railways in the metropolitan area would be made non-paying concerns, and the loss would fall on the people while the gains and profits would go into the hands of the Metropolitan Council, and not be spent in the direction of lessening taxation to the whole of the people. If these profits are great, it will mean lessening the taxation and the rates upon the property owner, and the property owner will have the benefit, not the whole of the people. Then they go on to say—and this is well worth calling attention to—

In Melbourne there has been wasteful competition between railways and tramways, resulting in some localities being served by duplicate travelling facilities, almost adjoining one another, whilst other localities have no communication with the city or other suburbs whatsoever. Between some localities and the city low, competitive fares are charged, and in other localities the fares, particularly the railway fares, are relatively much higher, and the profits thereby resulting are used to make up the loss on those lines that suffer from competition.

Some of our lines of railway to-day are being run at a loss, owing to tramway competition, and the lines that are being run at a profit are being bled in some cases, and possibly rates and fares are being kept up in order that the non-paying lines which are suffering from tramway competition may be kept in existence—

The localities in Melbourne where railways and tramways have been constructed in close proximity to one another are—Brunswick and Coburg, Northcote, Prahran and Balaclava, Port Melbourne. It has been principally in the cases of Brunswick, Northcote, and Port Melbourne that the placing of the railways and tramways in close proximity has led to loss in railway revenue. In the case of Prahran, the importance of Chapel-street as a business centre justified the construction of the tramway, even though it ran parallel with and in close proximity to the Brighton railway.

We know that the Railways Commissioners and the tramway company had to enter into certain agreements, so that the tramway company should not take too much traffic from the Brighton railway. That all goes to show that street railways in the form of tramways are a powerful factor in competition against our railways. If we hand over the profits to a section of the community, then the bulk of the people, who should receive advantages from the railway system, will be called on to pay—

In 1909, partly as the result of competition and consequent reduction of fares, the Brunswick-Coburg railway lost over £20,000.

If the tramways had been the property of the Railways Commissioners, and the two services had been run together, the profit on the one would have balanced the loss on the other. The people, as a whole, would then not have lost, and the population along those lines would have obtained a good service. At present, the whole of the profits go into the hands of a few, and the public who are paying do not receive the advantages they should.

Mr. MEMBREY.—The loss on that line can be easily accounted for.

Mr. ELMSLIE.—If the tramways and the railways were under one control, management, and ownership, then the question would be one of serving the people properly, and instead of the railways being run at a loss to the general community, they might be run at a slight profit. After all, the community would not want to run the railways altogether for profit, but would run them as cheaply as possible consistent with not incurring any loss—

On the Port Melbourne line, where the tramway runs closely parallel the whole distance, there was a deficit of over £10,000.

Fancy that being the case on the Port Melbourne line, with all the traffic that goes over it! There is a tram line parallel with that railway, and it is making a great profit. Why should not the two things be under one management? Why hand over to a section of the people something which the whole of the people should own? To my mind, there can be no question that the ownership and control of passenger transit by the tramways and railways should be in the hands of the people—

Mr. Fitzpatrick, in evidence, said that the opening of the High-street electric tramway had decreased the railway revenue at Armadale by some £800 per annum.

Wherever the tramways are in competition with the railways, the tramways are beating the railways every time. We have the railways there. They are built and are in operation. It is not a question of now starting out anew, and constructing the railways. If we had not constructed the railways, we would have gone in for tramways, and not have had the railways for this traffic; but the railways are there, and I do not think that the people have done a wise thing in handing over the tramways to a section of the people when they should remain in the hands of the whole of the people. The Traffic Commission recognised the seriousness of the position. Fearing that the tramways would be municipally owned, the Commission stated—

> Your Commissioners recommend that the Victorian Railways Commissioners be empowered to object to proposed new routes or fares.

Here is the position under this Bill. The metropolitan council may desire the extension of our tramway system. They may wish to run it in different directions. The members of this Commission, who made an examination into these matters, recognised the danger such a proposal would involve for the present railway system, and to obviate that danger, and to prevent loss, they proposed to give the Railways Commissioners power to object to the extension or construction of tramways in any direction. That shows the gravity and seriousness of the position. The Commission who examined into this question, and had some knowledge of the subject, and heard evidence upon it, made a certain recommendation to Parliament. It is recognised by every one that the Commission exercised great care in making that inquiry, and that Commission recommend that the Railways Commissioners should be empowered to object to proposed new rates or fares, and they continue—

> to existing fares, and to proposed alterations of fares, on the ground of undue competition with the railways.

An HONORABLE MEMBER.—Before exercising that power, the Commissioners would have to show a very good reason.

Mr. ELMSLIE.—What better or stronger reason could they give than to point out that if a certain line of tramway was constructed, it would mean that the line of railway serving the district would become a losing concern instead of being a paying concern, and would, consequently, be a drag, probably, upon the railway revenues of this State? What stronger reason could be given than that the tramway would turn a paying line of railway into a non-paying line? These are the difficulties surrounding the position if we carry out the propositions of the Government; but if the tramways and the railways, which are only used, after all, to shift people from one place to another, were under one control, it seems that we should have more economy and efficiency in connexion with them. Further than that, if they were in the hands of the Government, the Government would not be looking for a large profit from them, but would only expect, in working them, to have a safe margin of profit without any loss. Under those conditions, the outlying portions of the metropolis would receive a better service than if the tramways were in the hands and under the control of the metropolitan council, which would always, of necessity, be looking to profits from the tramways in order to pay the cost of government under the proposed council. That, alone, is sufficient to make me advocate that the control of the tramway system should be placed in the hands of the Government instead of, as proposed in the Bill, in the hands of the metropolitan council. The Government, or the Railways Commissioners, have managed our railway system economically and effectively, and in a manner satisfactory, in the main, to the bulk of the people. We have the benefit of their experience and knowledge in this business, and there should be no two opinions—certainly I have no doubt on the matter—that the whole question of the management of passenger transit should be in the hands, not of the proposed council, but of the Government. We should take into due consideration any rights that have been conferred upon the councils in the past by Acts of Parliament, and we should give fair compensation. I am not for one moment advocating that we should steal from these councils any rights they have obtained, but at the same time we should recognise that the country, as a whole, has a greater and a superior right. It may cost a few hundreds of thousands of pounds at the start to carry out what I suggest, but ultimately it would be found a sound and profitable proposition. If one took on the mantle of the prophet,

one would be justified in saying that in the years to come this will have to be done, if it is not done now. The force of circumstances will be so great that the Government and the people of this State will be compelled to take upon themselves the management and control of these public utilities in the direction I have indicated. I do not wish to detain honorable members at any greater length. There are many features in the Bill, and we cannot hope to go through it within the course, perhaps, of weeks or months. I feel that the issues at stake are so great that it would be a good thing if we could find time in our busy lives to devote a special session to the consideration of this Bill, and this Bill alone. If we did that, regarding the measure in a broad spirit, apart from party altogether, instead of trying to rush it through in the hurly-burly of an ordinary session, we might evolve some scheme for a Greater Melbourne Council more effective and beneficial than is proposed in this measure. I have to thank honorable members for the very patient hearing they have extended to me.

Mr. MACKINNON.—I think I may venture to congratulate the leader of the Opposition on the very exhaustive speech which he has made on this subject. He has upheld the honour of the position he has lately assumed with distinct success, if I may be pardoned for saying so. He has suggested so many points for consideration that it is very difficult for the one who follows him to address himself to the matter with complete satisfaction. The position, it seems to me, that we are almost obliged to take up in regard to a large measure of this kind is to deal with it from a comprehensive point of view rather than go into minor matters, many of which, of course, are of great importance. But while we are looking at these points, which are really points of detail, our minds are apt to be taken away from the root of the matter. In the first place, I will try to deal with some of the arguments which have been advanced by the leader of the Opposition, and arguments which have been advanced outside for the purpose of defeating the measure, though I do not suggest that the honorable member wishes to defeat it, because I notice he sat down without any distinct declaration as to his personal intention with regard to the second reading of the measure. But there is no doubt that many of the arguments used outside are for the purpose of defeating this measure and preventing it becoming law. The real opposition to the measure, I think, may be classified under three heads. First of all, there is the very strenuous opposition of what may be called vested interests. There is the opposition of the people who hold at present a strong position in the municipal world, and who wish, very naturally, to retain that position. Not only have they got a very strong position in the municipal world from the point of view of dignity and importance, but also those whom they represent have had for many years a very strong financial position in the possession of certain valuable monopolies, the profits of which go towards the relief of the rates. Any one who examines some of the functions of local government which it is proposed to vest in the projected metropolitan council will see that they are extremely profit-earning, and will continue to be increasingly so even under the new management, as the State of Victoria becomes more important. Take the case of the markets in Melbourne as only one illustration. I do not think those of us who live in the country value Melbourne as a market as much as we ought to, but the Melbourne market will be a source of great profit to those who control that means of distribution. That is one opposition to the Bill, but it seems to me that there is opposition of a different kind, and that is the opposition we want to get at. While I do not agree with the leader of the Opposition that we should devote a whole session to the Bill, I think it is desirable that there should be a great deal of talk about a Bill of this kind, not only here, but outside. The opposition I allude to is a sort of lethargy with regard to municipal affairs in the metropolitan area. I do not know what is the position in the country. From my observation, I certainly think that in many country districts, and especially where the municipalities are capably managed, the people do take a closer interest in municipal affairs than we do in Melbourne. I think the lack of interest of the average man in the street with regard to the possibilities of local government in a country like this is really deplorable. Persons who are quite well informed on ordinary topics are not able to say who their municipal representative is. Men of means, who pay large rates, cannot tell

you the name of the councillor who represents them. Generally, interest with regard to the possibility of working out the welfare and happiness of the people under local government seems to be practically non-existent. A person who has seen the activity and push of municipal life in the cities of England or Germany —to mention only two countries—is very much struck on observing how very little of the desire for the betterment of city life exists amongst us. Without saying anything uncomplimentary of the gentlemen who give their services to municipal government at present, I think that state of affairs is largely due to the fact that municipal politics have not interested outstanding personalities in our city life. I do not know what would be the result of an investigation as to the *personnel* of those who constitute the local government bodies around Melbourne, but I think it would be found that a large proportion of them belong to one or two callings, which are not very important callings, although the persons who carry them on are somewhat in the public eye. There are very few men in the city of Melbourne taking a hand in municipal government corresponding to the class of men taking part in municipal government in Glasgow, Birmingham, and London. The city life there seems to draw to the service of the cities men who have, perhaps, not a very great amount of time to spare, but who are willing to give their valuable intellects to the government of the city in which they live, and who are proud—and are supported by the citizens in that pride—to see their city cut a favorable figure among the cities of Europe. That state of affairs undoubtedly does not exist here, and that, I say, is one of the reasons why it is desirable that a body of the kind proposed in the Bill should be created, because I believe it will attract to the service of the people a better class of intellect, a wider experience, and a greater desire to benefit the people at large than we are able to under our present system. The present system has many objections for the purpose of creating city life. It seems to me that we are apt to overlook sometimes what politics means. There is very little politics introduced into municipal life here. There are party divisions to a certain extent, but the real political consideration does not come in. When Mr. Bryce was out here he made a speech in the hall adjoining this chamber, and he referred to the original meaning of politics. He pointed out—of course, it is pretty well known—that politics is that which concerns a *polis*, or city. Politics concerns itself with the capacity for men or women to live together in a *polis* or city, what they do, and how they arrange their housekeeping affairs. We in Melbourne, for some reason or other, do not concern ourselves with the matters essential for the living of people together in a great city. It is, of course, possible to advance this sort of criticism too strongly, but I feel very strongly about it, and the reason I do feel strongly about it is that during my recent visit abroad I was struck by the contrast between our ideas of how a city should be governed and what is possible amongst us, and the ideas of people in cities in other parts of the world. When a man has been away and comes back to our great city of Melbourne, he cannot help admitting that there are points about it that cause it to compare favorably with any other city. The great, broad streets, the ample provision made for spaces for the people, the parks that have been secured, the very amplitude of the whole widespread city, which probably spreads for its population more than any other city in the world, the very fair means of communication between various places, are all great achievements, but when we come to think how those things have been created we cannot come to any other conclusion than that we owe a great deal to the men who pioneered this city. It must have seemed an extraordinary thing to the man who laid out Collins-street to see a few little houses going up on either side. He would say to himself, "What a great street this is, but how useless it is at present," and it must have seemed waste of time to walk from one side of the street to the other. Many honorable members, no doubt, have had the same experience in country towns where very wide streets have been made. It seems a great waste of time to walk from one side of the street to the other. It is that great foresight of the pioneers of Melbourne that we owe so much to, and it will insure a successive capacity for securing the general happiness of the people. For that reason one cannot help regarding this movement as one in the right direction. The difficulties which we encounter, of course, are pressed on us, but the view, I think, which any one who

is concerned in the welfare of the city of Melbourne must take is, I think, the wide view. One must project one's mind into the time when the population of the city may be one million or two millions. It is no use agitating for decentralization and getting up movements of that kind. Inevitably people all over the world will gradually drift towards cities. City life possesses a peculiar attraction for people. Men are gregarious. They seek the company of their fellows and get together in great cities, and one of the obvious duties of those responsible for the government of countries is to see that this predeliction of the people is properly catered for. Of course, in connexion with a Bill of this kind all the vested interests and things of that sort are brought out in every possible shape, and the man who is twenty years before his time in his politics is probably just as much out of it as the man who is twenty years behind his time. But we have to face the situation, and for that reason I think it is extremely desirable that a measure of this sort should not be passed in the first session of its introduction. I think it is a measure that should go out amongst the people. It should be discussed on the public platform, so that the people may become thoroughly acquainted with what it all means, and thus before the Bill becomes law, have an awakened municipal interest, so that we might start off with popular excitement and popular interest, which would help to make the whole movement a complete success.

Mr. HANNAH.—How would a summer session do?

Mr. MACKINNON.—I do not think that is necessary. I would suggest that honorable members, or at any rate metropolitan members, should hold a summer session on the platform, so that the people may become familiar with what all this means. I am convinced that the man in the street does not really realize what the possibilities of municipal government are in a place like Victoria. A good deal has been said by the leader of the Opposition about municipal Socialism. A good many of the activities undertaken in the Old World by municipalities, though they are called Socialism, are not Socialism of a very wild kind, but are on the lines of what the late Sir Thomas Bent used to call "safe Socialism," because any loss would have to be made up out of the ratepayers' pocket. The ratepayer is told very soon that something is going to cost a great deal of money, and he takes care that there is not too much extravagance. Many of the so-called socialistic enterprises conducted by municipalities in the way of production and distribution are extremely profitable, and in towns like Glasgow the rates are very much aided indeed by those enterprises. The leader of the Opposition dealt with a number of points, some of which were of extreme interest, but, in my opinion, the one which really goes to the root of the matter is the point relating to the particular kind of municipal government that should be adopted under this Bill. I did not feel altogether satisfied with the Premier's description of the measure as a Bill that involves federation. There will really be very little connexion between the councils that are to be allowed to remain and the new council that is to be created. Personally, I think that a unified system would be better, and the leader of the Opposition is quite right in saying that outside of the city of London there is no big municipality governed on the lines proposed in this measure. However, we always have to remember political exigencies. After an experience of twelve or thirteen years in Parliament, I am prepared to accept a great deal with the view of getting a measure carried into law. I do not want to extenuate in any way any provisions in this Bill with which I do not agree; but I can see plainly that if this had been made a thoroughly democratic Bill, it would have taken years to carry it through, and what I want to see is a commencement made, at any rate, with some form of united municipal government on a large scale in this State. The other things may come afterwards. They will be matters for discussion among ratepayers and members of Parliament; but what is desirable is that we should now establish some form of government which will give promise of better things, and make these developments possible. A great deal has been said about a democratic franchise. I do not recollect exactly what is the municipal franchise of Berlin, which, of course, is one of the most successfully managed cities in the world, but my impression is that it is similar to the franchise adopted for the Prussian Parliament. If that is so, it is something like this: The men with incomes of over £10,000 elect one-third of

the members. Citizens with incomes of £300 a year, or over, elect one-third; and the other third are elected by the great mass of the people, whose incomes are under £300. I think I have read that in one of the wards of Berlin two men elect one-third of the representatives, because they are the only men the rateable value of whose property exceeds a certain amount. One point which was raised by the leader of the Opposition seemed to me to go to the root of the matter, and that was with regard to a unified form of government, as against a federal form of government. It seems to me that a federal form of government—using a term which I do not think quite correctly describes the situation—is almost forced on the Government at this stage. I do not know what other members representing town constituencies feel about it, or what representations have been made to them, and what the attitude adopted by their councils may be, but, so far as my own neighbourhood is concerned, I know that if I proposed to support a Bill which would absolutely wipe out the present municipal councils, and reduce them to nothingness, I should have infinitely more trouble than I am likely to have with regard to the present proposal. For that reason I am prepared, at the present juncture, at any rate, to accept the scheme which the Bill contains. Then there is this to be remembered, that illustrations given by the leader of the Opposition with regard to Birmingham, and several other cities, apply to cities which originally contained far fewer municipalities than are to be found in our own metropolitan area. Until quite recently, Birmingham itself was a city of about half-a-million people; but some years ago about 300,000 people were added from outside municipalities. In that case there was really only one municipal council to deal with, extending over a small area; whereas in Melbourne, as in London, there is an enormous area to cater for. So that it is just possible to give a practical excuse for the scheme outlined in the Bill, instead of a unified system, apart altogether from a desire not to raise opposition to the Bill. As to the franchise, I may say at once that I think the franchise adopted in the Bill is a somewhat reactionary one. It seems to me it would have been very much better if the Government had come down, at any rate, to one ratepayer one vote. I think that would have been a fair thing. The objection to the franchise now proposed is that for the perfect government of a city you want to have everybody interested as much as possible in the welfare of the city. One finds that, where men are outvoted, not by numbers, but by value, and so on, they cease to take the same interest in their city as they would take under a more democratic franchise.

Mr. J. W. BILLSON (*Fitzroy*).—It is not intended that they should do anything else.

Mr. MACKINNON.—It is not the intention so much as the result, that I am thinking of, and the result seems to be as I have stated. It would probably be very much better for our existing municipal government if it were placed on a very much more democratic basis than it is on at the present time. Not only are persons with only one vote under our present system slack in the performance of their civic duties, but those who have three votes take precious little interest in what is going on. Many of them are very much surprised when a candidate comes along and tells them that they have three votes. All this is due, I think, to the present undemocratic franchise. I think the big ratepayers would be probably much more alive to their own duties if they thought themselves liable to be outvoted by the smaller ratepayers.

Mr. M. K. MCKENZIE (*Upper Goulburn*).—Or by those who are not ratepayers at all.

Mr. MACKINNON.—We have had a very ingenious argument as to who it is that pays the rates. The figures which have been circulated by the Premier show that the loss of revenue due to the adoption of this scheme will fall rather heavily on one or two municipalities, and especially upon South Melbourne. In the case of that municipality, I think it will have to bear almost half the total loss of the municipalities outside the city of Melbourne itself. On that question I do not think we shall be saying the final word when we pass the second reading of the Bill. I think it quite possible to re-adjust those losses in the case of those municipalities which are unfairly treated. In the case of South Melbourne the loss will be £5,000 or £6,000 per annum, which, of course, is a serious consideration. I think that should be made up to

it in some way or other, especially in view of the fact that the greater part of the loss will arise through the taking over of the markets. In regard to the general loss, the Premier rightly interjected, when the leader of the Opposition was speaking, that the city of Melbourne would feel the difference the most. We can quite understand the position in that respect apart altogether from the shorn dignity of the old municipality. We can understand the position of the city of Melbourne in regard to the adjustment of revenues derived from what are after all, and have been known for years to be, important advantages to that particular area. There was no special reason why that particular area should enjoy all the profits derived practically from people living all round in the other twenty-four or twenty-five municipalities of the metropolis. For that reason this change was bound to come, but it is surprising how little difference is made out by the investigations carried out independently by the Premier and by those who have furnished figures to the leader of the Opposition. There is only a difference of some £8,000, and when you are handling a question of the profits to be derived, say, by Fitzroy out of the tramways, there is a fair margin for error. However, that is not a point which should in any way influence one to vote against the second reading of the Bill, because I am sure that Parliament, in fairness, would see that no injustice was done to any particular locality by something which was intended to be for the benefit of all. Now with regard to the tramway question, a great deal had been said about the desirability of having the tramways taken away from this new body. At one meeting last night a councillor said he was in favour of the Bill except as to the tramways. He wanted the tramways to be kept for the municipalities. Well, one can understand that. There has grown up during the last ten or twelve years a feeling amongst councillors, and even amongst ratepayers, that as soon as the lease of the Melbourne Tramway Company expires, and its properties are handed over to the municipalities, the millenium is to arrive. As Mr. Sprigg pointed out in his evidence, the great central portion of the metropolis would be able to carry on with a 6d. rate, and great hopes have been built up in that direction. I do not know, however, that it is altogether the object of a tramway system to do anything to relieve rates. It is right that where money has been embarked by the ratepayers in a particular enterprise they should get some reward, but the greatest use of the tramways to the ratepayers is as a system of transport which will build up the city and make it healthier for the people who live in it. A tramway system should be used for the general benefit of the whole community by providing more rapid transit and cheaper fares, thus allowing people to live outside the congested areas and enjoy the benefit of lower rents and healthier surroundings. For that reason it seems to me it is almost essential that the whole management of the city should be in the hands of one body. That body should be able to say that a particular area is open to profitable development. In other words, the city is to be regarded as one single organism, and I do not think that the present proposal would be likely to bring about the best results, if we were to have an organism erected leaving most of these functions to one body, but handing one essential function over to another body altogether. Therefore, while we can understand the desire of the municipalities to retain control of the tramway system, it is the whole of the members of the community who, after all, should get the profit from that system. I think it would not be unfair to ask those who have kept in the inner running with regard to the tramways, and who, in the interests of their ratepayers, have kept back the development of the outer areas with regard to tramway facilities, to give way in this respect. It is well that the whole administration of the tramway business should be in the hands of one body. Personally, I have always been in favour, owing to the competition between the railways and the tramways, of the Government having some say in the management of the tramways, and at one time I was in favour of the tramways being taken over by the Government and managed solely by them. As it is now proposed to create a metropolitan council to take over a number of matters, I am quite willing to support the proposal that the tramways should go in with the rest. With regard to the objections that have been raised to other provisions in the Bill, I want to say a few words, because the more we argue about these things the sooner we shall see daylight with regard to them. Some of these objections have been mentioned by the leader of the Opposition.

Take, first of all, the number of members. There are many sides to that question. He pointed out that the number proposed was not enough, and that view is shared by some people outside. There is no great merit in multiplicity of numbers. I remember reading an English criticism in a scientific journal on economics. It was a criticism on the lack of enterprise in Australia in not adopting some forms of government that were successful in times past. The article stated that it was a curious thing that none of the Australian States had adopted the form of one Chamber with about thirty members. That was the number curiously enough. The article pointed out that it was a successful form of government, I think, in Athens. I cannot see that thirty men would be incapable of carrying on the work. A great deal was made of the committee work by the leader of the Opposition. I have taken the trouble to boil down the committee work that will be necessary, and I have come to the conclusion that it will require nothing like the number of committees that the honorable member suggests. Many of the functions cross one another, and it is desirable that they should be performed by the same committee. What is overlooked by a great many is that it is possible for far more to be done by the permanent heads or the officials than we are inclined to think. I am one of those who believe that first-class officers should be appointed. This scheme ought to attract capable business men, and with a capable staff of officers thirty men should be able to carry on the work. A great many of the functions can be united. Water supply, sewerage, and drainage may be managed by one committee. Rivers, streams, parks, and gardens may also be managed by one committee. Electric light and gas should be controlled by one committee, and markets, abattoirs, and sale-yards might be attended to by another. I think we can cut the number down to about seven or eight committees, so that there would be four members on each. That is the common number for a board of directors, and some of our largest concerns are managed by such boards. As to the payment of the members, I may say that the experience of other countries, as the leader of the Opposition very properly said, is of value to us. Experience in England shows that you can get plenty of first-class men from all ranks of society to give their services to municipal enterprises without payment. It is really remarkable how municipal service has drawn out ambitious, patriotic men in the Old Country. I do not believe that there is any less public spirit and patriotism amongst our people, and certainly we cannot say that the business ability of our people is less. It grieves one to hear some of the arguments advanced against this scheme. I read in one of our journals the other day that the powers proposed to be given to this body are altogether too great. Have our importers, our manufacturers, and our workmen who take an interest in public life, less ability than similar men in Glasgow? It is the occasion that makes the man.

Mr. PRENDERGAST.—Some one has to pay them.

Mr. MACKINNON.—I do not see why they should be paid at all. People fitted for the positions would find time to do the work. I think I know what the honorable member has in his mind's eye. I do not think John Burns received any pay while on the London County Council.

Mr. PRENDERGAST.—Yes, he did. He was paid by his constituents.

Mr. MACKINNON.—That shows that they were as patriotic as he was. The London County Council had the advantage of his great ability, and he made his mark there. I do not see why, under the new circumstances, with the broader ground of work, we should not get as good ability as they get in Birmingham, London, or Glasgow. Another argument used is that this business must enormously increase the rates. People are alarmed about the cost of this form of government in the Old Country. We read that in London the rates amount to 7s. or 8s. in the £1, and so on. They say that under a government of this sort there is frightful extravagance. We can argue about the success or failure of certain enterprises. Public opinion in England seems to be coming round to the fact that many of the enterprises managed by this form of government are of great benefit to the people, who seem to be able to pay the rates. The expenditure does not appear to meet with their disapproval. I do not think that any of the ground landlords are any poorer in consequence. In fact, they seem to be getting richer.

Mr. PRENDERGAST.—The ground landlords are the idlest and richest class in the world.

Mr. MACKINNON.—I do not think the English experience in regard to rates should alarm us, because, except in one case, where they seem to have got the bit in their teeth and imposed a very high rate, there appears to be no great amount of public opinion against high rates. The people seem to be getting accustomed to them. The Premier very properly pointed out that there is no risk in that respect under this Bill. The only municipality that will be at a disadvantage will be the city of Melbourne, and they will have to re-adjust matters somehow. It seems to me that the extra rate that will be imposed by other municipalities on account of the re-adjustment will not amount to very much. The Premier rightly reckons that 2s. will go a long way to keep this new council going. The Melbourne and Metropolitan Board of Works, I understand, has a rate of 1s. 10d.

Mr. WATT.—It has the power to impose that rate.

Mr. MACKINNON.—That body seems to be getting along all right, but it has a very valuable property in the water supply. There is no reason to suppose that for the present it will be necessary for the council to have a rating power of more than 2s. If it is found necessary, the council will have to come to Parliament to get the power. We know from our experience under the Local Government Act that 2s. 6d. has been the "thus far and no further" in connexion with rating. That amount has never been exceeded.

Mr. J. CAMERON. (*Gippsland East*).—And very seldom reached.

Mr. MACKINNON.—One particular municipality I know of lost a lot of money in one of the big banks but managed to carry on. I have no reason for supposing that the 2s. rate will not be permanent. It will be for the ratepayers to decide. The ratepayers will deal with the councillors if they find them getting too extravagant. I do not think the rating power is any reason for refusing to pass the second reading of the Bill, which offers so many other advantages. I think I have dealt with most of the objections I have heard. The leader of the Opposition put his points very forcibly, and with some of them many of us will agree. I am to a large extent with him on the franchise question. We would have a livelier and more vigorous municipal life with a more democratic franchise, but I am not prepared to turn my back on the Bill because it has some blemishes. The object is good, and I think the results will be satisfactory to the people. What we want is something larger than we have at present—something that will induce the citizens to take more interest in municipal life, and that will make the ratepayers more anxious to make Melbourne, which is so well founded, more deserving of the community. I do not suppose the Bill will be passed. Some sporting jocularity passed between the leader of the Opposition and the Premier with regard to it, but I was not quick enough to hear what was said. I understood that something was said about running a bye or something of that sort.

Mr. WATT.—The leader of the Opposition said there was too much weight, and he suggested putting more weight in each pocket of the saddle.

Mr. MACKINNON.—Ordinary laymen like myself and the honorable member for East Melbourne do not understand these things. I thoroughly approve of the idea that the Bill should be discussed as much as possible. The more the people know about it the more likely are they to approve of it so far as the proposal of having one general government is concerned. I hope there will be a fairly full debate, for I am a student in these matters. A good deal of attention, and properly so, has been devoted to the provisions and the possible results of the measure. My view is very much the same as that I saw expressed in a newspaper article that I read this morning, namely, that we should examine the measure carefully before adopting it; and if it has faults let us try to amend them, either now or in the future. I am sure it is a step in the right direction, and if we carry the Bill, I feel that we shall have done something that our children will not be ashamed of in the time to come.

Mr. FARTHING.—This is a very big subject, and we have heard two very fine speeches on it to-day. I am not quite prepared with my facts and figures.

Mr. HANNAH.—There are others ready.

Mr. FARTHING.—I would like the Premier to agree to the adjournment of the debate at this stage.

Mr. WATT (Premier).—I heard the honorable member for Collingwood remark that there are other honorable members who are prepared to speak now. Evidently he spoke for some one

else, because he does not seem anxious to proceed with the debate himself. If there are other honorable members prepared to go on, we can avoid the adjournment of the debate. If there is no honorable member who feels quite ready to continue the debate at present, and the House is not prepared to go to a vote, I must consent to the adjournment of the debate. In reference to the sporting allusions of the leader of the Opposition, I would like to say that this Bill is not out for a gallop. It is a well trained animal. Of course this is not a flat race and there are some jumps to get over, but our steed is well schooled, the colours are up, and the jockeys are fit, and everything is auspicious—I do not know whether you understand these allusions, Mr. Speaker. I would not like any one to think that business is not meant with the Bill. I can assure the honorable member for Prahran that we mean business, and we are satisfied that we will win. If honorable members are not prepared to go on with the debate I will consent to an adjournment on the understanding that they will be prepared to proceed with, and I hope finish, it tomorrow.

Mr. FARTHING.—I move—

That the debate be now adjourned.

Mr. HANNAH.—I am not quite agreeable to that. There have been three speakers, and now the Premier is talking about terms. It seems a remarkable thing that after a long adjournment the House is not prepared to continue the debate or get a vote on the Bill.

Mr. WATT.—I will make an offer. The honorable member for East Melbourne will withdraw his motion if the honorable member for Collingwood is prepared to continue the debate. There is a *bonâ fide* offer to test your sincerity.

Mr. HANNAH.—My sincerity is just as good as the Premier's in connexion with any of these matters. I understood that the honorable member for Jika Jika was about to proceed with the debate.

Mr. MEMBREY.—Where did you get that information?

Mr. HANNAH.—I know the honorable member has a fund of information, particularly that which he gained as a member of the commission which inquired into the tramways. That Commission did excellent work, and I have repeatedly held that the question of dealing with the tramways——

The SPEAKER.—The honorable member must not go into the merits of the Bill.

Mr. HANNAH.—I am showing that we cannot afford to postpone the matter, and that we should proceed with the debate on the second reading.

The SPEAKER.—The honorable member has a perfect right to proceed if he only will do so.

Mr. HANNAH.—The honorable member for East Melbourne has received the call, and you have to put the motion for the adjournment of the debate. Therefore, the question of adjourning the debate is now before the House. The Bill is not before the House.

The SPEAKER.—It is. If the honorable member for Collingwood does not want the debate adjourned, he can vote against the motion for its adjournment, and afterwards speak on the Bill himself.

Mr. HANNAH.—Presuming that we have not the numbers now to proceed with the debate—

Mr. WATT.—What do you mean by "the numbers to proceed with the debate?"

Mr. HANNAH.—I desire to get from you, Mr. Speaker, a ruling as to whether the adjournment of the debate on the Bill is not before the House.

The SPEAKER.—Yes; that is so.

Mr. HANNAH.—I want to show that at this stage the honorable member for East Melbourne should not ask for an adjournment on the debate, but should proceed with his second-reading speech.

The SPEAKER.—The honorable member for Collingwood is hardly consistent. He says that the honorable member for East Melbourne, who is not prepared, should proceed, but the honorable member for Collingwood will not proceed with his own speech for the same reason.

Mr. PRENDERGAST.—The last speech made on this question seemed to be out of order—the speech made by the Speaker himself.

The SPEAKER.—Indeed. I rule that the Speaker is perfectly right.

Mr. HANNAH.—You are like myself, Mr. Speaker; we never make mistakes. Until the honorable member for East Melbourne withdraws his motion

for the adjournment of the debate, I could not proceed. He has the call of the Speaker, and according to the Standing Orders, he has the right to proceed with his second-reading speech if he wishes. I am not now proceeding with my second-reading speech.

The SPEAKER.—I know that.

Mr. HANNAH.—I am glad that you realize that I am correct, Mr. Speaker, and that the motion before the Chair is for the adjournment of the debate. I want to show the urgency of the Bill. There is one very urgent matter in it, and I would like to get at close quarters with that. I think it would be wise to strip the whole of the Bill with the exception of tramway management——

Mr. WATT.—I would like to see you at close quarters with a problem.

Mr. HANNAH.—I have been at pretty close quarters with some problems, and I may be at closer quarters with regard to the honorable gentleman's conduct as Premier of the House.

The SPEAKER.—That is not under consideration at present.

Mr. HANNAH.—Interjections are out of order at any time.

The SPEAKER.—The honorable member ought to know.

Mr. HANNAH. — No one knows that better than the Premier, who is the custodian of the rights of the House as far as the Government is concerned. I am desirous of coming to close quarters with the Bill, and I want to strip it of what appears to me to be absolutely superfluous. With the object of saving time, I would like the second-reading speeches as short as possible. The leader of the Opposition has endeavoured to deal trenchantly with the main phases of the Bill. Evidently the honorable member for Prahran was not prepared. Otherwise I am sure that he would have required more time after the travelling he has done and the experience he has gained.

Mr. MURRAY.—A close observer of municipal institutions in other countries.

Mr. HANNAH.—I hope we will not lose time in connexion with this measure.

Mr. MURRAY.—You are in such splendid form we are all anxious to hear you.

Mr. HANNAH.—I am ready. I have my matter.

Mr. MURRAY.—Where is it?

Mr. HANNAH.—I will trot it out at the proper time, and I will listen with interest to the Chief Secretary if he will answer some of the deductions which I intend to make to the House. The Bill as drafted——

The SPEAKER.—Beware!

Mr. HANNAH.—The Premier said he was desirous of adjourning the debate.

Mr. WATT.—I want the debate on the Bill to proceed.

Mr. HANNAH.—That is what I want.

Mr. WATT.—Then give us your speech.

Mr. HANNAH. — The honorable gentleman wants those who are not responsible for the Bill to discuss it.

Mr. WATT.—We have made the introduction.

Mr. HANNAH.—Yes; and you naturally expected some of your supporters would make fairly long speeches.

Mr. SOLLY.—The speech of the leader of the Opposition should have been replied to.

Mr. HANNAH.—I fully expected that some of the logical deductions made by the honorable member for Albert Park would be replied to. In my opinion it would be unwise to carry this motion for the adjournment of what is undoubtedly a very important measure. I think honorable members will agree with me that the Government, recognising the great importance of this Bill, should endeavour to proceed with it as quickly as possible, and have it placed on the statute-book. The question of urgency pertains most with regard to what is to be the nature of the future control of the tramway system in the metropolitan area—whether it is to be municipal or Government—and I consider that under those circumstances it will be undesirable to adjourn this debate and postpone dealing with the matter in a comprehensive way. We are now within some eight or nine weeks of the close of the session, and if we are to deal with this Bill as I think we ought to do before Parliament prorogues, the second reading should be pushed on at once, and we should be able, at least, to understand what the Government are prepared to do in the matter. In the event of their not proceeding with the Bill as a whole for the constitution of a Greater Melbourne, I take it, from an answer which was given to an interjection, that the Government would consider the question of dealing with the tramways separately. We have not, however, yet

had any statement from the Premier on that question. There has been no reply to the far-reaching criticism of the measure which has come from this (the Opposition) side, although honorable members generally will admit that the honorable member for Prahran gave us some very important and useful information on the subject.

Mr. WATT. — In other words, he did tolerably well.

Mr. HANNAH.—I admit that. No doubt, he filled the gap in the interests of the Government very fairly.

Mr. SNOWBALL.—Then it will only be a fair thing for you to follow.

Mr. HANNAH. — During the earlier part of this session nearly all the speeches in the way of criticism in connexion with the measures placed before the House have come from this side of this Chamber. Therefore, we think it is only fair now that some criticism should come from the other side, and that the Government should not depend altogether on this side of the House to help them in connexion with the perfecting of their measures.

Sir ALEXANDER PEACOCK. — You put that very well.

Mr. HANNAH.—I am glad that one member of the Government at least recognises that there is point in some of the remarks which come from this side of the House. I trust that this debate will be continued until it is brought to a conclusion.

The House divided on the motion for the adjournment of the debate—

Ayes	...	...	33
Noes	...	...	17
Majority for the adjournment	...	...	16

AYES.

Mr. Argyle	Mr. McCutcheon
,, Baird	,, Mackinnon
,, Barnes	,, McGregor
,, Bayles	,, M. K. McKenzie
,, A. A. Billson	,, McLeod
,, E. H. Cameron	,, McPherson
,, J. Cameron	,, Membrey
,, Carlisle	,, Menzies
,, Duffus	,, Murray
,, Farthing	Sir Alex. Peacock
,, Gordon	Mr. Pennington
,, Graham	,, Snowball
,, Gray	,, Thomson
,, Johnstone	,, Watt.
,, Langdon	*Tellers:*
,, Lawson	Mr. Keast
,, Mackey	,, Livingston.

NOES.

Mr. J. W. Billson	Mr. Rogers
,, Chatham	,, Sangster
,, Cotter	,, Smith
,, Hannah	,, Tunnecliffe
,, Hogan	,, Warde.
,, Jewell	*Tellers:*
,, Lemmon	Mr. Elmslie
,, McLachlan	,, Webber.
,, Outtrim	
,, Prendergast	

PAIR.

Mr. Farrer.	Mr. Plain

The debate was adjourned until the following day.

FACTORIES AND SHOPS BILL.

The debate (adjourned from October 15) on the motion of Sir Alexander Peacock (Minister of Labour) for the second reading of this Bill was resumed.

Mr. LEMMON.—I desire to express my regret that the honorable gentleman in charge of the Bill did not see his way clear to circulate a measure of this kind earlier than it was circulated. Honorable members did not receive it until the Minister had delivered his second-reading speech. I could understand that, if it was a principle with the Government that they did not desire to disclose measures to the press until they had been disclosed to the House. I could understand then the policy of the Government in holding back measures for that reason. I do not know whether the measure was held back because honorable members on the Opposition side of the House have formed committees for the purpose of carefully considering the details of Bills. This has characterized the Opposition for a considerable time past, but the Minister should not complain if honorable members prepare for the work they are called on to perform by understanding thoroughly the Bills that are presented from time to time.

Sir ALEXANDER PEACOCK.—A great portion of this Bill was really passed last session.

Mr. LEMMON.—That might be, but no Bill that has been introduced during the last eight or nine years to amend the Factories Acts has required more thought and consideration, in order to understand it, than this Bill does. In this Bill the Government are endeavouring to amend the present law, and achieve, at the same time, a partial consolidation of the law. Apparently the officers of the Department

have been endeavouring to get rid of superfluous sections out of the principal Act, and the measure includes quite a number of technical amendments for the purpose largely of facilitating the administration of the Department. In view of the admission by the honorable gentleman, that this is largely the Bill that was presented to the House last year, there is no justification for the Government in keeping it back until the Minister in charge of it had delivered his speech. I hope that in the future a better procedure will characterize the actions of the Government in their treatment of honorable members. While this is essentially a Committee Bill, there are one or two features that demand attention, and really justify a little consideration on the second-reading stage. We are pleased to note that the Government have apparently made up their mind that there should be a radical alteration in regard to the Court of Industrial Appeals. The honorable gentleman referred to what he characterized as the Conservative wave, or agitation, that one time spread over this State. I have something to thank that Conservative wave for, as it caused my appearance in this House. The gentleman I opposed at that time had been a prominent supporter of the two honorable gentlemen now sitting at the table, and he voted in some directions during that period against factory legislation, and the probability is that, unless he had done that, the industrial district I now represent would not have returned me to Parliament, where I endeavour to use my humble services for the benefit of the country. That Conservative wave was made up in part by some honorable members who are still in this House, and, although the Minister referred to that Conservative wave as belonging to bygone years, the honorable members who formed part of it still exist, and no one is better aware of that than the members of the Government. Prominent members of the Opposition have from time to time pointed out that the Court of Industrial Appeals was an excrescence, that it should be wiped away, that it was of no value to the principle of Wages Boards, and had rendered no service to justify its existence. There was never any demand for it by the reasonable section of employers and employés who desire the progress of factories legislation in this State. The Minister mentioned what he regarded as rather a strange fact. He stated that while the Conservative section he referred to objected to a Judge in the Commonwealth Arbitration Court having control of industrial matters, they seemed to believe in a Judge having control under the State factories law. The honorable gentleman stated that, on the other hand, the Labour party, who objected to having a Judge in control under the State law, were prepared to accept the control of a Judge under the Federal law. As a matter of fact, the members of the Labour party, so far as I am able to gather, have always believed that the gentlemen occupying the judicial positions in our State give fair and honorable treatment to the various sections of the community, regardless of the particular class to which they belong. That is the general view. We have objected to the Court of Industrial Appeals, not because a Judge presides over it, but because of the unjust and inequitable conditions which were the foundation of that Court. The first Judge who was appointed to preside over it admitted openly in the Court that it was impossible for him to raise the wages of employés. He could only go in one direction, and that was to reduce wages. Is that the conception honorable members have in regard to an Arbitration Court? Certainly not. An Arbitration Court should mean the power to either raise or lower wages, and to alter the conditions as the circumstances merit. However, one of the principles laid down by a majority of this House was that the Court of Industrial Appeals could not fix a wage that was higher than the ruling wage paid by reputable employers to employés of average capacity. The difficulty, as a Judge said, was to define those terms, and that provision was swept away. The equally objectionable provision, I regret, the Government still allow to remain, providing that the Court of Industrial Appeals should not fix a wage which, in the opinion of the Court, prejudiced the progress of the industry, limited the scope of its employment, or in any way caused a block to the extension of the industry. That provision is not a fair one, and, in my opinion, it should not be allowed to remain in the Act. A provision that all

the powers given to the Board are bestowed on the Court of Industrial Appeals, and that the Court should deal out substantial justice as the merits of the case required, would, I contend, have been quite sufficient. Apparently, the one main characteristic of our Act, as the result of a Conservative wave, still remains on our statute-book, and, in my opinion, it should be swept away. At that period big meetings were held, and prominent members of the Chamber of Manufactures stated that they regarded this legislation as the tomb-stone of industry. That was what was stated from the platform at the Athenæum Hall. Now we find that factories legislation is accepted by both employers and employés. Another reason I think, why there has been objection from employers to the Commonwealth Arbitration Court is, not because a Judge presides over the Court, but because of the conditions under which determinations are given by the Appeal Court. They find themselves almost in the same position as we find ourselves in in regard to the Court of Industrial Appeals. We find that it is impossible for the Judge of the Arbitration Court to give a determination that lessens the wages below the determination of a Wages Board, neither can the Judge alter the hours except in one way. He can only reduce hours and increase wages. That is due to the determination of the High Court of Australia, and the decision is, no doubt, in accordance with equity and justice according to the law. It was the constitutional law that guided their Honours in that determination. That is the position. The head of the Government has had that pointed out to him by some of the leading men of the employing class, and he has stated that this grave injustice should be swept away. But he has not succeeded in taking that course. The Women's National League, and other organizations, are, he finds, not agreeable to that being done, and he has no hope from his own party. The People's Liberal party turned down the proposal that industrial power should be handed from the State to the Federation. That is the reason why intelligent employers object to a case going from the Wages Board to the compulsory Arbitration Court. They know it is impossible for them to get less wages or longer hours. The only result can be that the determination will be bettered from the employés stand-point, or left as it was before it went to the Court. I am also disappointed that the honorable gentleman has not seen fit to incorporate in this law the recommendation of the Apprenticeship Conference. Some time ago that Conference was sitting, comprising representatives of the Ministerial side and the Opposition side. The gentlemen representing those two sides did not get their own way, and a compromise was effected, and I think that a gate-way was opened for the Government to give effect to the recommendations of that Conference so as to place that important matter on a solid foundation from the legislative stand-point. The unanimous opinion of the Conference was that it would be well to give a trial to the present industrial tribunals, namely, the Wages Boards, in order that they might determine the indentures of apprentices, and give effect to them. That was unanimously recommended to the Government after a great deal of consideration, and we really expected that this Bill would have incorporated that recommendation. But on the contrary, judging by an amendment the Bill proposes in the existing law, the Government do not intend to go on with those recommendations at present. They are apparently endeavouring to patch up the present legislation with regard to Wages Boards dealing with the apprenticeship question. In my opinion, the Wages Boards ought to be given the powers which the conference recommended they should be given at the earliest opportunity. The idea of the establishment of an Apprenticeship Commission, as recommended in 1907, has been set aside for the present. Personally I believe the importance of the question justified the creation of such a Commission, but the conference thought otherwise, and have recommended that the Wages Boards be given the necessary powers for dealing with the apprenticeship question, and that in those trades where there are no Wages Boards, trade committees should be appointed for the purpose. I do not think any honorable member can deny that this question of the education of our young artisans is a very important one. By linking up apprenticeship with our technical schools we will, in my opinion, be able to produce a fine race of young artisans. There is nothing more deplorable in the industrial arena

than the grave lack of opportunity for the young men to learn their trades. It is a bad outlook for the State. We find the employers calling on the State to erect technical schools here, there, and everywhere in order that there may be opportunities for educating the apprentices. I am a keen advocate of technical education, but I say that it will be years before any scheme can be carried out whereby technical schools can take entirely the place of the workshops in the training of artisans. Technical education is an important auxiliary to workshop training, and I believe it will remain an auxiliary for the next ten years. The ideal system of apprenticeship is to be obtained by having a proper system of indentures, and I am prepared to allow the Wages Boards to regulate apprenticeship conditions, and to see that in the workshops the employers do the fair thing towards the lads, and that the lads do the fair thing towards the employers. If that is done, aided by the technical schools, I believe we will be able to produce a good class of artisans. I knew two young men in my own district who were apprenticed to an employer. Their father laid it down as a rule that they must regularly attend the Working Men's College. For six years they went to the Working Men's College at night after their ordinary day's work. After they had finished their apprenticeship they started in business. One of them admitted to me that after being in business four or five years he is worth £3,000. He owns two houses, and has one of the best businesses in Williamstown at the present moment. Why has he been so successful? It is because he got up-to-date and advanced knowledge through technical education. He was able to apply it day by day in the workshop, and when he blossomed into manhood he was able to beat his competitors in tendering for work and to give good conditions to his employés. To-day he is one of the most successful men in his trade. If we link up the workshops with our technical schools we will produce a fine race of artisans, but I have no sympathy with the demand of some employers that the State should accept the responsibility of giving the whole of the instruction to apprentices. I believe that the time when that will be done is a long way off. I believe the policy laid down by Mr. McKay will be fruitful of good results so far as turning out good tradesmen in his industry is concerned, but I believe that after Mr. McKay has trained lads in the workshop and the technical college he will find that other employers will require their services, and it will probably pay them to offer the tradesmen trained by Mr. McKay higher wages than he will be prepared to offer them. That will be done by employers who are not doing anything with regard to technical education. I believe that ultimately we will have to say that each trade requires a certain number of apprentices to come up from year to year. I believe that we will have to say as a Parliament that each trade must carry a sufficient number of artisans in the training in order to replenish the tradesmen who drop out as the years go by, and that every employer must take a fair quota of apprentices. Some years ago it was said that the Labour party denied the boys a fair opportunity of learning trades. I venture to say that no man who ever advocated the principles of the Labour party wanted to deny any boy the opportunity of learning a trade, but what we wanted to do was to prevent boys being exploited by employers who did not desire to give them the opportunity of learning their trade. We believed that the trades could be so regulated as to carry a fair proportion of apprentices, and what we wanted was that the boys should have an opportunity of learning the trades they were apprenticed to, so that after a reasonable time they would be competent artisans and be able to earn their living. At the time when it was said that the Labour party wanted to deny the boys an opportunity of learning trades, Parliament, at the behest of the employers, laid down the condition that Wages Boards should not fix a lesser number of apprentices than in the proportion of one apprentice to three minimum wage-earners. Some of the Boards fixed the proportion at one apprentice to two minimum wage-earners. At that time, with the consent of the Minister of Labour, I had an officer at the Factories Department to make an investigation, and he found that if all the Wages Boards had gone to the extreme limit and fixed the proportion of apprentices to minimum wage-earners at one to three, there would still have been 5,000 places open for apprentices. That was the minimum. An infinitely greater number could have been

taken on without exceeding the proportion of one to three. That showed that while the cry of the employers was, "We want apprentices and the Labour party deny them," the fact was that they could have taken on thousands of apprentices, but did not avail themselves of the opportunity. They preferred to say, "Let the technical colleges train the apprentices." If we want to bring forth competent artisans in this State we will have to lay an obligation on the employer, an obligation on the apprentice, and an obligation on the technical schools. I regret that the Government have not seen fit to give the Saturday half-holiday a trial in the country districts before adopting the policy laid down in this Bill. The Minister of Labour knows that the great force he had to contend with in connexion with factories legislation at its inception was not so much the reality of what had taken place, but the fear of what might happen if certain proposals were put into operation. That has characterized the movement right along since the inception of Wages Boards in 1896, and the unfortunate thing is that the proposals of the Government in connexion with the Saturday half-holiday give people in the country who are afraid of it an opportunity of preventing it being brought into operation. That is to say, that in any part of the State where the majority of the shopkeepers may think the Saturday half-holiday is going to ruin them they need only hawk round a petition and say, "The Government is going to put this evil force into operation in this town," in order to remain under the present conditions.

Sir ALEXANDER PEACOCK.—In some places the shopkeepers petitioned to go from the Wednesday half-holiday to the Saturday half-holiday. Then after a trial they petitioned to go back to the Wednesday half-holiday. That has occurred in some places, but not in many.

Mr. LEMMON.—It would be far better to give the Saturday half-holiday a fair trial in the country. When the Saturday half-holiday was first proposed for the metropolitan area, it was said that it would be all right for Melbourne, but that it would be a bad thing for the suburbs, and the suburban shopkeepers would not stand it under any circumstances. What was the result? They found that trade was drifting to the city. On Wednesday afternoons, when the suburban shops were closed people came into the city to do their shopping, and the consequence was that the outer suburbs demanded the Saturday half-holiday. I was in business in one of the suburbs, and I used to do more business on a Saturday afternoon and evening than I did in the whole of the rest of the week. That was the experience of a number of shopkeepers in the suburbs, and it could be understood that they objected to any change that would take away the Saturday afternoon and evening business. But now the shopkeepers in the suburbs would not go back to the Wednesday half-holiday under any circumstances.

Sir ALEXANDER PEACOCK.—It was given a twelve months' trial.

Mr. LEMMON.—Yes. Some of us were doubtful about applying it to butchers' shops, but after it was tried, when an endeavour was made to get up a petition to revert to the Wednesday half-holiday it failed, and the butchers are enjoying the Saturday half-holiday at the present time. I believe the same thing would occur in the country. The branches of the Australian Natives' Association agitated this question in different parts of the State. They held meetings, and in some cases sent ballot-papers round to get the opinions of the shopkeepers. The reports from a large number of the places in Victoria were favorable to the Saturday half-holiday. After the people in the country towns have tried the Saturday half-holiday, and have settled down to the altered conditions, I believe they will appreciate the change and value it as much as the people in the metropolitan area. I do not desire to detain the House any longer. As I said, this Bill is a machinery Bill to a great extent, and one that will call for a good deal of attention in Committee. Like other measures introduced by the Government, it is good in parts, and very bad in others. It satisfies the Opposition in some respects, and no doubt will satisfy members sitting in the Ministerial Corner in others. Perhaps in its final form it will be somewhat of an advantage. However, I will content myself now with saying that I hope to see the Bill passed and put on the statute-book. Particularly do I desire to see the Saturday half-holiday given a trial in the country districts, because I believe it will be found as advantageous to the country people as it

has been already to those in the metropolitan area.

Mr. McCUTCHEON.—I have not very much to say about this Bill, because I recognise, with the last speaker, that it is a Bill chiefly for Committee. But one matter has been mentioned which I think we should be clear about, and that is with regard to the Court of Industrial Appeals. A few years ago, under very provoking circumstances to many employers, I had to bring before the House the nature of the appointment of chairmen of Wages Boards. I think at that time there were between 40 and 50 Boards, and I got a return showing the occupations of the men who were appointed to be chairmen of those Boards. As the result I think the House and the public were pretty well convinced that those appointments were in many cases extremely unsatisfactory. I pointed out then that, from the occupation of the chairman appointed to preside over a Board, he was frequently quite unfitted to occupy that position or to give a satisfactory decision on the technical points that were submitted to him. I find now that the Judge of the Court of Industrial Appeals is said to be in the same position; but the employers at that time preferred, and I think have since preferred, that if persons were to be appointed to fix wages and hours of labour, then at least they should be persons of such a character, and of such experience, as would entitle their findings to respect. If they could not have somebody who could go into all the technicalities of the case, they desired to have somebody who could at least sift the evidence and make a thorough digest of it. This Bill proposes to do away with the Judge of the Court of Industrial Appeals. I want to say plainly at once that I am entirely opposed to the system which has existed here for many years of compulsory decisions as to what employers should pay and what they should do in many cases, because I believe that such a principle is entirely unsound. It rests altogether with the person paying the wages and the person receiving them as to what bargain they shall make. I am met, of course, with the unfortunate position that instances have been found where an employer has taken advantage of the condition of his workman to treat him unfairly, and to balance that there are instances in plenty during the last few years where the employer has been very grossly mistreated by his employés in the way of strikes. I do not know what will reconcile these conflicting views. Attempts are being made from time to time to patch up the law so as to meet fresh conditions, but I venture to say, with all respect, that even the present occupant of the position of Minister of Labour will find that every year he will have to bring in a fresh amendment of the law to meet the varying circumstances of the trades, and the troubles that arise. The proposition in this Bill is to appoint three persons to act instead of a Judge as a Court of Industrial Appeals. Two of those persons are to be police magistrates. I may say that a great deal of satisfaction would have been given to employers if they had always found a police magistrate as a chairman of a Wages Board. They have asked for that over and over again. They objected to retired civil servants being placed on these Boards—through what influence they could not tell—and they urged that the man at the head of the Board should have some idea of the value of evidence and be able to sift it properly. I cannot tell whether the present proposition will be a success or not. There are going to be two police magistrates upon the new Court, and one other Wages Board chairman, who will be selected, I presume, on account of his knowledge of the subject that is to be dealt with. There is no guarantee, however, that the person so appointed as the third member of the Court will be any better than some of the chairmen who have been appointed before. Nevertheless, I do not think it matters much. If you have a Court, and must come to a decision as to what shall be done, then perhaps, three experienced Wages Board chairmen will do as well as a Judge, but what is very much to be regretted is that such summary action should have been taken by the Minister of Labour with regard to the Judge. The Minister has practically condemned the Judge's decision by acting as he has done with regard to the builders labourers' strike. I must remind the House that, whilst the Judge in the Court of Industrial Appeals does not appear to have given satisfaction to trades unionists, it is scarcely fair to compare the Judge of the State Court with the Judge of the Commonwealth Court. As honorable members know, the Judge

of the Commonwealth Court has most extensive powers—in fact, he has enormous powers. In many cases he can make the law as he goes along, as well as administer it. The Judge in our Court of Industrial Appeals has no such powers. The honorable member for Williamstown complained of the way in which the Judge was fettered.

Mr. HANNAH.—How does the honorable member make out that the Judge in the Arbitration Court can make the law as he goes along? He cannot go outside the Constitution.

Mr. McCUTCHEON.—Certainly not, but the Act passed under the Constitution has invested him with such extensive powers that he can do almost anything.

Mr. WARDE. — He does not think so, anyhow. Did not Judge Higgins say that the Act left him in a Serbonian bog of difficulties?

Mr. McCUTCHEON.—There is no inconsistency in the attitude taken up by the employers or Conservatives with regard to the Federal Judge as compared with the Judge of the Court of Industrial Appeals, because the powers of the former are so much more extensive. The Judge in the Federal Court not only hears the evidence brought before him, but he may command any person to come before him, and have all sorts of inquiries made, and introduce all sorts of variations; therefore, it is unfair to charge any one with inconsistency in that respect.

Sir ALEXANDER PEACOCK.—I was not speaking so much of honorable members as of the public outside.

Mr. McCUTCHEON.—I was referring more particularly to the remarks of the last speaker as to the conservatism of this (the Ministerial) corner. I quite admit there is some conservatism on this side of the House.

Mr. HANNAH. — I thought it was a Liberal Government?

Mr. McCUTCHEON.—It is a Liberal Government, but the Liberals have not thrown themselves wholesale into the arms of the Labour party. Apparently the Labour party think they are the only true Liberals. I have complained previously that the policy of some Ministries in this House appeared to be dictated by a desire to secure votes and power. When a Ministry does that the members of it cannot be called true Liberals.

Mr. J. W. BILLSON (*Fitzroy*).—You cannot mention a Ministry since we have had responsible government that has done anything else.

Mr. McCUTCHEON.—I am pleased to hear the confirmation of my statement by such an extremely observant gentleman as the honorable member for Fitzroy. I think the honorable member is like myself. He would like men to be either one thing or the other, and not give concessions for the sake of securing votes and continuing in power.

Mr. WARDE.—The honorable member must have thought it strange of late years to be labelled a Liberal.

Mr. McCUTCHEON.—It is impossible to prevent a person from being labelled anything.

Mr. WARDE.—What do you call yourself?

Mr. McCUTCHEON.—I do not call myself anything. I am at present a member of this House, debating a matter of important public policy. The great defect in this Bill, to my mind, is the one-sidedness of the measure. The great defect in all the labour legislation the previous and the present Minister of Labour have brought in is that it legislates apparently for only one side. If the Minister had followed the example of the Dominion of New Zealand, or of the State of New South Wales, or even the example of South Australia, he would have provided for both sides of the question. He provides for wrong-doing on the part of the employer, but the laws of the States I have mentioned provide also for wrong-doing on the part of the employé. When we have such examples as have occurred within the last few months, and particularly that which is going on at present in Broken Hill, and the strikes that have taken place in our own State, it seems to me that some provision should have been made for those who deliberately break the bargain they have made and leave the employer in a condition of hopelessness in regard to his work. The present Bill apparently sees fault and wrong-doing only on the part of the employer. So far as I can see, no penalty is provided for any wrong-doing on the part of the employé. It is possible that my honorable friends on the Opposition side may think that the employé never does wrong.

Mr. HANNAH.—We are not one-eyed altogether.

Mr. McCUTCHEON.—I am glad to hear it. I would like some explanation from the Government as to why it is that they have provided extensive penalties for the employers, but have done nothing whatever to control strikes.

Mr. TUNNECLIFFE.—Because they know who is the guilty party always.

Mr. McCUTCHEON.—They may know a great deal, but while the employer is strongly guarded against exercising his power of dismissal and of locking out, and is fenced round with all sorts of penalties, there is not the slightest effort made in the Bill to curb in any way the foolishness, wildness, or extravagance of employés in their treatment of employers. With such laws it is in vain for us to expect anything in the shape of what we might call a fixed cost of living or fixed prices for work. We are constantly complaining of the increased prices of commodities and manufactures. It is impossible for anything else to result under our laws.

Sir ALEXANDER PEACOCK.—Increased prices are world-wide.

Mr. McCUTCHEON.—They may be world-wide, but our experience is that the increased prices here result from the conditions of labour. If the members of the unions were profiting to the extent that theoretically they should be it would not matter so much, but it is not so. The members of the unions find that under these laws, whilst wages go up, their expenses go up in proportion. No one is any better off in the end, but in the meantime trade is fettered and we are very largely hampered as an export country. I am not advocating low wages, nor am I advocating that the employés should lose in any way. I am merely pointing out the effect of the action taken in regard to Wages Boards. Whilst the wages go up the employé is no better off than before. We have learnt that from the official reports. I do not know where this kind of legislation is going to end. One serious defect in the Bill is the absence of any provision to impose penalties on the men for strikes and such occurrences.

Sir ALEXANDER PEACOCK.—They have a provision of that kind in New South Wales, and they have had more strikes than we have had.

Mr. McCUTCHEON.—I know there have been considerable attempts in New South Wales to stop strikes by imposing penalties on the men. I am speaking of those who are led away by agitators, and particularly by the younger men who are without judgment or experience and who embark on these ill-considered schemes and plunge the whole community into loss. I may quote the case of the slaughtermen which occurred this week. I am not attempting to judge the merits of the case, for it has to go before the Commonwealth Arbitration Court. These men strike without any proper cause and in defiance of a bargain entered into. They strike suddenly and paralyze for the time being one of the greatest and most prosperous industries in the State. Yet the Government brings down this Bill and makes no provision for dealing with such men. I do not think that is fair. I do not expect any remedy, but I am simply putting on record what is the position of the Ministry in regard to employers and employés. It suggests to me that the intention is rather to win popularity than to do justice between man and man. I shall not discuss the matter of the apprentices, and the point touched upon by the honorable member for Williamstown, because these matters can be discused on the Apprenticeship Bill. The absence of any provision in the Bill to deal with offences on the part of employés is undoubtedly a defect. The Bill simply deals with one side.

Sir ALEXANDER PEACOCK.—This will not hamper trade. It is only to perfect the law.

Mr. McCUTCHEON.—The perfecting of the present law is exactly what is not being done. Only one side is dealt with. There are no penalties provided in case of strikes.

Mr. HANNAH.—Nor for lock-outs.

Mr. McCUTCHEON.—I have no objection to a penalty in the case of lock-outs. The object of Wages Boards, and the object of the Minister in endeavouring to provide a tribunal, is the prevention of strikes.

Sir ALEXANDER PEACOCK.—That was never intended as the object, but the effect of the Wages Boards has been to reduce the number of strikes.

Mr. McCUTCHEON.—I am endeavouring to express my opinion as clearly and inoffensively as I can.

Mr. WARDE.—You always do that.

Mr. McCUTCHEON.—It is well to look these matters in the face. I am

happy to say that in our own business we have no dispute. We have managed to get along so far without disputes, and I hope we shall continue to do so. There is no question whatever that the employers all over the State have complained again and again of the absence of protection in this State in regard to strikes between them and their employés. Until there is protection in this respect the law will not be perfect. It cannot be perfect so long as we have legislation for one side and not for the other.

Mr. WEBBER.—In the speech delivered by His Excellency the Governor at the opening of the present session there were three Bills outlined that I would describe as important. The first was the Workers' Compensation Bill which this House has passed. Then there was a Bill mentioned, that we have heard very little about, which was to control monopolies and combines. I do not know whether Ministers are still working hard on that measure or not. The third measure is the one we are now considering. This is a class of legislation that for many years I have taken a keen interest in. For some years my occupation brought me into contact with such legislation, and with the Factories Department. I have to express my sorrow at the nature of this measure. It is largely a machinery Bill, and I have been anticipating many radical alterations in the existing law. In that direction I have met with disappointment. With two or three exceptions it is merely a machinery Bill, and the exceptions are really radical alterations in the principal Act. Even these alterations, drastic and radical as they may be, are likely to cause more trouble in the industrial world than we have had recently. The main provisions of the Bill are the registration of shops and the limitation of the time to be occupied by Wages Boards in arriving at their determinations. The Bill proposes to group Boards with the view of arriving at uniform decisions affecting several different trades in which the same line of business is carried on. I approve of this proposal, and I believe the effect will be good. Recently I introduced a deputation to the Minister from the cycle and electro-plating trades, when I pointed out how the decisions of different Boards clashed. It is proposed to constitute a roll of chairmen. Is the idea to make the occupation of chairman an exclusive profession, so that those who are chairmen to-day shall have no competitors against them?

Sir ALEXANDER PEACOCK.—There is power to add to or to take from the roster.

Mr. WEBBER.—I admit that. I fail to see why there should be a roll, and why the Wages Boards should be restricted to a particular list of chairmen. I notice that it is provided in the Bill that the Governor in Council may add names to the list. A Wages Board may meet, and propose a certain gentleman as chairman who is not on the list. There are only fourten days allowed between the time of the appointment of the Board and the selection of the chairman. Unless the Governor in Council happens to sit in the meantime, the Board will not be able to get that name added to the list.

Sir ALEXANDER PEACOCK.—Oh, yes. Special meetings may be called.

Mr. WEBBER.—Then, if the Governor in Council is prepared to add such a name to the list, what is the necessity for having the list? I think, under the circumstances, it will be futile to have the list.

Sir ALEXANDER PEACOCK. — Several Boards have asked the Department to submit names.

Mr. WEBBER.—I have sat on Boards that had lists of names. Without preparing an official list, the secretaries of the unions have always been able to supply the Boards with lists of names. There is no need for an official list, although I have no great objection to it. To say that only those whose names are on the lists are to be chairmen of the Boards is to set up an exclusive profession for chairmen of Boards. If I were not a member of this House, and had to earn my livelihood, I might be glad to give my services to a union of chairmen of Wages Boards. I fail to see the necessity for the list, and I am inclined to think that at times the idea will prove unworkable. When Boards are meeting only two days prior to the expiry of the time allowed for choosing the chairman, there would be no time for a meeting of the Governor in Council to add a fresh name to the list. I have been on Boards that have had three or four meetings before arriving at a mutual agreement as to a chairman.

After holding several meetings a Board might decide upon a certain man, and the Governor in Council would have to meet to add his name to the list. Then the Board would have to meet again to appoint him chairman. By that time the period allowed may have expired. No chairman having been chosen in the requisite time, the Governor in Council would have to make an appointment for the position. Another leading feature of the Bill is not the abolition, but the alteration, of the constitution of the Court of Industrial Appeals. I am sorry that the Ministry proposes to maintain the Appeal Court. The Bill provides that it shall consist of three chairmen of Wages Boards, of whom two shall be police magistrates. I do not know whether those gentlemen would have any more technical knowledge of the various industries for which they have to fix wages, hours, and conditions of employment than a Judge of the Supreme Court. Only recently one of the Judges remarked that it was impossible for a Supreme Court Judge to fix fair wages and hours and working conditions when he had no technical knowledge of the industries affected. Unless the man presiding over the Board in the particular trade affected is chosen, the chairman will have no more knowledge of the matter to be dealt with than a Supreme Court Judge. I believe that there is a provision in the Bill that the chairman of the Board whose determination is being appealed against shall not be a member of the Appeal Court. If gentlemen not connected with the industry have to decide an appeal they will be in no better position than a Supreme Court Judge. Therefore, I fail to see how the proposed tribunal will be any better than the existing Court. There has been a lot of dissatisfaction with the Court of Industrial Appeals. It is not because it is presided over by a Judge. The Minister in charge of the Bill said that members on this (the Opposition) side of the House had no objection to a Judge in the Arbitration Court, but objected to a Judge in the Court of Industrial Appeals, and that, therefore, we were inconsistent. That is not so. Personally I do not object to a Judge in the Court of Industrial Appeals. I object to the system of having this Appeal Court, because it hears appeals from one side only. Since I have been connected with industrial organizations no appeals have been made to that Court by the employés. I know of no case in which the Court has increased wages, nor do I know of a case in which the Court has said that the determination of the Wages Board was right. In every case, the Court has reduced the wages, and in some instances by large amounts. In the last case which came before it, the Court even went to the length of increasing the number of hours which had been recognised for years in the trade as a week's work. I believe that Wages Boards are more competent to settle these matters than Supreme Court Judges. On the Wages Boards there are employers and employés acquainted with every branch of the trade. A Supreme Court Judge, or an outside chairman, cannot possibly have the same knowledge and experience of a trade as those working in it. When Wages Boards were first constituted, it was held to be a splendid system, not only for preventing disputes, but for settling the conditions of employment where no disputes were likely to occur. I admit that the Boards have to a large extent been successful in preventing disputes. That cannot be said of the Court of Industrial Appeals. Speaking from memory, that Court has been the very means of causing an industrial upheaval in three cases. I refer to the bakers, the timber sorters and stackers, and those engaged in the building trades. While the benefits of the Wages Board system have been held up to the world in general, they are chiefly due to the fact that men engaged in a particular industry meet and settle their differences in an amicable spirit, and arrive at decisions on broad lines. The whole system is spoilt, however, by incorporating in the Factories Act a provision for a Court of Industrial Appeals. I am sorry that the Ministry do not propose to repeal that provision. I had hopes that they would have realized that the Court is in the nature of an obstruction and a hindrance. I recognise that this Bill is largely a machinery measure—a tightening up Bill. It is provided in clause 28 that if a Board does not arrive at a determination within three months of its appointment, no further fees will be paid to the representatives sitting upon it. When introducing the Bill the Minister was asked if he thought that the work of

the Boards was unnecessarily prolonged in order to enable members to draw more fees. To that the Minister did not give a direct answer, but he said by inference that the time spent in arriving at a determination had been prolonged in order that more fees might be obtained. As far as both the employers and employés are concerned, I do not think that they have ever prolonged their labours for that purpose. A fee of 5s. is paid for a sitting lasting half a day, and 10s. if the meeting lasts a full day. Now, the representatives may spend hours, not only in attending the Board meetings, but in obtaining information and statistics to enable them to place their case properly before the chairman.

Mr. MACKINNON.—Are they day Boards?

Mr. WEBBER.—A large proportion sit during the day. I contend that many of the representatives lose more than they receive. The chairman of a Board receives £1 a sitting. I know of one chairman who distinctly said unless he could get a full meeting and not one at which only half fees were paid, he would not preside over the Board. Neither the employers nor the employés prolong the work of the Board simply for the sake of any extra fees, but I honestly believe that many employers may do so to prevent a new determination coming into force. When Boards have fixed higher wages for certain branches of an industry, there are employers who like to put off the evil day and prevent the determination being gazetted. If this clause is agreed to a Board will take just as long in arriving at a determination. It will mean, however, that the representatives of the employés, while they have to continue to attend the Board meetings, will receive no remuneration for doing so. The meetings of the Board will go on just the same.

Mr. MACKINNON.—It is the principle which is adopted by some of the American States in order to shorten the sittings of their Parliaments.

Mr. WEBBER.—I have heard about that, but I do not know whether it shortens the work. Clause 28 goes on to say that if a Board has not arrived at a determination in six months, the Governor in Council can dissolve it and appoint a new Board. Those employers who desire to prevent a Board bringing in a determination which would improve the wages and working conditions will only have to stone-wall and prolong the work for six months, and then a new Board will have to be appointed. Perhaps there are only a few employers who would do that. Still there are some who, if they can prevent a determination being gazetted, would adopt every means of doing so. I presume that a new Board would have to begin work *de novo*. Supposing the first Board appointed in connexion with a big industry has not completed its work within six months, and it is dissolved by the Governor in Council, would the new Board begin its labours where the old Board left off?

Sir ALEXANDER PEACOCK.—If it liked.

Mr. WEBBER.—As a layman, I thought from my reading of the clause that the new Board would have to make a fresh start. Some employers might so delay a Board's work that a determination might not be arrived at for years.

Sir ALEXANDER PEACOCK.—The new Board could take the matter up at the stage where it was left off.

Mr. WEBBER.—I am glad to hear the Minister make that statement, but, lest there should be any doubt on the subject, I would ask him to look into the matter more closely, as it is really an important one.

Sir ALEXANDER PEACOCK.—I will certainly look into it, to make sure.

Mr. WEBBER.—As far as the work of the Board is concerned, I may say that I have known many Boards in connexion with which it would have been absolutely impossible for them to complete their work in three months. One Board on which I was engaged had over 200 different classes of piece-work to deal with, and it would have been impossible for that Board to have got through the work in such a period. Many of the chairmen of these Boards have so many Boards to attend to that they can only devote one night per week to each Board, and if you restrict the number of gentlemen who can be appointed as chairmen you make the matter still worse. In some cases they can devote only one night a fortnight to the work, and, as I have said, many Boards must find it impossible to complete their work within three months. In fact, this would only give them twelve meetings, and some Boards which have to deal with complicated

piece-work rates could hardly complete their work in twelve sittings. Again, an employer who was on one of these Boards may have to go to another State for a few days. The chairman will then ask, "What about next week?" and then perhaps some other member will say that he will have to be in South Australia next week. I have known Boards which have had to adjourn for three of four weeks simply because different members could not find a suitable night for the whole of the Board to meet.

Sir ALEXANDER PEACOCK.—But you know the complaint has been general that the Boards in many cases have been too long without coming to a conclusion. We want to hurry them up.

Mr. WEBBER.—I agree that many of the Boards have been a long time, though perhaps I would not say too long.

Sir ALEXANDER PEACOCK.—It was two years in one case.

Mr. WEBBER.—However, in my opinion, the idea of the Government of curtailing their fees, unless they finish within a certain time, will not be the best means of compelling Boards to arrive at a proper decision in a brief time.

Mr. ELMSLIE.—Make the determination retrospective.

Mr. WEBBER.—As my leader has just suggested, let the Government make the determination of the Board retrospective from the time when the Board was appointed, and then you will find that those employers who are anxious to prolong the work of the Board in order to prevent the arrival of the evil day when they will have to pay higher rates will be only too willing to have the work completed as speedily as possible. Let the determination be made retrospective from the date when the first meeting of the Board is held, and then there will be no reason for prolonging the sittings; but under the proposal of the Government, it will simply mean that many Boards will have to rush through their work. Some Boards perhaps do take too long, but there are many Boards who really require a long time because their work is of an intricate character.

Sir ALEXANDER PEACOCK.—We had a Board last month which finished its work in three sittings.

Mr .WEBBER.—Perhaps they had to deal with a simple industry, containing only a few branches, but there are other Boards which have to deal with 200 or 300 separate items of piece-work, and Boards of that kind could not finish their work in twelve sittings. Some provision must be made for such cases. I am inclined to think also that the Minister will penalize many employés by his proposal, because in cases where the work cannot be completed in a short time owing to its complexity, employés who are on the Board will have to knock off work early, losing a certain amount of wages and incurring expense in connexion with meals and tram fares. Again, I would point out that if the Government proposal is carried as it is worded many of the professional chairmen, who are really making a living at this work, will, when the three months is up—it does not matter whether the work is properly completed or not—rush it through, and in many cases the work will be done in a haphazard manner, because the chairman will want no more sittings when there are no more guineas. Further, under the Ministerial proposal, I do not think the Government would even save cash, because where the boards can meet more than one night a week they will do so, perhaps meet every night, drawing ten shillings a sitting, and the chairman will make about £6 a week. I notice that in clause 8 of the Bill, provision is made for increasing the number of hours that young girls may work during the week. I am sorry to see this retrograde step taken by a Liberal Ministry —that they should propose to enable employers to work girls more hours than they can do under the principal Act. Under that Act employers can work females, in times of stress, up to 51 hours a week, but here we have the great Liberal party proposing that girls may have to work up to 57 hours a week. The Government also propose to abolish the necessity for obtaining written permission from the Chief Inspector of Factories as regards increasing the hours.

Sir ALEXANDER PEACOCK.—It has been found that, so far as the country districts are concerned, that has been very difficult to work.

Mr. WEBBER.—In the principal Act it provides that when an employer desires to work employés over 48 hours a week written permission must be obtained from the Chief Inspector, but under this Bill, so long as the employer notifies the Chief Inspector, there is no need for him to

wait for permission. That is another retrograde step for which I am sorry.

Sir ALEXANDER PEACOCK.—I explained the reason of that on the second reading —that in the country this is what has really been done.

Mr. WEBBER.—But this Bill applies not only to the country districts, but to the whole State. If what the Minister says is correct, something should be inserted to make it clear and definite that such a provision only applies to the country districts. Surely 48 hours per week is enough for females to work. In my opinion, it is really too long a period, and I am sorry that the Ministry should take this step, which certainly cannot be classified as a piece of Liberal legislation, although perhaps it is like some of the other Liberal legislation that has been placed on the statute-book recently. Clause 17, which relates to restrictions on persons working in connexion with moving machinery, is, I think, defective. It provides for two new sub-sections being substituted for those in the principal Act. The first of these is—

64. (1) No female, unless her hair is cut short or securely fixed and confined close to her head by net or otherwise, and no male wearing any apron or loose garment, shall be allowed to work among or near moving machinery.

Now, it will be seen that this simply means that while girls must have their hair cut short or securely fixed and confined while working near moving machinery, still they are allowed to wear aprons or loose garments, because the prohibition against wearing these is confined to males.

Sir ALEXANDER PEACOCK.—You want it to cover both?

Mr. WEBBER.—Yes. I have seen girls in factories wearing aprons and loose materials which are likely to catch in the machinery, and in one case I have known a girl who had two of her fingers cut off from this cause. I think it would be well, therefore, to provide for females not being allowed to wear aprons or loose garments under these circumstances, just as is proposed in connexion with males.

Sir ALEXANDER PEACOCK.—I will see to that.

Mr. WEBBER.—As far as the Bill generally is concerned, I may state that I am distinctly disappointed. I certainly thought that the recommendations of the Apprenticeship Conference would have been included in it.

Sir ALEXANDER PEACOCK.—We are going to deal with that in a separate Bill. We do not want to overload this Bill, as it was lost last session.

Mr. WEBBER.—I would point out to the Minister of Labour that the session is approaching its end.

Sir ALEXANDER PEACOCK.—Yes, and for that reason we want to get this Bill up to another place as early as possible.

Mr. WEBBER.—At any rate, I hope that the recommendations of the Apprenticeship Conference will be dealt with in legislative form before the close of this session. As far as the present Bill is concerned, it in several ways does not meet with my approval. I admit that it contains some very good provisions, and that the object which the Minister tries to attain is also good, but as regards the matters to which I have already referred, I regret that the Bill is framed in its present form. A Factories Acts Amending Bill has now become a hardy annual, and I am glad to see that on this occasion the Minister has seen fit to bring it down a little earlier in the session than has been done on previous occasions. I had intended to refer to the administration of the Department, but perhaps it would not be desirable to do so in connexion with this Bill. There will be other opportunities of dealing with that matter.

Sir ALEXANDER PEACOCK.—On the Estimates.

Mr. WEBBER.—Yes, on the Estimates there will be an opportunity for my referring to the administration of the Department. This Bill gives the Chief Inspector of Factories additional powers. While I do not desire upon this Bill to discuss the administration of the Department, I must say that I am sorry to see the Ministry proposing to hand over to the Chief Inspector powers that should be retained by the Minister or the Governor in Council or by this House. However, I hope that before the Bill leaves this House it will be moulded in such a form as will meet with the approval of the majority of honorable members.

Mr. JEWELL.—I wish to say a few words on this Bill. I was sorry to hear the honorable member for St. Kilda state that he did not think that the Government should interfere between employers who are paying wages and employés who are receiving wages. I do not think the honorable member could have worked under the same conditions as many of us

did in the early days. If he had known of the sweated conditions in the days gone by, I do not think the honorable member would have made that statement. I believe he is doing very well so far as his own employés are concerned, but, at the same time, I cannot understand his making remarks of that sort. When I was a lad I had to work at all hours, day or night, whenever I was called on, and I was also paid the very lowest wages. I have worked in those times for 2s. 6d. a week and my food, and I have known married men accept work at 10s. a week.

Mr. MCGREGOR.—The food must have been all right, as the honorable member is looking very well.

Mr. JEWELL.—That may be, but I want to see the conditions better now for our people than they were when I was a lad. If it was not for factories legislation there would be a tendency to the conditions going back to what they were in the old days. Many men were then receiving 10s. or 15s. a week. If a man was receiving 30s. a week he was envied. Since the Wages Boards were established, the position of the employé has become a great deal better. The men are doing equally as much, I believe, in the short hours they now work as they did when the hours were longer. Reference has been made to the Saturday afternoon holiday. In my opinion the Saturday afternoon holiday is one of the finest arrangements that ever came into existence. I speak now as an employer of labour. In the municipality to which I belong only five or six in my trade were found to sign the petition against it when it was first introduced, but now I do not believe there is one who, under any consideration whatever, would go back to the old condition. When the provision about shops closing at 6 o'clock came into force, people were wondering what in the world they would do, and shopkeepers were wondering how they would get their work done. It was found, however, that people got their goods just the same, and that the work was done as satisfactorily as before. There was another amendment later, requiring shops to close at 5 o'clock. Again there was an uproar, and people were wondering how they would get their goods before 5 o'clock. But if the wife forgot the goods on the one night it was only for the one night, and the matter was never forgotten again. It was not long before people got into the way of purchasing their goods before that hour. When the Saturday half-holiday was introduced, it was said it would ruin trade. I myself, at that time, did most of my trade during the Saturday afternoon, but I found that with the Saturday half-holiday I did the business on the Saturday morning, and that it made no difference to trade in the metropolis, whatever might be the effect in the country. I feel sure that the Saturday half-holiday should prevail throughout Victoria. The people throughout the State will soon fall into line, and get their goods before the shops close. There is a provision that the employé is to receive 6d. for a meal. The year before last I moved an amendment that the amount should be 1s., and the amendment was accepted by the Government. I hope it will be accepted again when I move it in connexion with this Bill. Reference has been made to the roll of chairmen. I hope the Minister will see his way to do away with the roll of chairmen. I think that when the masters and the men meet on a Board they should be able to nominate whom they think fit to act as chairman. If the Board unanimously selects a chairman not on the roll, will the Minister add the name of that person to the roll, and may he then act as chairman?

Sir ALEXANDER PEACOCK.—There will be no difficulty in carrying that idea out.

Mr. JEWELL.—If the masters and the men nominate a man who is not on the roll, and they suggest to the Minister that he should be added to the roll, I cannot see any harm in that being done. Clause 26 provides—

> The Minister shall cause to be kept a roll of persons suitable to act as Chairmen of Special Boards.
>
> The Governor in Council may, at any time, by Order, add any name thereto, or remove any name therefrom.

Mr. PRENDERGAST.—That means that the roll is of no consequence.

Sir ALEXANDER PEACOCK.—It is only as a means of facilitating business. The Boards often ask the Department, when they have a difficulty about selecting a chairman, and the Department has no official power.

Mr. JEWELL.—The clause continues—

> The members of a Special Board shall, within fourteen days after the date of their appointment, nominate, in writing, some person (not being one of such members) whose name is on the roll, to be chairman of such Special Board, and such person shall be appointed by the Governor in Council to such office.

Mr. PRENDERGAST.—Under the previous part they can alter that. The clause is of no consequence at all.

Mr. JEWELL.—I should like to know if the Minister of Labour could assure me that he would add a chairman in the cases I mentioned?

Sir ALEXANDER PEACOCK.—In practice that could be done.

Mr. JEWELL.—If that could be done I should be satisfied. There is one provision I should like to see included in the Bill. I have known instances where men employing apprentices have, after the apprentices are in their third or fourth year, made matters so hot for them that the apprentices have either gone home or stopped away and not returned. It appears to me that that is just what the employer wanted. He has then put on another apprentice at a lower rate. I should like an amendment of the Act to provide that it should be left with the Wages Board to determine whether a lad should be put off in that way. It seems that something should be done to prevent that sort of thing. The place I have in mind is a cutting shop, and the reason it is able to cut is, in my opinion, that the employer pays at a lower rate than those who keep their apprentices until they have finished their time. I also note that there is no provision in the Bill for casual hands. There are many casual hands who are put on for two or three days. I think they should have a little more wages than a man who is on permanently. A man who is employed for two or three days in a week should receive perhaps 1s. a day more. Carters and drivers on the wharfs are an instance of men employed in this way, and there should be some provision requiring them to be paid extra money. Clause 10 provides that a man in charge of a suction gas-engine of 25-horse power or over shall have a certificate. I do not see why there is not as much danger in connexion with a suction gas-engine of 20-horse power or 15-horse power, and why a person in charge of engines of that kind should not also have a certificate. In my opinion, there is as much danger with the small power as with the larger power. There are many other points in connexion with the Bill I should like to speak about, but when we get into Committee I shall have amendments to move. Many amendments, I believe, are needed in this Bill. Although it is not a large Bill, there is a lot of matter to go through, and this takes up a good deal of time. There will be many amendments, perhaps not of a drastic kind, that will be moved from our side of the House, and I think they will be agreed to by the House as a whole. I hope the provision with regard to the Court of Industrial Appeals will be abolished. I believe that the Court of Industrial Appeals causes more disputes than it settles. I cannot understand why, if there is any difference between employers and employés, and a Wages Board is in existence, the chairman of the Board cannot be consulted. He could call the Board to deal with the grievances of the employers or the employés, as the case might be. I believe that if that were done there would be less strife in the different trades. The representatives of the masters and the men on a Wages Board know the trade from one end to the other, and can agree on many points that a Court might not know anything about. I hope that the Court of Industrial Appeals will be abolished, and that disputes will be finally settled by the Wages Boards.

On the motion of Mr. PRENDERGAST the debate was adjourned until the following day.

ADJOURNMENT.

TREATMENT OF GIRL IMMIGRANTS.

Mr. WATT (Premier).—I move—

That the House do now adjourn.

Mr. WARDE.—I desire the Government to make some investigation into the treatment of girl immigrants who are being brought out from Great Britain. Some of the passengers on the boat that came here last Friday—people of very fair repute, who, I do not think, would inform me wrongly—have stated to me that they do not think the best treatment was meted out to the girls when they landed in Victoria. They declare that a number of the girls were hurried away to Bendigo against their wishes, without being given any opportunity of seeing the persons by whom they were engaged, and that no protests of theirs were listened to by those who hurried them away from the boat at night, and by train in the morning. I asked these passengers to allow me to use their names, but they said that they did not wish their

names to be brought into a discussion on this matter. They said that certain things took place on the boat which they very much regretted. They said that there was a lady down at the boat to take charge of the girls, and that one of the girls was taken off without her hat, and that she was crying. That is the statement that was made to me. I pointed out that I could not take any responsibility in connexion with a matter of this kind, but that I felt certain that, if any harsh treatment was being meted out to girls brought from abroad, all persons in the State would endeavour to prevent it, because I feel certain that whatever may be our opinion as to the wisdom of the immigration policy adopted by the Government, there is no one who does not want to see the greatest kindness shown to the immigrants when they land in our midst. There was another thing that I was very much surprised to hear. We hear talk about the union badge and the decision of the Commonwealth Arbitration Court on that subject, and we in this country have refused to allow prisoners to be taken through the streets with the garb of their servitude on them, but I am told that the girl immigrants are labelled. They have to wear a red ribbon when they parade about the boat, and are marched through the streets. The word "Victoria" is printed on the ribbon, as much as to say, "These are the immigrants we are bringing into this prosperous country." If that is the case, it is a disgraceful thing, and ought to be prohibited. Why should any of these people, when they are brought into Victoria, be taken through the streets wearing a label with "Victoria" printed on it? I am not vouching for the truth of this statement, but if it is true, it is discreditable to the immigration authorities and to the Government. I hope these statements are not correct, but, in any case, an investigation should be made. I am told that twenty-five of these young women were taken away from the boat and despatched to Bendigo. The truth or otherwise of the statements that have been made to me ought to be ascertained by correspondence with the women, whose names and addresses can be got from the Immigration Bureau. I am told that some of them had relatives in the city, and desired to put in a day or two with their friends before going to Bendigo, but this was not allowed. The people who have made these statements to me occupy a reasonably fair position. A man, whose relatives informed him of these things, came to my place about it, and said that they thought the treatment meted out to the girls was disgraceful. If the statements I have heard are true, I think every one will agree that the treatment is disgraceful. These young women should no longer be compelled to wear the badges. They should be treated in the same way as people who pay their passages to this country. I feel that the Government are sympathetic enough to make inquiries into this matter, and that, if they find the treatment complained of has been meted out to the girl immigrants, they will take the necessary steps to prevent its recurrence in the future. They should not only do away with the badge, but see that the young women landing here have a fair opportunity of putting in a day or two with their friends in Melbourne before they are sent to the country. In no cases should these young women be compelled to take places in country towns if they do not want to. It is as near an approach to slavery as can be conceived. If there is such a demand for these young women as is represented by the Government, is it not a fair thing that they should have the opportunity of selecting the mistresses for whom they shall work in the future? Under the present system they have to go to the positions found for them without having any say in the matter at all. I hope the statements made to me will be found capable of reasonable explanation. One cannot imagine the Honorary Minister (Mr. Thomson), who is in charge of immigration, exercising any harshness, and though the Government have adopted the immigration policy that is now being carried on, I give them credit for desiring to see that no hardship shall surround the bringing of immigrants into this country. If the statements made to me are found to be true, I hope the Government will take steps to prevent the recurrence of such treatment in the future.

Mr. THOMSON (Honorary Minister).—If the honorable member for Flemington had given me a little longer notice than half-an-hour, I would have made inquiries into this matter, and have been able to give a fuller explanation than I

am now able to give, but I would point out that this boat was expected last Tuesday. However, the weather was so rough that the date of arrival was postponed. We had made arrangements with the Bendigo people to distribute the domestics there on Saturday. The understanding was that they were to be distributed from the Bendigo town hall at a certain time, and we had a lot of applications from surrounding places, including Rochester, and places some distance away. The mistresses were to come in, and they would expect to find the girls there on Saturday. It was not until twenty minutes to five o'clock on Friday afternoon that we were aware that we would get a clearance of the boat on that night. At one time we thought that we would not be able to send the girls to Bendigo until Monday. I believe that there was a rush in taking the girls off the boat, as the vessel was late getting in. I know of no harsh treatment. There were five girls who could not get away, and the officials did not wait for them. They took the 25 who were ready to go.

Mr. WARDE.—The statement is that they would not allow one girl time to get her hat, and that she was taken off crying.

Mr. THOMSON.—I do not think that is a likely thing. Mrs. Bingham informed me that the girls were perfectly contented. We had either to break faith with the Bendigo people, or to allow the girls to remain in Melbourne until Monday, and it is a very hard matter to look after a lot of girls from Saturday till Monday. I saw no harsh treatment in connexion with the girls who were sent to Bendigo. They were in good spirits when they left on Saturday morning.

Mr. WARDE.—I am told that numbers of them were crying when taken off the boat.

Mr. THOMSON.—I do not think the honorable member has been down to meet any shipments of immigrants. On all occasions there is a fair amount of crying. That kind of thing cannot be prevented amongst ladies. With regard to the complaint that girls were not allowed to go away with their friends, I may say that I myself saw some girls who were permitted to do so. They were to come back later on, and situations were to be found for them by the Bureau if their friends had not provided for them. We always allow girls to go away with their friends if they desire to. I think I am right in saying that the immigrants for all the different States wear different badges, and if the honorable member for Flemington were down at the wharf when a shipload came in he would see the advantage. The badges enable the immigrants for each State to be collected. I believe the girls rather like wearing the badges, and it is the same with the men. They can recognise one another by their badges. To speak of the badge as a badge of disrepute is entirely wrong. The only marching the girls had to do through the streets was to walk from the wharf to the Immigration Bureau. A number of them after that left with their mistresses in motor cars, cabs, and other conveyances.

Mr. HANNAH.—Who paid for the motor cars?

Mr. THOMSON.—Not the State. I suppose the employers did. I am rather surprised at the honorable member for Collingwood taking up the stand he has taken with regard to the country people.

Mr. HANNAH.—I rise to a point of order. I want to know what stand I have taken up against the country people. I desire that statement to be withdrawn.

Mr. THOMSON (Honorary Minister).—I withdraw. If we had not sent the girls direct to the country, I am afraid the country mistresses would have got very few of them. Owing to the large number of town mistresses desiring to obtain these girls at the Immigration Bureau, there would not be much chance of country mistresses getting any of them if they were not sent direct up country. We have adopted the principle of sending a certain percentage to the country, and I believe that has been a good move. At all events it meets with the approval of the country mistresses.

Mr. WARDE.—Will you investigate the statements that have been made in reference to the treatment meted out to these girls in hurrying them away and taking one girl off the boat without her hat?

Mr. THOMSON.—I will make inquiries and see whether any hardship has been occasioned.

The motion was agreed to.

The House adjourned at a quarter to ten o'clock.

LEGISLATIVE COUNCIL.

Wednesday, October 22, 1913.

The PRESIDENT took the chair at eight minutes to 5 o'clock p.m., and read the prayer.

ASSENT TO BILLS.

The Hon. J. D. BROWN (Attorney-General) presented a message from His Excellency the Lieutenant-Governor, intimating that at the Government offices, on October 21, His Excellency gave his assent to the University Act Further Amendment Bill and the Fruit and Vegetables Packing and Sale Bill.

SHEEP DIPPING ACT.

ISSUE OF COPIES TO LAND-OWNERS.

The Hon. A. A. AUSTIN asked the Attorney-General—

Why the Department of Agriculture is at the present time issuing to land-owners copies of the Third Schedule to the Sheep Dipping Act 1909, considering that the amending Act of this session repealed that schedule and substituted another in its place.

The Hon. J. D. BROWN (Attorney-General).—The answer is that no copies of the Third Schedule under the Sheep Dipping Act 1909 have recently been issued by the head office direct to sheep-owners. Inadvertently some were issued to certain stock agents, but they have been recalled.

PETITIONS.

Petitions praying that a referendum be taken on the subject of Scripture lessons in State schools were presented by the Hon. D. E. MCBRYDE, from certain electors in Hampden and Geelong; by the Hon. A. ROBINSON, from certain electors in Prahran and Windsor; and by the Hon. F. HAGELTHORN, from certain electors in Dooen, Horsham, and other districts.

CLOSER SETTLEMENT ACTS AMENDMENT BILL.

The debate (adjourned from the previous day) on the Hon. A. Robinson's motion for the second reading of this Bill was resumed.

The Hon. W. J. EVANS said he considered that this was one of the most important Bills the House had had to deal with since he entered Parliament. He recognised that after the very full debate that had taken place, there was not very much to say regarding it, but, recognising the far-reaching effects it would have if it became law, he felt that he must make some statement as to what those effects would be. Last session every effort was made to secure the repeal of section 69. The matter was debated pretty exhaustively, and a compromise was arranged as the result of a promise by the Attorney-General that a board would be appointed to inquire into the statements made by Mr. Robinson, and ascertain whether it was a fact that a large number of those who had taken up land under the Closer Settlement Act had been deceived. In due course Mr. Dickson, a public officer, was appointed as a Commission for the purpose. That was an appointment which, at the time, he had considered was rather unfair. He did not think it was a fair thing to ask one public officer to sit in judgment on his fellow officers. He also did not think it fair to put a public officer in a position in which he might be called upon, after sifting the evidence placed before him, to give a decision which might be diametrically opposed to the policy of the Government of the day. However, in this particular instance, he was pleased to know that a gentleman who showed that he possessed the necessary strength of character and the requisite experience was selected to go into the whole question. If there was anything lacking in connexion with the inquiry it was no fault of Mr. Dickson's but merely an oversight. In only one respect was that officer not as complete as he should have been. When the Commission was sitting in Melbourne, Mr. Ramage, who had done so much in creating this agitation, was present to cross-examine witnesses from his point of view. In that way he extracted from the witnesses all he could in favour of what he had been advocating so long, and as far as he (Mr. Evans) could see, so ably. Probably the Commissioner was a little bit remiss or some one else was remiss in not seeing that an officer was present to cross-examine the witnesses on behalf of the Department. He made that statement in justice to the officers whose honesty and truthfulness had, to a certain extent, been impugned in connexion with this

inquiry. Some one was to blame for not seeing that there was a cross-examiner on behalf of the officers, if not on behalf of the Government or the Department. If that had been arranged, there could not have been any point to quibble about. The Attorney-General had stated that he did not agree with the findings of the Commissioner. Whatever the findings were, there could be no question that the Attorney-General had appointed a man who, in his opinion, was the best possible available to get at the bottom of the whole matter. So far-reaching were its effects that he thought it was the earnest desire of every honorable member to get at the bottom of the whole business. With the exception of the one point to which he had alluded, he thought the Commissioner had conducted the inquiry admirably and with honour to himself and those who had appointed him. Those responsible for his appointment should have accepted the opinions which he expressed in his report, opinions which were virtually recommendations. If the Government had done so, they would have been above the criticism to which they had been subjected for taking up the position that the findings were not in accordance with the evidence. Honorable members were in a disadvantageous position because they had not seen the evidence. While he was quite prepared to admit the truth of Mr. Robinson's statement, that the Commissioner conducting the inquiry had the advantage of observing the demeanour of the witnesses, still, honorable members would have been in a better position to judge the facts of the case if they had had an opportunity of perusing the evidence such as the Attorney-General had. If that opportunity had been afforded honorable members it was quite possible that they might have arrived at a somewhat similar opinion to that formed by the Attorney-General.

The Hon. A. ROBINSON.—The Government were asked to print it, but refused.

The Hon. W. J. EVANS said he had no recollection of such a request being made in this House.

The Hon. A. ROBINSON.—It was in the other place.

The Hon. W. J. EVANS said he was not a member of another place, unfortunately, perhaps, because there was a "screw' attached to membership there. He had to deal with what transpired in the Council and not in another place, and he thought honorable members were at somewhat of a disadvantage in not having had the opportunity of perusing the evidence. He recognised that in studying economy the Government often objected to the printing of evidence of this kind. No doubt the cost would be a rather serious matter. All the same, it would have been better if honorable members, though not supplied with separate printed copies, could have gone to the library and perused the report of the evidence there. Then they would have all been better able to judge whether the findings were in accordance with the evidence. As he had said, he felt that there had been laxity in a certain direction. As one who intensely desired to get at the bottom of the whole matter, he contended that an officer from the Department should have been present at the meetings of the Commission to cross-examine witnesses. He would probably have elicited many facts by cross-examination which honorable members were not in the possession of to-day. As a lawyer, Mr. Robinson would admit that very often the cross-examination of a witness was a material factor in eliciting the real facts. That honorable member must admit that in the position which he had taken up, not as an advocate, but in the performance of what he considered a duty, he had a material advantage because all the evidence which he desired was secured while there had not been the same opportunity of obtaining on the other side information as the result of cross-examination. While it was said that the Bill only affected a certain number of settlers, it would have a far-reaching effect. No one knew better than Mr. Robinson that if the measure were passed into law, it would be only a short time before others asked for and received the same concession, and the residence condition was wholly wiped out. As he understood it, the Closer Settlement Act was passed for the specific purpose of enabling those who could not otherwise do so to obtain land from the Government on the most liberal terms possible. As members of the Council particularly represented the ratepayers, they must look into this question from not only a sentimental, but a financial point of view.

They must remember the money which had been spent in connexion with the system. When listening to Mr. Rees it came as a great shock to him to learn that certain individuals had obtained allotments which were only supposed to be available to persons with an income not exceeding £250 a year. He could not understand how some of these people secured blocks. He would not mention any names. He knew nothing about the financial position of the men referred to, but judging by the positions which they occupied, and the professions which they followed, he could hardly see how it was possible that they came within the £250 limit. It seemed a most extraordinary position. It really looked as though the Act had been regarded as benevolent legislation, although he did not like to use the term. There was no getting away from the fact that the original object was to enable land to be secured by people who would otherwise not have had an opportunity of obtaining it. The last figures which he remembered showed that the credit of the country had been pledged in connexion with closer settlement to the extent of about £4,000,000. The Department had been subjected to a fair amount of criticism. He had reason to believe that mistakes were made in the initial stages. The State had obtained land which had not been readily disposed of. Some had said that the price paid for that land was too high. He was not in a position to say whether that was so or not. When the purchase of the Overnewton Estate was considered by this House, he remembered Mr. Melville stating that there was a fine quarry hole there. It was a peculiar thing to obtain for closer settlement purposes land which merely possessed the recommendation that it contained a very fine quarry hole. Initial mistakes had been made, but the Act was a splendid one, and he was afraid that if this Bill was passed the Act might as well be abolished. He thought he was as fair and just as most men. He had a large number of the settlers in his district, and they were good, solid, working men who would not wilfully do a wrong. We could not get away from the fact that we all knew individuals who, when it came to transactions in land or travelling on the railways, were prepared to do what they would not otherwise do. There was no question about that. He remembered not long ago seeing in *Punch* a caricature in which all sections of the community, from lawyers to parsons, were represented as travelling on the railways without tickets. There was not an honest one amongst them, in so far as railway travelling was concerned. He was not going to take up the position that the settlers who signed the declarations knew that they had committed perjury. It had been said by Mr. Rees that they signed them knowing full well that they could not be indicted for perjury.

The Hon. R. B. REES.—That is correct.

The Hon. W. J. EVANS said that he was not going to say that these men were perjurers, for he had not the slightest doubt that they were quite as honest as any other section of the community. He was perfectly satisfied that the men at the bottom of this agitation knew quite as much about the Closer Settlement Act as any honorable member who assisted in passing it. He thought he would be able to prove that the statement he made was correct, and that this matter had been engineered in Melbourne just as the reform league of years ago was engineered in Melbourne.

The Hon. R. B. REES.—That came from Kyabram.

The Hon. W. J. EVANS said that that reform movement was supposed to have emanated from the people, whereas it emanated from a little coterie in Melbourne. He was satisfied that when the people understood the full effect of passing such a Bill as this they would express approval of the opposition offered to it. He said that as one who had a large number of these settlers in his province. When queried on the hustings, he said he would not do anything to repeal section 69, even if he had to leave public life. We had spent an enormous sum of money in giving special facilities to people to acquire land. We had pledged the credit of the country for what had been called "benevolent" legislation, though he would prefer to call it progressive legislation. A Commission had been appointed to inquire into this matter, and he would like to know if Mr. Robinson was prepared to accept the Commissioner's report *in globo*. He did not think the honorable member would say so.

The Hon. A. ROBINSON.—I am prepared to accept his report on the matter which he was appointed to report upon.

The Hon. W. J. EVANS said that Mr. Robinson was prepared to accept that portion of the report that suited him. He (Mr. Evans) agreed with those who said that the Commissioner had carried out his duties in a manner that reflected the greatest credit on the Public Service. Those who were so complimentary in their allusions to this gentleman should be prepared to accept the whole of his report. His findings were not in favour of this Bill, for he recognised the far-reaching effects of passing such a measure. A member of the Government had stated that if this Bill were passed the Closer Settlement Board would not purchase another acre of land. If the measure became law the Government would be quite justified in shutting up business, and in saying, "Very well, you want all these conditions, you are not prepared to agree to a condition we consider paramount, and we will close up shop." He could imagine the great howl that would follow. He recognised that the responsibility would rest on those who supported the measure. He might be wrong, but he honestly believed that the people would not tolerate the aggregation of estates that had gone on in the past, and which resulted in the population flocking to the cities. That was totally against the policy of the Government, which was in favour of decentralization. The report of the Royal Commission did not say anything at all about the repeal of section 69. He agreed with the Commissioner that, in accordance with the evidence, there was every reason to believe that the oversea settlers had been misled. He would not say that they had been deceived, because a good deal of the misapprehension was caused by the different conditions prevailing in the Old Country in respect to titles. He believed that Mr. Beckett had stated that there was no title in the Old Country on a par with these titles. Was there any member who would like to see our titles the same as those in the Old Country? It was quite possible that those who came from the Old Country to settle on the land, and who had been told that they would obtain the fee-simple, had got an erroneous impression. Most of the titles in the Old Country were not on a par with our titles.

The Hon. A. ROBINSON.—What do you mean by that?

The Hon. W. J. EVANS said he meant what he had said. It was quite possible that the settlers from the Old Country had formed an erroneous opinion about the fee-simple. No one knew better than Mr. Robinson that a mining company could carry on operations on any one's land, and would only have to pay compensation for damage. Mr. Beckett knew that the municipalities had the right to enter on any man's land, and take gravel or rock for road making. They had the right to enter and take land under certain conditions. These matters were not mentioned on the titles. What objection could there be to the titles which had been called "spotted titles"? All our titles were spotted, and although the conditions did not appear on the titles they existed all the same, and mining companies and municipalities could do as he had stated. The Commissioner stated in his report that—

> While such amendment of section 69 has in some degree minimized the alleged effect of the residence condition in the Crown Grant, I am of opinion, in view of the evidence in regard to such section, that it should be further amended by providing that an owner may let his property without the necessity of approval by any authority, and that residence may be complied with by the tenant. On non-compliance by the tenant the owner, after certain notice, to be at liberty to re-enter and occupy without legal process.

There was a great difference between that recommendation and the Bill. The Commissioner, according to Mr. Robinson, had performed his duties most satisfactorily and with credit to the position he occupied.

The Hon. A. ROBINSON.—That is his opinion on a matter that was not referred to him.

The Hon. W. J. EVANS said it was the Commissioner's opinion, who, as the honorable member stated, had had an opportunity of seeing the demeanour of the witnesses. He would read from the report to show what the Commissioner was appointed to do—

> And lastly, we direct that you do, with as little delay as possible, report to us under your hand your opinion resulting from the said inquiry.

The Hon. A. ROBINSON. — Read the other part.

The Hon. W. J. EVANS said the honorable member was a lawyer, and knew where to put his finger on the weak spot.

The PRESIDENT. — I cannot allow these interruptions. A great many of them are merely repetitions of previous interruptions.

The Hon. A. A. AUSTIN said he rose to a point of order. Was not Mr. Evans trying to mislead the House by reading one part only of a certain document?

The PRESIDENT.—It is disorderly to say that an honorable member is trying to mislead the House.

The Hon. A. A. AUSTIN said he made no such statement. He merely asked whether the honorable member was not doing so.

The Hon. W. J. EVANS said he did not desire to hide anything at all. He would read the whole of the commission for the benefit of Mr. Austin. It was as follows:—

GREETING:—Know ye that we do by these our Letters Patent issued in our name by the Governor of our State of Victoria, with the advice of the Executive Council thereof, under all powers him hereunto enabling, appoint you to be a Commissioner to inquire into and report as to the truth or otherwise of the complaints contained in or to be inferred from Statutory Declarations made by certain persons (whose names and addresses are set out in the Schedule attached hereto) and presented to the Legislative Council of Victoria on the thirty-first day of October and the twelfth day of November One thousand nine hundred and twelve respectively by the Honorable Arthur Robinson, a member of our said Legislative Council, but limiting nevertheless the scope of your Inquiry and Report to the case of such of the several persons so complaining who, after notice by you given to him or her of your appointment hereunder and of your preparedness to take his or her case into consideration, if required, shall in due course present himself or herself for examination or produce before you evidence in support of his or her complaint as disclosed in or to be inferred from the particular Statutory Declaration made by him or her: And we do by these presents give and grant unto you full power and authority to call before you such person or persons as you shall judge likely to afford you any information upon the subject of this our Commission, and to inquire of and concerning the premises by all other lawful ways and means whatsoever: And we will and command that this our Commission shall continue in full force and virtue, and that you our said Commissioner shall and may from time to time, and at any place or places within our State of Victoria, proceed in the execution thereof and of every matter and thing therein contained although the same be not continued from time to time by adjournment: And lastly we direct that you do with as little delay as possible report to us under your hand your opinion resulting from the said inquiry.

Mr. Dickson in the course of his report dealt with the complaint that the settlers could not obtain advances on their allotments, and he said—

In my opinion the Board should be empowered to advance on the improved or market value of the land. It would, I consider, be desirable to enable the Savings Bank to lend on such property.

That seemed to him (Mr. Evans) to be a very good recommendation. He thought that Mr. Robinson had proved his case so far as regarded people who came from overseas—that those people were not obtaining the title that they expected to get. That being so, the honorable member should hail with gladness the recommendation of the Commissioner with regard to advances.

The Hon. A. A. AUSTIN.—The Attorney-General did not approve of Mr. Dickson's findings.

The Hon. W. J. EVANS said he was not supporting the Attorney-General in the attitude he had taken up. Why did not the Government come down and say, "It has been proved that some of these settlers misunderstood the position, and we are prepared to carry out the recommendations of the Commissioner?"

The Hon. A. ROBINSON. — They knew that they would have come down if they had done that.

The Hon. W. J. EVANS said that what was of more importance was that the State would suffer a good deal more if the honorable member's Bill became law. So far as Mr. Dickson's recommendation was concerned, he was given to understand that the Savings Bank would not lend money on these titles. There was no reason why the Government should not meet that difficulty by establishing an agricultural bank similar to that which was in operation in Western Australia. The settlers would then be able to borrow from that bank the money they needed. At the same time, he (Mr. Evans) had not heard one reason why these settlers should be permitted to borrow beyond what was permitted under the present Act. In the first place, though the price they paid for the land might be high, they were allowed to pay the money, principal and interest, at the rate of 6 per cent. per annum.

The Hon. J. D. BROWN.—And some of the land is already worth twice what they paid for it.

The Hon. A. ROBINSON.—Some of it is worth less.

The Hon. W. J. EVANS said that in addition to those easy terms of payment,

the settlers could borrow up to 60 per cent. of the value of the improvements. It would be playing into the hands of the money lenders and the mortgagees to empower the settler to borrow beyond that amount. As one honorable member had stated, borrowing was often the curse of the land-owner in this State. The amount of land that was encumbered by mortgages in the State of Victoria was extraordinary. It had been urged by Mr. Angliss that these settlers could not get credit. Was it desirable that they should get more credit than was allowed to them under the present Act? In his (Mr. Evans') opinion, it would be utterly wrong to do so. There was a case the other day where a settler was sold up because he could not meet his obligations. On a recent trip to the irrigation areas he heard of one immigrant who was foolish enough to purchase £1,200 worth of machinery. According to the statement of an officer of the Closer Settlement Board, a settler could get any machinery he wanted, so long as he signed a ticket and gave bills for the balance owing. The time would come very soon when many of these settlers would be very glad if they had no opportunity of obtaining credit except through the Closer Settlement Board. During that trip he made inquiries from a number of settlers. They, one and all, said that they could make a splendid living off the land, because crops could be grown at all times of the year, a thing which could not be done in the Old Country. One man said he had been to Canada, and Canada was not in it as compared with the northern districts of Victoria. At one place he (Mr. Evans) met two very sharp, intelligent fellows, who said they wanted section 69 wiped out. When asked what disability they suffered beyond the inability to traffic in the land, they said, "Well, we cannot borrow on it." He pointed out that they could borrow 60 per cent. on their improvements; but they said, "We might do better." One of these men said he came from Ardmona, where he had 20 acres under fruit. At present he had about 40 acres. He admitted that he had done very well on the 20 acres, until the root-borer got into the fruit trees, and the phylloxera got into the vines, and it was necessary for him to go somewhere else. He (Mr. Evans) would be the last man to propose that an injustice should be done to any of these settlers, because he admired them very greatly. All he wished to point out was that when compared with the man who had purchased land from a private owner, these settlers were very well off. The advantages they possessed far more than counterbalanced the disadvantages, if there were disadvantages, in connexion with the so-called spotted title.

The Hon. J. D. BROWN.—May I interrupt the honorable member? I would ask him to move the adjournment of the debate.

The Hon. W. J. EVANS moved—

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until Tuesday, October 28.

ADJOURNMENT.

DAYS OF SITTING.

The Hon. J. D. BROWN (Attorney-General) moved—

That the House do now adjourn.

The Hon. R. B. REES.—Until when?

The Hon. J. D. BROWN said the adjournment would be until to-morrow.

The Hon. R. B. REES said it had been the custom of the House to meet on Tuesday and Wednesday, and he had made an appointment to go with a Commission to another State the next day.

The Hon. D. MELVILLE said that he and his colleagues on the Railways Standing Committee had arranged to go away the next day. The arrangement for this purpose was made last week.

The Hon. W. S. MANIFOLD remarked that it had always been the practice, since he had been in the House, if the leader of the Government proposed to sit on the Thursday, to give notice a week before.

The Hon. J. D. BROWN.—We gave notice three weeks before.

The Hon. W. S. MANIFOLD said that was a general notice intimating that the House would sit, if necessary. He was quite certain that a House could not be formed the next day. He himself would be able to attend; but, in the interests of members living up country, and who had made their engagements not knowing of a proposal to sit on Thursday, he would ask that the House should adjourn until next Tuesday.

The Hon. J. D. BROWN (Attorney-General) said that, in deference to the views which had been expressed, he would