

the purpose of diverting the storm waters of the Moonee Ponds Creek towards the Saltwater River, and thus saving the occupants of the houses on the low-lying ground round the North Melbourne railway station. The water came down the creek on Tuesday evening with great force, and about nine o'clock a portion of the embankment gave way. The water rushed through the gap with great violence, and very soon the whole of the low-lying land was under water, extending beyond Lennon's implement works, which were 18 inches under water. The road leading to the Kensington-park race-course, past the Kensington Hotel, at the corner of the Boundary-road, Hotham, was in some parts $3\frac{1}{2}$ feet under water, and there was upwards of 2 feet of water in the hotel, whilst all the houses in the vicinity were also flooded. The embankment above alluded to gave way in several places, and a cottage standing in a paddock to the north of the North Melbourne railway station, and in a line with the Coburg Railway, was in imminent peril. The water swept across the flat very suddenly, and the cottage, which was occupied by Mr. Patten, poundkeeper and inspector of nuisances for the Hotham municipality, and his family, soon had nearly 4 feet of water in it. As the water continued to rise they had to take refuge on the roof, and it was not until after one o'clock yesterday morning that they were rescued in a boat from their perilous position. Proceeding along the Mount Alexander road, evidences of the flood are to be seen on all hands. On the left the water remained in large quantities all over the flat, whilst to the right the low-lying lands, the fences, and the country generally, plainly showed that in one part the water had been over 8 feet deep.'

The matter demands immediate attention, especially in view of the construction of the Coburg Railway. I was told that if that line had been constructed a little further, in the absence of the knowledge which this flood has afforded, the works would have been entirely swept away.

Mr. C. YOUNG.—I am sure that the House is under a deep obligation to the honorable member for North Melbourne (Mr. Laurens) for calling attention to this important matter. The recent flood was not nearly so great as many previous ones have been, but the damage which it caused was more than usual, owing to the flood occurring during harvest time. A large quantity of hay was washed off the banks of the Moonee Ponds Creek, and a small bridge in the upper portion of the stream was carried away. The consequence was that the waterway of the Arden-street bridge became blocked. No doubt that bridge was too low, but there would have been sufficient passage for the flood waters had not the flood occurred during harvest time, and brought down a large quantity of hay. The waterway can be improved by adding another bay to the bridge, and removing an iron water-pipe; but the bridge is under the control of the Hotham Town Council, and it would be a violation of the

principles of local government for the Public Works department to interfere with it. I would therefore suggest that the honorable member should call the attention of the local council to the matter.

The motion for adjournment was then agreed to.

The House adjourned at seventeen minutes past eleven o'clock, until Tuesday, December 12.

LEGISLATIVE ASSEMBLY.

Tuesday, December 12, 1882.

Assent to Bill—Railways Management Bill—Privilege : Mr. Woods—Public Instruction : State School at Allandale—Gippsland Lakes' Entrance—Vaccination at the Model Farm—Railway Management : Collision at Hawthorn : Want of Confidence in Ministers : Mr. Munro's Motion : First Night's Debate.

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

ASSENT TO BILL.

Sir B. O'LOGHLEN presented a message from the Governor, intimating that at Government House, on the 6th inst., His Excellency gave the Royal assent to the Mining Companies' Calls and Forfeitures Validating Bill.

PETITION.

A petition was presented by Mr. Zox, signed by the Mayor of Melbourne on behalf of a public meeting of citizens held on December 8, praying the House to take immediate steps to place the management of the railways in the hands of qualified and efficient men whose independence and freedom should be secured as in the case of the Audit Commissioners.

RAILWAYS MANAGEMENT BILL.

Mr. KERFERD asked the Premier when the Railways Management Bill would be circulated?

Sir B. O'LOGHLEN stated that the Bill would be distributed as soon as the want of confidence motion was disposed of.

PRIVILEGE.

Mr. WOODS.—Mr. Speaker, I rise to bring under the notice of the House a matter of privilege. I think a gross and scandalous breach of privilege has been committed upon this House, and upon myself personally as a member of it, in a leading article which

appeared in yesterday's *Age*. In order that honorable members may be able to judge for themselves, I will read the article. It commences as follows :—

"Though the speakers at the Town Hall on Friday afternoon did not allude in so many words to the cancerous growth of corruption which has made the present Parliament stink in the nostrils of all honest and respectable people, it was only because they were kept from doing so by that sense of politeness which prevents a well-bred company from noticing the cesspool that is seething and festering under their noses. There is a tacit agreement in polite society that certain nuisances should be borne in patience, which it would be a breach of good manners to refer to. As they had met together for the ostensible purpose of discussing the railway accident, and the lessons of policy and administration that it has taught us, the citizens naturally shrank from vulgarizing the subject by treating it in connexion with disgusting and repulsive topics. But, notwithstanding the appeal to their instincts of propriety, the temptation proved too strong for Sir Archibald Michie to pass over the extraordinary disclosures that have been made in relation to Mr. Bent's dealings with Mr. John Woods and his brake."

I want to know what these "disclosures" are? I know of no disclosures or of anything that there was to disclose or to conceal. I have had nothing to conceal from the beginning to the end of the matter, and, if any one can point to anything there has been to disclose, I shall be much obliged to him. The article proceeds—

"If Mr. Woods' brake had not been in the field, and if Mr. Woods himself had not been a Member of Parliament with a voice and a vote to give, it is morally certain that the trains which collided on the Hawthorn line would have been fitted with a continuous brake of some kind, and that there would have been no collision, no loss of life and limb, and no heavy tax upon the public purse to compensate the sufferers. After the costly experience furnished by the Jolimont accident, no Minister would have dared to neglect or ignore the directions of the Parliamentary Committee that inquired into its causes except under the pressure of some exceptionally strong and commanding motive. Mr. Bent says that he is no longer a shareholder in the Woods invention, but he cannot deny that he not so very long ago denounced Mr. Woods as 'a rogue,' and his brake as 'a job,' and that notwithstanding this he is now negotiating for its purchase, and is willing to recommend Parliament to buy it. If the brake is a job, and if in January, 1880, Mr. Woods was 'roguing the colony,' by seeking to palm it off on the Railway department, how is it that Mr. Bent is now on such excellent terms of amity with the jobber that he can always make sure of his vote whenever the Government wants it? How came Mr. Bent to change his opinion about the rogue? And how is it that Mr. Woods, though a liberal and sitting in opposition, is the staunchest supporter that Mr. Bent has in the House?"

Of course I am aware that it was reported that the honorable member for Brighton made a very violent speech on one occasion at Castlemaine.

Mr. BENT.—I never said that, at any rate.

Mr. WOODS.—I simply said the honorable member was so reported. I took no notice of the matter at the time, and honorable members all round will recollect that it was a time of great political excitement. Why I heard one Minister of the Crown called a liar and a scoundrel in the House by another honorable member, but do honorable members wish to perpetuate matters of that sort? I think there was language used during that period of great political excitement which we would all gladly forget. Moreover, I am very certain that, with the full knowledge the Minister of Railways has been able to gain since he has been in office, by being able to see the whole process for himself, and to obtain every paper in the department relating to the matter, he must have been convinced, long before this, that if he previously entertained the opinion that there was anything crooked in connexion with the introduction of this brake, he was mistaken. Reference has been made to Milligan's brake, and it has been stated that I refused Mr. Milligan the same opportunity of testing his brake that I claimed to exercise myself. I deny it. It is quite true that at the time when Mr. Milligan came to propose the trial of a brake I declined to see him, but I did so simply for the reason that the fittings were already in hand to be put on my own brake, and I did not want to sit in judgment over another man in the same position. I referred Mr. Milligan to the engineers of the department, and sent him word that I would act exactly on the report of the officers. I had no communication with the officers myself on the subject at all, and, as far as I know, Mr. Milligan went direct to the officers after the attempt to obtain an interview with me.

Mr. ZOX.—Did I not introduce a deputation to you on behalf of Mr. Milligan?

Mr. WOODS.—Not to me.

Mr. ZOX.—I think so.

Mr. WOODS.—I forget; but, if so, what I am now speaking of must have taken place prior to that. The officers reported against Mr. Milligan's brake, and consequently I had nothing to do with it. Subsequent circumstances proved that the officers were quite correct, and I may here say that the experiments that were made with what was called Milligan's brake—by the way, it never was a brake—cost the Government ten times the money my brake cost in experiments. Reckoning the cost of the testing and the loss of time—they had an engine for about three months and one of Siemens'

electrical machines, and carriages which they were using for a considerable time—I am not exaggerating when I say that the Milligan experiments cost ten times the amount of money that the experiments on my brake cost.

Mr. LAURENS.—To the State?

Mr. WOODS.—To the State, of course. I may say also that, in applying my brake, I was in the first instance infinitely more anxious about the mechanical than the commercial success of the instrument. But even in what I did I only followed in the steps of the late Mr. Higinbotham and Mr. Christy, who a few years before had tried a brake, the works of which were made partly at the Williamstown workshops and partly at Williams' coach factory. Indeed Mr. Williams was the man who applied it. The brake did not answer, and was abandoned; but it must have cost the department at any rate as much as I undertook to provide in the event of my brake proving a failure. The article continues—

"This is a mystery that a House with a particle of moral sense about it would not leave unexplained for a moment longer than it would take to institute a rigid inquiry into it. An Assembly which was not utterly indifferent about the good opinion of the community would see at a glance the suspicious circumstances with which the affair is surrounded, and would feel the terrible responsibility of leaving the public to suffer the consequences of its neglect. It would argue that Mr. Bent had no right to barter away the lives and limbs of his fellow creatures in return for the support of any politician under heaven; and if it can be shown that the late accident might have been avoided by the use of the brake or the block system recommended by the Jolimont Committee, it would pronounce him guilty of criminal negligence, and send him to clear his character before the coroner's jury."

The only inference I can draw from this statement is that I am supposed to have bartered my views and my vote to the Minister of Railways and the Government, in return for something the Minister has done or is to do in connexion with what is called my brake. I won't stoop to contradict so foul a slander as that. I trust the House will feel the insult that is put upon all independent action and independent thought in this Chamber by an imputation of so foul a character on one of its members. I could very easily remind honorable members that, where any matter of public policy has arisen, I have criticised—and criticised freely—the action of the Government. There have been some acts of the administration of the honorable member for Brighton that I have approved and expressed my approval of. I assert that the Minister of Railways did well in making a change in the management of

the railways, although the management is far from being what it ought to be. The management is not now what it was when I left the Railway department. It was in excellent condition at that time. Since then it has not only been disorganized but demoralized; but at any rate the alteration made by the Minister in the management had my entire approval, and I believe that the amount of money that has been saved to the colony from the change in the administration of the department is incalculable.

Mr. LANGRIDGE.—Saved?

Mr. WOODS.—Yes, saved, and I am quite prepared to prove the statement, as far as the change of managers is concerned. There are other doings that I have strongly disapproved of. I disapproved of sending out of the colony for rolling-stock as vehemently as any honorable member of this House. I also disapproved of the purchase of the Kensington-hill. I have not yet had an opportunity of speaking in the House on the subject, but honorable members know that I have stated in conversation that I never believed in the purchase from a railway point of view. If the Lands department wanted the material let them look after it, but I do not consider that it is a railway matter. The Minister of Railways also knows that I strongly disapproved of his proposed alteration in the Spencer-street station, and said I would oppose it in the House, as also the change from the plan in the model of the Flinders-street station unless with some modifications, which the circumstances that have already been explained have rendered necessary. I merely mention these matters to show, if honorable members needed such proof, that where there has been an opportunity for independent thought and action I have invariably exercised, and will invariably exercise, in spite of any newspaper or individual, my right as a representative of the community in this House. I think I need not refer further to the foul slander and calumny that I bartered away my vote. For what, I would like to know? It cannot be denied that I have supplied the country with a piece of mechanism that, to say the least of it, has already saved seven lives and no end of smashes, as I can prove from the records of the Railway department, and all that I, or any one, have received in return up to the present moment has been unmitigated vilification. The Brake Company, I believe, has spent nearly £2,000 in taking out patents in different parts of the world. I, however, have been taught—I might say

forced—to believe that to invent a labour-saving, life-saving, limb-saving, time-saving, and money-saving machine in this colony is positively a criminal act.

Mr. BARR.—You are on the wrong side.

Mr. WOODS.—It does not matter about the side. I am in the fortunate position of having both the leading journals on the same cry, and both slandering and libelling me. I only wish we could individualize the writers of such articles as this—that we could get them to come from behind their shelter of anonymity—but no, they nod and grin when one meets them in the street, and then go and libel and slander in secret. I say such conduct is unfair and un-English, and the day will yet come when it will be put a stop to. If there is no *esprit de corps* in this House, no determination to put down this intimidation—for it is nothing else—by writers in the press, what will it come to? We know what it has come to in America, and the same causes will produce the same effects here. I think there is something that ought to be at any rate dearer and more sacred to a man than even a whole skin. The article proceeds—

"But this is not the only mystery that hangs like a cloud over the reputation of the Assembly."

It will be seen that this House is libelled, and every member in it.

"We do not expect that it will take any notice of the paradoxical relations between Mr. Bent and Mr. Woods, because its own career has been a moral paradox from beginning to end."

What are the "relations between Mr. Bent and Mr. Woods"? There never have been any relations between myself and the honorable member for Brighton since he has been Minister of Railways that might not have been published as an advertisement in every newspaper in the colony. I defy any one to produce anything whatever to support the innuendo in this paragraph. We know what this style of writing is. It is simply a cowardly attempt to produce a certain effect and to escape the consequences. The article continues—

"Why should it trouble its conscience over his sudden change of front to his friends or his foes, when it accepted his wholesale bribery Bill without a single murmur? Is not Mr. Francis a highly respectable member of society, of honorable repute, and credited with the principles of his class, and with sufficient independence of character to carry them out in the face of all temptations to the contrary; and did not Mr. Francis vote for the said Bill almost in the same breath that he described it as a Bill for purchasing the support of his fellow members? Still later, when the Loan Bill was before the House, did not this same Mr. Francis publicly declare that he did not believe in it; that the credit of the country was imperilled by it; but that

nevertheless he would help to pass it rather than that the seats of the Government should be endangered by his resistance?"

What I am going to read now is the point I most especially complain of:—

"If so prim and precise a politician can say and do these things without offence to his conscience, why should 'rogues' like Mr. Woods entertain any qualms?"

It is true that the word "rogues" is placed within inverted commas to show that it is quoted, but it is not quoted from anything the honorable member for Brighton said. There is a mean attempt to sneak out of responsibility by pretending to quote the word, but I appeal to the common sense of every member of the House whether it is not intended to say in this article that I am a rogue? That is the plain English of it. The whole article bristles with libels on this House. If what I have just read is not a libel, then there is no libel in language. I put it to honorable members whether it would be the correct thing to allow writing of this character, day after day, to go unchecked? I know there are other honorable members alluded to in this article quite as forcibly, and I dare say as slanderously as myself, but what I propose to do now is to give this House an opportunity of saying that what I have read is a libel upon myself and upon this House.

Mr. McCOLL.—Include the *Argus* in your motion.

Mr. WOODS.—Certainly it is a crow of the same nest. The only thing on earth that these two papers do agree upon is in bullying me and my brake. And what is the meaning of all this? It is that my brake, which has now been in use for nearly five years, and which, as the secretary of the company stated in a letter in this morning's *Age*, has been applied 1,500,000 times to trains in motion without a failure, being entirely a Victorian production, must be condemned. I desire honorable members to recollect that I was the first to recognise the necessity for controlling trains by means of continuous brake power. The *Argus* may talk about the "brains of the officers being used," and the brake being a plagiarism, but, if it is a plagiarism, why does not the owner come forward and claim it? I submitted that brake in 1863 to the late Mr. Higinbotham, before the Westinghouse or any other continuous brake was heard of anywhere, and the reply I got was not that it would not be effective, but that it would give the driver so great a control over the train that it would render him careless. Honorable members are aware that a trial between

the Westinghouse brake and my brake has been arranged for. Now, just as that trial is about to take place, the *Age* and the *Argus*, with the utmost possible indecency, to say the least of it, are, day after day, before the trial comes on, prejudging the result against the Victorian machine. Is that fair? The Premier, I am sure, will not think I am committing a breach of confidence in repeating a remark he made to me once on the subject of my brake. I think it was in the refreshment-room, when the conversation turned on one of the accidents, that he said to me—"Your mistake has been in being in Parliament; if you had not been in Parliament, it would have voted you £20,000 for your brake long ago." What is going on now is simply an attempt to prejudge the trial that is about to come off, and both papers are stooping to the contemptible meanness of individual slander. They cannot touch the brake; that is out of their reach. It is a piece of mechanism which they cannot destroy, and, if it only gets fair play, I do not care what other brake it is tested against. If it is not as good as, or better than any other, all things being taken into consideration, I shall be very much surprised. However, I am not here to preach about the merits of one brake or another. I am now complaining of a libellous slander—of an attack on me through this brake—by both of these papers, for what I say of the one paper will almost equally apply to the other. The *Argus*, it is true, is not quite so bad as the *Age*. It does quote; it does not descend to the meanness of pretending to quote when it is not really quoting, and it is fair as far as its quotations go. I am glad to hear, however, that the Minister of Railways denies that he ever uttered such language as that which has been attributed to him. Even, however, if the language was used at all, it was used at a time when political feeling ran high, and it is not a proper thing at a time when an important brake trial is coming on, which may involve the safety of the lives and limbs of the community, to import into the discussion a matter of discord by the quotation of remarks made possibly in the heat of the moment, and very likely regretted afterwards. I am not one to carry on a Corsican vendetta in that way, but nevertheless I decline to accept any amount of kicking or flogging that the writers in the *Age*, the *Argus*, or any other paper wish to give me. I think honorable members in this House have a position to maintain before their constituents, and I

Mr. Woods.

ask how can they possibly sit comfortably in their seats with such an imputation as that contained in the *Age* article hanging over their heads? There is not a member of the House but is libelled in that article, and the constituencies are libelled through their representatives, because no constituency ought to tolerate a representative against whom such an imputation could be made. There ought to be power to vote a man out of Parliament at any time if such charges as are contained in the *Age* article were sheeted home to him. However, as that power does not exist, honorable members ought to be infinitely more careful of the honour that is committed to their charge than they would be if they knew there was such a penalty as I have mentioned for any breach of it. I think I have read enough and said enough to show that this article is a scandalous libel, and I therefore beg to move—

"That the article contained in the *Age* of the 11th December instant is a scandalous libel, and a breach of the privileges of this House."

The portions of the article complained of by Mr. Woods were then read by the CLERK-ASSISTANT at the table.

Mr. LONGMORE.—Sir, I think the honorable member for Stawell has, as many honorable members have had before him, on other occasions, good reasons to complain of the newspaper now in question. It has become a habit with that newspaper, for some political purpose, to refer to this House continually as a degraded House—as a House which has no corporate honour—and, finding that we do not retaliate, it turns next on individual honorable members and attacks their private character. I remember the time when an article like that now complained of would not have been tolerated for an hour. At no previous period that I can recollect would an article distinctly and repeatedly referring to an honorable member, under the cover of inverted commas, as a "rogue" have been borne with. If honorable members don't think anything of their corporate honour, they might at least think a little of the honour of one another. If we are not prepared to treat one another as gentlemen who have some idea of our right course towards our fellow men, I imagine we have no business to be in the House at all. I acknowledge that when the honorable members now on the Treasury bench—some of them at all events—were sitting in opposition, they gave some colour to articles like the one in the *Age*. What I mean is that they gave the newspaper reason

why it should at the present juncture search up their former speeches, and treat them as gospel, no matter what they contained, or how little the statements in them were ever credited by the public. It is part of the revenges which the whirligig of time brings about that, however little truth there was in what those honorable members then said of other honorable members, it is now brought up as something to be believed. So far as I know, the only thing that ever came out about the Woods brake that may be deemed an impropriety on the part of the inventor is the very small one of his having it fitted to a train at the country's expense. But that brake has for years past proved itself of such great value, and has also been so freely used by the State without the slightest consideration towards the inventor, that I think what I mention might well have been overlooked long since. There is, to my mind, not the least doubt that, had the honorable member for Stawell not had a seat in this Chamber and been attacked violently for party purposes, his brake would have been accepted years ago, and fitted to every carriage and engine on our lines, in which case the accident we now so much deplore would certainly never have occurred. The honorable member having, under these circumstances, been viciously attacked by a leading newspaper of this city, I have no hesitation in seconding the motion that the offending article is a scandalous breach of privilege. I think the House will not be doing its duty if it does not protect honorable members and its own corporate honour from being slandered.

Sir B. O'LOGHLEN.—Mr. Speaker, I have not had an opportunity of carefully perusing the article referred to, but from what I could gather, as it was read at the table, it is in my opinion a scandalous libel, and a breach of the privileges of this House. I regret that a newspaper which aspires to be a leader of public opinion, and which has such an immense circulation, has descended to such an attack upon what I cannot help regarding as the reputation of the Assembly. Furthermore, I will point out that the attack is not only upon the reputation of honorable members as a whole—upon our corporate honour—but upon the reputation of the country. What can be thought of the country the highest representative body of which is written of in terms such as those now brought under our attention?

Mr. HALL.—It has been done for years past.

Sir B. O'LOGHLEN.—I am not now referring to any onslaught upon the present

Administration, although possibly the article was prompted by blind political antagonism to the Ministry. I want honorable members to look at the article in the light of an attack, not upon any Member or Members of Parliament individually, but upon Members of Parliament as a whole, and, therefore, upon the reputation of those whom they represent—that is to say the country. Such an article as this is bound to lower the reputation of the highest institution the colony possesses in the eyes of every one in the neighbouring colonies who reads it. When one honorable member is openly described as a rogue, honorable members generally are practically treated more or less as a collection of rogues. In fact the whole tone of the article is so much beyond, as far as the Assembly is concerned, any similar article I have read, that I cannot refrain from holding the opinion respecting it that I have just expressed, or from supporting the motion.

Mr. PEARSON.—Sir, the question before the House is certainly one of supreme importance. But if we, as the representatives of the country, and advisers of the Sovereign, are entitled to be protected from false charges as well as from physical violence, it is not less certain that the press, as the counsellor of the people, is also entitled to be protected against those extraordinary parliamentary privileges which it was found necessary to resort to in olden times. I belong, as it happens, to both bodies—to the press as well as to Parliament.

Mr. McINTYRE.—More's the pity.

Mr. PEARSON.—Well, the fact renders me interested in supporting the corporate honour of each, although I may say that at this moment I feel, as I have felt for months past, more at my ease as a member of what is called the "fourth estate" than as a Member of Parliament.

Mr. McINTYRE.—

"O, throw away the worse part,
And live the purer with the other half."

Mr. PEARSON.—The honorable member can think in that way if he likes. At all events, I will say that I would be sorry to have it supposed that the press ought to be allowed to indulge in charges which it cannot justify, or that whenever it finds that in the hurry of press life it has made a charge which is not justified, it ought not to frankly retract it. In this particular article there is one charge that I think is incorrectly made. I would hardly have alluded to it, as I would have thought it obvious that it was not intended to bear the interpretation put upon it, but for the remarks of the Premier. I

think that when the writer of the article put the word "rogue" within quotation marks he unquestionably meant it to be in brackets with the anomaly that the present Minister of Railways is now on cordial terms with the honorable member whom he formerly denounced as a "political rogue."

Sir B. O'LOGHLEN.—He denies having done so.

Mr. PEARSON.—He may deny it now, but I think we must accept the newspaper report, which was not previously contradicted.

Mr. BENT.—It would take a man his life-time to contradict the misstatements in the newspapers.

Mr. PEARSON.—But the Minister must recollect that the *Argus* was at the time the organ of his party, and strongly supporting him. I must also give that journal this credit, that its reports are singularly good. From the appearance of its report of the Castlemaine meeting, it might have been verbatim. On the other hand, although of course every newspaper is liable to make mistakes, even when the *Argus* condenses it tries to catch the sense of the speaker, and habitually succeeds in so doing. Passing from that point, we come to the two charges made in the article now in question. The first, which is incomparably the smaller, is that against the honorable member for Stawell, or rather, as I have pointed out, against the Minister of Railways. I quite understand the accusation to be against him. The second is against this House altogether. What is the essence of the charge concerning the brake? Let me recall two or three facts in the history of the brake which the honorable member for Stawell seems to have forgotten. He made several misstatements in his speech, although some of the inaccuracies have been corrected before. He says he mentioned the brake, and explained the plan of it, to the late Mr. Higinbotham in 1863. Well, Mr. Higinbotham wrote a letter positively denying that.

Mr. WOODS.—I don't care what Mr. Higinbotham did.

Mr. PEARSON.—The letter was read out in this chamber.

Mr. WOODS.—There is an important fact in connexion with the matter. It so happens that once, when speaking to the honorable gentleman who now fills the office of Chief Secretary, I mentioned the very language respecting the brake that I assert Mr. Higinbotham used to me in 1863, and the honorable gentleman told me that he

distinctly remembered the same words appearing in some State document which I, of course, have never seen.

Mr. GRANT.—Hear, hear.

Mr. WOODS.—It is quite possible Mr. Higinbotham forgot the circumstance, but it was one I was not likely to forget.

Mr. PEARSON.—Mr. Higinbotham positively denied that the honorable member for Stawell explained the brake to him in 1863, and I don't think it was fair of the honorable member to repeat his statement this evening without mentioning that the contradiction had been given.

Mr. WOODS.—I would have mentioned the contradiction had I thought of it.

Mr. PEARSON.—But to come to the more important point in connexion with the brake. The honorable member seems to have forgotten altogether the head and front of the whole thing, namely, the question of the expense of constructing the brake—who bore it and who ought to have borne it.

Mr. WOODS.—Who used it and got all the advantage?

Mr. PEARSON.—The honorable member has made exactly the interjection I could have wished for. Will he repeat again the statement he made in 1878? His first mention of the brake in this House was in October, 1876, when he said—

"He would undertake to fit up twenty trucks with a continuous brake if a sum of £100 was granted for the purpose, provided he was kept clear from red-tape or any official interference. He believed that ultimately the cost of adopting his plan would not exceed £3 per waggon. He made the offer solely on public grounds. He wanted no benefit for himself in the matter any shape or form."

Mr. WOODS.—Finish the quotation.

Mr. PEARSON.—The report continues as follows:—

"And he declined to accept the sneer of ignorance from the honorable member."

That does not add much.

Mr. WOODS.—It shows that my offer was refused with a sneer.

Mr. PEARSON.—The next mention was in September, 1878. We find that on that occasion the honorable member stated—

"I won't take a copper that would otherwise come to me on account of the shares which I hold in the company. As far as I am concerned, the Government are at perfect liberty to use the brake, to avail themselves of the result of my brain-work without paying for it at all."

Mr. McINTYRE.—I think he said—"Until the House has voted the money."

Mr. PEARSON.—That is all I find on the subject in *Hansard*. I wish to remind the House that when, in 1878, we of the liberal side supported the action of the

then Minister of Railways, we did so with that statement and the one he made in 1876 before us. What we had to deal with was the fact that a servant of the State, whose brain labour was paid for by the State, was having a machine made at the Government workshops with the State money, and that he would give us the whole use of it. We knew that we had a legal claim to it, because it is undoubted that the employer is entitled to the results of the labour and skill for which he pays. That is a principle of equity and justice which cannot be disputed.

Mr. WOODS.—Bosh!

Mr. PEARSON.—So far from the principle being bosh, it is one on which the law of England is based. No man has a right to defraud the employer of the results of the labour and skill he pays for. It is a pity the honorable member has not noticed the equity underlying the law on this point. I ask the House to bear in mind that I am not saying this because I wish for a moment to stand between the honorable member and any grant that might be made to him, should his invention turn out, after a fair trial, to be the best. Such a grant I would vote for myself. But I do say that the honorable member is the one man who ought not to allow his name to be associated with any claim for money reward in connexion with the brake. Yet, in May last, he denounced the use of his brake without it being paid for as cheating of the worst kind—as stealing his brains and so forth. I need not quote at length the very strong language he used on the subject. And what do we find now? The present Minister of Railways, who three years ago was the strongest adversary the honorable member for Stawell had, telling the House at one time that he has got a report to the effect that this brake, which is at this moment the property of the State, ought to be paid for by the State at the rate of £8,000 or £9,000 for the three years it has been in use, and at another, that it is under offer to the State for £2,000 per annum.

Mr. BENT.—You profess to be apologizing for a newspaper slander, but now you are slandering yourself.

Mr. PEARSON.—Only on Tuesday last the honorable gentleman told the House that he thought the brake so good that he was going to put it on every new engine. I think that was a mistake, but it is what he said.

Mr. BENT.—I always said the brake was a good one.

Mr. PEARSON.—I believe the honorable gentleman always did so, except at the Castlemaine meeting.

Mr. BENT.—I have never said anything different.

Mr. PEARSON.—I will do the honorable gentleman the justice of stating that, in 1878, when the present honorable member for Maldon denounced the brake in most unmeasured and unjustifiable language, the present Minister of Railways, who was then simply the honorable member for Brighton, spoke up for it strongly, saying he quite believed in it. Therefore, I was the more astonished when the honorable gentleman denounced it at Castlemaine, denying its originality.

Mr. BENT.—Mr. Speaker, I thought that, when an honorable member contradicted a statement, that contradiction must be accepted. I have contradicted the statement about the Castlemaine meeting at least three times to-night.

The SPEAKER.—The honorable gentleman's contradiction was simply uttered from his seat, and was, therefore, only in the nature of an interruption.

Mr. PEARSON.—I understood the honorable gentleman to merely deny that he had used the words "political rogue" and "roguing," and I accepted the contradiction, although the report containing those words had previously been completely accepted. I did not understand him to contradict that he had on the occasion in question denounced in another sentence this particular invention as something plagiarized from another person's invention. Does he contradict the whole of the statements he is reported to have made at Castlemaine? If he does, it will be a question between him and the *Argus* reporter whether the report is not from beginning to end a tissue of fabrications. I can tell the honorable gentleman that his speech is still remembered at Castlemaine. Nobody knowing that he contradicted the accuracy of the report, it was perfectly natural for those who recollected the version of his speech in the *Argus*, and who believed him—as they must have believed him—to have said what was reported, or something very like it, to be very much astonished at finding him throwing every impediment in the way of the agent for the Westinghouse brake, doing everything he could to prevent the machine getting a fair trial, and also boasting that, if he could obtain authority of the House, he would put the Woods brake to every railway engine, carriage, and waggon in the colony. Such

a change of front was calculated not only to astonish the press, but to lead honorable members generally to suppose that there was some great, singular, and important reason for it. They were bound to observe that, while the honorable member for Stawell sat on the opposition side of the chamber, he supported the Ministry to the best of his power in every possible way.

Mr. WOODS.—Is that true?

Mr. PEARSON.—Most distinctly it is.

Mr. WOODS.—It is most distinctly untrue.

Mr. PEARSON.—I think I have said enough to show something very peculiar and remarkable in the relations between the Minister of Railways and the honorable member for Stawell.

Mr. WOODS.—What are they?

Mr. PEARSON.—They show the honorable member as a partisan of the Ministry. He will have to answer to his constituency for that being the case.

Mr. WOODS.—I rise to order. The honorable member is threatening me. I decline to allow myself to be threatened by the *Age* both inside the House and outside of it.

Mr. PEARSON.—I am not threatening the honorable member. I think the honorable member had, some two years ago, to apologize to his constituents almost on his knees.

Mr. WOODS.—That is another.

Mr. PEARSON.—I do not see any need to carry these personal matters any further. I have now to ask why one newspaper is singled out in particular? With the permission of the House, I will read a passage from the *Argus* of the 10th October. It is as follows:—

"Whatever may be the merits or demerits of Mr. Bent's railway scheme, there can be no doubt that it has exercised a most demoralizing effect on both the House and the country. There has never been any pretence that it embodies a national policy. In preparing it no consideration whatever was given to broad public interests. The ruling idea appears to have been to offer each constituency a bait, and, by keeping a settlement in suspense through the entire session, to maintain a widely-spread interests in the fortunes of the Ministry."

Sir B. O'LOGHLEN.—Mr. Speaker, I do not know if it is in order for an honorable member, when speaking to the question of the scandalous libel already before the House, to introduce matter which may turn out to be another scandalous libel. The fact of such a libel appearing in another journal does not justify the *Age* in following a similar course.

Mr. BERRY.—I hope the Premier will not press the point of order. If the fresh matter turns out to be a scandalous libel, the honorable gentleman will have a splendid opportunity of settling the matter of such libels once and for all. If he were to move an amendment that other scandalous libels be embodied with the one now before us, and that the *Argus* as well as the *Age* be summoned to the bar, the House would be unanimous for once. It is quite certain that the journals cannot be dealt with separately. If the Premier is really in earnest in deprecating the language used in the press, and desires to treat the subject with fair play and even-handed justice, he might on the present occasion succeed to an extent which would otherwise be out of the question.

Mr. BENT.—Mr. Speaker, is it within the rules of order for an honorable member, while discussing a motion that a certain article is a scandalous libel, to read other libels reflecting on the House?

The SPEAKER.—I think the honorable member for Castlemaine (Mr. Pearson) is in order.

Mr. GILLIES.—Surely the honorable member for Castlemaine (Mr. Pearson) is justified in quoting a previous case like the one now before us.

The SPEAKER.—I quite agree with the honorable member.

Mr. A. T. CLARK.—I understood the Speaker to rule some time since that the reading of newspaper extracts could not be allowed.

The SPEAKER.—The honorable member for Williamstown is "scarcely correct. That ruling does not apply in this case.

Mr. PEARSON.—The *Argus* article continues as follows:—

"If that was the plan of campaign, it must be confessed that it has been most successful. The Government has secured its own safety at the cost of degrading the institutions of the country. Members have been and are completely paralyzed by the corrupting influence of the general but conditional bribe that has been offered. They dare not do anything or suggest anything that would have the effect of jeopardizing the Ministerial railway measure."

Surely these words are more strongly condemnatory of the House and the Government than anything in the article just read at the table, and I ask why the leader of the Assembly, who has shown himself ready to support the action of the honorable member for Stawell in one case, is not equally ready to take action himself in the other? Since the article I have just quoted from appeared, the *Argus* has published another containing the following passage:—

"The railways of the world have efficient continuous brakes upon them. Why has not one been adopted here? Why, because one Member of Parliament has a brake of his own, and other members have held shares in the enterprise!"

That is also much stronger than anything in the *Age* article. The *Age* has never hinted at an accusation of this sort, but the attacks of the *Argus* on the subject have been continuous. In its issue of last Thursday, it published a leader which stated—

"In the absence of a satisfactory explanation of his conduct, we are driven to the conclusion that, in this instance, common report speaks truly. In fact, the Commissioner of Railways stands condemned out of his own mouth. While leading the Assembly to suppose that he is thoroughly impartial and ready to give every brake submitted to his notice a fair trial, he has been secretly doing all in his power to force Mr. Woods' patent on the department."

Surely this is a stronger personal and political attack than that of the *Age* article, although I believe it does not state half what is conceived on the subject by the conservative friends of the Ministry. On the following day it returned to the charge in the following different way:—

"The inquiry which the country requires is not, we may remark, a political inquiry. What is the use of Mr. Berry, Mr. Richardson, and Major Smith hearing evidence? We know their verdict beforehand."

In other words, three of the leading members of the House—one of them markedly so—are declared to be not fit to sit as judges in a matter where the corporate honour of the House specially demands that honorable members should act impartially. Mr. Speaker, I will not weary the House with further quotations of the same character, although every honorable member knows that, if I chose to hunt them up, I could multiply them a hundredfold. After all, what the *Argus* and the *Age* and the newspapers of the colony generally are saying the country also is saying. If you stop newspapers from printing these things, you will not stop them being spoken wherever men congregate. You cannot fight against public opinion. The feeling of the country generally is not a disbelief in representative institutions, or a doubt whether Parliament contains a large number of men of the highest honour, but it is a conviction that for more than a year past a policy has been pursued which has been generally characterized as one of bribery and corruption, and which has frequently been so characterized on the floor of this House, almost without provoking a dissenting answer—a policy under which different constituencies have been bribed, and their influence so brought to bear upon honorable members that the House is

broken up into different sections, one divided against the other—a policy under which, on the pretence of avoiding burning questions, belief in great principles and in party honour has been set aside, the old lines of party have been discarded, and we have, first, a Government actuated by, instead of the highest motives, the single motive of forming a new coalition; and, secondly, a whole session wasted over one Bill, which has been denounced on every side as a Bill which was intended to corrupt, and which has corrupted. And we find all this absolute paralysis of legislation culminating in a most tremendous administrative disaster, which has left the travelling public trembling for their lives. Does this House think that it can put down the feelings I have described by calling offending editors to the bar, and imprisoning them for it may be a couple of weeks? It is not the editors who are in danger; it is not the press which has anything to fear; it is a portion of Parliament—it is the men who have brought Parliament into its present situation—who have at this moment to dread the verdict of the country.

Mr. FISHER.—Sir, is the honorable member for Castlemaine (Mr. Pearson) the apologist of the *Age*? The honorable member, in his time, has no doubt read and studied the Apology of Socrates. I wonder what the public will think to-morrow morning when they read the apology which the honorable member has offered to-night for the villanous libel in yesterday's *Age*. It makes one's blood run hot when one reflects that the very men who are slandering and libelling us in a paper with which they are connected are the men who come and sit along with us—who sit upon the same side with us—in Parliament, who vote with us, and who afterwards go into the nooks and corners of the House and indite libellous paragraphs and libellous articles.

Mr. LONGMORE.—For money.

Mr. FISHER.—For money, and, I will add, for love as well as money. Do they think that honorable members do not know the gentlemen who write the scandalous and libellous paragraphs which appear in the *Age* and the *Leader*? Do they think that we do not see the venom of the particular members who consort with other members in this House, and traduce them behind their backs?

Mr. McKEAN.—You have had your eye upon them.

Mr. FISHER.—I have had my eye upon them, and if my eye could have scorched them they would have been scorched. I can understand how an honorable member finds

more pleasure and comfort in belonging to the "fourth estate" than he does in being a member of this House. The honorable gentleman does not seem very comfortable in this House, and I don't wonder at it. When he looks round and sees honorable members whom he has deliberately slandered how can he expect to feel comfortable in the House?

Mr. McCOLL.—Mr. Speaker, I rise to order. I desire to know if my honorable colleague is in order in charging an honorable member of this House with deliberately slandered other honorable members?

The SPEAKER.—The honorable and learned member for Mandurang is certainly not in order in charging an honorable member with deliberately slandered members of the House.

Cries of "Withdraw."

Mr. FISHER.—The pleasure and comfort of being identified with the "fourth estate"——

Sir B. O'LOGHLEN.—I hope that the honorable member for Mandurang (Mr. Fisher) will withdraw the statement he has made.

Mr. FISHER.—What am I to withdraw?

The SPEAKER.—The allegation is that the honorable and learned member charged the honorable member for Castlemaine (Mr. Pearson) with deliberately slandered members of this House. If the honorable member made such a charge, he is bound to withdraw it.

Mr. FISHER.—I am not aware that I mentioned any honorable member.

The SPEAKER.—Neither am I aware of it.

Cries of "Withdraw."

Mr. FISHER.—What am I to withdraw? An honorable member may find comfort in being identified with the "fourth estate."

Major SMITH.—Is the honorable member for Mandurang (Mr. Fisher) in order in continuing his speech without withdrawing the objectionable observation which he made with reference to the honorable member for Castlemaine (Mr. Pearson)?

Mr. FISHER.—My observations were addressed with reference not to one member but a number of members. (Cries of "Withdraw.") I am not aware that I have mentioned any honorable member. (Renewed cries of "Withdraw.") May I ask, Mr. Speaker, what it is that I am desired to withdraw?

The SPEAKER.—If the honorable and learned member used the language attributed

to him—if he charged the honorable member for Castlemaine (Mr. Pearson) with slandered members of the House—he must certainly withdraw the statement.

Mr. FISHER.—I did not use any such language. I used the hypothetical language of the *Age*.

Mr. BERRY.—The honorable member for Mandurang (Mr. Fisher), when he made the statement, looked straight at the honorable member for Castlemaine. The honorable member must either state that he did not apply the language to the honorable member for Castlemaine, or he must withdraw it.

Mr. BOWMAN.—I was sitting much nearer to the honorable member for Mandurang (Mr. Fisher) than the honorable member for Geelong (Mr. Berry) was, and I can state positively that he did not apply any expression to the honorable member for Castlemaine (Mr. Pearson).

Mr. FISHER.—I trust that I shall be allowed to proceed with my remarks.

The SPEAKER.—Several honorable members are under the impression that the honorable and learned member for Mandurang charged the honorable member for Castlemaine (Mr. Pearson) with deliberately libelling members of this House. If the honorable and learned member made such an imputation, he must withdraw it.

Mr. FISHER.—If the honorable member for Castlemaine (Mr. Pearson) will say that he did not write this article in the *Age*, I will withdraw anything I have said.

The SPEAKER.—The honorable and learned member for Mandurang has now put the matter in such a light that he cannot possibly be misunderstood. He is clearly out of order, and must withdraw his assertion.

Mr. FISHER.—Sir, in obedience to your ruling, I will withdraw anything and everything, and I will speak in another strain. I will use the hypothetical style of the *Age*. I presume that I shall be in order in doing so. I will therefore say that if honorable members are mixed up with the Minister of Railways in this way and that way which is dishonorable, they have managed somehow to "keep it dark," and, if such be the case, those honorable members deserve to be castigated—they deserve to be cast aside by their constituencies—to be thrown out of this House. This is the style that I will adopt.

Mr. KERFERD.—It is not half so good as the *Age*.

Mr. FISHER.—Perhaps not; but I am not speaking with the cool deliberation with

which a person who holds a pen in his hand can vilify those whom he wishes to traduce. It is a special pleasure, I say, to belong to the "fourth estate." Not only can you pitch into your political opponents—not only can you go at them vigorously—but you have the additional and perhaps more agreeable pleasure of being able, silently and covertly, to undermine the very men with whom you are acting in concert, and who are said to belong to the same political party. The men who are connected with the "fourth estate" have the special pleasure of being able to catch up everything that they can make a peg upon which to hang any sort of libel and slander against members of their own party. There is another pleasure which the gentlemen of the "fourth estate" enjoy, and enjoy continually. No matter what other newspapers may say, there is one daily paper and one weekly paper which are sure always to describe the speeches of certain honorable members as most logical, eloquent, and forcible, and to apply other language to them such as would be used in describing the most glowing and effective speech ever delivered either in this House or in the House of Commons. But perhaps on the night on which a paragraph appears in that daily paper describing a speech made by the honorable member for So-and-so as a most logical and eloquent address, the same speech is described in this House as the most illogical twaddle; and I must say that I think one criticism is quite as fair as the other. Sir, it is the special delight of a gentleman who belongs to the "fourth estate" that, whatever other newspapers may write about what he says in this House, at least one paper is sure to give a glowing description of his speech under the head of "How doth the little busy bee," and, in addition to a few paragraphs by the ordinary "recording angel" being sprinkled about the paper the day after the speech is delivered, there will be an article written by another member of the admiration party, and so the business goes on. And this is the sort of thing which is to influence the country. This is the great organ of the liberal party which is to rouse the country to a sense of the delinquencies of this Chamber, and to raise the country to a due appreciation of some honorable members who may be members of this House, and who certainly are members of the "fourth estate." With respect to criticisms in the press, so far as I am personally concerned I will repeat what I said about two years ago. No matter what the press may say of my conduct

in this House, I shall never take any active steps to bring an offending member of the press to book. But a motion has now been proposed declaring a certain article in yesterday's *Age* to be a scandalous breach of the privileges of this House. I am here to express my opinion upon it as a member of the House, and, if I were not man enough to stand up in my place and express my reprobation of that article, I would not deserve to be a member of the House. The article is intimidation of the basest description. It threatens one member and another member with what their constituencies will do with them at the instigation of the *Age*. Do the constituencies know who write the articles which appear in that paper? Some persons do, and the writers would be very much surprised if they knew how little their thunders are regarded in some parts of the country. Some parts of the country are highly dissatisfied with the part which this particular paper has played towards the liberal party, and towards certain members of that party—towards leaders of the party. The way in which the *Age* has treated leaders of the liberal party—the way in which it has traduced members belonging to the party—has sunk deep into the hearts of the people. I could point to places where newspaper agents will not receive the *Age* into their shops to sell; and why? Because their confidence in that journal has gone. On one occasion I found myself traduced by that paper in the most wretched way, and I went and complained straight off. Next day a very handsome apology was inserted—a sort of good character was given to me—but a fortnight afterwards the paper returned to the old trick, and the very same thing was repeated worse than before. Why is this done? Is it because some honorable members are in the way of other honorable members? Would it suit some honorable members to have some other honorable members out of this House altogether? Do some members bar the way of some other members?

AN HONORABLE MEMBER.—That is always the case.

MR. FISHER.—Even if it is always the case, honorable members should be honorable enough not to use the columns of a paper with which they happen to be identified, not only to traduce their fellow members, but to aggrandize themselves.

AN HONORABLE MEMBER.—That is not the question before the House.

MR. FISHER.—I don't consider that the brake is the question. The brake has

come forward very prominently to-night, and I trust that it will be dealt with on its merits at the proper time. No doubt the brake is imported into the article in yesterday's *Age*, and into a great number of newspaper articles; but I don't think we need trouble ourselves specially about the brake at the present moment. I said on Thursday night that the motion of which the honorable member for North Melbourne (Mr. Munro) had given notice ought not to be made a party question—that the melancholy accident on the Hawthorn line ought not to be made a peg on which to hang a motion that might tend to the advancement of certain members. I repeat that now, and I say that the accident might have happened whatever Ministry was in office. To attack honorable members in the way in which certain honorable members have been attacked because they choose to express their sentiments in this House in regard to the motion of the honorable member for North Melbourne in a free and candid manner, independent of party ties, is a wanton, dishonest, base thing to do. How any honorable member can rise in his place and make an apology for such an article as appeared in yesterday's *Age* I cannot conceive. Why does that paper require an apologist in this House? Perhaps some people when they read his remarks to-morrow may rush to the conclusion—it may be a rash conclusion—that the honorable member who has apologized for the *Age* is the honorable member who committed the offence. Whether that conclusion be wrong or right, the slander in the article cannot be easily extenuated. What is the reason of the wanton attack made in the same article on the honorable member for Warrnambool—a gentleman who has been in several Ministries and whose name is untainted. The slander cast at the honorable member for Warrnambool is even worse than the attack upon the honorable member for Stawell. The honorable member for Warrnambool is slandered because he has seen fit, in the exercise of his independent judgment, to adopt a certain course in regard to a certain motion. Both sides of the House must feel that a wanton attack has been made upon that honorable member.

Mr. MUNRO.—I don't care a straw what the newspapers say about me.

Mr. FISHER.—Perhaps the honorable member is right. No matter what the *Age* says about me—no matter what any newspaper may write about me—I intend in this House to pursue a firm, free, and independent part. I have adhered to all the

principles which I advocated when I was before my constituents. I have kept to them from the time I entered this House until now.

Mr. McCOLL.—Oh!

Mr. FISHER.—I have kept to every one of them, and, moreover, I have advocated them in this House without condescending to any quarrel whatever. As long as I do this, so long do I deserve my own self-respect; and so long as I deserve my own self-respect, it matters not what may be said of me either in the *Age* or in the *Leader*, edited and paragraphed as we know them to have been by some honorable members, who are not unknown to other honorable members of this House.

Mr. DOW.—Mr. Speaker, it seems rather unfair, when all this advertising of certain newspapers is going on, that no honorable member advertises the agricultural department of the *Leader*. Let me ask those honorable members who address themselves to these matters to give the agricultural department of the *Leader* a show. We hear night after night certain daily papers advertised here, and I am sure it is very good of this important Assembly to do all this "free gratis" advertising, but I can assure honorable members, from my connexion with the press, that neither the *Argus* nor the *Age*, nor any of the other important organs of public opinion, care very much what this House says. They pursue the straightforward course of indicating what they consider is the right thing for the country to do; and, from my own experience of the country, I have no doubt that these great leaders of public opinion will invariably be found more correct in analyzing the tone of the community generally than a moribund Parliament, which is approaching its natural decease. As a rule, a three-years' Parliament becomes towards the close of its career not quite so much in accord with the tone of the country as it was during the first year of its existence. I am what is called in Victoria a radical. I believe in annual Parliaments. I believe that this House should have been dissolved eighteen months ago; and, if it had been, I think there would not have been any necessity for the articles complained of to be written, nor for honorable members to rise in their places, and like the old lady in Sydney Smith's writings, try to "mop back the Atlantic." Let honorable members do their duty, and then it matters not what any newspaper may say about them, because they will always be right if they do their duty.

Why do honorable members drag members of the press into this discussion? It has been said that the honorable member for Castlemaine (Mr. Pearson) has apologized for the *Age*, but there is no justification for that assertion. No apology is needed for the important papers which represent the feeling of the country. When the honorable member was addressing the House, one honorable member interjected—"Why don't you leave the House?" This was sufficient to brand the honorable member for Castlemaine in the minds of all other honorable members as the writer of the article in yesterday's *Age*. The interjection also meant that the honorable member, because he is a member of the press, ought not to be a member of this House. What twaddle this is! If a member is a lawyer, he is not told that he must leave the House; if he is a tea-broker, he is not told that he should leave the House; and why should he be told that he ought to leave the House if he happens to be a member of the press? Because an honorable member who belongs to the press writes an article in the paper with which he is connected about some other member or members of the House, is that the fault of the writer or of the paper? No; it is the fault of those honorable members themselves. I do not say that I have any sympathy with the personal reflection on my honorable friend, the member for Stawell, in the article in yesterday's *Age*, but I must say that I most heartily sympathize with the first portion of the article which speaks of—

"The cancerous growth of corruption which has made the present Parliament stink in the nostrils of all honest and respectable people."

This is what the country believes; this is the sentiment of people outside the House.

Sir B. O'LOGHLEN.—Sir, I rise to order. I put it to the honorable member for Kara Kara that he should not father a libel on this House. In fathering a libel on this House he fathers a libel on himself—he admits that he is the offspring of "the cancerous growth of corruption."

The SPEAKER.—The Premier will be quite in order in moving that the honorable member for Kara Kara is guilty of a scandalous breach of the privileges of this House, and, if the House deems fit, it may commit the honorable member to the custody of the Serjeant-at-Arms or expel him; but there is no other remedy that I am aware of. An honorable member can say anything unless the House prevents him. The honorable member for Kara Kara is discussing a matter of privilege, and he virtually says that the article complained of is not a

breach of privilege because it is true. If the House feels that it is true, it has a perfect right to allow the honorable member to support the newspaper, and to degrade the House. On the other hand, if the House does not admit that the article is true, the honorable member is certainly out of order in saying that it is, and he ought to be punished for doing so.

Mr. DOW.—I wish, in as plain language as possible—

The SPEAKER.—I hope that I have put the matter in plain language to the House.

Sir B. O'LOGHLEN.—I trust that the honorable member for Kara Kara will see the necessity of withdrawing his statement, or taking some other course for putting himself right. If not, I shall certainly support your ruling, Mr. Speaker, by making a motion. ("Oh!" from the Opposition.) I don't wish to take the honorable member by surprise or at a disadvantage.

Major SMITH.—What is your motion?

Sir B. O'LOGHLEN.—I repeat that I don't desire to take the honorable member by surprise. If the honorable member wishes to withdraw his statement or to explain it, I will give him the opportunity of doing so.

Mr. DOW.—I am quite sure that I am safe in the hands of the Speaker. I don't wish to say anything which is in any degree unparliamentary.

The SPEAKER.—Surely it is unparliamentary to say that this House is corrupt.

Mr. DOW.—I will withdraw the language I used, and say that the sentiment of the country, as far as I can gather it, is that it would have been a great deal better if this House had been dissolved a year ago. The House has arrived at the state in which it now is owing to the fact that we began an evil course about a year ago. As reference has been made to the name of the honorable member for Warrnambool being mentioned in the article which has given rise to this debate, I desire to say that I have as much respect for the honorable member for Warrnambool as any one has, but I consider that his action has assisted very much to bring about the present condition of things. The Government have tried to make out that the Opposition are delaying public business, but it is well known to the country that no business could possibly go on since the ill-assorted combination which put the present Ministry in power took place. It is beneath the dignity of the House to quarrel with the press because the press has spoken out plainly, and the course now proposed

will certainly not expedite public business. Nothing can possibly come of it. I say straight out that I don't sympathize with the language used towards the honorable member for Stawell in the article in yesterday's *Age*, but with the sentiment of the article I firmly and thoroughly coincide.

Sir B. O'LOGHLEN.—Mr. Speaker, I must again rise to order. The honorable member for Kara Kara, in saying that he coincides with the sentiments of the article, is transgressing the respect which is due to the House, and is repeating the offence which—perhaps, unwittingly—he previously committed. I must ask the honorable member to withdraw his remark.

Mr. PEARSON.—Sir, I desire to know if an honorable member has not a perfect right to express assent with any opinion whatever until that opinion is voted libellous? The Premier is anticipating the verdict of the House on the article in question.

The SPEAKER.—There is no point of order. It is beyond a point of order. If the House chooses to permit the honorable member for Kara Kara to charge it with corruption, I have nothing more to say.

Mr. DOW.—I say that honorable members who happen to be members of the "fourth estate" are regarded by certain other honorable members as occupying an invidious position. And yet those honorable members engage in some other occupation besides that of Members of Parliament. I presume we are not here as Members of Parliament to look after the interests of the colony of Victoria and nothing else. Probably it would be a very good thing for the colony at large if there were what are called professional politicians to manage our political business. I find that the managers of banks are paid very well to look after the interests of the shareholders of those institutions, and probably it is a question which might profitably engage our consideration whether honorable members should not devote their whole attention to the business of the country. Meanwhile I submit how unfair, how inappropriate, and, if I may so speak, how silly it is, whenever a reflection is made by the press on the party in power, for three or four men who are known to be identified with the press to be pounced upon, and denounced in unjustifiable language, like that used by the last speaker, as going into the purlieus of this House to stab honorable members in the back. There is no more stabbing in the back done by honorable members who are connected with the press than is done by honorable members

who are limbs of the law, and who, in that capacity, go to lock-ups at night to tout for business at police courts next day. No doubt there are disreputable members of the press, as there are disreputable members of all sections of society. But one disreputable member of the legal profession does not prejudice that profession any more than one disreputable member of the press may prejudice the most noble profession on the face of the earth—a profession which in this colony and in the country from which we came has produced more brilliant lights as statesmen than any other profession. There are some members of the legal profession compared with whom even an ignoble hewer of wood and drawer of water for the press occupies a dignified position. The press may have writers in this House. I believe there are members of this House who are known to be directly connected with the *Age* newspaper, as I am connected directly with the agricultural department of the *Leader*, the best agricultural authority in the country, the authenticity of whose wheat statistics is unquestioned, which has the largest possible circulation, and which is published at 6s. 6d. per quarter. The starting of this privilege question means the wasting of another night. Was there ever a Parliament that wasted so much time? I was called to order just now because of my comment with regard to the expression in the *Age* article that this House stinks in the nostrils of the country. The House got it into its head—indeed Mr. Speaker entertained the belief—that, in endorsing the statement in the *Age* article, I was accusing honorable members, individually and collectively, of being guilty of bribery, and of acting in a dishonest manner. Now there is a great difference, in my opinion, between saying that a man is corrupt, in the sense that he is open to receive a bribe in the shape of money or something else, and saying that he is corrupt in the other sense used in the dictionary. If you leave matter which is subject to decay under certain conditions for a certain time, it will become corrupt, it will putrify, it will stink in a way not agreeable to one's olfactory organs. Up country, I have been told that this House stinks—that is the word—and that it ought to dissolve itself, and go to the free atmosphere of the country, and become purified. All the people of Victoria read the newspapers, and there is no doubt that the colony is fully alive to the fact that the House has got into the way of doing nothing, and that it will do nothing. The sooner it goes to the country the better; it ought to have gone

a year ago. This Parliament has become moribund. It has been sitting nearly three years, and it has now become out of accord with the colony. It became different from what it was at the close of the first year. Certainly it does not now represent the true will of the country. There are honorable members who sit behind Ministers who feel themselves in a false position. There are honorable members who led the House in past times, who, by their attitude with regard to Ministers, find themselves in a false position. The Woods brake is the subject immediately under discussion, and this leads me to observe that one of the worst things the country can have is a Minister of Railways who thinks he knows a little engineering. For my part, I don't think the Ministerial head of the Railway department should do anything in the way of going up the country to see whether a station should be on this or the other side of a road. Nor do I think a Minister of Railways should dabble in the making of bricks or anything of that kind. An honorable member invested with such responsibility should endeavour to administer his department in the statesmanlike fashion characteristic of Cabinet Ministers in England. Certainly, it does not become a Minister of Railways to go looking after the little tinkering matters which pertain to the duties of porters and wheel-greasers. Proceedings of this kind mean political demoralization.

MR. ANDERSON.—Do you not introduce deputations to the Minister of Railways?

MR. DOW.—I deplore that I belong to a system in which deputations to Ministers of the Crown form a part, and if a motion were brought forward to divorce members of this House from such proceedings I would support it heartily. Coming back to the question immediately before the House, I may mention that reference has been made to the fact that the *Age* is not the only transgressor—if any transgression whatever has taken place. The honorable member for Ripon complains that the *Argus* writes just as vehemently as the *Age* about this House not being in accord with the country. But there is a third morning newspaper in Melbourne—the *Daily Telegraph*—and in to-day's issue of that journal you will find that what I was nearly put upon the roof of the House for endorsing is stated much more broadly in the *Daily Telegraph* than in the *Age*. The *Daily Telegraph* represents a large section of public opinion, and this is what it says to-day :—

"Public life in this colony is saturated with venality, using that term in the sense of all those

dishonest and crooked influences by which individuals or localities benefit, and the State suffers. That man would be obtuse or unvarnished who would deny that there is a steady declension in most of those matters which concern public life. The personnel of our Assemblies and our Ministries is greatly inferior to what it was only a decade ago, and so, too, are the principles which are operative, and the quantity and quality of the work performed."

Further on, the same journal observes—

"We are dropping down, not gradually, but very fast. In these days any man is good enough for a Member of Parliament or a Minister of the Crown, and, if it be true, why should not the truth be told, the public mind directed to it and the cause of the evil?"

Why this is the *Age* article out-and-out. Indeed there is at this moment a peculiar unity among the press of the colony that is remarkable. Not only is there perfect agreement upon these points among the three Melbourne daily newspapers which, in their entirety, represent not only the whole public opinion of the metropolis and its suburbs, but the public opinion of a large portion of the colony, but the same feeling pervades a large portion of the country press. No doubt the Ministry are aware of this just as much as we are, but they are content to sit still and do nothing, so long as they can pocket their full screw. I remember that at the last two general elections one of the great charges brought against me was that I was a Berryite—a follower of Berry, a man who had brought the country to the verge of ruin and destruction. However, since then, Berryism has become a little more respectable. The country has found out that there is a lower depth than Berryism even when Berryism was at its lowest. One of the charges against the Berry Government was that they appropriated such large Ministerial salaries; and one of the matters I was pledged on the hustings to go in for was retrenchment. In fact, retrenchment was a burning question at the last general election. It is said, with regard to taxation in the old country, that every civilian has to carry a soldier on his back; and it would seem that every taxpayer in this colony has to carry on his back a civil servant and a half; and I am afraid that, if the Ministry remain in office six months longer, the proportion of civil servants burthening each taxpayer will have increased from $1\frac{1}{2}$ to $2\frac{1}{4}$. For my part, I believe that if the present "peace, progress, and prosperity" Ministry were to go out and be replaced by a Ministry which did not include Dow, the country would still continue to get on. Certainly the present Ministry have shown themselves the very reverse of

a retrenchment Ministry. The prosperity which the colony is at present enjoying is in no way attributable to the Ministry, as the great majority of the people who read the newspapers are aware. I believe that, if a Berry Ministry were in power, things would be much better; certainly the public departments would not be packed as they are with the creatures of the present Ministry. The present Ministry is composed, with some exceptions, of the nonentities of this Chamber who acquired office through an unholy intrigue in politics—an intrigue for which the leaders of the conservative party ought to be ashamed of themselves. If we go to the country to-morrow, will the conservative party proper in the country, the constitutionalists—men whom I respect because they respect me while they hold to their own opinions—vote for this Ministry? Not a bit of it. I have a respect for a man who stands by his opinions even if I don't agree with those opinions; but I don't believe in a man who obtains the support of a constituency on a certain "ticket," and after he comes here, under the cover of a three years' shield, sells the men who vote for him. That has happened to the party with which I am connected. I repeat that the alliance which helped the present Ministry to power was an unholy one—it was an evil combination, and nothing but evil can come of it. If the then leader of the conservatives, Mr. Murray Smith, had formed a Government, I would have respected that Government as I respect any straight party, but I have a contempt for a Ministry composed as the present Ministry is—a Ministry that sits without supporters except the two men whom they placated by dividing the whipship between them, and lives simply on the disunion of Parliament. The members of the Ministry know that these words are true. However, returning to the article in the *Daily Telegraph*, I find that it further remarks—

"Fitness for the positions has now little to do either with a seat in the Assembly or a seat on the Treasury bench. At the rate at which we are progressing, we will soon be without Ministers of the Crown, in the constitutional sense."

I will now draw attention to the concluding portion of the article. It is as follows:—

"The public are, under the present system, the victims of a fraud which operates in various ways; the public appointments, which should be theirs, are granted to influence. Members of Parliament who could not stand on their merits, or have sold their constituents, pull through by the judicious application of patronage to their most influential supporters; Ministries purchase support and retain office, when they should be expelled from it, by surrendering the public

service and the public purse to those who support them. The thing is rotten from end to end."

Why is it not proposed that the publisher of this journal should be brought to the bar? "The thing is rotten from end to end." What is that but another way of expressing the idea that "the cancerous growth of corruption has made the present Parliament stink in the nostrils of all honest and respectable people"?

Mr. FISHER.—Do you adopt those sentiments?

Mr. DOW.—I like to speak out plainly without descending to vulgarity or abuse, or anything of that kind.

Mr. FISHER.—Can you answer a straightforward question?

Mr. DOW.—If it were in order, I would be disposed to say that I don't think the honorable member can ask a straightforward question.

Mr. FISHER.—You would not find that so if I had you in the box.

Mr. DOW.—I have been attacked for referring to the agricultural department of the *Leader*, but the honorable member persists in bringing his briefs and his police court practice into this House upon all occasions, in season and out of season. It is alleged that there are Members of Parliament who, although in receipt of £300 a year for doing the work of the country, yet accept fees for going to the Lands-office to carry out the wishes of their constituents—to perform work which should be done as a matter of public duty. I do a lot of work at the Lands-office without fee or reward.

Mr. ZOx.—Is it surprising that newspapers libel us when you indulge to such an extent in innuendoes?

Mr. DOW.—The newspapers are the exponents of public opinion; what the newspapers say, the people say; and, as a rule, the people are not very far wrong. Without alluding to this newspaper or that, I say the fact faces us that at the present time we occupy, in the eyes of the country, an anomalous position—a position unparalleled in the past history of Victoria. We have no business to sit as a Parliament at all. I say that advisedly. We ought to have gone to the country a year ago. We cannot be of any good while we are split up and disunited, and while the Government are living upon our disorganization—while Parliament is, to use the language of the *Daily Telegraph*, a "thing rotten from end to end."

Mr. Dow.

VISITOR.

Sir B. O'LOGHLEN mentioned that the Hon. Alfred Catt, Commissioner of Crown Lands in the colony of South Australia, was within the precincts of the House, and moved that he be accommodated with a chair on the floor of the chamber.

The motion was agreed to.

PRIVILEGE.

The debate on the privilege question was continued.

Mr. McINTYRE.—Sir, when I arrived in the chamber this afternoon and saw the large assemblage of members, I really thought that business was meant, and that the House would immediately proceed to consider the very important motion given notice of by the honorable member for North Melbourne (Mr. Munro). I have, however, been sadly disappointed. A motion has been submitted that a certain journal has been guilty of a scandalous libel on this House, and the tenor of the discussion so far seems to have been that there are certain other newspapers as bad as the journal now particularly complained of. I have regretted to observe the position taken up by honorable members who are immediately identified with the newspaper in question. I certainly think that their attempts to defend that paper have been rather unseemly, and that it would be much more becoming if honorable members who are connected with the press left it to others to defend the conduct of the press. The speech of the honorable member for Kara Kara, however, appeared to me to be more of a no-confidence speech than to have any connexion with the subject immediately under consideration. The honorable member tried to convey the idea that he was as staunch a Berryite as ever, but I do not think the honorable member ever belonged to the Berryite crowd to the extent he tries to make out. I once described him as a "Dooite," and I think that is his proper definition still.

Mr. DOW.—I could not get my son made secretary of the Education Commission. I could not "do" that.

Mr. McINTYRE.—The secretary of the Education Commission is able to do his work. His education cost sufficient to qualify him for even a higher position than that of travelling reporter for a certain journal. I may state at once that I do not intend to support the motion of the honorable member for Stawell, because I think it is a mistake, but I think it is very undesirable that we should have speeches from

members of the "fourth estate" such as have been uttered to-night by the honorable member for Castlemaine (Mr. Pearson) and the honorable member for Kara Kara. I observed that those honorable members and the honorable member for West Bourke (Mr. Deakin) were not at all comfortable when the honorable member for Mandurang (Mr. Fisher) was laying on the lash so vigorously and well. We have had the edifying exhibition this evening of witnessing the very cream of the liberal party washing their dirty linen in public, and I think that, when the constitutional party saw those honorable members abusing each other, it might very well say that it had had its revenge. I consider, however, that this House has a higher duty than to concern itself with squabbles in connexion with the press. I think the article complained of ought never to have been written, but I believe the honorable member for Stawell might very well have allowed it to pass without comment. It would be very undesirable to revive the old farce of bringing publishers to the bar of the House. Is the publisher the man we would really want to get at? Not at all; he would be some poor unoffending person who had nothing to do with the libel complained of. If we could get at the real culprit, and treat him to brown bread and water for a while, it might be a different matter, but I believe there are plenty of members of the press who would be quite willing to father an article complained of if they could get comfortable quarters on these premises, and get their friends outside to pay for them. The complaint of the honorable member for Stawell is that the *Age* has alluded to him as a "rogue," but really, in using that word, the journal has been very kind to the honorable member. What does the word "rogue" mean? In the most recent dictionary I find that "rogue" is defined to mean "proud, haughty, supercilious; brave; a proud haughty man." Surely that is a very high compliment to the honorable member. It is also defined to mean "a sturdy beggar." That, it seems to me, is a most proper term to apply to the honorable member for Stawell. I will say nothing at present about the honorable member's brake—as Bailie Nicol Jarvie says, "Let that flea stick to the wall"—but the honorable member for years has been trying to show that there is not another brake like it in the world, and, when he was Minister of Railways, he was assisted in connexion with it by the department. Has not the honorable member time after

time tried to show that the country owes him £8,000 for this great invention? I think, therefore, the term "sturdy beggar" applies very aptly to the honorable member. The next definition is "one who is mischievous or frolicsome." Well, we know the honorable member for Stavell is both. Many honorable members can vouch for his being "mischievous," and any honorable member who was in his company during the recent trip to the Grampian quarries will answer for his being frolicsome. Another definition of "rogue" is "one who plays knavish tricks," and certainly the honorable member knows how to play "knavish" tricks, as any one who has played euchre with him will admit. I acknowledge that I myself have also played many a "knavish trick" on the honorable member. The honorable member will therefore see that, in laying particular stress on the use of the word "rogue" as the gravamen of his complaint, he was rather mistaken; there are other points in the article of which he might have complained much more seriously. I would urge, however, that the House should now proceed to business at once. I regret the position the Premier has taken up on this question, and I think it would have been better if the *Age* article had been allowed to pass unnoticed in the House. There are too many discussions in the House with regard to newspaper articles. I had a special grievance against the *Age*, but I went to a court of law and made the proprietor of the newspaper pay through the nose, and I would suggest that any honorable members who feel aggrieved in the same way should follow that course instead of taking up the time of the House on the subject. If honorable members wish to place the press on a different footing, let Parliament pass a law requiring writers to put their names to their articles. If that were done there would be fewer of such articles as we frequently see in the press. We would hardly find the Professor's name at the foot of an article praising "the vigorous and emphatic speech made by the honorable member for Kara Kara" to-night, and there would be few, if any, of the libellous articles on honorable members we now see. I, myself, however, believe in the anonymity of the press as a good thing, and, as long as the press keeps within fair bounds, I will support it. No doubt for months past very severe things have been said of this Assembly; but I must say that I think we have deserved a great many of the criticisms that have appeared regarding us. This evening,

Mr. McIntyre.

for example, we have been wasting the time which should have been devoted to the consideration of a very important motion. I trust the Government will not press this matter any further. If we place one publisher in custody, we shall have to lock them all up, and we would look well with a lot of newspaper publishers or editors on our hands. In fact, the public would not tolerate such a thing, because they believe in the thorough criticism of public men, although they hardly credit many of the hard things that are said, or else many of us would not now be in the House. Perhaps that would not be a bad thing, because I believe myself that there are a great many men outside the House as good as any that are in it.

Mr. MACGREGOR.—I think it is a duty I owe to myself, to my constituents, and to the country, that I should not be silent on this occasion. In the article in the *Age* of which complaint has been made, there is also a reference to myself which I consider is quite undeserved and mistaken. For 28 years I have read and supported the *Age*, and when I first entered political life as a member for Fitzroy I did so as a liberal. I was returned at that memorable period when Sir James McCulloch was ousted for his "gagging" system, and I took my seat behind the honorable member for Geelong (Mr. Berry) and voted steadily with him and his party. Indeed, as a party man, I gave votes which I do not know that I would now repeat. Yet the *Age*, in the article under discussion, says—

"Such is the contagious effect of the general apathy and indifference to appearances that even ostensible liberals like Mr. A. T. Clark, Mr. Fisher, and Mr. Macgregor put their reputation in pledge and openly vote against their principles and their party day after day without the ghost of an excuse that the public can divine, except it be that Mr. Bent's secret influences have been at work, and have proved too much for them."

During all the time I sat on that (the Ministerial) side of the House, I do not remember one occasion on which I voted against my party, but when I came to this side of the House, and found that there was no leader and no party, I then, as an independent member in the opposition corner, expressed my own views straightforwardly and candidly, and exercised my own judgment in voting when party was not concerned. The *Age* has charged me with voting against my party, and the only basis I can think of for such a charge is that a short time ago, when the honorable member for Belfast brought forward a motion in connexion with the Loans Redemption Bill, I voted with the Government,

and against the motion. But why did I do so? Because, if the motion had been carried, the honorable member for Belfast would have formed a Government, and the honorable member for Geelong would have had to play second fiddle to him. The honorable member for Geelong would probably only have taken with him the honorable member for Ballarat West (Major Smith) and the honorable member for Castlemaine (Mr. Patterson) into the new Government, and I declined as a liberal on that occasion to follow the honorable member for Belfast, as the head of a Government, and preferred Sir Bryan O'Loughlen to Sir John O'Shanassy. Why, then, should I be attacked for exercising my judgment when there was no party in question, unless the honorable member for Belfast was the head of the party? If it was to be understood that he was to be the head of the party, why was not that announced? On a subsequent evening, when the honorable member for Geelong brought forward a motion in connexion with the same Bill, it is well known that I was on the list of those who intended to vote for it. Heads had been counted, and, if that motion had come to a division, the Government would have been put out; but, as the Premier has stated, they "gained a great victory over themselves" on that occasion. The *Age* also says that I have voted against my principles, but I challenge it to point to one single instance in my political career in which I have done so. Have I not always supported the leasing system—free, secular, and compulsory education—and the protective policy of the colony? I think the *Age* is bound in fairness either to prove its statement or else to admit that it has made a mistake. The article also says—

"In conclusion, we commend the conduct of the suspects, not only to their constituencies, but to the close and anxious scrutiny of the whole community."

I am one of the "suspects," but why did not the *Age* also give the names of the honorable members who paired on the same side on the occasion I have referred to? I deny that I have ever been subjected to any "secret influences." Anything I have done has always been fair and above-board. It is true that I advocated, and the Minister of Railways granted, a reduction of the fares between Emerald Hill and Melbourne in the interests of the working classes, and if that be the charge against me I must plead guilty. It is also true that I have been instrumental in procuring the erection of a station at Albert-park, and that one sale of

land there has paid for the erection of the station. Certainly I am guilty of these things, but I do not think my constituents will blame me for attending to their wants.

Mr. WOODS.—Mr. Speaker, after the almost unanimous expression of opinion from all sides of the House reprobating the style of criticism which has been adopted in both the *Age* and *Argus*, I think the object of bringing this matter before the House has been achieved. Therefore, with the consent of the seconder and of the House, I beg to withdraw my motion.

Mr. GARDINER.—Sir, I object to the withdrawal of the motion until I have said a few words. A certain English newspaper has done me the honour of libelling or slandering me, and as I cannot, like the honorable member for Stawell in the case of the newspaper of which he complains, move that the publisher be brought to the bar of the House, I wish to call attention to the influence which the public prints of Victoria, in the way they speak of public men of this colony, exercise in causing English journals to do likewise. Before referring to that matter, however, I may say that, while the *Age* has vilified the honorable member for Stawell and the Minister of Railways, and has taken up the cudgels on behalf of a certain portion of the community, it has shown a very different spirit in the case of the young girls who are out on "strike" from the factory of Beath, Schiess, and Co. Two of those girls sent an advertisement to the office of the *Age* for insertion in that newspaper, merely stating the fact that the operatives of Beath, Schiess, and Co. were on strike and appealing to other workers not to take their places, as they were suffering an injustice through their employers having lowered their wages for the manufacture of certain articles of wearing apparel. Although payment was offered for the advertisement, the *Age* refused to insert it because, it was said, "We do not wish to come into conflict with any manufacturing firm in the city." They do not hesitate, however, to come into conflict with other portions of the community or to attempt to take away the character of public men. Numberless paragraphs have been written about myself, and I must say that I do object to members of the press, who are also members of this House, making use of their position to write articles or paragraphs against their fellow members, often under the guise of friendship. They will talk and smile and appear very friendly, but the next morning it often happens that paragraphs appear

directed against members of the House, and the writer can be easily guessed after reading the first sentence. Those gentlemen are connected with the leading journals of the metropolis, which are circulated all over the colony, and there is no means of obtaining any redress against them, unless by bringing the matter before the House as one of privilege. A paragraph has appeared in an English paper concerning my election and my presence in the House, which has caused me and my friends a good deal of merriment, and when I read it I trust that the *Argus* and the other daily papers will circulate it over the colony. I may say that I refer to the criticisms of the press in the interests of the young men of this colony, many of whom are afraid to enter political life on account of the slanderous statements which appear in the press regarding public men. I agree with the honorable member for Maldon that there are many men outside the House as good as those in it, but many of the best men have not the pluck to enter politics on account of the press. The paragraph to which I have referred says—

"One of these little suburbs has already a very unenviable notoriety. At the last general election much mirth was occasioned by the appearance of a boy as a candidate for parliamentary honours. He was simply known as a successful footballer, who earned a modest livelihood by repairing watches. Manhood suffrage is the law in Victoria, and just about now the first generation of Australians is, as it were, of age. This boy politician had the sense to see that consequently there would be a new element in future in parliamentary elections throughout the colony. He posed as a real live native Australian, and immediately hit the fancy of all the footballers, cricketers, and youths in the constituency, and, against all expectations, actually headed the poll by a rattling majority, his opponent being an ex-Minister of the Crown. Of course this little fellow's presence in the House is an insult to the other members, and, instead of keeping silence, the conceited young upstart will talk, and make a deliberate ass of himself."

Then comes the best of the joke. I know men who are acknowledged to be good men, but who never opened their mouths or did anything of use to the public. These men are never interfered with by the press, but, when men have the courage of their opinions and are willing to come forward and do something in the interests of the country, they are met with the opposition of the press. As long as I am a member of this House, however, I will do my duty whatever may be said in the press of me, and, whenever I see anything like jobbery or corruption attempted, I will be the first to stem and stop it. The newspaper continues—

"He has lately tried to have all reporters expelled from the House, as they make nothing but fun of him."

Mr. Gardiner.

That is true, but not in the sense in which it is intended.

"They retaliated, and reported his last 'speech' verbatim, and it is certain that such utter nonsense was never uttered before."

Even suppose it was utter nonsense, do honorable members expect me to reach the altitude of a Pitt all at once? I really think, Mr. Speaker, that the people of the colony, after my winning the two great battles I did in the interests of the country, expected too much from me, and of course they were disappointed in their expectations. I have read this extract to show the opinion which is formed in England of this colony owing to the course pursued by the press here, and the squibs which are sent home by the mail. Is that kind of thing fair to a young politician who is about starting in life? I can say more than a good many members can say—namely, that I did not scheme to get into Parliament. It was the spontaneous will and action of the people which placed me here; and until the night before the nomination, on the first occasion when I was elected, I had not made up my mind to accede to the wishes of the electors. I never thought for a moment that I was designed to be a politician, but fate has decreed otherwise, and probably with the aid of the newspapers, even in their funny moods, I may yet be able to do something in the interests of the country.

The motion was then withdrawn.

PUBLIC INSTRUCTION.

Mr. COOPER (in the absence of Mr. WHEELER) asked the Minister of Public Instruction when tenders would be called for erecting a State school at Allandale?

Mr. GRANT stated that tenders would be invited without any delay.

GIPPSLAND LAKES.

Mr. McKEAN asked the Minister of Public Works when plans and specifications would be ready for the works at the Gippsland Lakes' entrance?

Mr. C. YOUNG remarked that all the necessary information for preparing plans was supplied by Sir John Coode to the Public Works department, and the plans would be prepared without any loss of time.

VACCINATION.

Mr. GARDINER asked the Minister of Lands whether accommodation would be provided at the hospital at the Model Farm for carrying out vaccination with calf lymph? Vaccination was now performed

at a cow-shed, and great inconvenience was felt.

Mr. W. MADDEN said he would ascertain what could be done towards providing proper accommodation for the purpose referred to.

RAILWAY MANAGEMENT.

COLLISION AT HAWTHORN.

Mr. MUNRO moved—

“That a select committee of seven members, three to form a quorum, be appointed by ballot to inquire into the management and working of the Railway department, and specially to report on the whole circumstances relating to the recent disastrous occurrences at Hawthorn; such committee to have power to call for persons, papers, and records, to sit on days when the House does not meet, and to move from place to place.”

In proposing this motion (said the honorable member) I desire first of all to disclaim any intention to waste the time of the House. If the Government had treated my proposition as it ought to have been treated it would have been disposed of last Thursday, and there would have been no waste of time at all. They have, however, taken a different course, and they think themselves justified in doing so. But I call attention to the different way in which they treated a similar motion in another place. When, subsequent to the Jolimont accident, it was proposed in the Council in terms almost exactly the same as those I have employed—except that I suggest a ballot, and have given no names—to appoint a select committee to inquire into that casualty, what did Ministers do? Did they regard it as a want of confidence motion? No; they knew that it would be carried—that they could not resist it—and therefore they accepted it.

Sir B. O'LOGHLEN.—No want of confidence motion can be moved in another place.

Mr. MUNRO.—What I want to show is the totally different way in which the Government treated the motion proposed elsewhere and the one brought forward by me here. With the former they agreed at once, whereas, directly the latter appeared, they sent one of their number to the Council to say—“You cannot go on with business because a motion of want of confidence has been brought up in the Assembly.” As the Government well know, my motion is not in itself one of no confidence. When I gave notice of it on Wednesday, expecting it to be considered on Thursday, I believed what I am sorry to say I do not believe now, namely, that the Government were as anxious as any honorable member could be to

have an inquiry into this deplorable accident. Not that I call it an accident at all, for I regard it as an occurrence resulting from neglect of duty and bad management throughout the whole of the Railway department. It occurred to me—I don't know how any honorable member can look on the matter differently—that inasmuch as this House has undertaken, from the very inception of railways in the colony, to take charge of them, and to add to them by placing from time to time enormous sums of money at the disposal of the Government for railway construction purposes, it surely would not shrink from the responsibility of inquiring into the causes of the demoralization of the Railway department, and the reason why, after so many years, the country cries “shame” on this Chamber and the Ministry for the manner in which the department is administered. Sir, I venture to assert that I was not doing anything wrong when I asked honorable members, who are held responsible by the country for all this evil and mischief, that they should themselves inquire into the matter. We have been told that a board of outside gentlemen have been appointed by the Government to go into the business—that, in fact, everything has been done—but what has been done? What, for instance, has been done with respect to the Windsor accident? It cost some £15,000 or £20,000, and we were promised that a board should inquire into it, but to this day we don't know by what the disaster was caused. I consider that if this House will only rise to a sense of its duty—if it is not, as some say it is, incapable of attending to any business whatever—it will deal with the present question without regard to party, and consider itself necessitated to make at once the investigation I ask for. Is there not throughout the whole country at the present time a universal feeling of horror and dread at the idea of travelling by rail? Yet we all know that not very long since the state of affairs was very different. There was a period when the Government railways were looked upon as being particularly safe and particularly comfortable, and people delighted in travelling by rail; but what is the case now? What has occurred since the present Minister of Railways came into office? Three deplorable accidents have taken place. I don't blame the Minister, or anybody, for that circumstance, but I assert that if the Ministry had taken up with regard to the railways the position which any other body of men would naturally take up towards an important

branch of management for which they were responsible, those accidents would not have happened. What regularly ensues when an unusual number of disasters occur to a man in the ordinary course of affairs—say when, in the short course of a year, if he is a sea-captain, he runs three ships ashore, or, if he is in business, he becomes insolvent three times? Is he not always held accountable in some way? In the olden days he would have got a nickname descriptive of his fortune, and, had the Minister of Railways lived then, he would certainly have been dubbed “Thomas the unlucky.” I don’t say he is to blame for the Hawthorn accident except to this extent, that he has been to his department what no Minister has any right to be. He has no right to be a kind of head porter, or to throw off his coat to see this culvert properly made, or that bridge arranged as it should be. It is the duty of the Minister of Railways to be simply the political head of his department, that is, to guide its policy and to provide for its proper administration by making sure that, when anything goes wrong, some one will be responsible for the wrong. Then, with respect to the committee of inquiry appointed by the Council, what do we know with respect to it? It is true that it was appointed, and that it made an investigation, but, because it was appointed so late—after so much delay—it failed to get proper evidence. The person who could give the evidence that was most wanted had cleared off, and therefore it could only bring up a highly inconclusive report. But I call attention to this, that, imperfect as that report is, had the Minister carried out its recommendations the late disaster would not have occurred.

Mr. BENT.—The recommendations have been carried out to the letter.

Mr. MUNRO.—That is just in keeping with other statements the Minister has made. It is most unfortunate that he will make statements without considering the effect of them. The Council’s committee recommended, among other things, the following:—

“Your committee recommend that every passenger train be forthwith fitted with a continuous automatic brake; and, until such brakes are available, no passenger train be allowed to leave any terminal station unless an ordinary brake-van is attached to the rear carriage.

“That instructions be given to all guards to keep a constant oversight of their trains when *in transitu*, and especially of express trains passing intermediate stations.

“That a system of signalling between the passengers and guards be applied to all except suburban trains.

“That the block system of working railways be at once adopted on all lines, where practicable, and be rigidly enforced.”

Now has the first of these recommendations been carried out to the letter?

Mr. BENT.—Yes.

Mr. MUNRO.—I leave it to any honorable member to say whether that is the case.

Mr. LONGMORE.—The Minister would not exercise authority which the House had not given him.

Mr. MUNRO.—That is another affair. The point is whether the recommendation has been carried out. Then has the block system been adopted?

Mr. BENT.—Yes.

Mr. MUNRO.—On the Hawthorn line?

Mr. BENT.—Yes.

Mr. MUNRO.—Why the honorable member admitted, only the other night, that the reverse was the case. He said the block system was impossible on the Hawthorn line.

An HONORABLE MEMBER.—He said it was to come in force a week after the accident.

Mr. MUNRO.—Does that justify the Minister’s statement?

Mr. BENT.—Certainly it does.

Mr. MUNRO.—What the Minister states now is in keeping with what he has stated at other times. He has told us surprising stories of the wonders he has worked in all directions—here, there, and everywhere. The honorable member for Emerald Hill (Mr. Macgregor) dwelt, the other night, upon the reforms the Minister had effected on the Emerald Hill line.

Mr. MACGREGOR.—He has done great things there.

Mr. MUNRO.—I wish, in the name of the country, that he would begin by doing great things in his own office—that he would make the reforms at Spencer-street which we hear of with respect to Emerald Hill. Again, it is not for him to look after such things as that the Emerald Hill station is properly swept, or that there is no smoking on the platform there. It is his business to guide the policy of his department, and to take care that the heads under him do their duty, and are responsible if their subordinates go wrong. What is the result of that part of the Minister’s functions being neglected? What was said at the public meetings which were held in Melbourne and Hawthorn the other day? The speakers were careful to avoid anything calculated to openly condemn the Government,

but the resolutions they carried were practically as condemnatory of them as they could possibly be worded. The Melbourne meeting stated formally—

“That in the opinion of this meeting the safety and convenience of the public demand that the management of the Victorian railways should be placed in the hands of qualified and efficient men.”

What does that mean but that the present men are not qualified and are inefficient? If they are qualified and efficient, what need is there for a change? I take my share of the responsibility that rests on the House for not having efficient and qualified men in the Railway department, but I will no longer bear it in silence, and I, therefore, call upon honorable members to do their duty in the matter promptly. It is the opinion of the public outside, and I now contend on this floor, that, no matter what has been done in the past or how the Government may try to get out of their responsibility, it is the duty of the House to make a careful and complete inquiry into the working of the Railway department, and to report carefully and fully on all the causes that led to the recent disasters, because life and property on the railways are at the present time not safe. It is admitted that no one knows what is going to happen next, and for the existence of that state of things we are answerable. Some say that politicians are not the proper parties to make the inquiry. Well, that is an absolute condemnation of the House altogether. I say that if this House is not qualified to make the inquiry—if it does not include seven honest, true, and independent men prepared to enter in the most careful way possible upon the investigation I speak of—it is time it ceased to hold any responsible position in the country. I only want seven good honest and capable men, and I don't care on which side of the House they sit. Then we are told that we ask for this inquiry because we want to get on the Treasury bench. The Ministry know, however, that there is not a man in this Chamber more independent of office than I am, or who has oftener refused it. But I have a duty to perform. I have constituents deeply interested in an inquiry being made, and, therefore, I stand up and demand that it shall be made. If other honorable members are not prepared to assist me, that is their look out. I am doing the best I can to get the Railway department placed on a proper footing, and if I don't succeed my responsibility in the matter ceases.

Mr. ZOx.—We are all anxious for an inquiry. There is not an honorable member who is not eager for one.

Mr. MUNRO.—Well, I ask that the inquiry shall be made forthwith, and, if that is agreed to, I will give up my no-confidence motion and everything else. I only want an honest inquiry, and that it should be entered upon at once. We have heard talk of a board of outside gentlemen. The Minister of Railways told us the other night that he was going to appoint such a board, but what kind of a board did it afterwards turn out he had in his mind? Simply one to inquire into the amount of damages that ought to be given to each individual injured.

Mr. BENT.—No. That is another board.

Mr. MUNRO.—Will the Minister of Railways tell me that this House would be satisfied with the decision of an outside board? I tell him candidly that I would not be satisfied. There are many reasons why the inquiry should be made by more suitable men than those mentioned in the newspaper this morning.

AN HONORABLE MEMBER.—They are intense politicians.

Mr. MUNRO.—To be sure they are. Besides, they would not have the sense of responsibility a committee of this House would have.

Sir B. O'LOGHLEN.—The gentlemen named in the newspaper are simply to be appointed as arbitrators.

Mr. MUNRO.—With those gentlemen appointed to be arbitrators between the Government and the sufferers, would not every honorable member say, if he were concerned, that he would infinitely prefer to go before a jury?

Sir B. O'LOGHLEN.—Each sufferer will have his choice in the matter.

Mr. MUNRO.—If the idea is to do something to save sufferers from the expense of going to a jury, a better arrangement than the proposed board could easily be made. We have had a discussion this evening as to what the press has said of us, but do we not bring such criticism upon ourselves by our own acts? What occurred last week? The honorable member for Rodney (Mr. Gillies) stated that he was informed that circulars had been sent to the Opposition asking them to nominate persons for certain vacancies in the Railway department. Well, the Minister of Railways denied that such circulars had been sent. On the following night the honorable member for West Melbourne (Sir C. Mac Mahon) asked the Government if they were prepared to stake their position on the denial being correct. What was the reply? The Minister of Railways was silent. He did not get up then and assert that the statement

of the honorable member for Rodney was not true. It has gone forth to the country that this House has been so purchased by the Minister of Railways that honorable members are not independent enough to act on the committee I propose. Under these circumstances, I put the case to honorable members themselves—Do they think themselves not sufficiently independent to sit on a committee of inquiry into the Railway department? If they do, I will at once give in. I don't think, however, they will say anything of the kind. I believe it would be easy to get seven honorable members seven times told to act on the inquiry with perfect independence, honesty, and capacity. But the conduct of the Government is such that the whole House is condemned. A former Speaker of the House makes a certain statement and challenges denial, and the Minister of Railways sits silent. What inference are we to draw? That the statement is true, and cannot be denied.

Mr. BOSISTO.—Not a single honorable member has stated that he got a letter of the kind indicated.

Mr. MUNRO.—I scarcely expect any honorable member to make such a statement. What I point out is that the challenge has been made, and that it has not been accepted.

Mr. LEVIEN.—The original statement was denied.

Mr. MUNRO.—Yes, but when another test was applied Ministers were silent.

Mr. BENT.—The challenge was all on one side. Let the honorable member for West Melbourne (Sir C. Mac Mahon) stake his seat on the correctness of the statement that I sent out circulars to the Opposition. But he is not game to do so.

Sir C. MAC MAHON.—I made a statement the other night that certain letters or circulars were written to certain honorable members of the Opposition, asking them to nominate individuals to fill certain vacancies. Is that statement challenged as untrue?

Mr. BENT.—That is not the statement that was formerly made.

Sir C. MAC MAHON.—Is a further falsehood to be enacted? The statement I have just made is the same that I made before. I said further, when called upon by some of the Ministry to prove my words, that I would do so on one condition, and on one condition only. I am perfectly willing to stake my seat and any little reputation I may possess on the event of an inquiry into the point.

Mr. MUNRO.—Nothing will satisfy the Minister of Railways. I ask for a committee, and I will insist upon a division upon my motion, so that the country may see who the honorable members are who refuse an immediate inquiry. I contend that it is of the utmost importance that the inquiry should be immediate, and that it should be undertaken by this House; because not only are the lives and limbs of the travelling public not safe, but the reputation of this Chamber is at stake. There is no getting out of that being the position. I repeat that I want an inquiry, not simply to move a want of confidence motion. Let the inquiry be conceded, and I will altogether withdraw the idea of my motion being one of no confidence. We have borrowed an enormous sum in the English market for the purpose of developing railways in this country, and we are bound in honesty to the lenders to see that the property that money has created is properly administered. We are told that the inquiry should be by a non-political board, but could there be a greater condemnation of the House than that implied in such a statement? It is also contended that our railways should be placed under non-political management; but how could the Government frame a Bill to carry out that idea, or how could the House deal with such a measure until the present management of the Railway department has been thoroughly investigated? As for the House coming to a decision on my motion, I would be delighted to see it divided upon to-night. In conclusion, I will say that, whether the committee I ask for is appointed or not, I have done my duty honestly and fearlessly. If the committee is not appointed, the country will know what to think. It will be able to tell whether honorable members generally have so neglected their duty that they are afraid to have the affairs of the Railway department opened up, lest it should be discovered that they are incapable, from want of business capacity, of governing one of the most useful and most productive departments of the State.

Mr. DEAKIN seconded the motion.

Mr. ZOX.—Mr. Speaker, I also rose to second the motion, but I meant, in doing so, simply to support the proposal for an inquiry, not to express the opinion that it should be entered upon immediately.

Sir B. O'LOGHLEN.—Sir, the honorable member for North Melbourne (Mr. Munro) raised one point which I am able to dispose of without further delay. He referred to a challenge thrown out by the

honorable member for West Melbourne (Sir C. Mac Mahon), respecting the circular which the Minister of Railways is said to have issued to the Opposition. I told the honorable member for North Melbourne just now across the table that the statement the honorable member for West Melbourne made to-night was not the one that was made the other night, and which the Minister of Railways denied, and now I have *Hansard* to prove my assertion. Whatever the honorable member meant, in making the statement, to say, the following is what *Hansard* attributes to him:—

"That abuse, I believe, has taken place almost daily. I have heard of the Minister of Railways issuing a circular to the Opposition, saying that there were certain vacancies amongst the employes of the Railway department, and asking them to nominate some persons to fill the vacancies."

The reply to that was as follows:—

"Mr. BENT.—That is not true."

There is the statement that was made, and the Minister of Railways' denial, which honorable members are bound to accept.

Sir C. MAC MAHON.—What is the difference?

Sir B. O'LOGHLEN.—The Minister of Railways denies that he ever sent such a circular to the Opposition.

Mr. DEAKIN.—There is no difference between the two statements.

Sir B. O'LOGHLEN.—Well, I have quoted exactly the statement which the Minister of Railways denied. What does the honorable member who interjected a few moments ago something about "another falsehood" think now of his interjection?

Mr. MUNRO.—What is the difference between the two statements?

Sir B. O'LOGHLEN.—There is every difference. First, there is the difference between a circular and a letter. Then, the original assertion was that the circular was issued to the Opposition.

Mr. MUNRO.—No, to members of the Opposition.

Sir B. O'LOGHLEN.—The words distinctly are "to the Opposition." The honorable member cannot get out of the accusation being what I say. I denied that the two statements were alike from recollection merely, but I find my memory borne out by *Hansard*.

Mr. MUNRO.—No circular was sent to me.

Sir B. O'LOGHLEN.—Of course the Minister of Railways may have directed that when an honorable member had applied for an appointment, and a vacancy occurred, a

letter should be sent to him asking him to nominate the individual on whose behalf he applied; but the charge was that the Minister issued a circular "to the Opposition." The two things are as different as the night from the day.

Mr. DEAKIN.—A distinction without a difference.

Sir B. O'LOGHLEN.—How can that be? Was not the original accusation backed up by statements that the Minister of Railways was continually moving about the House among members of the Opposition? The charge was not that appointments had been made at the request of honorable members. As every honorable member knows, appointments of that sort are made from day to day. When a vacancy which an honorable member has applied for accrues, it is only natural that he should be informed of the fact and asked to mention his nominee. But the accusation was, as I have already stated, that the Minister sent a circular to the Opposition generally, asking them to nominate persons to fill vacancies. And now I come to the question immediately before the House. The honorable member for North Melbourne states that the Government forced him into his present position, and the assertion has been reiterated by the press throughout the colony. But the Government have done no such thing. It was the honorable member himself and those acting with him who forced on this want of confidence debate. The honorable member placed his notice of motion on the business paper without giving me any warning on the subject. I received no intimation respecting it in the House.

Mr. MUNRO.—I read it out in the House.

Sir B. O'LOGHLEN.—The honorable member knows very well that, as a rule, the mere formal reading of a notice of motion attracts no attention. The next evening I had hardly come into the Chamber before he asked that the motion should have precedence. Well, I pointed out various good and weighty reasons why it should not have precedence. What followed? The honorable member was at once backed up by the leader of the Opposition, who suggested to him that he had a way open to him of forcing the Government to give his motion precedence. Upon that the honorable member took up the position that if precedence for his motion was not accorded he would make it a want of confidence motion. Am I to be told in the face of those facts that

the Government forced the honorable member to move a no-confidence motion?

Mr. MUNRO.—Yes.

Sir B. O'LOGHLEN.—Then all I can say is that the honorable member is most obtuse. I draw quite the opposite inference. I say the honorable member and his friends forced on this want of confidence debate. Many grave reasons presented themselves why the motion should not have precedence. In the first place, its peculiar wording rendered it almost necessarily tantamount to a want of confidence motion.

Mr. MUNRO.—It is almost exactly a copy of the motion the Council carried.

Sir B. O'LOGHLEN.—But what occurred in the Council? The honorable member has referred to the Council precedent; will he be bound by it? When the motion carried by the Council was moved, the coroner's inquest was over. It was a further inquiry that was requested. That is not what the honorable member for North Melbourne asks for. Besides, the two propositions are extremely different in their nature. The motion now before us asks for an inquiry into "the management and working of the Railway department," but the Council motion was merely for an inquiry into the causes of the Jolimont accident.

Mr. MUNRO.—And into "the manner in which the traffic on such railway had been conducted."

Sir B. O'LOGHLEN.—But that referred only to the management of the line on which the accident occurred, whereas the present motion refers to the "management and working of the Railway department." In the face of that difference, will the honorable member continue to say that the two motions are alike?

Mr. MUNRO.—Yes.

Sir B. O'LOGHLEN.—If he thinks so, let him follow the Council precedent and wait until the coroner's inquest is over. Let it be first ascertained whether any criminality attaches to any one.

Mr. MUNRO.—And give time for the witnesses to leave the colony. That occurred in the Jolimont case.

Sir B. O'LOGHLEN.—That was because the Council's inquiry did not take place until several months after the accident. I have, however, pointed out over and over again that the inquiry into the present case will be entered upon directly the coroner's inquest is over. The Government purpose, if the whole of the causes of the Hawthorn collision do not transpire at the inquest, to have a further inquiry

into them of a full and searching character, and to have it undertaken by gentlemen altogether independent of politics. The object of the Ministry is that every matter connected with the disaster may be ascertained, and the guilt of those who are to blame for it made apparent to every person in the colony.

Mr. McKEAN.—Will the inquiry be on oath?

Sir B. O'LOGHLEN.—The coroner's inquiry will be on oath, and therefore the evidence taken by the independent board will also have to be given on oath. I may state, with reference to the inquiry before the coroner, that the Government as a whole—not merely the Railway department—will be represented in it by counsel, including one of the ablest gentlemen now at the bar; and also that I have instructed the Crown Solicitor to leave no stone unturned in order that every branch of the causes of the accident may be probed to the bottom, and the full truth elicited, with the view that those who are responsible for the occurrence may have their culpability sheeted home to them. I may add that I expect the inquest to be concluded, and the public to be in full possession of all the particulars connected with it, before the end of the week. Apart from the investigation before the coroner and the action of the independent board, the Government propose to ask the House upon a future occasion to appoint a select committee for the purpose of inquiring as to the best mode of managing the railways of the colony. The present moment is not, however, the most opportune for the Government taking the step they contemplate, inasmuch as the honorable member for North Melbourne has seized the occasion to make a proposition which is tantamount to a motion of want of confidence in the existing administration of the Railway department.

Mr. MUNRO.—The proposal in your own Railways Management Bill necessarily amounts to the same thing.

Sir B. O'LOGHLEN.—By no means. The honorable member knows that a previous Government introduced a Railways Management Bill; will he say that they expressed by the proceeding a want of confidence in their own Minister of Railways?

Mr. MUNRO.—Certainly they did.

Sir B. O'LOGHLEN.—The honorable member may think so, but the general public are not likely to follow his example. The Government look upon this matter from a practical common-sense point of view. They hold that, if it is considered desirable

to enter upon a system of railway management different from that which has hitherto prevailed, the new system ought to be arrived at through a full and searching inquiry by a select committee of the House, composed of some of the most experienced statesmen of the colony, as well as of honorable members who have had experience in the Railway department.

Mr. MUNRO.—That is all I ask for.

Sir B. O'LOGHLEN.—I told the honorable member, the other evening, what the Government had in their minds to do, and that they would do it almost at once. The question involved in ascertaining the best and most suitable system of railway management for the colony is a very big one, and it cannot be settled off-hand. It is a matter of vast importance, for grave political issues are at stake with respect to it, and it may be regarded in a great many different aspects. That being the case, the subject ought to be approached calmly, and not when the minds of men are stirred, as they are stirred at the present moment by the recent unfortunate collision. I repeat that the committee proposed by the Government will be appointed almost at once, although it is not thought wise to take that step before the Christmas recess, which will commence in a very few days, and extend over ten days or a fortnight, or perhaps over three weeks or a month. The committee could not fairly set to work before Christmas, and afterwards the members will, of course, be scattered. We want a full committee, not a mere quorum of members, to work in the matter, so that it may be fully thrashed out and reported upon in a manner that will warrant the House in taking the action the report may recommend. The honorable member for North Melbourne indulged in a general attack on the present management of the railways, but he proved nothing. That the present management is faulty he simply took for granted. He represented the general public as being frightened to travel on the railway lines, because they believe that in doing so they will endanger their lives, but I think that in that regard he greatly exaggerated the state of public opinion. I do not believe the panic he described exists to anything like the extent he indicated. Honorable members must bear in mind that we have in this colony from 1,200 to 1,300 miles of railway open from year's end to year's end; that some 9,000 or 10,000 trains run regularly every year, besides extra and special trains; and that, nevertheless, the proportion of accidents in connexion with

them compares very favorably with the proportion in other railway countries. In fact, I may say that until the suburban railways were taken over by the Railway department the State lines stood, with respect to good management and safety, in the highest rank. It is only since the Hobson's Bay Railway was purchased by the Government that the excellent position occupied by Victorian railways among the railways of the world has been brought down. But, taking the whole working of the Victorian railways for a series of years, I think it reflects the greatest credit upon the officers of the Railway department that so few accidents have occurred. The honorable member for North Melbourne says that we want efficient and qualified men for the railways.

Mr. MUNRO.—The public meeting has said so.

Sir B. O'LOGHLEN.—The honorable member knows that all those connected with the late accident are old and experienced officers, and bear the highest character. The honorable member must have personal knowledge of the fact that they were not appointed for any political reasons. The majority of them—indeed I believe the whole of them, with one exception—were appointed during the régime of the Hobson's Bay Company. They have all been employed on the railways for a period of from fourteen to twenty years, and they have performed most carefully the laborious duties which they have hitherto had to discharge. The honorable member also knows that, whether the system be a bad one or not, the railways here are conducted exactly on the same principle that railways in England are managed. In England a railway has a board of directors, and the duties of the chairman of the board correspond with those of the Minister of Railways in this country. All matters which are the subject of doubt and dispute are laid before him, all matters of policy are laid before him and the board, and he and the board stand exactly in the same position as the Minister of Railways and the Cabinet do here.

Sir C. MAC MAHON.—No.

Sir B. O'LOGHLEN.—I have personal knowledge of the working of English railways, and I say that the chairman of a board of railway directors transacts exactly the same class of business that the Minister of Railways in this country performs.

Sir C. MAC MAHON.—Does he exercise patronage for the benefit of the Government?

Sir B. O'LOGHLEN.—He exercises patronage. The honorable member may object to the exercise of patronage by the Minister of Railways for political reasons, but that is not the point I am speaking of. I am merely pointing out the similarity between the duties of the chairman of a board of railway directors in England and those of the Minister of Railways here. Again, the Secretary for Railways occupies a similar position here to that of a general manager in the old country. We have a traffic manager, just as a railway in England has a traffic manager; we have an engineer, with assistant engineers, as there are in the old country; and we have a locomotive superintendent, just as they have in England. In fact, we have all the organization that a large railway in England has, and the officers here are just as independent in the discharge of their duties as the officers at home are.

Sir C. MAC MAHON.—No.

Sir B. O'LOGHLEN.—Will the honorable member tell me that the Traffic Manager here is not as independent in the discharge of his duties as the Traffic Manager of the London and North-Western Railway is?

Sir C. MAC MAHON.—Certainly he is not.

Sir B. O'LOGHLEN.—I say he is. I assert that the Traffic Manager here is exactly in the same position as the Traffic Manager of the London and North-Western Railway; and that the engineer and assistant engineers here are exactly in the same position as the engineer and assistant engineers of that railway. We have the same kind of officers, performing the same class of duties—we have exactly the same system carried out—as on any of the large railways at home. It may be that when a select committee is appointed, and inquires carefully into the working of the department, it will suggest improvements upon the present system; it may advise that the power of making appointments should be taken away from the political head and transferred to the permanent officers of the department; it may advise that the office of Minister of Railways should cease to exist, and that the railway property which belongs to the public, and is valued at £20,000,000 or £25,000,000, should be handed over to an irresponsible board. All these matters may be worked out in the committee; but what the honorable member for North Melbourne asks is not what the Government propose. What the honorable member asks is that a

select committee shall be appointed to inquire into the present Ministerial management of the railways. What would be the result of the appointment of a committee for that purpose? The committee would have to include the present Minister and those honorable members who are ex-Ministers of Railways, and each gentleman would no doubt try to point out that perfection was attained when he was Minister. The committee would therefore be occupied in settling personal altercations as well as in settling party questions.

Mr. MUNRO.—That is what you propose.

Sir B. O'LOGHLEN.—No; the honorable member proposes that. The honorable member proposes a political inquiry into a Government department, and into the Ministerial conduct of that department. He mixes that up with the accident. The honorable member joins the Minister of Railways, the Government, and the accident together very cleverly, and certain people out-of-doors have done the same. The honorable member's action reminds me of an ingenious contrivance which represents two pictures that can be amalgamated very easily. On one side there is a man and on the other side a horse; you twirl a string, and the two pictures appear joined together, the man being on the horse's back. The honorable member and certain newspapers have cleverly mixed the collision with the Minister of Railways and the Government generally; in fact, the honorable member, by the motion which he has brought forward, is trying to mislead the public, and induce them to believe that the Ministry, the collision, and the Minister of Railways are all one and the same thing.

AN HONORABLE MEMBER.—Hear, hear.

Sir B. O'LOGHLEN.—The House will see how very cleverly he mixes them up in his motion. The select committee is to be appointed to inquire into the general management of the railways by the present Minister, and also to inquire into the cause of the recent accident. The things having been mixed up by certain newspapers, the honorable member tries to play the same trick here, and he innocently asks this House to appoint a committee to follow on the same track. The House is asked to appoint a political committee to inquire into the political management of the railways, and to mix with that investigation an inquiry into the late accident.

Mr. MUNRO.—The two things are mixed up.

Sir B. O'LOGHLEN.—I deny it, and I ask this House to deny it. If this is the ground on which the honorable member founds his motion, and asks for support for it, I will appeal to every member of the House who values himself as a man to leave the honorable member alone, and let him be in a minority of one. Does the honorable member venture to say that whenever an accident occurs on the railways the Minister of Railways and the Government are responsible for it? When the honorable member for Ripon was Minister of Railways a serious accident occurred, but were the honorable member and the Government of the day held responsible for it? Other accidents happened when the honorable member for Rodney (Mr. Gillies) was Minister of Railways, and when the honorable member for Castlemaine (Mr. Patterson) was Minister of Railways, but the House did not hold either of those honorable members, nor the Governments of the day, responsible for the accidents. If the honorable member for North Melbourne was not thoroughly blinded by partisanship, he would be ashamed of the position which he has taken up. I repeat that I hope the House will leave the honorable member in a minority of one.

Mr. MUNRO.—It cannot do so.

Sir B. O'LOGHLEN.—The honorable member smiles, and says it cannot be done; but the moment that the question is stated in its naked deformity, every man must be ashamed of the proposition that the present Minister of Railways is culpable in connexion with the late accident.

Mr. MUNRO.—I did not say so.

Sir B. O'LOGHLEN.—That is what it comes to.

Mr. MUNRO.—That is what you say.

Sir B. O'LOGHLEN.—If the honorable member is harking back and retreating because he is already ashamed of himself, I am very glad. I am pleased to see that there appears to be a little glimmer of light dawning upon the honorable member—that he is not entirely carried away by mere partisanship. The honorable member twitted the Government with moving the adjournment of the Legislative Council pending the decision of this House on his motion.

Mr. MUNRO.—It was a silly proceeding.

Sir B. O'LOGHLEN.—The honorable member does not seem to be aware of the serious position in which he has placed this House by his action and the responsibility which he has taken upon himself. According to constitutional custom, no business can be done in the other House while a

want of confidence debate is proceeding in the Assembly. The honorable member does not seem to be aware of the fact that he has brought the whole business of the country to a stand-still. If the honorable member was merely vexed because precedence was not given to his motion he might have moved the adjournment of the House, or adopted some other course, in order to have his say; but he took upon himself the responsibility of proposing a motion of want of confidence in the Ministry, and the whole business of the country stands still until the question is decided. The honorable member and the Opposition wanted the Ministry to adopt the course of procedure which they dictated to them. They felt it to be so absolutely necessary for the good government of the country that there should be a political investigation into the management of the Railway department, coupled with an inquiry into the circumstances of the late collision, that they would not accept the assurance of the Ministry that not only would there be a searching inquiry before the coroner, but that an independent inquiry would be made afterwards—that a select committee would be appointed in order to inquire what should be the future management of the railways.

Mr. MUNRO.—That was never mentioned until to-night.

Sir B. O'LOGHLEN.—The honorable member is always wrong. At all events, his memory fails him in this instance, as will be seen by the following quotation from *Hansard* of what I stated on Thursday night:—

“I think it would be rather unadvisable to appoint a select committee at present for the purposes contemplated by the honorable member's motion. I submit that when the intense public feeling has subsided will be the proper time for such a committee to be appointed.”

Where, then, is the honorable member's recollection? The honorable member forced the Government to accept his motion as one of want of confidence.

Mr. MUNRO.—I am very glad I did.

Sir B. O'LOGHLEN.—I think that by this time the honorable member must have come to the conclusion that he has taken up a wrong position, and that the proposition of the Government is reasonable, fair, and just. The majority of honorable members agree that there should be a select committee appointed to inquire as to the future management of the railways, but they do not concur with the particular form of the honorable member's motion, which proposes that a committee shall be appointed to inquire into the late accident

and into the political management of the railways. In order to prevent any misunderstanding on the subject, I beg to move the previous question.

Mr. GRANT seconded the amendment.

Mr. BERRY.—Mr. Speaker, I think the House must be extremely surprised at the course adopted by the Premier at the termination of his speech. From first to last the Government have insisted that the motion of the honorable member for North Melbourne (Mr. Munro) should be one of no-confidence, although even to-night the honorable member stated that it was not necessarily a motion of no-confidence—that it was not put forward in that aspect. The Government had more than one opportunity to accept the proposal without forcing the House to debate it in the manner that we are doing to-night. I assert unhesitatingly that it is a gross libel upon the members of the Opposition to say either that they designed the motion as one of no-confidence, or that the main object which they have in view in supporting it has anything to do with party politics. From first to last it has been the determination of the Opposition that there ought to be a prompt inquiry into the causes of the late accident—not only as to the immediate cause, but also as to the remote causes—and they would have been content and satisfied if the Premier had risen at any time, and said that the Government intended to substantially carry out the object of the motion. They would have accepted such a statement even if it had been made to-night. But I am astonished, and I think all honorable members must be astonished, that the Premier, who was so ready to insist that the motion should be regarded as one of no-confidence, has taken the extraordinary and unparalleled course of moving the previous question. If we search through the whole records of parliamentary history, I do not believe that another instance can be found of the head of the Government insisting upon a motion being regarded as one of no-confidence, and then, after it has been proposed, moving the previous question. The course which the Premier has adopted is the greatest compliment which could be paid to the honorable member for North Melbourne. It is a full admission that the motion is well timed, and so trenchant that the Government cannot depend upon their supporters to vote against it—that they cannot allow it to go to a division in the present tone of public feeling without a certainty of defeat. This is another of the extraordinary exhibitions which we have had of late of the “backbone” of the

leader of the present Government. I don't think that any one could have imagined that, on a no-confidence motion, the Premier would shelter himself behind the previous question.

Sir B. O'LOGHLEN.—There is no sheltering.

Mr. BERRY.—There can be no sheltering behind anything if the Premier is not sheltering the Government behind the previous question. He is afraid to let the House go to a division, yea or nay, upon the motion submitted by the honorable member for North Melbourne. Every honorable member knows that moving the previous question is the approved parliamentary mode of avoiding a division on the main question before the House. The Government stand confessed, by the mouth of the Premier, afraid to take a vote upon the very proposition which they say is a motion of want of confidence. Grosser parliamentary cowardice has never been exhibited in any Chamber. Instances have occurred, when an inconvenient motion has been before the House, of a supporter of the Government rising and moving the previous question, but for the head of the Government to endeavour to shelter his Ministry behind the previous question, after insisting upon a motion being regarded as one of no-confidence, is unprecedented—is an act of cowardice which, I believe, has never been enacted in any other Chamber.

Mr. McINTYRE.—It is with the view of saving the time of the country.

Mr. BERRY.—Whether the House and the country, when they have time to think over the procedure, will approve of it remains to be seen. The other evening, when I took no part in the main debate, I asked the Government, shortly before eleven o'clock, if they would undertake to appoint a board or commission of independent citizens, free from any known political bias, to inquire into the causes of the accident, but the Premier, finding that the matter was not put as a motion of no-confidence—only as a suggestion—declined to take that course.

Sir B. O'LOGHLEN.—Until after the coroner's inquest was over.

Mr. BERRY.—The honorable gentleman declined to do so at once—promptly. Of course the honorable gentleman was bound to say—no one in his position could help saying—that a board should be appointed at some time or other, but the time when he contemplated its appointment was evidently when it was convenient, when the main features of the affair were forgotten, when

the public mind had become apathetic, and when the inquiry could be made with safety to the Government. The House cannot have forgotten that a similar promise was made after the Jolimont accident, but that no inquiry took place, and that no inquiry took place, and no report was made, in regard to the accident at Windsor. I think that honorable members have good reason to say to the Government—"We trusted to you twice; we are responsible as well as you; the political management of the railways is so impugned from one end of the country to the other that, in justification of our own position, in justification of the institution of which we are only the temporary trustees, we will see, at all events, what is the real cause of this accident." Was it caused by anything done by the Minister of Railways? I don't think it was—I don't say it was—but the Government by their action are saying that as plain as possible. ("No" and "Yes.") There is no understanding the action of the Government on any other basis than that they are afraid of an inquiry being made lest it should confirm what is said out-of-doors that the management—the political management—of the railways is so bad that it must be totally changed, and that an irresponsible non-political board must be appointed to take the management. Now is there any truth in this allegation? We never heard this before the advent of the present Government. The management of the railways was never seriously challenged in the same way that it has been challenged of late until the present Government took office. What right have we to condemn wholesale every Minister of Railways simply because there has been mismanagement during the last eighteen months?

Mr. GRANT.—What was the meaning of Sir James McCulloch's Bill?

Mr. BERRY.—Sir James McCulloch did what others have tried to do. I don't think the honorable gentleman agreed with Sir James McCulloch at that time, but it has always been a pet idea with certain politicians to create boards in derogation of the true functions of this House. It will always be popular with certain parties, who are themselves politicians of a most intense type, to say, "Don't let us have politics in connexion with the railway management," and who mean by that, "Don't let us have politics on both sides, but hand the railways over to us; we are politicians just as much as you are, but we would rather exclude half the politicians, and let the other half rule

supreme." Who is to give us a really non-political body? How are we to get it? Who are to be the choosers of it? Is the board which has just been appointed to assess the claims for compensation the kind of non-political board to be appointed to manage the railways? The Premier had the opportunity of selecting a board in which all parties could have confidence, and I wonder he did not avail himself of it, instead of nominating a board of the most intense and most selfish politicians that he could possibly select. If that is the honorable gentleman's idea of the non-political element which is to be vested with the management of the railways, what does it mean? It means riding roughshod over this (the opposition) side of the House, and the placing of all liberal opinions under a ban, in order that a privileged class in this country may rule in the only way in which they have been able to rule before, namely, by the creation of boards of management over which this House will have either no control or very limited control. The Premier says he has appointed learned counsel to watch the proceedings at the coroner's inquest on behalf of the Government, and he thinks that ought to be considered satisfactory.

Mr. GRANT.—To see that all the evidence is produced.

Mr. BERRY.—What are the functions of counsel in watching the case on behalf of the Government?

Sir B. O'LOGHLEN.—They are instructed by the Crown Solicitor.

Mr. BERRY.—The Premier said they were employed by the Railway department—by the Government. How do we know what may be the object of the Government? I am not making any charge; indeed, the demand for an inquiry precludes the idea of any charge being made. The object of an inquiry is to find out who is to blame. If the House knew who was to blame—if it knew exactly the wrong which brought about the accident—it would not demand an inquiry. There would be no necessity for an inquiry if the truth was known, because the House would know exactly where the blame was to be placed. If the motion of the honorable member for North Melbourne produces no further result, at all events the speech of the Premier to-night has vastly altered the situation. We are now told that the inquest will be resumed to-morrow, that it will go on from day to day, and that it will probably terminate in two or three days. If it does, the time when, in his opinion, an inquiry into the management

of the Railway department may be held will be brought very much nearer than the period he indicated last Thursday. On Thursday the Premier talked of an inquiry taking place about the middle of January—after the recess. We are now told that the Government, after having denounced the honorable member for North Melbourne, are going themselves to ask this House to appoint a select committee—what for? To express its want of confidence in them. The Government foreshadowed the nature of their proposed Railways Management Bill in the Governor's speech, and they have since introduced the measure, but their supporters in the press have told them that it will not do, and they are going to be obedient—the Bill is to be put into the waste-paper basket. The Government will not even trust themselves to frame another Bill, but, ever seeking safety, and knowing that the second reading of their Railways Management Bill confronts them with difficulty and danger, they coolly ask the House to be non-political, to get them out of the difficulty, and to decide on what lines the Bill shall be framed. I do not say that it is not a good course to adopt, or that it is one to which I am going to object; but I do say that it does not lie in the mouth of the Premier to speak in the way he did of the motion of the honorable member for North Melbourne, when he himself has indicated that he intends to propose a select committee to perform the functions of the Government, because they have not confidence in themselves. The Premier is the last man who would delegate any of his authority in this matter if he felt that he could safely guide the Railways Management Bill through this House. We have been told to-night that the honorable gentleman is going, not at any distant date, but almost immediately, to appoint a committee for almost identically the same purpose that he refused on Thursday to allow a committee to be appointed. I think that he cannot help refusing it now, but last Thursday he could very fairly have accepted it. Curiously enough, the honorable member condemned the management of the railways since he has been in office more emphatically, I believe, than it has been condemned by any other honorable member. He said that, taking the average number of railway accidents, the Victorian railways will compare favorably with the railways of any other country, and then he added that only lately—he might have stated that only since the present Government have been in office—

Mr. Berry.

have these extraordinary accidents taken place. The character of the Hawthorn accident is what has given rise to this debate. The Premier asked if we meant to say that the Government of the day have been responsible for every accident which has happened on the railways. Certainly not. If this had been an ordinary accident—an accident which it could have been seen at once arose from some mismanagement on the part of those immediately concerned—I don't suppose that anybody would have held the Government responsible for it, but the whole country is ringing with the curious nature of the accident. It has been justly said that it was not an accident—that it was almost prepared for. Although honorable members are asked not to debate the cause of the catastrophe, but to wait for the verdict of the coroner's jury, I think we have just reason to complain that the officials of the department, by repeated reports, are prejudging the whole case. The victim is selected, and evidence is being accumulated against him by his superiors, who are saying that he, and he alone, was the cause of the accident. The man is being written down by these reports in such a way as no man ever was before. Let honorable members look at the report signed by the Traffic Manager which was published in the newspapers on Saturday. A more consummate piece of special pleading to shelter the superior officers of the Railway department at the expense of a victim it has never been my experience to read. The report refers to the time-table for the special train from Box Hill, and admits that it ought to have shown that at Hawthorn the 6.7 p.m. train from Melbourne would be met. It admits that, to make the time-table perfect, that should have been shown, but in the next sentence it excuses the man who drew up the time-table. Has the framer of the time-table been suspended from duty? I think the Minister of Railways stated that he has not. I don't know the man, but I submit that it was altogether wrong to suspend the station-master at Hawthorn, and the guard and driver of the special train, who had their lives in their hands when they did what they believed they were doing for the best, and not to suspend the framer of the time-table, which the Traffic Manager admits was not perfect, because it did not show that the special train ought to wait at Hawthorn until the train from Melbourne arrived there. I will ask the particular attention of the Government to another matter which I think

is important. In his report Mr. Anderson states that it was the duty of station-masters, drivers, guards, and other officials to make themselves acquainted with the special time-table in connexion with the current service time-table. The same report says that the current service time-table for the month was framed and in the hands of the officials four days before the accident. That would be about the 28th November, when the current service time-table was the one for November. If the officials got the special time-table four days before the accident occurred, the only current service time-table which they had to compare it with was the one for November, and, as I showed the other night, the November time-table stated that the Hawthorn train from Melbourne was timed to leave at 6.3 p.m., and to arrive at Hawthorn at 6.14. The special train from Box Hill was not due at Hawthorn until 6.21 p.m., so that there was a margin of seven minutes. Was not that margin enough to lull these men to sleep? Did the officer who framed the special time-table know that there was going to be an alteration in the December time-table before the day appointed for the special train? Did he draw up the special time-table in accordance with the November service time-table? Of course he did; and that is why he did not mark on the special time-table that the train from Melbourne to Hawthorn would be at Hawthorn before the special train from Box Hill would pass Hawthorn. Are these matters to be hushed, or kept back, for any length of time? I say they ought not to be. What reason is there why the whole truth should not be known at once? How is the coroner to know these things? The facts, however, ought to be inquired into without any delay. It is a matter of notoriety that the guard and driver of the special train, the station-master at Camberwell, and others, discussed this extraordinary special time-table, and what was to be done. Why did the Camberwell station-master volunteer his advice as to what the driver of the train should do at Hawthorn if he was not in doubt as to whether the special time-table should not have directed the train to stop at Hawthorn until the one from Melbourne arrived there? The whole feeling of the House is that a full, perfect, and thoroughly honest inquiry should take place. That is all I want.

Mr. BENT.—That is what we want.

Mr. BERRY.—But the inquiry ought to be made before the matter is prejudiced by any verdict of the coroner's jury. Any one who reads the Traffic Manager's report must be convinced of the necessity for an

immediate inquiry. The cause of the accident may have been gross negligence on the part of some officer in not conveying to the gentleman who drew up the time-table for the special train the fact that there was going to be an alteration in the ordinary time-table.

Sir B. O'LOGHLEN.—The same man drew up both.

Mr. BERRY.—I have no desire except to elicit the truth, but I should have thought that there would be a division of duty. I should have imagined that the drawing-up of the time-table for the special train would have some other supervision than that of the man whose duty it was to perform the important work of revising the time-table for the whole of the trains run on the various railways. Supposing there is no division of responsibility, inquiry becomes all the more necessary.

Mr. BENT.—That is a question to be inquired into at the inquest to-morrow.

Mr. BERRY.—But the report to which I refer sheets home the blame, like the verdict of a jury, to one man; and also to two others who, as I have said already, carried their lives in their hands, and, therefore, it is to be supposed, could not be either careless or reckless with regard to what might happen. I may say that if this matter could be settled without the slightest political feeling and without any political results, I would be delighted. I speak within the knowledge of gentlemen who sit around me when I say that there was not the slightest intention or design to make the motion a motion of no-confidence. If we desired to table a motion of no-confidence, we could heap up charges against the Government tenfold greater than it is possible to do under a motion such as this, even supposing the Minister of Railways is to blame. But there is no charge against the Minister of Railways except that which I believe is endorsed by honorable members on both sides, that he has probably interfered in matters which no Minister of Railways ought to interfere with—that he has done small work.

Mr. BENT.—Prove it.

Mr. BERRY.—I am not even stating it.

Mr. BENT.—It is simply a slander, and is made because I took off my coat to help the people who suffered by the Jolimont accident.

Mr. BERRY.—The Minister of Railways has himself admitted that he filled up the culvert at Jolimont on his own motion.

Mr. BENT.—I said I gave directions for it to be filled up.

Mr. BERRY.—The Minister took the credit, or at all events the responsibility, of doing that on his own motion.

Mr. BENT.—Not at all.

Mr. BERRY.—I don't wish to say anything hurtful to the honorable member, but he makes a point of always denying everything. However, it is within the knowledge of a large number of honorable members that the Minister of Railways took credit to himself for deciding upon filling up the Jolimont culvert, and giving orders that it should be done.

Mr. BENT.—Subject to professional advice, of course.

Mr. BERRY.—I mention this as a type of the kind of interference which the public believe that the Minister of Railways, perhaps always with the best intentions, indulges in. If he confined himself to the proper functions of his office—if he simply had reports brought to him by various officers, and dealt with them as other Ministers would deal with such documents—what would the honorable member have to fear from any inquiry?

Mr. BENT.—I want one.

Mr. BERRY.—If the Railway department had instituted an inquiry by means of its own officers—experts in whom the country has confidence—I don't think the House would have heard anything of the present motion. But no action of that sort has been taken. When the suggestion was made for the appointment of such a board, the Premier refused to appoint one until the coroner's inquest had closed, which may not be for two months. And supposing the verdict of the coroner's jury should be one of manslaughter against some person, won't the Government be urged, with tenfold force, not to go on with an independent inquiry until that man has been brought to trial before another tribunal? Then where shall we be? If the coroner's inquest result in a verdict of manslaughter, the inquiry now asked for, if not taken in hand by the House in the way suggested by the motion, may be hung up for two or three months. In view of the long vacation, a trial for manslaughter cannot be proceeded with until after February.

Sir B. O'LOGHLEN.—In February.

Mr. BERRY.—That means that the real inquiry for the safety of the public must be put off for three months. If the House would appoint a committee, it might pass a vote of confidence in the Government immediately afterwards, and I would offer no objection. What is wanted is not the

removal of the Government, but a full, fair, and thorough inquiry by this House while the facts are patent. Before its hands are tied by any other inquiry, it is the duty of the House, as the highest tribunal in the colony, and as having the direct control of the railways, and as being answerable to the country in a way that no other body is answerable, to institute such an inquiry; and, if we fail to make it in the spirit indicated, the verdict of the country will be that we failed in our duty at the time of trial.

Sir J. O'SHANASSY.—Sir, the angry spirit in which this simple motion has been accepted by the head of the Government does not, in the smallest degree, affect my view of the question. If the Government desire, at any time, to prevent such an inquiry as is sought by the motion, all they have to do is to raise a political issue, and thus to paralyze the action of the House. I do not approve of that kind of proceeding, and, to show that I do not preach what I have not practised, I may mention that when I was at the head of the Government in 1861, Mr. Frazer, an avowed opponent, moved for a select committee to inquire into the working of the Police department, a department under my control, and I cheerfully acquiesced in the proposal and allowed my name to be on the committee. Now, if it is competent for the House to demand inquiry with regard to such a body as the police force, surely it is equally competent for the House to demand inquiry into the circumstances of an accident altogether unprecedented in connexion with our railways. I want to know why in connexion with a motion for such an inquiry, which will practically be of a judicial character, honorable members, either on one side or the other, should become excited; or why political feeling should be aroused? Is it not extraordinary that we cannot proceed to institute, in a judicial spirit, an inquiry into the circumstances of a railway accident without the proceeding being turned into a party question? When I saw the motion of the honorable member for North Melbourne (Mr. Munro), I read it in a totally different manner. I noticed that he did not name his committee, and, therefore, he need not necessarily be a member. If the motion were put this moment from the chair and agreed to by the House, and a ballot taken, it does not at all follow that the honorable member for North Melbourne would be on the committee.

Mr. DUFFY.—As the proposer of the motion, he must be on the committee.

Sir J. O'SHANASSY.—Supposing he must, the House will have complete control over the other six members. The Premier has made, to-night, a statement totally different from a statement which he made last week. He has intimated that he himself will move, at a given period, for a committee to inquire into the best mode of managing the railways in the future. But last Tuesday the Minister of Railways introduced a Bill for the better management of State railways, arranging that the second reading of the measure should be taken a fortnight afterwards. Now I assume that the Ministry had then made up their minds as to what the Bill should contain; and, therefore, I am at a loss to understand why they should have put off the second reading for fourteen days. The Ministry were prepared to go on with the Bill as soon as the accident at Hawthorn happened, or they were not. If they were prepared, why should they now change sides, and seek to shift upon a committee of this House the responsibility of devising how the railways shall be managed for the future? And if the Ministry are willing that a committee shall be appointed to ascertain the best mode of dealing with £25,000,000 worth of property, might they not with equal readiness concede the committee asked for by the motion? What is the difference between the two?

Sir B. O'LOGHLEN.—Everything.

Sir J. O'SHANASSY.—The motion contemplates inquiry into the special circumstances attending the collision at Hawthorn; and that is only natural. One reason why I am anxious for immediate inquiry is that I entertain a strong conviction from what I saw of the papers that came before the select committee on the case of the Minister of Railways early in the session—papers which, in several instances, bore marks in blue pencil and erasure marks—that it is not a wise thing to allow much time to elapse without impounding the official records connected with this matter. And here I must say that I think it very singular that the whole of the correspondence in the Railway department connected with the recent accident, which practically belongs to the Ministry, but not for publication until it is laid before this House, or a select committee of the House, should be published in the newspapers. I say that is not carrying on the management of a department in a proper manner, and particularly when the papers show a disposition on the part of officers to complain of their fellow officers, and to shift responsibility from one

to the other. By this course of conduct, the case is prejudged already. Under such circumstances, I would like to know of what value the coroner's inquiry will be so far as Parliament is concerned?

Sir B. O'LOGHLEN.—The witnesses can be cross-examined on oath.

Sir J. O'SHANASSY.—But to suppose that the statements of officers will vary because they are cross-examined on oath is to suppose that which is simply impossible. It is not at all likely that such an officer as the Traffic Manager would give before the coroner's jury a different statement from that which he has written. Therefore, I say that to put forward the coroner's inquest as any reason for stopping inquiry by this House is a thing not to be thought of. Then, again, why should it be supposed that a committee chosen by this House would not have the prudence, when they went into their committee room, to proceed with a branch of the inquiry not at all affecting the question under the consideration of the coroner's jury? Could they not endeavour to ascertain whether there are not good grounds for a change in the management of the railways? The Premier has endeavoured to meet the case by moving the previous question. But what is the meaning of that proceeding? The carrying of the previous question merely postpones the motion to some other day. It does not discharge the motion from the paper.

Sir B. O'LOGHLEN.—Yes.

Sir J. O'SHANASSY.—I will ask the Speaker whether the previous question does not get rid of the motion only for the present?

Sir B. O'LOGHLEN.—The previous question means that the motion be not now put. If the House decides that the motion be not now put, it disappears from the paper.

The SPEAKER.—The form in which the previous question is put to the House is—"That the question be now put." The object in proposing the previous question is to stop discussion.

Sir J. O'SHANASSY.—Does it get rid of the motion on the paper?

The SPEAKER.—Yes.

Sir J. O'SHANASSY.—But I presume the motion can be put on the paper again when the honorable member for North Melbourne pleases, so that the carrying of the previous question will really only postpone the motion. The Premier has laboured to-night to anticipate the decision of the committee upon the question of railway management. He says that the system in operation

here is exactly the same as that in operation on private railways in England, but there never was a greater fallacy. In the first place, the chairman of the board of directors of an English railway company is not chosen as a Minister of Railways is chosen here. The present Minister of Railways holds his office simply because it was assigned to him on the formation of a scratch Ministerial team. So that in their initiation the two systems are totally different. Without any disrespect to the Minister of Railways, let me ask would any railway chairman in England be chosen as he was, or would any railway company intrust to him the management of their property? From the first the propriety of railways being made by the State was admitted, for the reason that private enterprise and capital were not available for the purpose, but it was also admitted that, when the railways were made, the sooner the management of them was taken out of the hands of the Government the better. The result has justified all the expectations which were entertained on that head. The present Minister of Railways evidently considers himself not only the political head, but an authority on engineering, traffic management, and indeed everything connected with the conduct of the railways. He has proved that by his action during the time he has held office. When it is said that the honorable gentleman is not responsible in any degree for any accident which may occur, I say my common sense is trifled with. If he had not interfered to the extent he has, there would be no difficulty in fixing the proper responsibility upon the proper officers; but the honorable gentleman has intermeddled, and I think I may safely say he has muddled. It has been said over and over again that the collision at Hawthorn cannot be justified by the circumstances. During the administration of Mr. Elsdon there was perfect freedom from accident on the suburban lines; and if the conduct of the traffic on the suburban lines had been continued in an independent manner by a proper officer, we might still have been free from accident, except perhaps such an accident as that which occurred at Jolimont, and which was brought about by defective carriage wheels. However, since the suburban lines became the property of the State, great irregularities have gone on, and they are going on at this moment. On these grounds, and seeing that there is no difference in principle between the intentions of the Government and the motion of the honorable member for North Melbourne, I shall vote for the

inquiry which that honorable member asks for.

Mr. FRANCIS.—Sir, there is one thing upon which I think we are all agreed, and that is the necessity for the elucidation of the truth. I consider that the coronial inquiry should not extend to an investigation of the administration generally of the Railway department, but that it should be limited to ascertain the cause of death, and who was accountable for the death, of the unfortunate gentleman who was killed by the collision at Hawthorn.

Mr. LAURENS.—The coroner has no right to go further.

Mr. FRANCIS.—But I saw a statement in the newspapers to the effect that the coroner considered it to be his duty to make the inquiry of the broadest and fullest description. No doubt, whether the recent railway accident had happened or not, public feeling, having become thoroughly alive to the necessity for inquiry into the administration of the Railway department, would have caused Parliament to institute such inquiry. The necessity for some such course was even admitted by the Government by their having on the paper a Bill for the better management of the railways. Under these circumstances, I don't see why there need be any postponement of the inquiry which the Government desire to undertake, and which, in my opinion, might be prosecuted at the same time as the coronial inquiry. I don't see why the two inquiries should not be commenced together, or why they should not be kept clear of each other. There is no reason why they should clash in any way. I believe that the Government generally, and the Minister of Railways in particular, are fully impressed with the importance of a thorough inquiry into the management of the Railway department with a view to thorough reform. I am of opinion that the Railway department, or any department which partakes of a commercial character, should not be controlled by a single Minister. So long as it is controlled by a single Minister, the matter of departmental appointments and promotions must be subject more or less to political influence; and that I regard as unhealthy and undesirable. It is only by losing his temper or the prestige of his Government that a Minister dare say "No" to the applications of political supporters. The Minister of Railways has been charged, in the course of this debate, with sending a circular in reference to appointments to the members of the Opposition

Sir J. O'Shanassy.

with the view of currying favour with them. I know nothing of such a circular, but I do know that a year or two ago, when I first became member for Warrnambool, I received a circular from the Postal department, intimating that a messenger was wanted in the post-office at Warrnambool, and asking me to nominate a lad for the position. I have since received other communications of a similar kind, and my practice has been to send them to the Mayor of Warrnambool, to request him to make the recommendations asked for, and then to forward his recommendations to the Postmaster-General. With these facts within my knowledge, I consider it unjust to blame the Minister of Railways for appointments which he necessarily cannot know much about, and for information with respect to which he must depend largely upon the officers of his department. There can be no doubt that in the matter of appointments the hard lines of business competency and commercial desirability ought to rule irrespective altogether of politics. I have every respect for the acuteness of the Minister of Railways. I believe he has given most unflinching and most active attention to his duties. At the same time I am inclined to think that he undertakes too many things, all of which cannot properly be attended to by one man. I consider there is precedent for such an inquiry as that which the honorable member for North Melbourne (Mr. Munro) seeks in the inquiry instituted by the Legislative Council with reference to the causes of the Jolimont accident. However, that inquiry stopped short because the most essential witness, the late Engineer-in-Chief, who had left the colony for Sydney, refused to return to give evidence, and that not in the most courteous way. I admit that, for many years, Mr. Elsdon was the most active and sagacious manager and chief engineer of the Hobson's Bay Company's lines; but when that gentleman was called upon to take the control of the whole Railway department—an office involving duties fifty times as onerous as those which he had to perform in connexion with the Hobson's Bay lines—there is no doubt that he had more to do than he could properly manage. In the same way, I think, the present Minister of Railways has attempted to do more than any one person should be called upon to perform. Reverting to the question immediately before the chair, I say it must not be left to the coroner to inquire into the management of the Railway department or the action of the Government. I think the

Premier should give the House the assurance that directly, or as soon as possible after, the coroner's jury have brought in their verdict, the inquiry which he contemplates shall be commenced.

Mr. BENT.—That is what he did say.

Mr. FRANCIS.—Of course, the matter must not be postponed indefinitely; and, therefore, I hope the Premier will make it manifest that he does not intend that there shall be one hour's necessary delay. I shall support the Government as far as I can. I must take exception to the mode and the manner in which inquiry is asked for by the honorable member for North Melbourne. I consider that we ought not to dictate to the Government the order of their business—when it should be done, or how it should be done. I have been pleasingly gratified with the wonderful forbearance and self-control which the Premier has displayed this evening. I could hardly have thought that an Irishman would be able to keep his temper under such command. In conclusion, I must deprecate all attempts to make political capital out of an accident which is universally deplored, and which we are not at all justified in assuming was the result of any mismanagement.

Mr. LONGMORE moved the adjournment of the debate.

Sir B. O'LOGHLEN expressed the hope that a division would be taken that night, so that the Legislative Council might be able the following day to sit and continue the examination of witnesses in connexion with the Railway Bill.

Mr. LONGMORE remarked that there were seven or eight members who wished to speak, and it would be impossible to close the debate at that sitting.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until the following day.

The House adjourned at seventeen minutes past eleven o'clock.

LEGISLATIVE COUNCIL.

Wednesday, December 13, 1882.

Representation of the Nelson Province: Resignation of Sir Charles Sladen—Motion of No-Confidence in the Ministry: Adjournment of the House.

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

SIR CHARLES SLADEN.

The PRESIDENT announced that he had received a communication from the private secretary to the Governor, intimating that His Excellency had received the resignation by Sir Charles Sladen of his seat for the Nelson Province. The President also stated that he proposed to issue, on the following Saturday, a writ for the election of a member to supply the vacancy.

The Hon. F. S. DOBSON.—Mr. President, it would be unbecoming, after the announcement you have just made, if I were not to offer a few words with reference to the loss this House and the country have sustained by the retirement of Sir Charles Sladen from active political life. Sir Charles Sladen was personally known to almost every member of the Council, and he was not only an acquaintance, but a warm friend, of all of us who sat with him as his fellow members. I do not think that, throughout his long political life, the wildest rumour the most slandering portion of the press could produce ever attributed one dishonest action to that gentleman. His life has been a model of what a politician's life ought to be. He is one we may all look up to as an example of political honesty, integrity, and uprightness. The younger members of the House can hardly be aware of the immense pains he took, both when he was in office and when he was a private member, to master the details of all the measures that came before this Chamber. He did so at the cost of much personal labour, and the result was great advantage to all of us. We shall miss him greatly. Indeed, I know not how we can replace him as the House is at present constituted. I think I am only expressing the sentiments of every honorable member here when I utter the hope that Sir Charles Sladen's declining years will be passed in happiness and health. As long as he remains with us he will possess not only our respect but our warm affection.

The Hon. J. A. WALLACE.—Sir, I would not like to sit here after the announcement of the President, and the remarks of the Solicitor-General, if I did not take advantage of the occasion to say what I know about Sir Charles Sladen. That honorable gentleman always did his very utmost here to carry on the business that came before us. I am sure a more conscientious man never entered this Chamber. I am extremely sorry to think that he is incapacitated from attending the House, and I am convinced that we all wish most heartily that he will recover from any sickness that has come

upon him, and that we may one day see him again amongst us.

The Hon. F. E. BEAVER.—Mr. President, I wish, as one of the younger members in the House, to endorse all that fell from the Solicitor-General with respect to Sir Charles Sladen. Some honorable members may not be aware that I was a member of the original Legislative Council of the colony, and that I also sat in the first Legislative Assembly elected under the Constitution Act, and I may add that during the whole of the time I was then in Parliament Sir Charles Sladen held the position of Treasurer. Under those circumstances I had the opportunity of knowing him, and in consequence all that Dr. Dobson has said I can say too. Although opposed to Sir Charles Sladen, perhaps very much, in politics, I have always respected his opinions, and regarded him as an honest straightforward politician, and I think this House has sustained a severe loss by his resignation.

The Hon. W. A. ZEAL.—Sir, as one who enjoyed the acquaintance of Sir Charles Sladen for a short time, and who has been familiar for many years with his career as a public man, I beg to offer my testimony to the greatness of the loss the Council and the country have sustained from his retirement. He was a straightforward politician, and every honorable member will bear me out in adding that he was also a chivalrous high-minded gentleman. I will say further, that I think we ought to go a little beyond mere words on this occasion. I would like to see some step taken to convey to Sir Charles Sladen personally the high respect in which we hold him. If one of the older members would move in the matter, I am sure he would receive unanimous support. The compliment I have in view would only be one that has been well earned. Perhaps Mr. Graham will take up the suggestion I have thrown out.

The Hon. J. GRAHAM.—Mr. President, I am not aware that it is customary to make occasions of the present sort the subject of a vote of the House, but, if it is thought that such a step should be taken, I shall be only too happy in proposing it.

The PRESIDENT.—I think it would be well if honorable members took time to consider Mr. Zeal's suggestion further, in order to ascertain if there are any precedents bearing upon the subject. I shall be prepared on the next day of meeting to state if there are precedents for voting an address to a retiring member, or for placing

an expression of opinion with respect to him upon the records of the House.

Dr. DOBSON.—The Government will be very happy indeed to take part in any movement of the kind mentioned, provided it is in order.

The subject then dropped.

PETITIONS.

Petitions were presented by the Hon. C. J. HAM, from the Mayor of Melbourne, on behalf of a public meeting of citizens, praying the House to pass such a measure as might be necessary to place the railways of the country under safe and efficient management; and by the Hon. D. C. STERRY, from residents in the shire of Mount Franklin, in favour of the proposed railway from Creswick towards Daylesford being extended to Daylesford.

THE MINISTRY.

The Hon. F. S. DOBSON said that, inasmuch as the Assembly was still engaged in discussing a motion of want of confidence in the Administration, he would not ask honorable members to proceed further with business that evening, but he would simply move the adjournment of the House until the following day.

The Hon. J. LORIMER suggested that the House should adjourn until Tuesday. It was scarcely probable that the want of confidence motion would be disposed of before late on Thursday evening.

After some discussion,

Dr. DOBSON said the Government were anxious to get on with the Railway Bill, but, inasmuch as honorable members appeared to be strongly of opinion that if they met next day no business would be done, he begged to move that the House, at its rising, do adjourn until Tuesday.

The motion was agreed to.

The House adjourned at six minutes to five o'clock, until Tuesday, December 19.

LEGISLATIVE ASSEMBLY.

Wednesday, December 13, 1882.

Public Instruction: Vere-street (Collingwood) School—Mining Disaster at Creswick—Melbourne Gaol—Public Service—Forest Conservation—Bacchus Marsh Railway—Gunbower Creek—Locomotives—Evasions of the Factories Act—Railway Management: Collision at Hawthorn: Want of Confidence in Ministers: Mr. Munro's Motion: Second Night's Debate.

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

PUBLIC INSTRUCTION.

Mr. MIRAMS asked the Minister of Public Instruction whether he would dispose of the old school premises and land at Abbotsford, and dedicate the funds which might be realized to the enlargement of the Vere-street School, Collingwood, which had, at present, an attendance of 720 children—a number largely in excess of the accommodation?

Mr. GRANT, in reply, read the following memorandum from the Secretary for Education:—

"It is not proposed to dispose of the land at Abbotsford, as it is not impossible that, in the course of a year or two, another school may be required in the locality, either on this site or in some neighbouring one for which this might perhaps be exchanged. In the meantime, the enlargement of the Vere-street School (Collingwood), so as to accommodate 280 additional children, will be proceeded with as soon as the proceeds of the loan are available. The building on the Abbotsford site will be utilized for the present, if necessary, in connexion with Vere-street, and, when no longer required, sold."

MINING DISASTER AT CRESWICK.

Mr. JAMES called attention to a disaster which had occurred at the New Australasian mine at Creswick, and asked the Minister of Mines whether he had any information to impart to the House with respect to it?

Mr. BURROWES read a telegram indicating the progress which had been made in the operations for the relief of the men imprisoned in the mine, and stated that, the previous night, a diver was despatched to Creswick by special train. That morning, he received a telegram asking that 2,000 feet of hose should be forwarded, and he had done what he could to comply with the request.

PETITIONS.

Petitions were presented by Sir C. MAC MAHON, from the Melbourne Chamber of Commerce, in favour of the speedy passage of the Melbourne Harbour Trust Act Amendment Bill; and by Mr. WALKER, from a public meeting of residents of Hawthorn, praying for the adoption of such measures as might be necessary to place the State railways under safe and efficient management.

MELBOURNE GAOL.

Mr. ZOx asked the Chief Secretary whether he would take into consideration the desirability of removing the Melbourne Gaol from its present site? He had always regarded the gaol as an eyesore. It was a

hindrance to the progress of the locality in which it was situated. Its removal would save the State a large amount of money, and would cause little inconvenience, because, now that railways were being extended all over the colony, the country and other gaols could be utilized to a far greater extent than they had been hitherto.

Mr. GRANT said there was no present intention of removing the Melbourne Gaol, but he was willing to consult his colleagues on the subject.

PUBLIC SERVICE.

Mr. WRIXON inquired of the Premier whether the Government were prepared to advise the issue of a commission to inquire into and report upon the whole subject of civil service reform? He scarcely hoped that the select committee he had moved for would be appointed in time to be effective, but if the Government would appoint a commission something might be done during the recess. The commission might perhaps include the names of members of the Legislative Council whose experience would be useful in connexion with such inquiry.

Sir B. O'LOGHLEN stated that, if the select committee was not appointed in sufficient time to proceed with the inquiry this session, the Government would appoint a Royal commission.

FOREST CONSERVATION.

Mr. BARR asked the Minister of Public Works if his attention had been called by the Maryborough Mining Board to the wholesale destruction of iron-bark trees in that district for the sake of the bark, and if he would take steps to prevent the same; also, if he would give consideration to the board's suggestions for the conservation of forests by the creation of forest boards?

Mr. C. YOUNG replied to the question by reading the following memorandum:—

"I received a letter from the Maryborough Mining Board on the subject in question on the 7th inst., and forwarded it the same day to the Chief Commissioner of Police, with a request that he would instruct the police bailiffs at Inglewood and Tarnagulla to inquire into the complaint, and, if facts are as stated, to report why destruction was allowed. The offenders should have been prosecuted. The falling off in the supply of wattle bark has caused tanners to use iron-bark, but in all cases in which it has been ascertained that iron-bark trees on Crown lands were being felled for the purpose only of obtaining bark, the bark has been seized and the offenders prosecuted. With a view to the better protection of the iron-bark timber, an Order in Council was obtained on the 2nd ult., for the insertion of a condition in wood-cutting licences prohibiting holders of licences from using any trees for the purpose only of obtaining bark.

The Crown lands bailiffs have been instructed to enforce the regulation. Several convictions have been obtained.—D. E. MARTIN."

Mr. BARR said the Minister had not answered the latter part of the question.

Mr. C. YOUNG said he could see no possible advantage that would arise from the creation of forest boards. Many of the persons who would be members of such boards were persons resident on the gold-fields, who had made repeated applications to the Government to reduce the size of the timber authorized by wood-cutting licences to be removed. But were that done, the forests would be denuded—no young trees would be left; saplings would be cut down for props. Forest boards had not worked well in the past, and he did not see what public advantage would be gained by reviving them.

BACCHUS MARSH RAILWAY.

Mr. DEAKIN asked the Minister of Railways whether the contractors for the Bacchus Marsh Railway intended to carry out their contract, and whether the line, as far as Melton, could be opened within the next six months? The portion of the line from Footscray to Melton was over level and easy country, and could be constructed in much shorter time than the remainder of the line, which presented some engineering difficulties.

Mr. BENT stated that, the lowest tenderer for the Footscray and Bacchus Marsh Railway having signified his intention not to proceed with the contract, he (Mr. Bent) asked the Engineer-in-Chief to call for fresh tenders, subject to the condition that the line as far as Melton should be completed within six months. However, the Engineer-in-Chief was of opinion that the Melton section could not be constructed in less time than twelve months, and provision that that limit would be adhered to would have to be made in the new tenders, which would be advertised for immediately.

GUNBOWER CREEK.

Mr. McCOLL asked the Minister of Water Supply the following questions:—

"1. If it is a fact that there is no water in the Gunbower Creek to supply the centrifugal pump on Mr. Booth's station; and also that within a quarter of a mile of the pumps there is a weir with water 16 feet deep, extending for miles?

"2. Will he authorize the use of a syphon-pipe to convey water to the irrigation works?"

Mr. C. YOUNG said he did not know whether it was a fact that there was no water in the Gunbower Creek. (Mr. McColl—"I know it is a fact.") Then the honorable

member need not question him on the subject. Further, he did not know that there was a weir, with water 16 feet deep, within a quarter of a mile of the pumps; but he knew Mr. Booth to be a man who was thoroughly master of his own business, and who would not be restrained by any false delicacy from seeking the assistance of the Water Supply department if he needed it. As no request had been forwarded to the department, he (Mr. Young) could not avoid the conclusion that the honorable member for Mandurang (Mr. McColl) had discovered a "mare's nest."

LOCOMOTIVES.

Mr. FINCHAM inquired of the Minister of Railways what distance the wheels of locomotives were supposed to run before they needed repair, and what number of wheels supplied to the Railway department during the last two years failed to run the required distance before they were sent to the workshops for repair?

Mr. BENT, in reply, read the following memorandum from the Locomotive Superintendent:—

"The distance depends upon the class of railway the engine runs upon, quality of ballast, width of rail, diameter of wheels, &c. There is no required distance. There have been 20 engines received during the last two years, two of which have required to have their wheels 'trued up,' and one with a defective wheel."

FACTORIES ACT.

Major SMITH asked the Chief Secretary if he would instruct the police to take proceedings against any employers in Balarat who evaded the Factories Act No. 466 by keeping employes at work beyond the prescribed hours?

Mr. GRANT stated that the duty of enforcing the provisions of the Act devolved upon the local board of health, and they had been unsuccessful in the proceedings they had taken because of the refusal of employes to give evidence. However, he would again call the attention of the local board to the matter.

RAILWAY MANAGEMENT.

COLLISION AT HAWTHORN.

The whole of the business standing in the names of private members having been postponed, the debate on Mr. Munro's motion for a select committee "to inquire into the management and working of the Railway department, and especially to report on the whole circumstances relating to the recent disastrous occurrences at Hawthorn," and on

Sir Bryan O'Loghlen's amendment for the previous question (adjourned from the preceding evening), was resumed.

Mr. LONGMORE.—Mr. Speaker, I think it is only necessary for honorable members to look at the terms of the motion to realize that no Government could do otherwise than accept it as a motion of no confidence. The first object sought by the honorable member for North Melbourne (Mr. Munro) is inquiry, not into the disaster at Hawthorn, but into the management and working of the Railway department, and therefore I don't know why any honorable members should be surprised at the Government accepting the proposal as they have done. However, I agree with those honorable members who state that an inquiry such as the Government contemplate—an inquiry with the view of finding out the cause of the collision at Hawthorn—should take place at the earliest possible opportunity. An inquiry into the management of the railways can wait until a more convenient season. I don't see why an inquiry of that kind should be rushed at a moment's warning. There are many things connected with the management of the railways which, if we are to have a select committee, can be inquired into a month hence just as well as now. Therefore it seems to me unreasonable to seek to hurry on such an inquiry while the coroner's inquest is being held. Allusion has been made during this debate to the public meetings which have taken place with reference to the recent disaster. I have read the speeches which have been delivered, and I find, in the first place, that the promoters of those meetings are particularly careful to intimate that they have no desire to make their movement hostile to the Government; and, in the second place, that they demand that an alteration in the conduct of the Railway department should be made instantly, and that a board of management should be appointed. Now I quite agree with the honorable member for Geelong (Mr. Berry) that all this vapouring is simply indulged in for a purpose, and that is to get a conservative board appointed to manage the railways for all time. ("No.") I assure the honorable gentleman who says "No" that, when he has been a member of this House as long as I have, he will see that bogus frights are frequently made use of for party purposes, with the result that the real question at issue is lost sight of. The honorable member for North Melbourne says that "the whole country" cries "shame" on the management

of the railways ; but I travel on the railways as much as other honorable members, and I assert that "the whole country" is not crying anything of the sort. I don't hear of it as a common topic of conversation in the carriages more than any other subject. I see no people travelling by omnibus or by car in preference to railway in consequence of the collision at Hawthorn. The railways are crowded just as much as ever. The public have sense enough to know that accidents will occur under the best regulated railway management that we can possibly have. Therefore I don't see why statements which do not represent the actual facts should be made in this House, merely to make honorable members believe that there is, in the country, a feeling about the matter which really does not exist. If the collision—I don't call it accident, because the thing should not have occurred—had taken place in a country district, instead of at Hawthorn, we would not have heard half so much about it. I say that the way in which the disaster has been used by a party to press forward their own views in this House is absolutely shameful. It will be time enough for this House to move in the matter when we find out the cause of the collision. There is no use in honorable members trying to shelter this, that, or the other man ; somebody must be to blame, and that somebody ought to be brought before a proper tribunal. The coroner's inquest, which will be over in a short time, may actually point the finger at those who are to blame. The coroner's inquest will deal straight with the faulty time-table which was placed in the hands of officers of the Railway department, and will ascertain whether that faulty time-table helped to bring about the disaster. I suppose the accident which took place at Creswick, yesterday morning, is one that no human foresight could have avoided. I presume a strict inquiry will be made forthwith into the circumstances connected with that accident. The country cannot afford to sit silent before the sacrifice of the lives of 20 or 25 men.

Major SMITH.—There will be no delay in that case.

Mr. LONGMORE.—Of course the coroner's inquest will be held immediately, and is not that the case with respect to the railway collision ? I think it a piece of exceedingly bad taste for the honorable member for Ballarat West (Major Smith) to make the statement he has. The matter is too serious to be jested about.

Major SMITH.—I was not jesting.

Mr. LONGMORE.—The honorable member ought to realize that the country demands that human life shall not be sacrificed carelessly or even cautiously on our railways, in our mines, or anywhere else. The honorable member for North Melbourne has referred to the action taken in another place with regard to the Jolimont accident. But I never heard of the Government of the day accepting a resolution of the other Chamber as a vote of no confidence. What are we coming to that the honorable member should demand that the Government should accept such a resolution as a vote of no confidence ? I hope our constitutional liberties are in better keeping than to induce any one to suppose that any Chamber outside this House can have a potential voice in the making and unmaking of Ministries. The honorable member, with great vehemence, has said that he will demand a division so that the country may know how every one votes on this question. Well, I am going to vote against the motion, and I will tell the honorable member why. In the first place, I don't want any calamity that may befall our fellow men to furnish an excuse for tabling a motion of no confidence in the Government who possibly have not had the slightest thing in the world to do with that calamity. There are questions of public policy with respect to which an honorable member has the right to propose a motion of no confidence in the Government ; but this is not one. To submit a motion of no confidence in relation to a question of this sort is only to render a political party ridiculous. I may tell the honorable member for North Melbourne, once for all, that I don't think the liberal party is going to follow his lead. The honorable member altogether miscalculates his position in this House when he jumps upon the floor and demands that honorable members shall follow his lead. The honorable member says—"I am the leader of the opposition side of the House, and I will push my motion to a division ; I am determined that the country shall know who votes against me." Who is the honorable member that claims to be our leader ? He came into this House on the lines of the liberal party, to help the liberal party, and to do all he could for it. He came into the House for that purpose alone.

Mr. MUNRO.—I came in as the follower of Mr. Francis.

Mr. LONGMORE.—During the time that the first Berry Government were in office, the honorable member sat with the

liberal party, and voted with them on every occasion until a test vote came.

Mr. MUNRO.—I did not.

Mr. LONGMORE. — The honorable member was in the House when the first Berry Reform Bill was introduced, and he voted for the first and second readings of that Bill, and spoke in favour of the measure at every possible turn.

Mr. MUNRO.—That is simply untrue. I never said a word in favour of the Bill.

Mr. LONGMORE. — The honorable member voted for the Bill, and the honorable member for Geelong (Mr. Berry), when he was stuck up and could find no way of getting the measure passed, proposed an embassy to England. That was the turning point with the honorable member for North Melbourne, who voted against the embassy.

Mr. MUNRO.—Certainly; I never believed in it.

Mr. LONGMORE. — The honorable member spoke and voted for the second Reform Bill. He voted for the second reading of that measure, but, when the third reading came on, he moved that the order of the day for the third reading be discharged, with the view of getting the Assembly to accept the Council's Reform Bill. That is the way in which the honorable member has served the liberal party. I can understand an open opponent, but I don't like a "snake in the grass." I don't like a man who comes behind as an assassin of the party. I like to see a plain open enemy in front, but the honorable member never was that. He was the hand that struck from behind on every important occasion.

Mr. MUNRO.—As you do now.

Mr. LONGMORE. — The honorable member, I repeat, voted against the third reading of the second Berry Reform Bill with the view of getting the Council's Bill passed in its stead, and what did he afterwards do? He resigned his seat, as the great man of this House, and went before his late constituents, the electors of Carlton. He was again elected, and when he returned to the House he metaphorically drew his coat on the floor of the chamber, and exclaimed—"Who is the man that will tread on the tail of my coat? You had not a man to send against me; your Reform Bill is gone." He was then dubbed the arch-traitor of the liberal party. I called him a traitor straight out, and I do so now.

Mr. MUNRO.—And I return the compliment.

Mr. LONGMORE.—The liberal party became broken up at that time. Mr.

Andrew said that the honorable member was worse than any 20 men who then sat on the opposition side of the House—that he was the marplot of the liberal party—and Mr. Andrew spoke the truth. Yet we are now asked to follow the honorable member's lead. The honorable member showed his colours when he urged that the order of the day for the third reading of the second Berry Reform Bill be discharged with the view of accepting the Council's Bill. The honorable member afterwards went to the country with his new policy, and to that more than anything else I attribute the loss by the liberal party of the Reform Bill for which they fought so hard. The honorable member has now the impudence to get up in this House to lead the liberal party.

Mr. MUNRO.—He does not try to lead you.

Mr. LONGMORE.—I know that the honorable member does not, and I also know where he would lead me to if he could. The honorable member was again returned to this House when he resigned his seat on the occasion to which I have already referred, but what happened at the general election which followed almost immediately afterwards? A youth, with a sling and a stone, smote the great Goliath. The youth who did it was true to his party, which the honorable member never was. The electors of Carlton were willing to accept an untried young man in place of the veteran who had been found wanting in everything that makes an honest and upright politician. The honorable member for North Melbourne said glibly to the Government the other night—"If you won't accept my motion, I will make it one of no confidence," and he expects us to follow his lead.

Mr. MUNRO.—No, he does not; he would not have you.

Mr. LONGMORE. — The honorable member need not expect that any party will follow his lead. I regret that the honorable member for Geelong was weak enough to fall into the trap by saying that he agreed with the motion being regarded as one of no confidence. He should have recollected how the honorable member has continually betrayed the liberal party. Judas betrayed his Master once, but the honorable member for North Melbourne has continually acted the part of a traitor. He is a thousand Judases rolled into one. His constituents rejected him because the "outer circle" line had no charms for him after a certain time. When the Assembly endeavoured to find some means

of completing the connexion between the Gippsland Railway and Melbourne, the honorable member was one of those who threw obstacles in the way, and at last he was one of two men who arranged for the purchase of the Hobson's Bay Company's lines. The honorable member worked for that company and not for his constituents, but his constituents justly and rightly sent him to the rightabout, and said they would take anybody in the world in preference to the man who had sold them. The honorable member's career in this House has been a case of "sell" ever since he became a member of the House. The honorable member carried the Metropolitan Gas Company's Bill, but what have the people got from it? I see a notice in the newspapers that the company supply gas of 16 or 17 candle power, but one can only charitably believe that 15 of the candles have been blown out. The little yellow flame which we get from the gas produced by the company is a curious return for the great Bill which was passed through this House by the honorable member's power and influence.

Mr. MUNRO.—And for which you voted.

Mr. LONGMORE.—For which I voted. But I did not know the honorable member then so well as I do now. The question now is whether the liberal party are to be dragged after a man whose whole business in this House has been to be the assassin of the party which he should have supported? Are the liberal party to follow a man who, when the critical time came, has in each instance shown himself absolutely opposed to every liberal project? That is the question I ask, and it is a question which honorable members on this (the opposition) side of the House ought to be prepared to answer. Somehow or other the honorable member's career in this House has led to fortune so far as he is concerned, but it has not led to fortune so far as the people of the country are concerned. Having these things before us, it is time that the liberal party rejected the honorable member's assumption of leadership. The honorable member for Geelong did wrong when he lent himself to the motion being brought forward as one of no confidence merely because the Government refused to let it be dealt with on the instant. I tell the honorable member for Geelong that his party ought to know whether he is leading them before the like of this takes place. I am not aware that there was any consultation by them before the motion was tabled as one of no confidence. I believe that there was no consultation on

the subject. Motions of want of confidence are not light things, which can be taken up and thrown down again on the instant; and I can assure the honorable member for Geelong that he is injuring himself and his party by making every trifling matter a motion of want of confidence. There are large and broad questions to come before us. There is the Land Bill. The Government are taking away every safeguard for selection. They have not done their duty by the Bill they have brought in; and that ought to be the subject of a no confidence motion, if one could be carried. Again, there is the administration of the public departments. The Berry Government reduced the expenditure all they possibly could. For two or three years they endured more than any other Government ever did in consequence of their reductions, but now the civil service is as costly as ever it was. There are great public questions upon which the Government should be turned out of office, but they should not be ejected on the miserable thing that we now have before us. I don't say that the late accident was a miserable thing, but the way in which it is being handled in this House is miserable. There are many matters connected with the proceedings of the Government which ought to be made the ground of no confidence, but they should be dealt with in a judicial spirit. The liberal party ought to know what they are fighting for. I have no doubt that when the time comes there will be a good and solid vote upon any question which is of real importance. We are asked to vote for the present motion in order that a board may be appointed to have the management of the railways, but we have no knowledge how the board is to be composed or what its precise functions are to be. One suggestion which has been made is that the Traffic Manager, the Engineer-in-Chief, and, I suppose, other high officers of the department, should be members of the board. If they are members of it, where will be the change in the management of the department? Sir, these officers are at present on the board for the management of the railways under the political head of the department for the time being, and I have yet to learn that we have lately had any political head interfering with engineers, or with traffic, or doing anything else than working with the permanent heads for the benefit of the public. I tell honorable members that it was the liberal party who reduced the fares on the railways, who reduced the charges for the carriage of goods, and who have ever desired to enable the selectors to

get their grain to market at the lowest possible rate. The conservative party would not have done these things. If you have a board appointed outside all political influence—that is, outside the influence of this House—you will have another enormous establishment put into the hands of the conservative party. That is the meaning of all this cry about a railway board. The recent unfortunate collision has been made the groundwork for demanding an alteration in the management of the railways which will not be beneficial to the country. For these reasons, and because the motion has been brought forward by an honorable member in whom the liberal party ought not to have confidence, I intend to vote against the motion.

Mr. ORKNEY.—Sir, I think the Premier has taken a most mistaken course in regard to the motion of the honorable member for North Melbourne (Mr. Munro). I do not believe that there was the slightest intention on the part of the honorable member to make the motion one of want of confidence. He was forced into it by the challenge of the Premier.

Mr. CARTER.—No ; the Premier did not challenge him.

Mr. ORKNEY.—That, at all events, is my opinion. I am not responsible for any one's opinion but my own ; and my opinion is that the Premier has wantonly and most unnecessarily taken up the motion of the honorable member for North Melbourne as one of want of confidence. This is not the only occasion during the present session on which motions that were never intended as motions of want of confidence have been construed as such by the Government. From the beginning of the session until now, motions have been so construed by the Ministry upon grounds that were not tenable. I notice that the Premier laughs, but I would advise the honorable gentleman not to do so. He may, perhaps, smile in another way by-and-by. No business has been done properly during the session, because the Government desired that no business should be done. Their object has been simply to waste time, with the view of keeping themselves in office. Public questions, public necessities, have been laid aside for the personal convenience and interest of the Ministry. I am sorry that the motion of the honorable member for North Melbourne has been taken up as one of no confidence. I think that there is great need for an inquiry into the management of the railways. I don't know whether it would be better to make that inquiry by a select committee of

this House or by an outside board, but I do not think it would be right for us to divest ourselves of responsibility simply because some people say that it would be better for the inquiry to be made by persons outside Parliament. So long as we represent the country, we are bound to discharge our duties and, if possible, to see that a change for the better is brought about in connexion with the Railway department. During this session how many important measures have been baulked ! How little has been done ! The Loans Redemption Bill is the only measure of any importance which the Government have disposed of, and that has been dealt with by their being forced to take action. Other important measures have been delayed, and much evil consequences may arise from such delay. I intend to support the motion of the honorable member for North Melbourne, and I may remark that I have consulted no one, and no one has consulted me, about the matter. Under all the circumstances of the case, I consider that it is clearly my duty to vote for the motion.

Mr. RICHARDSON.—Mr. Speaker, I think it is a great pity that on a question of this kind many speeches are made which are purely personal—that certain honorable members indulge in remarks about other honorable members, against whom they have some grievance, or with whom they have some quarrel. The honorable member for Ripon and Hampden has taken his usual course this evening, and it appears to me that he and the honorable member for West Melbourne (Mr. Orkney) should change sides in the House. The honorable member for West Melbourne has spoken from the Ministerial benches against the Government, and the honorable member for Ripon has spoken from the opposition benches in favour of the Government.

Mr. LONGMORE. — No ; against Munro.

Mr. RICHARDSON.—In speaking against the honorable member for North Melbourne (Mr. Munro), the honorable member for Ripon spoke in favour of the Government. I would be sorry to do any injustice to the honorable member, but I must say that I think he has permitted his feelings to carry him away from the question at issue.

Mr. LONGMORE.—I like a straight man.

Mr. RICHARDSON.—But I would ask the honorable member if he thinks it proper to commence to quarrel over something which is beside the question—which has no

relevancy to it whatever—at a time when the whole community is in a state of terror and confusion, when the feelings of the country have been outraged, by the fact that men and women have been slaughtered, or so nearly slaughtered that they are now lying on their beds, from which many of them may never rise again, or, if they do, will perhaps rise cripples for life? In considering a serious matter of this character, ought the honorable member to indulge in a personal attack on another honorable member? I think not. I, at all events, prefer dealing with the question at issue fairly, and on its merits. There can be no doubt that the public mind is greatly alarmed by the late catastrophe. Wherever one goes, or in whatever company he may be, the conversation turns on the subject of the accident, the probability of another accident occurring, and the insecurity of travelling on the railways. This is one reason why the Premier, last Thursday, should have allowed the motion of the honorable member for North Melbourne to be dealt with, so that an inquiry into the circumstances surrounding the accident might be held at the earliest possible movement. What are the reasons given why an inquiry should not take place at once? The Premier last night attempted to defend the position which he has taken up, but the honorable gentleman must admit that he made out a very weak case. How could he defend the position that he has taken up? The honorable gentleman says that a coroner's inquest is to be held, and he asks the House to wait until that is over before appointing a committee of inquiry.

Sir B. O'LOGHLEN.—The inquest is going on to-day.

Mr. RICHARDSON.—I would like to know what pressure has been brought to bear upon the coroner? A few days ago, he adjourned the inquest for a week, but we are now informed that it has been resumed to-day, and that, in all probability, it will be over in two or three days. It is not usual for an inquest of the kind to be finished in two or three days.

Mr. MUNRO.—Surely the coroner can use his own discretion.

Mr. RICHARDSON.—And surely this House can exercise its discretion. We ought to insist on a full and searching inquiry being made. No reason has been given why the investigation should be postponed until after the coroner's inquest is held. What will the coroner's inquest embrace? Only an inquiry into the facts of the case. Will

the coroner's jury decide upon anything but the evidence which is brought before it?

Sir B. O'LOGHLEN.—I hope not.

Mr. RICHARDSON.—Then does not the honorable gentleman see that an inquiry by a select committee of this Chamber cannot possibly affect the decision which will be arrived at by the coroner's jury? All that a committee of the House can do is to search for evidence, and there is no reason why a committee should not be making an inquiry at the same time that the inquest is being held. The Railway department has taken a course which is calculated to prejudice the coroner's jury and the country far more than any action adopted by this House could possibly do. The report of the Traffic Manager, published in the *Argus* of Saturday, really sheets home the blame to one individual, and moreover it shows, or attempts to show, that the reports sent in by the engine-driver and guard of the special train are unreliable. The report of the Traffic Manager is calculated to influence the coroner's jury very materially. Every railway employé who gives evidence at the inquest will have the fear of the Traffic Manager and of that report before his eyes. The report, even if it does not cause the railway employés to give evidence contrary to the facts, will influence them in the evidence which they will give and the evidence which they will not give. This is one reason why an inquiry should certainly be made by a committee of this House.

Mr. BENT.—You have been told twenty times that you will have an inquiry.

Mr. RICHARDSON.—The inquiry should take place at once. After the Jolimont accident occurred we were told that there would be an inquiry into that casualty, but when was the inquiry held? What is the value of a statement that an investigation will be made into the Hawthorn accident? The Premier told us last week that an inquiry may be held about the middle of January, or some time after the recess, after the coroner's inquest has been held, and after the excitement in the public mind has died out. That means after material evidence—after evidence which would in all probability elicit the real and full facts of the case—has passed away. I desire to invite the attention of the Minister of Railways to a publication issued by his own department containing the rules and regulations for the conduct of traffic on the railways. If the honorable gentleman refers to that publication he will see that where there is a double line, and one set of rails

is temporarily closed, for the purpose of repair or otherwise, provision is made for conducting the traffic over the other portion of the line. There is a regulation requiring that there shall be a signal of danger at each end of the portion of the line which is closed, that there must be a signalman at each end, and that a man who is termed a pilot must travel with each train over the single line. It is laid down that no train shall leave without the pilot. If this regulation—a regulation framed by the department itself for the conduct of traffic—had been carried out, the accident could not have happened. Again, the time-table was not perfect—it was not complete. If it had been complete, I venture to say that the special train would not have passed the Hawthorn station until after the arrival of the ordinary train from Melbourne, and in that case there would have been no accident. Quite independently of the time-table, however, the accident would have been prevented if the regulation to which I have called attention had been observed. The Traffic Manager blames the guard and the engine-driver of the special train, and the station-master at Hawthorn, for not making themselves fully acquainted with the time-table. He also repudiates the reports sent in by the guard and engine-driver, whom the Locomotive Superintendent says he knows to be right, and gives his reasons for saying so. Seeing that officers of the department blame each other, that the Traffic Manager and the Locomotive Superintendent are at variance as to the facts—

Mr. ZOZ.—Does the honorable member think it right to prejudge the case while evidence is being taken?

Mr. RICHARDSON.—I am referring to reports which have been made by officers of the Railway department, and published in the press.

Mr. R. CLARK.—They should never have been published.

Mr. RICHARDSON.—I am contending that these reports, having been issued and having become public property, will influence the coroner's jury, and possibly will influence the decision of the jury, far more than any inquiry made by a committee of this House could do. If there was any necessity or reason whatever for the publication of those reports, there is ten times more reason why the Government should accede to the request of the honorable member for North Melbourne to appoint a committee of inquiry at once. Such an inquiry would not interfere with

the coroner's inquest in the slightest degree. The coroner's jury have simply to give a decision on the evidence submitted to them, and no inquiry held by a committee would influence that decision. In fact, the reasons given by the Government for refusing the inquiry are utterly worthless, and I hope they will not be considered by the House. From the way in which the inquiry is sought to be burked or delayed, I can only imagine that there is something which the Government are afraid of the public knowing at this particular time—some phase of the inquiry they want to avoid at this particular time in order to save themselves or the management of the Railway department. I do not wish to attach any criminal blame in this matter either to the Government or the Minister of Railways, but there is a point in the management of the railways at which the Minister and the Government must take the responsibility, and that point was reached when they refused to allow this House to inquire into the management of the department and the circumstances connected with this accident. The Jolimont accident was supposed to have been caused by defective rolling-stock, and the Minister of Railways made that the plea for sending to England for 25 engines and a number of carriages, but I venture to say that the breaking of the tire which was the immediate cause of that accident was not where the blame rested; the cause was behind that, in the management of the railways. The Locomotive Superintendent, on this occasion, takes care to say that the rolling-stock was in excellent condition, so that it cannot be said that the rolling-stock had anything to do with the Hawthorn accident. No doubt there is some reason for the statement of the honorable member for Ripon that this has been seized upon as an opportune time to press upon the Government the introduction of a Bill to provide for the railways being managed by a board. I notice that the Premier seems to have changed his mind with regard to that Bill. Last night he stated that "after some inquiry had been made" as to how the railways should be conducted, the subject would be dealt with, and I can understand his difficulty in making up his mind as to the details of a Bill providing for the management of the railways. But that is an additional reason why there should be a full inquiry into the management of the railways. Various circumstances which have come to light from time to time—for instance, the contradictory reports of the different officers with regard

to the ballasting of a certain line—have shown that the Railway department is in a disorganized and demoralized condition which should not exist. Again, there has been what is called the “Kensington-hill job,” into which no inquiry has been made—a matter about the origin or probable consequences of which the House knows nothing, and apparently can obtain no information. No coroner’s inquest will inquire into that transaction, and it is a matter which demands very full inquiry. But it is absolutely necessary that an inquiry should be held into the present management of the railways before the Government can even proceed with the change they themselves are proposing in the conduct of the department.

We must know how the money is expended, who controls its expenditure, and who is responsible for the bad management and the accidents that arise therefrom. The Government may justify their opposition to this motion on the ground that it is a no-confidence motion, but it is the Premier’s own fault that it has now assumed that aspect. The question should not have been made a party question at all, and the Premier should at once have permitted the inquiry to take place for purely national reasons. The Premier laughs. No doubt he supposes that it is necessary for national reasons that he should maintain his position, and that this House should exist for some time yet. But I would remind the honorable gentleman that railway accidents have been pressing upon us which cannot be justified under any circumstances, and that the public want to know the reason, and want to acquire some assurance of safety in travelling on the railways in this colony, which they have not felt for some time past. The Minister of Railways interjected a denial, the other night, to an assertion of mine that the accidents on our railways cost more money than those on any railways in England—I had almost said in the world. I admit that previous to the Government purchasing the Hobson’s Bay Railway there was a tolerable immunity from accident, and the personal injuries received on the Victorian lines were very few. But it must be acknowledged that as soon as the State acquired the Hobson’s Bay lines, on which the traffic is constant and the trains very numerous, the Railway department has really lost control over the traffic, and the accidents have become frequent, important, and costly, as well as outraging the feelings of the public. In the United Kingdom, where they have 21,000 miles of railways—

and railways on which the trains and passengers are numerous, and not comparatively few as in this colony—the whole amount paid for personal injuries to passengers for the year ending January, 1880, was only £210,000. On some of the lines in England, where they carry 36,000,000 passengers per annum, they have not paid as much in compensation in a dozen years as we paid last year, and will have to pay this year. It is true that the damages obtained in England for personal injuries by railway accidents are not anything like the damages awarded in this colony. I observe that the Government have appointed a board to assess the damages in connexion with the late accident, and the only reason there can be for that course is the existence of an impression—I admit a just one—that the juries awarded excessive damages in the case of the Jolimont accident.

Sir B. O’LOGHLEN.—That is not the reason of the Government.

Mr. RICHARDSON.—There may be another reason, but I took it for granted that this was the reason, in view of the fact that the Railway department, in cases when the public have pressed hardly upon it, has tried to get powers to prevent that being done in the future. For instance, in the Railway Bill it sought to prevent men from obtaining damages on account of fires caused by locomotives. The following table shows the amounts paid for compensation for personal injuries during 1879 on a number of the largest English railways, with the length of the lines, the number of passengers carried and the number of train miles run :—

—	No. Miles open.	Passengers.	Train Miles.	Compensation Paid.
Great Eastern	465	45,373,836	6,626,668	£8,648
Great Northern	717	18,993,036	6,338,624	13,070
Great Western	2,146	42,790,950	12,584,895	20,000
London, N. Wn.	1,730	45,459,158	16,215,365	28,386
London, S. Wn.	719	27,500,904	6,552,960	21,497
Midland	1,329	26,421,796	10,032,758	8,114
Metropolitan...	11	30,971,473	908,544	199
North-Eastern	1,474	27,284,803	7,931,159	5,684

I may explain that this return only includes passenger trains. In Victoria last year the number of miles of railway open was 1,215, the total number of train miles run (including both goods and passenger trains) was 410,000, the number of passengers carried was 525,483, and the amount paid for personal injuries was £45,000, so that it will be seen that the English railways compare very favorably with ours with regard to accidents.

Mr. Richardson.

Sir B. O'LOGHLEN.—The number of passengers you have given does not include those carried on the Hobson's Bay lines.

Mr. RICHARDSON.—The report of the Railway department for 1881 from which I have taken the figures says that the suburban passengers are included.

Mr. KERFERD.—There must have been 500,000 passengers on the Hobson's Bay lines alone.

Sir B. O'LOGHLEN.—I think there were 4,000,000.

Mr. RICHARDSON.—The tables may be wrong, but, even supposing that there were 4,000,000 passengers carried, the number is far short of that carried by most of the English lines I have given, while the amount of compensation paid by us was far greater. The Government therefore are not justified in refusing the inquiry which is asked for at this particular time. A great deal has been said about the Westinghouse brake, and I certainly think that the Minister of Railways is not justified in preventing, if he is preventing, a fair trial of that brake. It is the Minister's duty to ascertain by trial what is the best brake to adopt, and to apply that brake to the trains for the safety of the passengers. On all the English lines which I have mentioned, a brake of some kind is applied. The number of failures of each brake is recorded, and I am bound to say that the Westinghouse brake has recorded against it a greater number of failures than any other brake. On the Great Eastern Railway five brakes are in use, namely, Fay's manual, Clark's chain, Smith's vacuum, Barker's hydraulic, and the Westinghouse; and of these Smith's vacuum was used on the greatest number of train miles, and had the smallest number of failures recorded against it. However, I do not wish to enter into the question of the relative merits of brakes at this stage, as that matter will come up for discussion on another occasion.

Sir B. O'LOGHLEN.—I beg to correct the statement of the honorable member with regard to the number of passengers carried on the Victorian lines in 1881. On referring to the report of the department, I find that the number is given as 18,971,000, not 525,483.

Mr. RICHARDSON.—I find that the page of the report from which I took the figures I have given only referred to the North-Eastern system, so that I made a mistake, which I am glad the Premier has corrected, as I wish to deal with the case fairly. I do not look upon this as a party question at all. Indeed, the action which

the Premier took last night in moving the previous question deprived the motion of any party aspect it bore when the discussion commenced. The Government have secured another "victory over themselves" on this occasion.

Sir B. O'LOGHLEN.—No.

Mr. RICHARDSON.—The honorable gentleman must know that in moving the previous question he took upon himself to say—"We agree with the honorable member for North Melbourne that an inquiry must be held; we only differ from him as to the time of holding the inquiry, and, in order to take the sting out of his motion, I move the previous question." On a previous occasion the honorable member for Warrnambool came to the rescue by moving the previous question, but the Premier has improved upon that course on this occasion, for he has come to the rescue and moved the previous question himself.

Sir B. O'LOGHLEN.—There was no necessity to come to the rescue. We had no reason to be afraid.

Mr. RICHARDSON.—I can only say that the Premier would have displayed his "backbone" to greater advantage if he had continued to regard the motion as he accepted it in the first instance. For my own part, I do not want a change of Government until we go to the country. I have stated that from the outset, and that we ought to have gone to the country sixteen months ago. This Government have been sitting here in defiance of public opinion outside. We have been attempting to legislate in this House, and have failed because of the inability of the Government to conduct the business. We have been doing nothing for the last sixteen months, and the people ought to have been consulted that length of time ago. Such being the case, the Government should take the earliest opportunity of winding up the business and letting the House go to the constituencies.

Mr. L. L. SMITH.—Will your side help us to do so?

Mr. RICHARDSON.—I am not the leader of this party, but I am sure of this—that the party who sit on this (the opposition) side of the House have the interests of the country as much at heart as the Government, and are so desirous of consulting the country immediately that they will assist the Government to wind up the business as speedily as possible in order to go to the country. If ever there was a pitiable sight presented in this or any other Legislative Assembly in the world, it was exhibited

on Tuesday last when the Premier moved the adjournment of the House. In response to that motion the House would naturally, under the circumstances, have at once adjourned, but the Premier encouraged one member after another to rise and address the House for the purpose of prolonging the debate.

Mr. LEVIEN.—It saved an evening.

Mr. RICHARDSON.—It was rather a peculiar method of saving, and I do not think that any saving whatever has been effected by the operation. The Premier must know that every day this House sits now is only prolonging the agony of the country.

Sir B. O'LOGHLEN.—The country is quite content.

Mr. RICHARDSON.—If the Premier only knew what the public opinion of the country is, I am quite confident that his "backbone" would be stiffened, and he would send the House to the country, because I give him the credit of believing that, if he thought the country was against the Government, he would say that the Government should go before the country and consult it. The Premier, however, only makes himself acquainted with the side of public opinion which is favorable to himself. Has ever any previous Government made such a failure to do public business as this Government have done?

Mr. L. L. SMITH.—Your side will not let us do business.

Mr. RICHARDSON.—The honorable gentleman must know that that statement is not correct. There has been no "stone-walling," but only fair and legitimate discussion. In conclusion, I trust the Government will not be permitted to defeat this inquiry while the facts are fresh and can be grasped, and the blame can be placed on the right shoulders.

Mr. R. CLARK.—Sir, I think every one must deprecate the attempt which has been made during this debate to fasten the responsibility of this accident upon any Minister of Railways. I do not think we should allow party feeling to so influence our judgment as to cause us to blacken the public reputation of any Minister by such assertions. It is also to be regretted that several honorable members have shown a desire to prejudice the case before it has been heard before a proper tribunal, and I think the Minister of Railways made a great mistake in allowing the publication of official reports strongly reflecting on certain persons. Letters have been written by the permanent heads of the department which I think would

have been far better left unwritten; at all events, they certainly ought not to have been published. I am very sorry that the Government have taken up the position they have assumed with reference to this motion. There was not the slightest necessity, in my judgment, for making the matter a party question at all. I am sure that every one throughout the breadth of the colony regrets the sad accident which has occurred, and every man of honest feelings must desire to see our railway system improved. If the motion of the honorable member for North Melbourne (Mr. Munro) was unprecedented, I might be able to understand the attitude of the Government, but the honorable member for Belfast has told us that, when he was in office, he agreed to a motion proposed by a member of the then Opposition for an inquiry into a department over which he presided, and even consented to be a member of the committee himself. Supposing the Minister of Mines moves for an inquiry into the circumstances of the unfortunate mining accident at Creswick—as I have no doubt he will do—is it likely that any honorable member will object to such an inquiry? On the contrary, we should be glad in cases of this kind to have an investigation which will bring home the blame to the proper quarter. Then there is nothing in the terms of the motion of the honorable member for North Melbourne partaking of the character of a motion of want of confidence. Are we not all agreed as to the absolute necessity for inquiring into the cause of the late railway accident?

Mr. JAMES.—Why call it an "accident"? It was not an accident.

Mr. R. CLARK.—I deprecate all attempts to prejudice the case before the facts are elicited by a proper tribunal. I am very sorry that certain letters have been published from official heads of the department in which particular men are blamed, because I consider such a course opposed to the principles of British fair play. I beg to remind honorable members that, when the case of the Brighton gravel came up, the Minister of Railways himself asked for a committee of inquiry, and expressed a strong determination to have one. I don't think any sane man will attempt to make the Government responsible for the late accident, but they themselves admit that there must be a thorough overhaul of affairs in the Railway department, and I can see no difficulty whatever in an investigation by a select committee into the management of our railways and the coroner's inquest into

the matter of the collision going on at one and the same time. No one expects that the coroner will trouble himself to go into the question of railway management. What he will look into will be, first, whether the accident was due to negligence, and, secondly, who, if any, were the negligent parties. In fact, the functions of the two tribunals will be altogether radically different in character. I cannot, for the life of me, see how any honorable member who desires a railway inquiry can possibly make up his mind to vote against the proposition of the honorable member for North Melbourne (Mr. Munro). It is true the Government have nominated a board of inquiry composed of outside gentlemen, but, for the investigation of such important matters as those that have to be taken in hand, it seems to me that nothing less than a committee of this House should be appointed. How can we venture to change our railway system upon the strength of an inquiry not made by ourselves? Yet that change must be made. Honorable members on both sides of the House and the whole press of the colony have for some time demanded that it should be entered upon, and the two serious accidents we have had recently make the necessity for it appear even greater than it appeared before. I may also say that I regret exceedingly that circumstances arose to take Mr. Elsdon away from the control of the Hobson's Bay lines, because we all know that while they were solely in his hands their management was absolutely perfect. Another point is that the honorable member for North Melbourne proposes that the committee shall be elected by ballot, and I have sufficient confidence in the House to believe that an election so conducted would lead to the selection of the best men for the purpose. For example, there are in the House three or four ex-Ministers of Railways, and, if they were put on the committee, doubtless their only object would be to elicit every possible testimony from witnesses of a competent character. The honorable member for Warrnambool spoke last evening of the motion of the honorable member for North Melbourne taking work out of the hands of the Government, but, if the Government are tardy, will it be beneath the dignity of the House to go ahead without waiting for them? If what ought to be done by the Government at once is proposed in another quarter before the Government propose it, is it not open to the House to avail itself of the opportunity so afforded? What are the Government but the executive committee

of the House, appointed to carry out its will? I think that, if the Government do not themselves see the necessity for this committee of inquiry, the manifestation of public feeling on the subject which has taken place outside our walls ought to move them. There could be nothing offensive to them in the public meetings held at Melbourne and Hawthorn, for, from first to last, nothing of a political character was allowed to be dragged into them. At the same time the determination of the general community that there should be a change of railway management, and also an immediate inquiry into the accident, was most strongly expressed. One point came out in the course of the debate last night which deserves a good deal of attention. It is that, if the inquiry of a select committee is delayed until the coroner's inquest is over, there will be much more cause for delay if the inquest results in the committal of some person or persons for manslaughter. Why in that case the committee would not be able to sit until the trial is over, that is to say until the middle of February. The Government must see that they made a mistake in taking up their present antagonistic position. They have not yet said when, supposing the proposition of the honorable member for North Melbourne is negatived, they will appoint a select committee and set them to work.

Mr. BURROWES.—Immediately after the inquest is over.

Mr. R. CLARK.—Well, I can only repeat that I see no earthly reason why the two inquiries should not be simultaneous. I don't wish to say one word disagreeable to the Government—I have always voted with them whenever I could—but I must express the opinion that in taking their present course they are not giving practical effect to the wishes of the country. Allusion has been made to a dissolution of Parliament, and to the reasons that exist why honorable members should go to their constituencies. All I can say is that there is scarcely an honorable member that ought not to hang his head with shame when he thinks of the little business we have done this session.

AN HONORABLE MEMBER.—Whose fault is it?

Mr. R. CLARK.—I think the fault is on both sides. I know, however, that I have not stood in the way. Never were parties in the House so disintegrated as they are now, and I am sorry to say that the case is the same in the country. The only thing that will clear the atmosphere is

a general election. The Government have, it is true, brought forward a few Bills, but they have not carried into law any measure of a political character.

Mr. MIRAMS.—Was not the Loans Redemption Bill a political Bill?

Mr. R. CLARK.—Surely that was not carried by the Government. It seems to me that the whole credit of the measure is due to the honorable member for Belfast and to the honorable member for Geelong (Mr. Berry), rather than to the Government. I say the sooner the House is shut up, the better for the country and the better for real practical legislation. I intend to support the motion of the honorable member for North Melbourne.

Mr. WOODS.—Mr. Speaker, in the first place I find it impossible to approach the present subject without a feeling of pity and commiseration for those who are suffering from the recent collision on the Hawthorn line, and it is with sentiments of that kind that I desire that a prompt inquiry should be made into our railway management—in refusing which the Government show that they mistake the temper of the House and the country. I think not an hour should be lost in effecting alterations in our railway system which would prevent the recurrence of such a disaster. Accident it was not. It is entirely a misnomer to call a casualty of that kind an accident. What I mean when I use the term “accident” is something that could not be foreseen, or, if foreseen, could not have been provided against. The collision that took place at Hawthorn, as well as the two previous casualties on the Hobson’s Bay line, were all occurrences that might have been both foreseen and provided against. I entertain a different opinion from that of many honorable members as to the cause of the Hawthorn collision, and I will state by-and-by what my view is. Before, however, I enter on that subject, I may as well give honorable members, as clearly as I can, a little history of railway management during the last few years. I desire to disclaim all personal feeling in the matter. I cannot regard the motion of the honorable member for North Melbourne as one of want of confidence. I look upon it as a motion for an inquiry which is demanded by both the country and Parliament, as well as by the surrounding circumstances of the case. When I left the Railway department, it was in splendid working order. I challenge the records of the department on the subject, both with respect to the cost of management

and the manner in which responsibility was apportioned. There was an Engineer-in-Chief, an Engineer of Construction, and an Engineer of Maintenance, and each of those officers was, in his respective position, absolutely responsible. The traffic branch was separated from every other, the Traffic Manager being responsible for everything that went on in it, and the same can be said of the locomotive branch. This system worked so well that I dare to assert that, when the reports on the subject are fully before Parliament, it will be shown that the working expenses of the railways were, at the time I speak of, fully 3 per cent. less than they have been at any period since. The present Minister of Railways has done a great deal to restore things to the state in which I left them, although he has also, in my opinion, made some mistakes in his appointments. Disorganization had set in when he took charge of the department, and the honorable gentleman is the victim rather than the cause of the casualties that have taken place recently. I mean that he is the victim so far as he has reaped what others have sown. I have always said that it is impossible to conduct the Railway department plus political influence, and I believe still that until it is absolutely removed from political influence it will never be managed properly. In New South Wales they have a different system. There they have no Minister of Railways or railway board, but a non-political Commissioner of Railways; and if you compare Victorian railway returns with New South Wales railway returns, you will find that the New South Wales lines are worked for less than ours are, and yield a larger proportionate profit than ours do. Surely there is something to be learned from that, especially when we remember that New South Wales has not the suburban railway system nor the dense population in different parts of the colony we have, so that its trains have to run a vast number of miles without getting the roadside traffic our trains get. It must not, however, be forgotten that, while the New South Wales railways are worked at a less percentage on the capital they represent than our railways are, they have not the drag of enormous original cost which our lines have. I will mention here that the Minister of Railways is entitled to credit for having duplicated the suburban lines. I believe it to be an entire mistake to run suburban traffic on a single line under any circumstances. And now I come to the question more immediately before us. At the start, I assert that in refusing an

inquiry at the present stage the Premier is not following the English practice. I have here the return of the Board of Trade in England with respect to railway accidents in the United Kingdom in 1881, and it shows the practice there pretty plainly. For example, on the 10th December, 1881, there occurred three collisions in the tunnel on the Canonbury branch of the Great Northern Railway, which connects the Great Northern Railway, Finsbury Park, with the North London Railway. What ensued? On the 20th December—only two days afterwards—Colonel Yolland, an officer of the Board of Trade, reported that he had, in accordance with his instructions, held an investigation which showed amongst other things that 4 passengers and the guard of one of the trains were killed on the spot, that 5 passengers were seriously injured, that 10 passengers were less seriously hurt, that 117 passengers were said to be bruised and shaken, and that 54 passengers had sustained slight injuries. The Board of Trade acts, in fact, as the guardian of public life and limb, and in that capacity it insists on certain conditions being carried out. For example, it insists upon all passenger trains being controlled by a power brake, and on the adoption of the block system, and, further, it stipulates that directly an accident happens it shall be reported to the board, in order that an investigation, apparently quite apart from and independent of that of the coroner, may take place while the facts are fresh and warm, and also—an important consideration—available. We have in this colony a somewhat similar state of things under our Mining Act. Under that Act, supposing a survey shows that the late mining accident at Creswick was caused by neglect, the Minister of Mines will be able to bring the claim-holders to book at once. The official investigation into a railway accident at home is never undertaken by the railway company concerned, and with good reason, for in these matters the company is practically on its trial. There is solid cause for these independent investigations being held speedily. For one thing, a vast amount of important evidence can be obtained while the disaster is fresh, which is often absolutely unobtainable afterwards. The chances are all in favour of arriving at the exact facts if there is no delay.

Mr. FINCHAM.—For instance, if they are held before wreckage is removed.

Mr. WOODS.—To the removal of the wreckage in the case of the Hawthorn accident I attach no importance whatever. Some honorable members seem to think that when

portions of the wrecked carriages were burnt to afford light to the workmen employed, the thing was done to hide evidence, but a little thought will show the idea to be nonsense. The question is how the accident happened, not what was the exact nature of the smash. I come now to the Board of Trade report of the great Burnley accident on the Lancashire and Yorkshire Railway. I may remark that these reports are frequently accompanied by plans showing the lay of the line, the points of collision, &c., and affording other information of an explanatory character. As well as I can make out, the Burnley accident occurred on the 8th August, 1881. The Board of Trade inspector went down to the place on the 9th August, and on the 6th October—his inquiry was a very long one—he reported. The accident seems to have been caused, as a great many others have been, by a failure of the Westinghouse brake. I want to disabuse the Premier's mind of the idea that an inquiry of the Board of Trade kind could not be held at once with respect to the Hawthorn accident without interfering with the coroner's inquest. I am quite of opinion with other honorable members that the two inquiries need not clash in any way.

Sir B. O'LOGHLEN.—The Board of Trade inquiries are not public inquiries.

Mr. WOODS.—The inquiries of the Board of Trade are public. If I am rightly informed, they are quite as public as the inquiries of a select committee of this House would be. I don't say that the outside public are admitted to them, but all those who are interested can be represented at them. For instance, at the inquiries into the cases where the Westinghouse brake had failed to act, the agents of the company owning the brake were present, and put questions to witnesses.

Sir B. O'LOGHLEN.—Are the inquiries reported in the newspapers?

Mr. WOODS.—That I don't know.

Mr. ORKNEY.—They are always reported in the newspapers.

Mr. WOODS.—I mentioned just now, in the Minister of Railways' absence, that he deserved credit for duplicating the suburban lines, and I repeat the statement now that he is here, with the addition that, although the line from Richmond to Hawthorn might have been single so long as the traffic was confined to Hawthorn, when it was extended beyond the duplication of the railway track became a necessity. The policy of running suburban traffic on a single line is bad, but under the block system the

arrangement can be carried on with perfect safety. Because what does the block system mean but that no train can move from a station until the way for it is signalled from the next station ahead as perfectly clear? With such a plan at work on the single line to Hawthorn, on the day of the accident, the collision could never have happened. I admit that, with an imperfect working of the block system, mistakes have been made; and mistakes are pretty well incidental to all human institutions. However, it is our duty, as I am sure it is our desire, not to run close to the edge of danger, but to leave a margin of safety to those who trust their lives, limbs, and property in the hands of the Railway department. I believe I am correct in saying that the Traffic Manager was under the impression that the double line was to be opened on the 1st December, and that his time-table was framed accordingly. For some reasons, to ascertain which there will have to be a great deal of careful inquiry, the double line was not opened on the 1st December. That is where the original mistake was made. The officers of the department should have advised the Minister of Railways that they would not take the responsibility of working the extra traffic—the traffic of the Lillydale Railway—on any portion of that single line; and that the opening to Lillydale should be postponed until the double line was ready. The omission to do this was something more than a mistake—it was a piece of incompetence; and I say, boldly and fearlessly, that at the doors of those who were guilty of removing Mr. Ford from his place as Engineer of Construction must lie the Hawthorn smash. Had Mr. Ford remained in his position as Engineer of Construction, either the double line would have been ready before the time fixed for the opening of the Lillydale line, or he would never have sanctioned the running of the Lillydale traffic on a single line. I have not the slightest hesitation in saying that the cause underlying the collision at Hawthorn is the removal of a competent man from a position of trust, where he was of value to the State, and the placing of an incompetent man in that position. My statement, on Thursday last, about the narrow escape of the Ministerial “special” on the 1st December has been challenged. I know as much about railway travelling as most persons, and, although not much given to shakiness of nerve, I noticed at once the danger we were in—not knowing that only

Mr. Woods.

a single line was being worked—by running on the wrong line; by an “up” train being on the “down” line. The honorable member for North Melbourne (Mr. Munro) was in the same carriage, and he can say whether there was any appreciable length of time between our changing from one line to the other, and the down train from Melbourne sweeping by. The *Argus*, the other day, contained a letter from some correspondent, I don’t know who, corroborating every word I said on the subject. Further corroboration is supplied by the station-master at Hawthorn, who says that he observed precisely the same arrangement for the “special” on the Saturday that was made for the Ministerial “special” on the Friday. The Ministerial “special” on the Friday missed the collision, but the “special” on the Saturday got it. I think I have shown pretty clearly that if we are to follow English practice the inquiry will be held at once, and be undertaken with that amount of earnestness which honorable members must feel when they reflect upon the suffering which has been and is now experienced by innocent persons who trusted their lives and limbs to the Railway department on the 2nd December. I desire to put aside all party feeling in connexion with this matter. Surely there are some things in connexion with which party need not crop up. On a question involving the lives and limbs of our fellow citizens it is altogether out of place to allude to party. I must take exception to the attitude assumed by the Premier on this occasion. I consider it ought to have been the object of the Government to court immediately the fullest inquiry. They ought to have said—“Examine our books and our management, take the matter out of our hands, see exactly how we stand, and sheet the thing home.” Had they done so, I am certain the Assembly would have come loyally and heartily to the assistance of the Government; they would have worked with the Government to attain the end which every member of the House and every member of the community wishes to attain. That wish is to fasten blame not on the Minister of Railways, but on a system of which he is just as much the victim as every preceding Minister of Railways. I trust the Government will see the necessity for receding from the position they have assumed, and allowing the inquiry to go on at once. Had I been Minister of Railways, I would not have allowed a Lillydale train to run on the Hawthorn Railway until the engineer, or rather the surveyor put there in charge,

had reported the double line fit for use. In a matter of the sort too much care cannot be exercised. And even with all the care possible, accidents do happen, as the blue books of the Board of Trade prove. Under the most perfect system, errors do now and then creep in. Machinery may go wrong, or a man may suddenly become unconscious or obtuse, and then there is disaster. In the Spencer-street station yard there is now a signal-box with 70 or 72 levers in it. Under the system in force, the signalman has absolute control in the matter of allowing trains to come in and go out of the yard. I think that when I was in office I reduced the time for which any one man should be in that box to six hours per day. Supposing unconsciousness seized the man on duty, and a train came sweeping past on the wrong line, there is no knowing what calamity might happen. I say that with every care and precaution errors will creep in. Then what is to be expected when no precaution is taken, and when up trains are run on down lines, and down trains are run on up lines? I think the staff system is better than the block system on such lines as the North-Eastern; but, on the whole of the suburban lines, the block system ought to be used. Wherever there is only a single line, danger and destruction are courted if all the devices that science and ingenuity have pointed out as being safeguards for the public are not used. I would again urge the Government to alter their attitude towards the House and the country in this matter. What is sought is, as I understand, not an inquiry with the view of criminating the Minister of Railways, or even of showing that he has been guilty either of negligence or incompetence, but simply an inquiry that shall have for its aim, object, and possible result the greater safety of the travelling public. That is the only light in which I view the motion of the honorable member for North Melbourne, and I flatly refuse to consider it in any other.

Mr. FISHER.—Sir, I think honorable members must feel much indebted to the honorable member for Stawell for the lucid explanation he has given us with regard to the working of railways, not only in this country, but in England. At the same time I do not agree with all the sentiments to which he has given utterance. The honorable member tells us that in order to ensure safety on the suburban railways we must have the block system, and yet he says that, even with the block system, we are not safe from collisions. Not long ago I read of a tremendous accident in England—two

trains collided on the same line of rails, between two stations, the officials at which, by means of telegraph communication with each other, knew what was about to happen and were powerless to avert the catastrophe. Yet that was on a railway where the block system was in force. It appears that, with the most perfect system in the world, railway accidents cannot be prevented. The honorable member for Stawell says that the disaster at Hawthorn was not an accident. I do not know what meaning the honorable member attributes to the word "accident."

Mr. WOODS.—Something that cannot be foreseen, or, if foreseen, cannot be prevented.

Mr. FISHER.—But "accident" implies a great deal more than that. The literal meaning of "accident" is "what falls," but the term also implies something unforeseen, unpremeditated, without design, without intention. Now will the honorable member for Stawell say that the accident at Hawthorn could have been foreseen?

Mr. WOODS.—Yes.

Mr. FISHER.—By whom? Who foresaw it?

Mr. WOODS.—Who was it that caused two trains to be running on one line?

Mr. FISHER.—I keep to one thing at a time. "Unforeseen" was the strongest meaning used by the honorable member for Stawell when he mentioned the word "accident." But who foresaw? The honorable member cannot point to any one. Then I say this was an accident, according to the English meaning of the term. I agree with the honorable member for Stawell that this is not a party question, and should not be treated as a party question. And if it be not a party question, why does not the honorable member for North Melbourne (Mr. Munro) withdraw his motion?

Mr. MUNRO.—Because I want information.

Mr. FISHER.—And who denies the honorable member information?

Mr. MUNRO.—The Premier.

Mr. FISHER.—I am not aware that the Ministry have denied any information or any inquiry. The simple question at issue is the time for holding inquiry; and, because the honorable member for North Melbourne thinks that we should have to-day an inquiry which might as well take place a few days hence, and which certainly ought not to take place while the coroner's inquest is proceeding, we have a motion of want of confidence in the Ministry. I say that is an abuse of the forms of this House.

Mr. ORKNEY.—Who made it so?

Mr. FISHER.—Perhaps the Premier made a mistake in taking the action he did. I said as much last Thursday night. But there have been mistakes on both sides. The honorable member for North Melbourne insisted on precedence being given to his motion, but it is the function of the Ministry to lead the House, and determine the order of business.

Mr. MUNRO.—But not to refuse inquiry.

Mr. FISHER.—If the Ministry had refused inquiry, I would have been dead against them; but the Ministry did not refuse inquiry. If honorable members are not satisfied with the Ministry, there is a straightforward way of tackling them. Let some honorable member who is not satisfied with the order of business, or anything else in connexion with the Ministry, table a straight and direct motion that the Ministry do not possess the confidence of this House. When such a motion is submitted, I shall be prepared to give it my best consideration. Seeing that both sides have found out their mistakes, I think this matter might be allowed to drop, and that we might go on with the business of the country. But it appears that the honorable member for North Melbourne will not allow the matter to drop, and so it has to be fought out to the bitter end. From what I have heard from the honorable member for Stawell, I am inclined to think that I have found the solution of the whole business. I am inclined to believe that the Ministerial "special" train from Lillydale, on Friday, the 1st December, never was in any danger. I believe that a station-master or engineer, or some other person in authority, was standing with a red flag at Burnley-street, in such a position that he could warn the train from Melbourne to slow, or stop, or come on. But, although the Ministerial "special" was not in any danger, possibly the shock which the honorable member for North Melbourne received when he heard the alarm of the honorable member for Stawell so overset his mind that he felt bound to do something in this House. That, after all, may furnish the why and the wherefore of the motion now before us. I really wonder that the honorable member does not withdraw the motion. The honorable member for Stawell has explained the whole thing to the House. I don't believe, after all is said and done, that you will get much more by means of a select committee's inquiry than the honorable member has told us to-night. If that be so, what

need is there for this particular inquiry? Some honorable members on this (the opposition) side of the House are not quite satisfied with the composition of the board appointed by the Government; but I don't think those honorable members rightly understand what that board is appointed for. That board has nothing to do with the accident at Hawthorn, nor has it anything to do with the management of the railways. It has been appointed simply with regard to the compensation to be awarded to the sufferers. I think the Government deserve credit for appointing such a board. Some honorable members say it will be better for the amount of compensation to be awarded by the law courts; but I am satisfied, from what took place in connexion with the Jolimont and Windsor accidents, that many of the sufferers cannot go to law except under the most disadvantageous circumstances; certainly they cannot go to law with the advantage possessed by a man who has his pockets tolerably well lined. I believe that to give the sufferers the option of going before that board, and plainly stating their case, and supporting it by medical testimony, and to enable that board to award them compensation, will be a great boon to many of the people who have been injured; and I have no doubt that the services of the board will be brought into requisition. During this debate, we have heard a great deal about the Board of Trade in England, and I think it is a matter for regret that there is not a similar body in this colony—a body that would have powers with regard not only to railways but to tramways, the adulteration of food, and other matters of equal importance. I think such a body would be a great good to the colony. Among the members of the Board of Trade in England are Ministers of the Crown and Government officials; and I presume that if a Board of Trade were established in the colony it would be constituted much in the same way. In fact, if such a body had been in existence now, it could have relieved us from the discussion we have had for two or three nights with reference to the railway accident. With regard to the appointment of a committee of this House, I altogether approve of it. I say, notwithstanding the leading article in the *Age* this morning, I do not believe this House is corrupt. I believe the very opposite. I could choose from this House any number of committees that would deal with this question in a fair and impartial, and, I will add, in a critical and equitable spirit. But I do not think that at this stage, in a hurried manner, we ought to

delegate to a committee the difficult task of hearing evidence and passing judgment with respect to the late railway accident. And there is one part of the honorable member for North Melbourne's motion that I especially object to—the part providing that the committee should be chosen by ballot. I am quite prepared to accept a committee that the Government or the honorable member for North Melbourne might choose, but I do not understand the necessity for resorting to a ballot. I can well conceive how a minority of the House, by a species of combination, could manage to secure the presence on the committee of a particular set of men who possibly would not be pleasing to the majority; and, having been selected by ballot, the majority would not like to interfere with them.

Sir J. O'SHANASSY.—You cannot hinder a ballot if six members demand it.

Mr. FISHER.—That is perfectly true. But a demand by six members for a ballot is a different thing from a provision in a motion for a select committee that the appointment shall be by ballot. If the provision for ballot were omitted, the motion would be a very good one, because there is nothing in it to show when the committee will be appointed. It simply provides that a committee shall be appointed, and the simple issue to be determined is whether the honorable member for North Melbourne should be allowed to submit his motion at this particular time. I am inclined to think that, if the honorable member were a Minister of the Crown, he would not allow a member of the Opposition to do anything of the kind. The motion proposes that there shall be an inquiry into two things; one is "the management and working of the Railway department," and the other is the late accident. These are two quite distinct things, and they ought not to be mixed up together. An inquiry into the "management" of the Railway department will of course involve the question of whether or not the patronage of the department should continue in the hands of the Government, but that is quite a different matter from the causes of the late accident and who is responsible for that accident. It is possible that the whole railway system might be better managed if it were in the hands of an outside board, but we ought not to debate that question now. It is, however, a question which will have to be debated at some future day. At the public meeting held at the Melbourne Town Hall, to which reference has been made, a great deal of feeling was manifested against the

patronage of the Railway department being in the hands of the Government, and it was alleged that the late accident was brought about by the present system of patronage. Whether those who made that statement are right or not I am not prepared to say, but we have no evidence that such is the case. I think in the end it will be found that they are not right, but at the present moment this is a mere matter of speculation and supposition. It is a pity, I repeat, that we should be discussing a motion which involves two distinct questions. If a committee is appointed to inquire into both matters, and that committee brings up a report recommending that Government patronage should be abolished in connexion with the Railway department, will it not have to be done away with in all other departments?

Mr. MUNRO.—No.

Mr. FISHER.—Why should the Railway department be made an exception?

Sir J. O'SHANASSY.—They don't kill in other departments.

Mr. FISHER.—But men's reputations may be destroyed in other departments. Men in other departments may be subjected to even greater suffering than would be inflicted by severe bruises in a railway accident. If we take away Government patronage from the Railway department, we must, if we act logically and consistently, take it away from all the other departments. The question of patronage, I say, ought to be eliminated altogether from an inquiry into the collision at Hawthorn. If necessary, let another committee or a board be appointed to inquire into the question of depriving Ministers of patronage. If the House decides that the Government should exercise no patronage in the Railway department, logically it must also determine that there shall be no Government patronage in the other departments of the State. If the House arrives at that conclusion, I am prepared loyally to support it, but I don't think the House will come to that conclusion just yet. There are many reasons why I believe that the House is not prepared to go that length at present, but it is possible that at some future time it may go that length. In conclusion, I desire to say that if the honorable member who has proposed the motion would act upon the good old motto of "hasten slowly," he would be more likely to do justice to the sufferers by the recent accident and to the whole community, as well as to this House. I am sure that it will also be a great deal better for the honorable member himself, in the long

run, if he adopts the motto "*festina lente*." I am convinced that if by the present motion the liberal party, the Munro party, or any other party obtain a triumph, and displace the Ministry on the score of the late accident on the Hawthorn Railway, it will be the most unfortunate, unhappy, and disastrous thing which could happen to that party.

Mr. DEAKIN.—Mr. Speaker, I think it is to be regretted that the question should have assumed its present shape. It will be remembered that the motion of the honorable member for North Melbourne (Mr. Munro) was not intended as one of want of confidence, nor was it regarded by the Government in that light in the first instance, when it was tabled by the honorable member spontaneously. We heard last night from the Premier, and it has been stated to-night by one or two honorable members, that the motion, of itself and in itself, is a motion of want of confidence; but why did not the Government discover that last Wednesday evening, when notice of the motion was given? Even on Thursday, when the honorable member for North Melbourne asked that the motion should have precedence, the Premier did not give the slightest hint that he regarded it as one of want of confidence. It was never intended as a motion of want of confidence; the Premier knew that it was never intended as such; and it was simply his obstinacy in refusing an inquiry into the circumstances of the accident—or suggesting the middle of January, or some time after the recess, for an inquiry—which compelled the honorable member for North Melbourne to take the only parliamentary course open to him to force the Government to allow the motion to be discussed forthwith. In connexion with the Jolimont accident, honorable members had seen how the Ministry dealt with the matter of an inquiry into a railway accident, and that was enough to teach the Opposition what they might expect in the present instance if an inquiry was postponed, as suggested by the Premier. There was only one mode of bringing forward the motion as a matter of urgency, and that course was adopted. It was taken without any view to ulterior results; it was taken, as the motion was tabled, almost spontaneously, and with the simple object of compelling the Government to do what they have now been obliged to do, namely, to allow the motion to be debated, and to take the responsibility of refusing an immediate inquiry into the causes of the catastrophe.

Mr. FRANCIS.—You have not done that.

Mr. DEAKIN.—The Government have attempted to evade the issue by a side-wind. Aply as they may be backed up by their majority, and strong as they may fancy themselves, they are afraid of a straight vote on this question.

Mr. LEVIEN.—They only say that they will not vote on it now.

Mr. DEAKIN.—What is the object of moving the previous question? What is gained by it? There will be no time saved; the debate will be just as long; and a division will take place. The only difference will be that the division will be on the previous question instead of on the motion itself. If the Government have done anything by moving the previous question, they have enveloped the whole matter in a fog. No division will be avoided; the same members will vote; and not a single vote will be changed on one side or the other. The only change will be that, instead of the division being taken for and against an inquiry, it will be taken for and against the previous question, which, to the majority of the public, will be meaningless. It is quite unnecessary for me to reply to the speech made to-night by the honorable member for Ripon and Hampden. The honorable member's remarks consisted principally of personal criticisms of or aspersions on the honorable member for North Melbourne. I simply desire to remind the honorable member that last night he was one of those who rose to protect themselves and the corporate honour of this House from the assaults of a malignant and traducing press, and yet to-night he has spoken a leading article which reflects on a brother member, and indirectly on the corporate honour of the House, in a manner just as severe and violent as the article in the press to which attention was called last night. If the spoken article had been written and had appeared in the press, instead of being delivered in the House, no doubt the honorable member would have wished to bring the publisher to the bar. The present Ministry, like all other Ministries, are subject to enlightenment, but no Ministry have received so much enlightenment from the Opposition as the present occupants of the Treasury bench. An eminent writer, when he found the ideas which he intended to introduce to the public forestalled by another writer, said he regarded their presentation to the public by another with mingled pleasure and pain. I suppose it is with mingled pleasure and pain that honorable members on this (the opposition) side have found that Ministers, after objecting

to the course which they were asked to take, have shown that light has dawned upon their minds, and that, as the numbers have become still clearer to them, they have seen that the course proposed by the Opposition was so far right that it should be adopted as nearly as possible. We now find that the Government are willing to accept—with such trifling variation as may serve to protect their reputation—the policy which they at first repudiated. When the honorable member for North Melbourne and other members of the Opposition first insisted on an inquiry into the causes of the late disaster and the management of the Railway department, the Premier was cool, if not indifferent, as to the time when the inquiry should take place. We were informed that it might be held a few weeks hence—some time after the recess—that the House was to leave the matter to the Ministry, and to make no impertinent inquiries. As the debate has proceeded, and honorable members on this side have made it more and more evident that the question is not to be disposed of in the off-handed manner that the Premier first suggested, the Ministry have gradually swung round the compass until we now find them inspired with perfect energy for inquiry, carefully indicating the lines which it shall follow, and stating that it shall commence as soon as possible after the coronial inquest. The honorable member for Stawell has shown that it will be in accordance with the English practice for a parliamentary inquiry and the coroner's inquest to proceed side by side. However, instead of the two sides of the House differing, as they did a few days ago, as to whether an inquiry should be held or not, the only point now in dispute is whether the investigation should commence at once or at the conclusion of the coroner's inquest. The Ministry having approached so closely to the position taken up by the Opposition, the discussion has been robbed of many of its strongest features. In this, as in many other instances, the Opposition have, at all events, succeeded in gaining a moral victory. I desire to add my mite to the remarks made by the honorable member for Geelong (Mr. Berry) last night, when he very properly protested against the publication of certain official documents, as they are termed, prepared by single individuals, more especially those prepared by one individual, who must know perfectly well that, by the public as well as by members of this Chamber, he is regarded as connected with the accident. I do not say that the head of

the Traffic department is responsible for the accident, but he must feel that the inquiry will more or less involve himself. He is to some extent upon his trial, and yet how has he dealt with his inferior officers? In a manner most unseemly, improper, and thoroughly un-English. The report signed by the Traffic Manager and published in Saturday's paper is really a judgment and sentence on the whole case. There could be no greater breach of the principles of justice than the publication of that document. I do not mean to say that the Traffic Manager was not justified in collecting evidence and furnishing the report for the information and guidance of the Minister, but the publication of such a report is certainly a most serious breach of the principles of justice. An influential country newspaper has drawn attention to the fact that there are regulations promulgated by the department for conducting the traffic on double lines when one line is closed, which is just what was the case when the accident happened on the Hawthorn line. Those regulations were ignored on that occasion instead of being obeyed. An attempt has been made to show that the motion before the House is based solely on the Hawthorn catastrophe, but the fact is that every day the newspapers contain letters from citizens with reference to narrow escapes from other serious accidents on the railways. In the *Argus* particularly a series of letters have appeared giving the experience of the writers as to the suburban lines, and some of the incidents which they relate are of the most extraordinary description. We hear of an express train being started seven or ten minutes behind its time, along a crowded line, and with the admission of a station-master that he did not know any such train was going to be started at all. The honorable member for Stawell mentioned that only the other day there was a very narrow escape from a collision. We have trains delayed, time-tables faulty, and mishaps of all kinds occurring. It is not only one accident which is awakening the House and the country to the need of an entire change in the management of the Railway department, but there is a concurrence of testimony on every hand that the affairs of the department are apparently one inextricable mass of blunders and bungles. In passing, I would suggest that the Premier would do well to direct his attention to a very serious question, which he must face in his capacity of Treasurer, namely, the enormous cost in which the Government are liable to be involved by these accidents. I

would ask the honorable gentleman to consider the desirability of introducing at once some provision for placing a limit to the damages in which the Government can be mulcted as compensation for the death or injury of any individual by a railway accident. If a man is killed by a railway accident, the amount which a jury award as compensation to his widow and children is assessed, and necessarily so, upon the basis of the income which he earned at the time of his death. If an accident happened to a train in which a number of professional gentlemen, earning incomes of from £2,000 to £4,000 per annum each, were coming to town or returning to their homes, the amount of compensation which the Government would have to pay might be something very serious indeed. The Premier ought to consider the desirableness of providing that in future a maximum should be fixed, beyond which the Government would not be liable to pay compensation in any case, which might induce persons travelling by railway to adopt the system which is in operation in other countries of taking out insurance tickets entitling them to certain compensation in case of injury, or their representatives to compensation in case of death. If something of the kind is not done, and the responsibility of the Government remains unlimited, we may at any time have an accident which will constitute a tremendous drain on the Treasury. There have been discussions in the House as to sending to England for railway engines and carriages. A number of the carriages have since arrived, and upon the quality of them the future safety of life and limb will to some extent depend. I am informed by experts that the material of these carriages is excellent, but that their workmanship is extremely defective—that no such workmanship would have been permitted in carriages made by any Australian firm. This is a matter well worth inquiring into both by the Minister of Railways and by the Tariff Commission. Before concluding my remarks I desire to say that I think it is most important that in conducting our debates we should endeavour to preserve not only something like honesty, but also something like accuracy. It is too much the custom for an honorable member to give a flat denial to the statement of another honorable member, who in his turn denies the statement imputed to him, and this is followed by an appeal to *Hansard*. No one can possibly accuse the Premier of wilfully distorting a statement made by any honorable member, but the honorable gentleman fell into a serious mistake

Mr. Deakin.

last night, to which I think it advisable to call his attention. In alluding to some remarks made by the honorable member for West Melbourne (Sir C. Mac Mahon) the previous Thursday, the Premier said—

“I have now got *Hansard*, and, whatever the honorable member intended to say, this is what he did say:—

“That abuse, I believe, has taken place almost daily. I have heard of the Minister of Railways issuing a circular to the Opposition saying that there were certain vacancies amongst the employés of the Railway department, and asking them to nominate some persons to fill the vacancies.”

“Mr. Bent.—That is not true.”

There, then, is what the honorable member said, and the denial of the Minister of Railways, which the honorable member is bound to accept.”

I have referred to *Hansard* to-day, and I find the quotation made by the Premier was not from the speech of the honorable member for West Melbourne, but from the speech of the honorable member for Rodney (Mr. Gillies).

Sir B. O'LOGHLEN.—The honorable member is perfectly right. I made a mistake in saying that the extract which I read was from the speech of the honorable member for West Melbourne (Sir C. Mac Mahon), but if he looks at the speech of the honorable member for West Melbourne he will see that that honorable member referred to the statement of the honorable member for Rodney (Mr. Gillies) in support of what he himself said.

Mr. DEAKIN.—No doubt the Premier was under a misapprehension when he stated that the extract which he read was from the speech of the honorable member for West Melbourne, but the bearing of that misapprehension is somewhat serious. It is evident that the Premier's denial last night related solely to the word “circular.” The denial was that the Minister of Railways had sent a “circular” to the Opposition. The Premier went on to say—

“The Minister of Railways may have directed a letter to be sent to any honorable member who had applied for a vacancy intimating that one had occurred, and asking him to nominate the man on whose behalf he had applied, but the charge is that he sent a circular to the Opposition. The two things are absolutely distinct as night from day.”

I then interjected—“A distinction without a difference.” However, the issue of a “circular” was denied, but it was admitted that a “letter” might have been sent. This is how the case stood last night; but it was very different when the matter was first mentioned by the honorable member for Rodney. On that occasion the honorable member remarked—

"I have heard of the Minister of Railways issuing a circular to the Opposition, saying that there are certain vacancies amongst the employés of the Railway department, and asking them to nominate some persons to fill the vacancies."

The Minister of Railways interjected—"That is not true," and subsequently the honorable gentleman said—

"I cannot allow the statement of the honorable member for Rodney to go uncontradicted. I beg to inform the honorable member that no circular of the kind has been sent to members on either one side of the House or the other."

The honorable member for Rodney asked—

"Has no intimation of the kind been given?"

To this question the Minister of Railways replied—

"Nor has any intimation of the character referred to been given to any honorable member."

In the first instance, therefore, the denial was not simply that there was no circular or letter, but that there was not even an "intimation" of the kind alleged.

Mr. BENT.—I know very well who has been telling this little story. As far back as September, 1881, a clerk in the office, without my instructions, did send circulars or letters to certain members of the House. The statement of the honorable member for Rodney (Mr. Gillies) was that I was using patronage for the purpose of placating the members of the Opposition; indeed, he said that circulars were sent to the Opposition for a purpose, and no amount of legal talk will get over the way it was put. The same thing was said by the honorable member for West Melbourne (Sir C. Mac Mahon). This is the simple story. A gentleman named Kelleher, in September, 1881, sent letters to W. Anderson, Sir C. Mac Mahon, Simon Fraser, J. M. Barr, Henry Bell, Graham Berry, J. Bosisto, R. Bowman, D. Brophy, E. H. Cameron, R. Clark, A. T. Clark, D. M. Davies, A. Deakin, and G. R. Fincham.

Mr. MIRAMS.—What was the circular?

Mr. BENT.—Here is a copy of one of the letters:—

"Sir,—I am directed by the Commissioner to inform you that there is a vacancy for a clerk in this department at 5s. a day, and that he approves of your being invited to nominate a candidate possessed of the qualifications as per margin (good writer, not over 18 years of age, healthy, and must have passed the Civil Service examination) to fill the situation. May I, therefore, request that you will be good enough to instruct the person whom you may choose to call at this office as soon as possible, with this communication endorsed by you?"

Mr. BERRY.—Is not that exactly the charge that was made?

Mr. BENT.—It is not the charge; and these letters, as I have stated, were not sent

by my authority. ("Oh!") I repeat the statement; they were not sent by my authority.

Mr. MUNRO.—Did you dismiss the clerk for sending them without your authority?

Major SMITH.—What, all these letters sent out without authority! Tell that to the horse marines. It won't do for Parliament.

Mr. BENT.—There is a list of all the members of the Assembly. When I heard of what was being done, I stopped it.

Mr. PATTERSON.—Did the clerk do it all on his own motion?

Mr. BENT.—Yes; it was not done by my authority. When I heard of it, I stopped it. The same course was being followed that was pursued when the honorable member for Castlemaine (Mr. Patterson) was Minister of Railways. It was the honorable member's arrangement that was being carried out.

Mr. PATTERSON.—No, no.

Mr. BENT.—It must have been so. I had not given any directions about it. Here is a list showing the names of every member of the Assembly and Council.

Mr. PATTERSON.—Nothing of the kind occurred in my time.

Mr. BENT.—What is the use of talking like that? This is the list (exhibiting a document), and anybody can look at it.

Mr. MIRAMS.—Were all these letters sent out with reference to one billet of 5s. a day?

Mr. BENT.—I see that the Hon. Graham Berry was one of the gentlemen to whom a letter was addressed. His was a 5s. a day appointment. Sir Charles Mac Mahon was to nominate a day labourer, who was to receive 3s. or 4s. a day. As soon as I heard of the thing I stopped it.

Mr. DEAKIN.—I think that the information is entirely satisfactory. (Laughter.) We have drawn the badger at last, and have proved the truth of the assertion which was made in the first instance by the honorable member for Rodney, who no doubt thought that the practice was still going on. It is now quite clear that there was some basis for the remarks of the honorable member and for those of the honorable member for West Melbourne. I don't think we need say anything more about the subject, but there is another matter to which I will refer, namely, the report in the *Argus* of a speech made by the Minister of Railways at Castlemaine, about three years ago, in which he characterized the honorable member for Stawell as a "political rogue"

and his brake as a "job." It is most unfortunate that the Minister should have brought himself into conflict with a newspaper which is supporting him or three-fourths supporting him. It is unfortunate that he should absolutely deny the credibility of a report which appeared in its columns—not of a word or a sentence, but of the whole sense and sentiment of a paragraph of the report. I think it is unfortunate for the Minister that he should have contradicted this report, which has been allowed to go unchallenged for three years, and which is couched in terms so characteristic of the honorable member, and bears the impress of his utterance so distinctly, that if one found the extract in the wilds of Arabia he would at once say—"This is Mr. Bent's." I do not want to say anything unfair of the Minister of Railways. Does he still deny the report?

Mr. BENT.—I will not take any notice of you.

Mr. DEAKIN.—Does the Minister object to my proceeding on the assumption that the report is correct? "Silence gives consent." The report is now admitted to be correct, and yet its authenticity was denied last evening. That report appeared in the *Argus*, and the Minister thought that, by denying the report in the *Argus*, he would escape scot-free, and would once more be able to mislead the members of this House. But the honorable gentleman reckoned without his host, and I would recommend to him, the next time he ventures to give a direct contradiction in the House, to take care that he has not more than one authority against him. In the *Mount Alexander Mail* of Thursday, January 8, 1880, I find the following report of the portion of the honorable gentleman's speech referring to the honorable member for Stawell. A voice in the crowd asked—"What about Jack Woods?" whereupon the honorable gentleman is reported to have said—

"He would tell them about Jack Woods. He (Mr. Bent) took his part in the House when Mr. Woods did not deserve it. His railway expenditure was most extravagant, and he did more to increase the expenditure than any other man. The brake was a job. He robbed the country with it, and used the funds of the country to perfect it. He was a political rogue. (Laughter.) Until a new Minister was got in the Railway department the people would not learn the robbery that has gone on. He said nothing but what he could prove, and if he could not he would resign his seat for Brighton, which he valued more highly than anything on earth."

Except, he might have added, his veracity. I trust that the next time the honorable gentleman ventures to give an explicit denial to a journal like the *Argus*, or to any other,

he will take care that a local paper does not rise up to refute him as this one does.

Dr. MADDEN.—Sir, during the whole of this session I have been persuaded that the most practical patriotism any honorable member could show would be by holding his tongue, and adding nothing to the ever-increasing flood of talk which has been putting a stop to the practical business of the country. But, having been in the House for some years, I have learned to "smell a rat" in politics, and some special features which have developed during the last few hours induce me to offer a few remarks to some honorable members who have been colleagues of my own, and members of the same party with me; and I venture to think that the remarks I intend to make will be received by them in the same spirit in which I offer them. But first let me say a few words in relation to what is the prominent feature of this want of confidence debate. It has been asserted by the honorable member for North Melbourne (Mr. Munro), and re-asserted by other honorable members, that the public abroad are burning for an inquiry into the late accident, and that a committee should be at once appointed by ballot, and should make an inquiry of the most exhaustive character. Now I have had opportunities of going abroad and mixing with people of all shades of opinion, and I am satisfied that the public do not want an inquiry by a committee of this House. In fact, it is the very last thing they desire, and if the Premier, in answer to the motion of the honorable member for North Melbourne, had come down to the House with a Bill such as I would like to see him submit, I venture to say that the public would gladly agree that no inquiry should take place—that all the past should be forgiven, in the hope that for the future there should be safety on the public railways. What is our experience of this absurd nonsense of inquiries? Why, have we not been groaning under inquiries, and what is the result of any one of them? We have had the Closed Roads Commission, which travelled about the country spending money lavishly in every possible direction, and ultimately presented to the House a voluminous report, which no one ever looked at, and which the Government of the day at once consigned to the waste-paper basket. We have had the Lands Commission, which, after an exorbitant waste of the public funds, had a precisely similar result, and we have now the Police Commission, the only public interest displayed in regard to which is the

desire that it shall be shut up as quickly as possible. It has been spending money in the old way, calling one day a lot of interested witnesses to be contradicted next day by another lot of equally unreliable evidence, and its result will be exactly similar to that of its predecessors. The commissioners will be thanked for closing their labours, and their report will be placed in the waste-paper basket.

Mr. LONGMORE.—What about the Education Commission?

Dr. MADDEN.—Very likely it will eventuate just like the rest. My experience of inquiries has been that they simply serve to tide over an urgent matter until the public go to sleep. Supposing this particular inquiry is held, what will be the result? Does any honorable member honestly believe that it would bear any good fruit? Each member of the committee would probably consider it his duty to defend the cause of a particular officer who was his friend; the House and the Government would struggle to defend the cases of particular men; every one would be smoothing down every one else at the end of three months; and the public, pursuing their own business, would have forgotten all about the catastrophe, and would go to sleep until the next accident occurred. Any one who goes about among the community will easily learn that what the public want is not an inquiry, but the translation of the railways from the control of politicians, subject to political influence, into the hands of a commission of persons who would be free from the trammels of such influence. It may happen that this Parliament, pretty well spent as it is, will not give effect to that desire, and possibly the next Parliament may not do so either; but there is no doubt that the public, having started on the right road, will not stop until they find their railways lodged in the security of such a commission. The Bill which the Government of which I was a member introduced in this House some years ago may be defective in some respects, but I venture to say that it lays down the true and only lines for the management of the railways which will afford safety to the public. That that Bill in substance will become law within a very limited period is pretty certain, because I am satisfied that that is the system the public will have, and only that. On the other hand, what is the object with which this inquiry is proposed? One cannot be a few years in this House without becoming rather suspicious, and I confess that I entertain a certain suspicion on this point which I think is not very far out. No one knows

better than the astute gentleman who has proposed this motion the utter uselessness of the inquiry for the professed purpose for which it is asked. The real purpose, however, is intelligible enough, and in that aspect the motion does credit to the honorable member's astuteness. We know that members of the Opposition who are supporting this motion have avowed their hostility to any proposal to remove the control of the Railway department from a political head in this House. The honorable member for Geelong (Mr. Berry), the leader of the Opposition, in no way disguised his determination last night to oppose any such proposition.

Mr. BERRY.—I did not say anything of the kind.

Dr. MADDEN.—I myself heard him say that the conservative party initiated this scheme, and that he reprobated the idea because that party desired to place the railways in conservative hands—

Mr. BERRY.—That is what I opposed.

Dr. MADDEN.—And thereby defeat the influence and control which the great liberal party would have over them in this House.

Mr. BERRY.—I said nothing of the sort.

Dr. MADDEN.—I may perhaps have misunderstood the honorable member, but I certainly gathered sufficient from what was said by him, and other honorable members on the same side, to know that they are quite determined to resist, if they possibly can, the present desire of the public to remove the railways from political control. And certainly there could be no more admirable plan for shunting that reform than the appointment of a committee of inquiry, such as is proposed in this motion. The public will only keep warm on the subject for a limited period, and, if an inquiry can be extended over a few months, by that time the whole affair will have passed over, and the committee will end in nothing, and the great liberal party will be saved from having the railways committed to conservative and capable hands, instead of being managed in such a fashion as to smash up Her Majesty's subjects.

Mr. BERRY.—It is the conservatives who are doing that.

Major SMITH.—Your own Government.

Dr. MADDEN.—I am afraid my friend the Major is off his legs to-night. He has been his old self again this evening for the first time for a very long period. I have kept my eye upon him, and I have observed

that he has been flying round the House in the most agile fashion, interviewing a great number of members on both sides. In fact, he is "the Major" once again. In reply to the honorable member's interjection, I may say that the present Government are not my Government, nor are they, as any one can see, a conservative Government. For the sake of the business of this country, and for the sake of the prosperity and rest which it is now enjoying, I am one of those honorable members who are anxious to keep the present Government in office, and to keep out a Government which will bring about a different result.

Major SMITH.—You are responsible for their blunders.

Dr. MADDEN.—I dare say I am, but I would be very sorry to be responsible for the blunders of the honorable member at any time when he was a Minister. To attribute to any Government the calamity which has occurred during the last few days is simply a childish suggestion which cannot be sustained by argument. No honorable member will venture to say that the late accident is attributable in any sense to any one of the Ministers who are now in office. It is one of those accidents which would have occurred no matter what Government were in power. But what I want to point out is that the inquiry proposed, instead of benefiting the public in any way, would merely have the effect of delaying still further the only remedy the public can obtain for such evils as they have recently experienced on the railways. There is also another matter to which I wish to draw attention. The present moment seems to have been seized upon by certain honorable members in order to again endeavour to bring about that coalition which has been the main object and sustaining hope of the honorable and gallant Major and certain other gentlemen around him. From the radiant face of the Major and the way in which he has whipped up the battalions, I have been able to see that there is something afoot. I have very little interest in the gallant Major, and as long as he is not on the Treasury bench I do not care much where he is; but there are other honorable members in this House in whom I do take a very great deal of interest, and there is a party in which I take a great deal more. I desire to ask those honorable members to consider well whether this motion involves anything of such importance as should induce them to take the step they may possibly be contemplating. They are gentlemen to whom their party look; they are

men who, so far, have borne a name for integrity and rectitude of purpose in this House, and I certainly would suggest to them—

Mr. BERRY.—Is that a threat?

Dr. MADDEN.—Certainly not. Far be it from me to threaten. I simply wish to point out the inconsistency of those honorable members taking such a course as that to which I am now referring. There was a time, some years ago, when desperate causes seemed to demand a desperate remedy, and the people then might perhaps have pardoned that which, if resorted to now, would be condemned by the people on either side as nothing short of a profligate abandonment of principle. With the consent of the people there can be no coalition at present between parties in this House. There is nothing which demands it, and the doing of it would be a thing which no pretence of duty to the country could possibly cover. And now let me point out to the other side a matter which they seem to have forgotten in the pursuit of that coalition to which they have devoted themselves with such energy during the last twenty-four hours. The honorable member for Castlemaine (Mr. Patterson) and one or two other honorable members on the opposition side of the House have been endeavouring, with an energy worthy of a better cause, to whip up a sectarian feeling in the country which would afford, in their opinion, valuable assistance to their party at the forthcoming elections.

Mr. PATTERSON.—Your party is always whipped up—always ready.

Dr. MADDEN.—I do not want to offend the honorable member for Castlemaine, but merely to give him something to think over for the next hour or two. He has been trying to bring about this result for electioneering purposes, and has been declaring that this is a mere Catholic Government—a lot of fellows who want to use the Catholic vote to the destruction of all sound Protestantism in this country.

Mr. PATTERSON.—So they do. A Catholic organization.

Dr. MADDEN.—Very good. Accepting to the fullest extent the honorable member's cultivated opinion on this subject, I would ask him how will he shape before the ardent Protestants of this country when he goes before them sandwiched between conservatives from this side of the House and the honorable member for Belfast—the brigadier of the Catholic party? The honorable member knows that this motion cannot be carried, and the coalition cannot be worked out,

without Sir John. I know the honorable member for Castlemaine is a smart man, but I look forward with some little curiosity to learn how he is going to work in that factor.

Mr. PATTERSON.—It is not wanted to be worked in.

Dr. MADDEN.—The honorable member for Castlemaine says he does not want to work that factor in, but the terrible misfortune for him is that that factor will be worked in. I can assure him that he has that weight upon his back now, and he may not be too late to go back, but if he goes forward he will have to carry it. He can certainly throw it off at the post, but he cannot win if he does.

An HONORABLE MEMBER.—Is that one of your astute moves?

Dr. MADDEN.—I do not move in the House at all. I simply sit still and endeavour to do that which seems for the time being the best thing for the politics which my party represents and advocates. I desire to see the work of the country done, and there is a great deal of work which should be done before the elections take place, and I support the present Government not because I believe in the politics of all its members—I differ from the Government on many points—but because I consider that to put them off the Treasury bench at the present moment would simply have the effect of raising a turmoil in the country and of disturbing the state of rest and quiet into which the colony has been brought by the neutrality of action of the present Administration. I think we have had quite enough experience in the past of these party trials of strength to entirely dissuade any one who has the good of the country at heart from assisting to bring them about again. Whatever coalition may be effected, I for one will most thoroughly oppose it, and I venture to say that the gentlemen belonging to this party who may lend themselves to any such coalition will certainly regret their action, and that before many months have expired.

Sir C. MAC MAHON.—Mr. Speaker, I desire to say a few words, by way of personal explanation, with respect to the remarks of the Premier and the Minister of Railways. The Premier, as has been pointed out by the honorable member for West Bourke (Mr. Deakin), read last night a quotation from *Hansard*, purporting to be remarks made by me, whereas, as *Hansard* shows, they were a portion of a speech made by another honorable member. I would not do the Premier the injustice of believing

that he did that otherwise than inadvertently, but, at the same time, that quotation has been published in the daily press as having been extracted from a speech of mine, whereas such was not the case. My remarks were grounded on the speech of the honorable member for Rodney (Mr. Gillies), who did not confine his language to referring to a “circular” having been issued by the Minister of Railways, but spoke of an “intimation” having been given to honorable members with regard to appointments. It is now apparent from what has taken place to-night that the taunts and offensive language used towards myself were quite unjustifiable, for the statement which I made has been proved by the admission of the Minister of Railways himself to-night. It has been shown that a circular or letter of the nature I referred to was issued, and, therefore, the admission of the Minister of Railways relieves me from the unpleasant suspicion of having stated that which was untrue. But it would naturally be supposed, from the statement of the Minister of Railways to-night, that I acquired the knowledge of that circular from the fact that one had been sent to myself.

Mr. BENT.—There was no circular; a letter was sent to you the same as to every one else.

Sir C. MAC MAHON.—The Minister of Railways states that a letter was sent to me of the same nature as to every one else—namely, asking me to nominate some unknown person for a certain position. I asked the Premier and the Minister of Railways to allow me to look at the papers from which the latter quoted to-night, and the reply was that they could not do so, as the papers had been handed to the press. I then pointed out that it was scarcely fair to honorable members that their names should appear in the press in connexion with a matter they had not first an opportunity of examining into themselves. The Minister of Railways then obtained the papers from the press, including the list which he read to the House of members to whom the circular was addressed. I examined the list, and what was the result? My name was not in it. Now I ask what is the meaning of that? The Minister of Railways read the list as if my name were in it, and gave the House to understand—and the House implicitly believed him—that I had been cognizant of the circular because my name was in the list of those to whom it was sent. Yet, when I have an opportunity of examining the list I find that my name does not appear in it,

And what is the pitiful excuse given for this? That, although my name does not appear in the list showing that I had got one of these circulars, it appears in another return giving the names of persons who had recommended candidates for humble offices. And, by the way, a return covering only a couple of sheets of paper is presented as if those were all the appointments made in 1881. This is the way that the railway officials are made use of to compile returns to defeat the investigations of this House. As I have said, there is a return attached to these papers showing certain appointments to humble offices, and giving the name of the recommender if he happens to be a Member of Parliament, keeping back all other names.

Mr. BENT.—There are other names given too.

Sir C. MAC MAHON.—I did not see them, but I will not dispute that point. I only saw that under the head of "by whom recommended" my name appeared in connexion with the recommendation of an assistant or cleaner in the locomotive department. No doubt that is true. Unfortunately, I have been compelled over and over again to recommend people for appointments in the public service, many of whom I knew very little about. It may be asked how this happens, considering the position I have taken up with regard to political appointments? It is well known, however, that honorable members, and particularly those representing city constituencies, are placed in a very unpleasant position. As soon as a man makes an application for employment to one of the public departments, he is told—I don't say by the Minister, or even by the Minister's confidential clerk, but he is told by some one—that it is utterly useless applying unless he brings a recommendation from a Member of Parliament. I have tried to combat this over and over again, but what has been the reply? "Well, other members do it, and they get the people they recommend appointed, and am I to understand that you and your colleague refuse to do it and wish to leave your constituents out in the cold?" What I complain of is that we should be pestered or bothered at all about these things. Ingress to the public service, and also subsequent advancement, should be solely decided by qualifications. If the Minister of Railways thought fit to ask members of the Opposition to nominate persons to particular offices, I would say, looking at the matter in a political or party aspect, that was not a proper course. But

that is not the question at present; the question is the veracity of the statement that a circular or letter was issued by the Minister of Railways. The honorable gentleman to-night has admitted that every statement which I made on the subject is true, but he has destroyed that admission by giving the House to understand that any knowledge I had on the subject came from a circular addressed to me, and to which I responded by nominating some one. But, as a matter of fact, my name only appears in the same position as those of other honorable members, namely, as having recommended some one or other—whether the recommendation was successful or not, I do not know. I can tell the Minister of Railways that, as far as myself and my honorable colleague in the representation of West Melbourne are concerned, no recommendations of ours have been successful. They have been treated with contempt both by the Minister of Railways and the Minister of Public Works, and have simply been thrown into the waste-paper basket. To such an extent has this gone that we both now refrain from recommending any one, and have to bear the onus of that course. I rose, however, not to take part in this debate, but to point out to the House and the public that the statement made by the Minister of Railways that conspicuous among the names in the return of members to whom the circular was sent my name appears is incorrect.

Mr. BENT.—So it does.

Sir C. MAC MAHON.—Will the honorable gentleman produce the paper? I assert that, when the honorable gentleman produced the paper to me to-night, my name was not on it.

Mr. BENT.—It appears twice, and you saw it.

Sir C. MAC MAHON.—The Minister of Railways is again trying to equivocate.

Mr. BENT.—I rise to a point of order. Is the honorable member in order in saying that I equivocated?

The SPEAKER.—The word is unparliamentary, but the Minister of Railways has no right to provoke retorts by improperly interjecting remarks.

Sir C. MAC MAHON.—Mr. Speaker, as I do not wish to call for your interference, I withdraw the word, but I repeat that my name does not appear in the list of members to whom a circular was sent, and which list I saw to-night.

Mr. BENT.—The charge made the other night by the honorable member for Rodney (Mr. Gillies) was to the effect that I had, in

my position as Minister of Railways, been in the habit of sending certain circulars to the Opposition, and it was followed by the honorable member for West Melbourne (Sir C. Mac Mahon) declaring that I was also in the habit of going over to the opposition benches for the purpose of obtaining the votes of the honorable members there. I never denied that this Government took upon itself the patronage of the Railway department. It has dispensed it all along, and it has been fair all round. I said further that up to September, 1881, letters—not circulars—were sent to members of the Legislature, asking them to fill up vacancies in the Railway department. A list of members was made out, and it included, I think, every member of both Houses. Here is the list. It was not prepared by me.

Sir C. MAC MAHON.—Read it.

Mr. BENT.—It is a list of the honorable members generally who had a right to nominate to vacancies. It shows that the object was not to send to members of the Opposition only.

An HONORABLE MEMBER.—Is it a list of honorable members who received letters?

Mr. BENT.—Not at all. It is only a list of Members of Parliament. Letters were sent to about fifteen of the members mentioned, no matter whether they were or were not in opposition. I repeat that in the list of nominations the name of the honorable member for West Melbourne appears twice.

Sir C. MAC MAHON.—I assert that the honorable member showed me a list of the members to whom circulars were sent, and he admitted that my name was not in it.

Mr. LANGRIDGE.—The list the Minister of Railways has just laid on the table is simply a list of the members of both Houses.

Sir C. MAC MAHON.—I ask the Minister of Railways to read the list of the members to whom circulars were addressed—the list he showed me in the corridor.

Mr. BENT.—The list is just what I have stated it to be.

Sir C. MAC MAHON.—Read it out.

Mr. BENT.—I will try to make myself understood. I stated that the officers of the Railway department prepared a list of the members of both Houses, and letters, not circulars, were sent to some of them. For instance, one was addressed to the honorable member for Geelong (Mr. Berry), and another to the honorable member for Rodney (Mr. Fraser).

Mr. MUNRO.—You said one was addressed to the honorable member for West Melbourne (Sir C. Mac Mahon).

Mr. BENT.—I then said that the name of the honorable member for West Melbourne was in the list—that is, in the list of nominations.

Sir C. MAC MAHON.—I must contradict the Minister of Railways again. The list he showed me has about fifteen names in it, and my name is not mentioned.

Mr. BENT.—The honorable member's name appears in the list of nominations. Here is an item—"M. Donaghan," recommended by "Hon. Sir Charles Mac Mahon, M.P."

Sir C. MAC MAHON.—But that is not the list the honorable gentleman showed me, and he knows it.

Mr. BERRY.—This is rather a serious matter. It appears as though the Minister of Railways, in reading a set of names prepared by the officers of his department, interpolated the name of the honorable member for West Melbourne (Sir C. Mac Mahon), which is not in the list. The Minister now talks as though he had referred to a return, but he never referred to a return at all. Every honorable member who heard the Minister speak believed that the name of the honorable member for West Melbourne appeared in the list of the members to whom circulars had been sent. It does not matter much in one sense whether the name was or was not in the list the Minister had in his hand as he spoke—whether he read the name or merely mentioned it—but the fact is of the greatest importance as a test of the Minister's truthfulness.

Sir B. O'LOGHLEN.—The honorable member for Geelong (Mr. Berry) is interpolating his own view of the transaction in a partisan way.

Mr. BENT.—I say let us have no warmth. The point is that the paper I was reading from was together with others. I was mentioning the members to whom letters had been sent. I think the honorable member for Geelong (Mr. Berry) must have made an application.

Mr. BERRY.—No, the letter came without any application whatever.

Mr. BENT.—That the letter was sent without any application is something I do not understand. My statements are fully borne out. I said that I found letters going out and I stopped the system, and I totally denied that the letters were sent to the Opposition only.

Mr. GILLIES.—The honorable gentleman denied something more than that. He said—

“I cannot allow the statement of the honorable member for Rodney (Mr. Gillies) to go uncontradicted. I beg to inform the honorable member that no circular of the kind has been sent to members on either one side of the House or the other.”

Mr. BENT.—Well, I ask now—Where are the “circulars”? Does the honorable member mean to tell me that a polite note written to him from the Railway department is necessarily a circular?

Mr. MUNRO.—Letters of the same kind sent to a number of honorable members are so many circulars.

Mr. BENT.—The honorable member is making out his own case. Will the honorable members to whom letters were sent read them?

Mr. BERRY.—That is not the point. Did not the Minister of Railways read out the name of the honorable member for West Melbourne as though it was in the list of members to whom letters had been sent?

Sir B. O'LOGHLEN.—The honorable member for Geelong (Mr. Berry) is trying to fix a charge upon the Minister of Railways which is not true. What occurred was that the Minister of Railways had all the papers in his hands together. He read a list of names from one of them, and also mentioned that the name of the honorable member for West Melbourne (Sir C. Mac Mahon) appeared in the list of members who had made nominations.

Mr. BENT.—What I said was that the honorable member for West Melbourne had nominated a labourer.

Mr. BERRY.—No. The Minister said that the honorable member for West Melbourne received a letter asking him to nominate a labourer.

Mr. BENT.—It has been said that the nominations were made only by Members of Parliament, but there are others on the list. I will read one or two. Here is a nomination by Mr. Stutt, and another by Mr. Staughton. Then comes what I have mentioned before, that is to say the name of “M. Donaghan,” and, under the heading “By whom recommended,” the name “Hon. Sir Charles Mac Mahon, M.P.,” with the date, “21st September, 1881.”

Sir C. MAC MAHON.—That was not a nomination at all. It was only a recommendation. My name was not in the list the Minister of Railways showed me in the corridor.

Mr. BENT.—The papers were all pinned together. I unpinned one for the Premier to look at. Another one I showed to the honorable member for West Melbourne in the corridor. My statement in the House was simply that the honorable member for West Melbourne nominated a labourer.

Mr. BERRY.—You said he received a letter asking him to nominate a labourer.

Mr. BENT.—How particular you are about phrases.

Mr. BERRY.—It is a matter of truthfulness.

Mr. BENT.—Let the truth be seen. As a matter of truth, the honorable member for West Melbourne did make this nomination. Here is the paper showing it. That I sent circulars to the Opposition for the purpose of getting their votes, I indignantly deny. As for the Government distributing the patronage of the Railway department, that was part of their policy, and they made the distribution fairly. In reply to the honorable member for West Melbourne's statement that his recommendations were thrown into the waste-paper basket, I ask him to look at the list and he will see his two nominations. He was treated fairly, and so was his colleague. I call upon the honorable member for Geelong (Mr. Berry) to do me the justice of saying whether he or any of his party ever received circulars of the kind spoken of from me. Will any member of the Opposition say he received one?

Mr. MUNRO.—The Opposition deny what you state.

Mr. BENT.—That is the story of the honorable member for North Melbourne (Mr. Munro). I challenge any member of the Opposition to show such a circular. I challenge the Opposition, from their leader all down the line, to show me a circular of the kind described by the honorable member for Rodney (Mr. Gillies), or by the honorable member for West Melbourne (Sir C. Mac Mahon). I repeat that the nominations of both the honorable members for West Melbourne received every attention.

Sir C. MAC MAHON.—I made a recommendation, not a nomination.

Mr. BENT.—What is the difference?

Sir C. MAC MAHON.—The difference is very great. A nomination under the circumstances now in question would mean, practically, a request that must be complied with, while a recommendation might be refused.

Mr. BENT.—Well, I make the honorable member a present of the difference.

Major SMITH.—I move the adjournment of the debate. Let me say, however, before the question is put, that I think we ought to know where the truth lies between the Minister of Railways and the honorable member for West Melbourne (Sir C. Mac Mahon). I suggest that the Speaker order the *Hansard* staff to transcribe without delay their notes of the proceedings of the last three-quarters of an hour, so that copies of their report may be in the hands of honorable members early to-morrow evening. Then we shall get at the truth. I hope the Speaker has power to make such an order.

The SPEAKER.—I am afraid it is not within my power to do so. I think, however, the documents produced by the Minister of Railways should be laid on the table, so as to be ready for reference if this unfortunate debate is continued.

Mr. LANGRIDGE.—I wish to say a word or two with respect to the very heated remark the Premier made some little time since to the honorable member for Geelong (Mr. Berry). I beg to state that that honorable member did not state a word beyond the exact fact. The House generally was distinctly impressed with the idea that the list of persons to whom circulars or letters were sent included the name of the honorable member for West Melbourne (Sir C. Mac Mahon).

Sir B. O'LOGHLEN.—The honorable member for Collingwood (Mr. Langridge) and other honorable members evidently labour under a misapprehension. The position of affairs at the time the misapprehension arose can be very easily described. The Minister of Railways had certain papers in his hands which were pinned together. I know that to be the case because I asked him to let me look at one of the papers, and he had to unpin it from the rest in order to hand it to me. Well, the Minister had these papers in his hands when he was speaking about what were called "circulars," and showing that they were not circulars at all. He explained that certain honorable members had simply been invited to nominate individuals to fill certain vacancies, that being part of the system which he had found going on in the Railway department, and to which he put a stop. He next read out a list of names to show that the honorable members written to included other honorable members than those sitting in opposition; and he then referred to the "nominators," as he called them, and mentioned that two individuals had been nominated by the honorable member for West Melbourne (Sir C. Mac Mahon).

I can imagine it to be quite possible, from the way the Minister held the documents, that honorable members in opposition thought he was referring to only one paper, whereas he was as a matter of fact referring generally to all of them—the list of all the members of both Houses, the list showing the honorable members who were written to, which he read, and the list showing nominations that had been made. It is easy to see how honorable members opposite fell into an error. The next thing was that the press sent for the papers, and subsequently the honorable member for West Melbourne asked to see them. The Minister of Railways went out to get the papers he had sent to the press, and afterwards he produced them to the honorable member in the corridor. The honorable member said—"Show me my name in the list you read," and the Minister showed him a list, in which the honorable member's name did not appear.

Sir C. MAC MAHON.—Perhaps I may be allowed to explain. I will state exactly what occurred. The Minister of Railways read a list to the House of those honorable members to whom letters had been addressed, asking them to nominate persons to vacancies, and in that list I heard my name included. I subsequently went to the Premier and said—"The Minister of Railways read out my name in the list; will you let me see the papers?" The Premier said—"Certainly not."

Sir B. O'LOGHLEN.—If the honorable member refers to what took place, let him describe it correctly.

Sir C. MAC MAHON.—Not only did the Premier refuse to let me see the papers, but he turned round and threatened me. He said that, if I persisted in what I was doing, he would report me to the Speaker. I told him he could do just what he liked.

Sir B. O'LOGHLEN.—The honorable member should not make statements that are not true.

Sir C. MAC MAHON.—I am stating what is true. Let the House judge between us. I went on to say that I would get the papers in some other way, as I could not understand why my name should be handed to the press in a certain return without my having an opportunity of seeing if the return was correct. When the excitement of the moment was over, the Minister of Railways said—"If you come outside, I will show you the papers." I went out with him. The next thing was that he went to get the papers from the press, and to tell them not to do anything with them until I had seen

them. When he had shown me the papers, I said—"Mr. Bent, you have made a great blunder, for my name is not in the list you read." He replied—"Your name appears twice." We looked over the papers, and I saw that my name only appeared in the list of honorable members who had given recommendations. I suppose I need not tell honorable members that I have in my time recommended perhaps hundreds of persons. I have given recommendations to mechanics whom I had employed, old policemen who had been under me, and others, in order that they might get engagements. No doubt, I have recommended some persons to the Railway department. I have refused over and over again to do so, but I have been coerced by the pressure of political considerations to occasionally recommend men for employment there. I have, however, always taken care to say not a single word in their favour that I could not most thoroughly substantiate. My name appears on the list alluded to, but only as having recommended. It seems to me that between recommending and nominating there is a very wide difference. A nomination implies an absolute right to nominate, but a recommendation can go no further than the act of recommending. The list in connexion with which my name was read was a list of the members to whom letters had been sent. I said to the Minister of Railways—"My name not being here, you had better go into the House and say you made a mistake, and if you do that I will say nothing." But he asserted that he had made no mistake. I do not think I have anything to add.

Sir B. O'LOGHLEN.—I consider that I am entitled to make a personal explanation. The honorable member for West Melbourne has just accused me of threatening him in the House. I never threatened him. While the Minister of Railways was addressing the House, the honorable member for West Melbourne made use of an offensive expression, which probably neither the Speaker nor the majority of honorable members heard. I, however, heard it, and was annoyed. Shortly afterwards the honorable member came to me and demanded, in a rather offensive manner, to see the papers which had been referred to. I said—"I will not give them to you," and I added—"You used just now an offensive expression to my honorable colleague and friend, Mr. Bent, and I beg you to understand that I will not submit to its repetition, because if it is repeated I will call the attention of the Speaker to it." He said—"You must not threaten;" to which I replied—"I am not

threatening, I am only telling you what I will not submit to." Then the Minister of Railways informed the honorable member that he had given the papers to the press, and offered to get them back and show them to him. My honorable colleague did go to the press and get the papers back, and he afterwards showed them to the honorable member in the lobby.

Mr. PEARSON.—I beg to suggest a course which I think will prevent some difficulty. I believe the Chief Secretary has the control of the *Hansard* staff, and I think he would do well to direct the *Hansard* reporter to read out that part of his notes which refers to this disputed matter. Then we shall know to-night the real state of the case. The *Hansard* notes will show the exact words used, and reading them to the House will carry conviction to the whole country.

Mr. DUFFY.—A great deal of trouble seems to have been created about this matter. I fancy the Minister of Railways has made a mistake which he will do well to acknowledge at once. What object could he have in attempting to deceive the House in the affair? If it was trickery, it was trickery altogether too clumsy for a sane man to practice. But the fact that the papers were handed to the press, and afterwards shown to the honorable member for West Melbourne (Sir C. Mac Mahon), proves beyond a doubt that the mistake was unintentionally made. In fact, the Minister rendered deception beyond the moment utterly impossible. He read out a number of names and there he stopped, for the excellent reason that the list did not go beyond names beginning with F. He simply accidentally and inadvertently made a mistake by mixing the name of Sir Charles Mac Mahon with the others. Considering in whose presence the list was read, and the utter impossibility of any sustained deception, I think the charge of untruthfulness against the Minister of Railways answers itself. Therefore I suggest that the matter should be allowed to rest.

Mr. BOWMAN.—Sir, in looking over the list of those who made recommendations to the Railway department, I find the name of the honorable member for Castlemaine (Mr. Patterson). The name of that honorable gentleman, who, according to his own account, never recommended any one, is down here in black and white. It should be observed that the other list referred to by the Minister of Railways is headed—"List of Members of Parliament to whom letters

were forwarded, *re* employment of labourers." It does not say that circulars were sent. The names are arranged in alphabetical order, and the list does not embrace names with an initial beyond "F." The names of several honorable members, including the honorable member for Geelong (Mr. Berry), who are in the habit of declaring that appointments in the public service should not be made by political influence, but according to merit, figure in the list of recommendations. I find also the names of the honorable member for Rodney (Mr. Gillies) and the honorable member for Kara Kara. The name of the honorable member for Castlemaine appears several times. But the list does not show that any appointment was made on my recommendation. However, I may observe that this is no new practice. It was in force under previous Governments. I am in possession of circulars from members of the last Government, inviting me to nominate persons for vacancies. If a boy was wanted at the post-offices at Maryborough, Talbot, or Majorca, the fact was communicated to me, with a request that I would name a suitable youth; and several nominations which I made were accepted. The honorable member for Castlemaine, when Postmaster-General, asked me to nominate persons to offices in his department.

Mr. PATTERSON.—That is contradicted.

Mr. BOWMAN.—I can produce letters signed by the Deputy Postmaster-General to support what I say. I may mention that during the existence of the last Government I received similar letters from every department of the State.

Mr. LANGRIDGE.—That is strictly untrue.

Mr. BOWMAN.—I may not have received any from the department of Mines; but from every other department I received circulars inviting me to nominate persons to vacancies. Therefore, I say the present Government have done nothing more than the late and preceding Governments did. Then why should they be blamed? I have always looked upon the business as a matter of course, ever since I have been a member of this House; but I never said it was right. On the contrary, I have always advocated that appointments should go by merit. With regard to the present Government, I may mention that I never received a letter, with respect to appointments, from any one of them except the Postmaster-General, who asked me to nominate a boy to some position

in a local post-office; and that request was made from motives of economy, because it was cheaper to appoint a local boy than to send one from Melbourne. If a charge in connexion with this matter can be fairly laid against the present Government, it can be laid in a tenfold greater degree against the late Government.

Mr. DEAKIN.—Mr. Speaker, I have peculiar reasons for having a positive opinion on this question. Before the House met, I was conversing with the honorable member for West Melbourne (Sir C. Mac Mahon), who expressed his indignation at the distribution of the circulars of which mention has been made, and he named the persons from whom he received information on the subject. When the list of members who had letters sent to them was read by the Minister of Railways I was listening attentively, and I can distinctly and positively declare that among the names read out was that of the honorable member for West Melbourne. In fact, I am prepared to make an affidavit on the subject.

Mr. L. L. SMITH.—Oh! we believe your word.

Mr. DEAKIN.—On hearing that particular name, I was completely taken aback; I could scarcely believe my ears; and instantly the suspicion was aroused in my mind that the honorable member for West Melbourne, in his conversation with me, concealed the fact that he had received one of the very letters about which he professed to be so indignant. And here I would inform the Premier that it is very strange that, after the production of papers making an extraordinary series of disclosures, those papers, instead of being laid on the table, are sent out of the House, and a sight of them is refused to honorable members.

Mr. BENT.—It is the usual custom, after a Minister has read or quoted from papers, for the documents to be handed to the press. Nobody knows that better than the honorable member for West Bourke (Mr. Deakin).

Mr. DEAKIN.—The other night there was a long debate about the laying on the table of letters which are read by honorable members in the course of their speeches; and this reminds me of the fact that after giving two distinct pledges, in answer to questions put by myself in this House about a month ago, as to whether the Kensington-hill papers would be the property of the House, the Minister of Railways put them in his pocket, and, when I followed him to the Ministerial room, he refused to let me look at them. The treatment which the

honorable member for West Melbourne has received is not half so bad as the treatment I received, but it is another evidence of the way in which papers are dealt with. The whole question now at issue turns upon what has been properly termed the interpolation of the honorable member for West Melbourne's name in the list read by the Minister of Railways, and the Minister cannot possibly do justice to himself unless he apologizes to the House for having, by some accidental means, made improper use of the honorable member for West Melbourne's name.

Mr. ZOZ.—I don't know whether the honorable member for West Melbourne (Sir C. Mac Mahon) desires an apology; but some honorable members of the Opposition appear desirous of making some little political capital out of the present complication.

Mr. DEAKIN.—Shame.

Mr. ZOZ.—The honorable member for West Melbourne is the custodian of his own honour. I don't know any honorable member more tenacious of his honour, and if he thought for one moment that he had been unjustifiably assailed, or that the explanation was not sufficient—

Mr. DEAKIN.—He said it was not.

Mr. ZOZ.—He would have insisted upon an apology. I am not one of those Members of Parliament who have received circulars asking them to nominate individuals for appointments; and I will add, in conclusion, that better reasons could not be adduced for the abolition of patronage than the speeches we have heard on this motion for adjournment.

Mr. L. L. SMITH.—I would like to show the way in which the Minister of Railways acts when he addresses the House with papers in his hand. He first reads from one document, and then from another, and this being done rapidly, he is apt to be under the impression that he is reading from one document when he is absolutely reading from the other. In that way, I presume, the mistake about the name of the honorable member for West Melbourne (Sir C. Mac Mahon) was made this evening. In view of this probability, is it not terrible that honorable members should so drift into personalities that they should be trying all they possibly can to make out one another to be misinterpreters of the truth, or, in plain language, liars? I don't wish to accuse one side more than the other, but what has transpired to-night is enough to make me subscribe to the opinion which has been expressed by more than one honorable member

that it is time for this House to go about its business.

The motion for the adjournment of the debate was agreed to, and the debate was adjourned until the following day.

The House adjourned at thirty-five minutes past eleven o'clock.

LEGISLATIVE ASSEMBLY.

Thursday, December 14, 1882.

Rabbits Suppression Act—Reading of Documents in Debate—Railways Management Bill—Personal Explanation: Mr. Patterson—Mining Disaster at Creswick—Railway Management: Collision at Hawthorn: Want of Confidence in Ministers: Mr. Munro's Motion: Third Night's Debate—Telephonic Communication with the Exchange.

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

RABBITS SUPPRESSION ACT.

Mr. ANDERSON asked the Minister of Lands whether he would take steps to have the Rabbits Suppression Act, which would expire on the 31st inst., continued?

Mr. W. MADDEN said the Government would introduce a measure to continue the Act.

READING DOCUMENTS IN DEBATE.

Mr. HALL said he desired to call the Speaker's attention to a matter of privilege. The previous night the Premier read a document, which must be regarded either as a private or a public document. If it was a public document, it ought to have been laid on the table of the House for the inspection of any honorable member who desired to peruse it. The honorable member for West Melbourne (Sir C. Mac Mahon) stated that the Premier refused to allow him to see it. A few nights ago, when he (Mr. Hall) read certain letters, the Premier was very particular in demanding that they should be laid on the table of the House, and the Speaker ruled that they ought to be placed on the table. The present was certainly a case in which the document read should be placed on the table, and his object in calling attention to the matter was that the ruling of the Speaker might be thoroughly maintained. He could quote several authorities in support of his contention that the Premier had no right, after reading a public document, to refuse to allow

an honorable member to see it. In the reports of the debates in the House of Commons in 1857 he found the following:—

“Mr. Disraeli said—‘But it was quite monstrous to suppose that a Minister should rise in his place, and, on an occasion like the present, make an important statement from a document not on the table of the House, and say it was private.’”

On the 7th July, 1864, the Speaker of the House of Commons, referring to a paper read by a Minister, said—

“The despatches should be laid on the table before the honorable gentleman can quote from them.”

In March, 1808, Mr. Adam, in speaking of the law of Parliament relating to official communications, said—

“He should now endeavour to show that the right hon. the Secretary of State, by reading extracts from official papers not before the House, in the course of the debate, had been acting as disorderly as if he had introduced His Majesty’s name for the purpose of influencing the decision of the House, than which it was unnecessary for him to state nothing could be more irregular.”

In support of this doctrine he appealed to the authority of Mr. Hatsell, and of Mr. Speaker Onslow; and the conclusion he drew from it was this—That the House never came to a decision on any evidence of which it was not in the power of any individual member of the House to compel the reading, either long or short—to use the technical term; and that any member who presumed of his own accord to read official documents which were not before the House was guilty of a flagrant violation of its forms of proceeding, and an infraction of the law of Parliament.”

In May’s *Parliamentary Practice* it was laid down that—

“A Minister of the Crown is not at liberty to read or quote from a despatch or other State paper not before the House unless he be prepared to lay it upon the table. It has also been admitted that a document which has been cited ought to be laid upon the table of the House, if it can be done without injury to the public interest.”

He would ask the Speaker if the case of the previous night was not somewhat similar to the one which occurred a few nights ago, in which he (Mr. Hall) was concerned, and whether the Premier was not trifling with the House when he refused to allow the honorable member for West Melbourne to see the document which had been read?

THE SPEAKER.—The Minister of Railways is the Minister who read the document, and he afterwards laid it on the table.

Mr. HALL remarked that the Premier was the Minister who had possession of the document when the honorable member for West Melbourne asked for it, and the honorable gentleman refused to allow him to see it.

THE SPEAKER.—All the cases cited by the honorable member simply go to show that it is the duty of a Minister who reads

a document to lay it on the table. In this case the Minister of Railways read certain documents, and afterwards placed them on the table, thereby complying with the rule of Parliament. The documents, I believe, are now on the table.

RAILWAYS MANAGEMENT BILL.

Mr. WALKER said he desired to ask the Premier a question relating to public business. A week ago the honorable gentleman stated that it was the intention of the Government to take the second reading of the Railways Management Bill as soon as possible, but since then he had intimated that, prior to the second reading, they would probably propose the appointment of a select committee to inquire into the best system of working the Railway department, with the view of utilizing the information gained by the inquiry in the preparation of the Bill. He begged to ask the Premier whether the Government proposed to adhere to their original intention, or to have an inquiry made by a select committee before proceeding with the Bill? The honorable gentleman’s answer might have an effect on the vote which he (Mr. Walker) would give on the motion of the honorable member for North Melbourne (Mr. Munro), and possibly on the votes of other honorable members.

Sir B. O’LOGHLEN said he thought the honorable member was rather premature in asking the question. He was also of opinion that it would be unwise for the Government to attempt to influence the vote of any honorable member on the motion of the honorable member for North Melbourne (Mr. Munro). What the Government stated was that they proposed to circulate the Railways Management Bill next Tuesday. (Mr. Kerferd—“You said after the debate on Mr. Munro’s motion was over.”) They proposed to circulate it as soon as the debate on the motion of the honorable member for North Melbourne (Mr. Munro) was finished, and Tuesday was mentioned as the day on which the measure would probably be in the hands of honorable members. He, however, now doubted whether the Government could circulate it by Tuesday. His own feeling was that it would be decidedly advisable that further information should be sought upon the subject of railway management before the Bill was circulated. (Mr. Walker—“By means of a select committee?”) He had already mentioned to the House that the Government were willing that a select committee should be appointed to inquire into the matter, and he suggested

that it would be advisable to place on the committee some of the oldest members of the House, and members who had been connected with the Railway department. However, as to the question of whether the Bill should be dealt with first, or the select committee appointed first, he would announce the decision of the Government after the debate on the motion of the honorable member for North Melbourne was over.

PERSONAL EXPLANATION.

Mr. PATTERSON said he had looked over the document produced by the Minister of Railways the previous night, showing the list of honorable members who had recommended persons for employment in the Railway department, and he found that he (Mr. Patterson) was set down as having recommended a man named T. Maher. He would like the original papers from which that information was obtained to be produced. Since he left the Railway department he had not been asked to nominate any person for an appointment, nor did he believe that any one had been appointed on his recommendation. When a petition was sent to him from his district with reference to employment in the Railway department he forwarded it to the department in the regular way, but he believed that was the utmost extent of his interference.

MINING DISASTER AT CRESWICK.

Mr. R. CLARK asked the Minister of Mines whether he would give instructions to the officers of his department to see that all operations in the New Australasian mine at Creswick were suspended until the coroner's inquest on the victims of the recent disaster had closed?

Mr. BURROWES said he had already given instructions of the kind indicated. He begged to add that he had just received a telegram from Sandhurst, intimating that, at a public meeting held at the Mining Exchange in that city, the sum of £500 had been collected towards the relief of the widows and orphans of the men whose lives had been sacrificed.

Major SMITH read a telegram which he had received from the Ballarat Miners' Association, stating that great dissatisfaction existed amongst the miners at Creswick and friends of the deceased at the composition of the jury empanelled to hold the inquest on the bodies of the deceased, and suggesting that it should be altered so that half the jury would consist of miners who practically

understood underground mining works. He begged to ask the Attorney-General if any steps could be taken to meet the wishes of the miners in this respect?

Sir B. O'LOGHLEN stated that a similar telegram had been received by the Minister of Mines, who had telegraphed back that it was not possible to interfere with the composition of the jury, but that the Government would be represented at the inquest by counsel, to watch the proceedings carefully.

RAILWAY MANAGEMENT.

COLLISION AT HAWTHORN.

The debate on Mr. Munro's motion for a select committee to inquire into "the management and working of the Railway department, and specially to report on the whole circumstances relating to the recent disastrous occurrences at Hawthorn," and on Sir Bryan O'Loughlen's amendment for the previous question (adjourned from the preceding night), was resumed.

Major SMITH.—Mr. Speaker, I regret that the honorable member for Sandridge thought proper, last night, to attack me and one of my late colleagues who is not now in his place. The honorable member also went out of his way to divide with the honorable member for Warrnambool the honour of acting as a sort of nurse to the Government. He took a considerable amount of credit to himself for supporting the Government on patriotic grounds, but perhaps there are somewhat nearer grounds than patriotic ones which induce him to support the Government. The honorable member likewise spoke of some extraordinary coalition between the Opposition and honorable members sitting in the corners, but the merest tyro knows that whenever a Government are turned out of office the two corners make up the number who eject them. The honorable member also made reference to a particular body, but will any one say that, out of the fifteen members representing one particular class in this House, two will vote with the Opposition against the Government when the division takes place? Every one knows that, with the exception of one, or two at the most, they will all vote for the Government.

Mr. HUNT.—They do not represent a particular class. You have no right to say that they do.

Major SMITH.—I am only alluding to a statement made by the honorable member for Sandridge that the honorable member for Belfast will vote with the Opposition. I

say that all the rest of the fifteen members will probably vote with the Government.

Mr. HUNT.—What right have you to say that?

Major SMITH.—I had every right to say so, judging by the speeches made by honorable members sitting behind the Government, and by members sitting in the corners. I would remind the honorable member for Kilmore that the Opposition did not ask for the statement made by the honorable member for Sandridge, but it was thrown at them. Leaving this matter, I will call the attention of the Minister of Railways to the fact that last week he delivered a speech, in which he was good enough to say that I had used no language so severe against him as I had against my late colleague, the honorable member for Castlemaine (Mr. Patterson), who was formerly Minister of Railways. There is no truth in that statement. I will ask the indulgence of the House while I state a few facts which are of a somewhat personal character. It will be recollected that when the Beaufort accident occurred, Newman, the driver of the engine, a relative of mine, was a running foreman, who had been nineteen years in the service. On the day of the accident he took a large train for the purpose of relieving one of the stations, which was crowded with grain. Finding the train too heavy to ascend the incline, he divided it at the bottom of the hill.

Mr. BENT.—My statement had no reference to that matter.

Major SMITH.—The Beaufort accident has a bearing on something which I shall have to say by-and-by. Newman divided the train, and an accident afterwards occurred at Beaufort, a portion of the train coming into collision with a passenger train. I have been told by persons who saw the accident that if the station-master had had the presence of mind to open the carriage doors of the passenger train every passenger could have got out. Though Newman was my relative, I never interfered in the matter in the slightest degree, but left the then Minister of Railways, who was my colleague, to adopt what course he thought fit. I never mentioned the matter to him, nor did any of my colleagues, until after Newman was put on his trial and acquitted. The present Minister of Railways thought proper, without any solicitation on my part, to reinstate Newman in the service after he had been suspended for seven months, and after he had been put on his trial and acquitted. I will now come to the Hawthorn accident.

After that accident occurred, I got all the information I could from various authorities in regard to the cause of it; and I think the House will be surprised to learn that the staff system, which is looked upon as so safe, is at present being worked in the most loose and negligent way that can possibly be conceived. According to the staff system, if a train leaves say Newport for Werribee, a staff is given to the engine-driver, and then the train has a monopoly of the line between those two places. When it gets to Werribee the staff is given up by the engine-driver and another staff is handed to him, and then the train has a monopoly of the line until it arrives at the next station at which it is to stop. Now a guard told me that in one case the printed instructions were altogether disregarded by the conduct of the station-master. According to the instructions it was the duty of the guard to receive the staff from the station-master, and to hand it to the engine-driver, so that three persons might know that the staff had been delivered; but when the guard asked the station-master to hand him the staff, the latter said—"What have I got to do with the staff? I am not going to bother with the staff; some of the porters will give the driver the staff." This indicates that there is gross negligence even where the travelling public are supposed to be perfectly safe. The Minister of Railways may not know of it, but the printed instructions are violated in a way that is sufficient to sheet home to the department gross negligence in conducting the passenger trains.

Mr. ANDERSON.—Where did the case to which the honorable member refers occur?

Major SMITH.—I am not going to mention names. I asked the guard who informed me of the case why he did not report the station-master, and his reply was—"Report him! If I reported him, I would be dismissed in a week, notwithstanding that I have been 20 years in the service." "Why would you be dismissed?" I inquired; and the answer was—"He is a countryman of Sir Bryan." I have a copy of the printed regulations for working the traffic in certain cases, and every one of them seems to have been violated on the Hawthorn line. If they had been observed on the day that the accident happened, it would have been utterly impossible for the accident to occur. I may mention that in England the police have instructions when a railway accident occurs to arrest all the firemen, drivers, guards, and other officials connected with it, and to keep

them separate until an inquiry is instituted by the Board of Trade. In the case of the Hawthorn accident, however, the men who are probably most culpable are acting as judges over the subordinate officials. I will read the printed regulations issued by the department which ought to be observed when a double line is worked as a single line. They are as follows:—

"88. When slips or obstructions occur, or if from any cause it becomes necessary to work both the up and down traffic over one and the same line of rails, between certain stations or 'through crossings,' the following rules must be observed:—

"89. After providing for the immediate safety of all traffic approaching the point of danger, according to the general regulations, intimation must be sent to the Engineer-in-Chief's office, nearest engineer, or to the Inspector of Permanent Way, and to the office of the Traffic Superintendent, at Melbourne, and to all other officers who can render assistance.

"90. The officer in charge of the nearest station to the point of obstruction shall assume the chief authority until the arrival of the Inspector of Permanent Way, when so soon as he can transfer the duty to that officer he must do so.

"91. The signal points at each end of the single line over which the whole traffic is to be conveyed must be placed in charge of experienced men. The distant signals must be kept constantly turned on danger, or a man with a danger signal must be stationed at a distance of 800 yards from the single line, to stop any engine or train, and prevent its approach unless accompanied by the pilotman.

"92. A careful steady man must be appointed to act as pilotman, whose duty it will be to proceed on every engine passing over the single line. Should the pilotman, on arriving at either end of the single line, find that more trains than one are waiting to be piloted, he may despatch all the trains at intervals of from five to ten minutes, according to circumstances, going himself invariably on the engine of the last train.

"93. The pilotman must accompany the first train in each direction after the double line has been opened.

"94. After the pilotman has left, all the engines approaching the single line must be stopped till his return.

"95. The pilotman shall be distinguished by a red cap; but, until this is obtained, his distinguishing mark shall be a piece of red cloth, or part of a red signal flag, tied round his ordinary cap, care being taken to transfer his brand or cap to any man appointed to relieve him.

"96. When one pilotman has been relieved by another, he must not ride on any engine till he takes duty again.

"97. Till these arrangements are matured, no train must be allowed to pass in the wrong direction on the single line, and the driver of the first train in each direction must be cautioned not to proceed faster than four miles an hour, so that all parties may become familiar with the arrangements without risk of accident.

"98. After all danger has been removed, the line of rails which was closed must not again be re-opened for traffic till intimation in writing from the person in authority has been sent to the pointsman at each end."

None of these regulations were observed on the Hawthorn line on the day that the

accident occurred. There was no pilotman, and, instead of the train going at the rate of four miles an hour, it was going at the rate of 20 miles an hour; in fact, the whole of the regulations, which were intended for the safety of the travelling public, as well as for the safety of the railway officials, were deliberately set aside. Under these circumstances, how can any one have the hardihood to say that the Government or the Railway department are not to blame? If justice is to be done, an inquiry ought to be held promptly. We know full well that evidence sometimes gets obliterated—that documents sometimes disappear. We had an instance last night of how documents may be manipulated. The delay proposed by the Premier should not be tolerated. There may be a desire to shield some of the higher officers of the department, and that object might be gained by delay. The excuse given by the Government for not consenting to the appointment of a committee immediately, namely, that a coroner's inquest is being held, is a most paltry and unreasonable one. Why should the members of this House, who are elected to look after the business of the country, be debarred from appointing a committee to inquire into the whole circumstances connected with the accident until twelve jurymen give their decision as to the cause of the death of the unfortunate man who has been killed? I can assure the Government that there is a strong feeling, not only in the metropolis, but in the district of Ballarat, and all over the country, of want of confidence in the administration of the Railway department under the present régime. If the country was polled, there would be an overwhelming majority against continuing the existing system. It is only since two very serious and costly accidents have occurred—both of which have happened during the time that the present Minister of Railways has been in office—that the railway management has been very much called in question. When the honorable member for Rodney (Mr. Gillies) was Minister of Railways there were scarcely any accidents, neither were there many during the term of office of the honorable member for Stawell and the honorable member for Castlemaine. Those honorable members conducted the department in such a way that it became almost proverbial that, in proportion to the number of travellers, there were fewer railway accidents in Victoria than in any other country. This has been reversed since the present Minister took office. I agree with the remarks which the honorable member for West Melbourne (Sir C.

Mac Mahon) made about the Minister's fatal energy. The honorable gentleman has been continually meddling with everything ; constantly changing his officers, and constantly changing the time-table, without sufficient consideration. An old officer of the Hobson's Bay Company told me that it was a very rare thing indeed for the company to change their time-table. The men were trained to do certain work which never varied, so that they knew exactly what they had to do from week to week and from year to year. They did the same thing every day, with the exception of a change in a few of the trains on Saturdays and an altered time-table on Sundays. What we want is a prompt and searching inquiry, to ascertain how the present condition of the railways has been brought about. I cannot imagine any honorable member, in whatever part of the House he sits, endeavouring to shirk an inquiry into this matter, and the pretence of the Government that an inquiry cannot be held because the coroner and twelve men picked out of the streets are holding an inquest is simply preposterous and on a par with the whole of their conduct during this session. The Government have shown throughout the session that they are powerless to conduct the business of the country, and, although the House has been sitting eight months, not a single measure has been passed except the Loans Redemption Bill, with regard to which the Treasurer had to obtain his ideas from the honorable member for Geelong (Mr. Berry) and the honorable member for Belfast. The Minister of Customs—the gentleman with all the brains—got up the other night to defend the Land Bill, but he merely talked the most arrant twaddle, and filled up the time by quoting from speeches from this (the opposition) side of the House without replying to any one of them. I have never witnessed a more pitiable exhibition on the floor of the House. The whole session has been wasted by the incompetence of the Ministry to conduct legislation, but they have certainly been active enough in the exercise of patronage. A list of the appointments made by them up to July last has been furnished, but we shall not be able to see the full extent to which they have gone in this direction until the list is brought up to date and the Additional Estimates are submitted. The honorable member for Sandridge last night talked about a coalition, but what is the personnel of the present Government ? It contains at least three gentlemen—the Premier, the Chief

Secretary, and the honorable member for Richmond (Mr. Smith)—who used to call themselves liberals, but how can they continue that title when they are supported by the rankest conservatives in the House ? They occupy a most anomalous, and I have no hesitation in adding a degraded, position. Never has there been a Government in this country which has promised so much and done so little as the present Government. They endeavoured to buy up the whole country with a Railway Bill, but that measure is now being dealt with in another place in a way we ought to have dealt with it but that we shirked our duty. When I look back at the time which that Bill occupied in this House, and at the varying promises and withdrawals of the Government in connexion with it, I experience a feeling of shame and regret. In fact, I can remember no session of Parliament in this colony for the past twenty years in which there was so small an amount of public business done—and so very discreditably done—as there has been during the present session. Not a single line of the Estimates has been passed, although we are close on Christmas. The Premier seems always to rejoice when anything comes forward to postpone public business. During the last eight months he has never risen once and shown an anxiety to have the public business transacted ; he has always been satisfied whatever question was brought on, and has never attempted to put any pressure on the House to do work. I suppose he thinks he can go to the country with the cry that the Government have been obstructed, but he will find very few people to believe that statement—a statement in which he knows well there is not a particle of truth. If the Government were at all equal to their position, there would have been a fair amount of public business transacted, instead of the House having been allowed to sit for eight months without even passing a line of the Estimates. Two or three Supply Bills have been already obtained, and, if the Government continue their present course, the whole of the public expenditure for the year will have been incurred before the House has had an opportunity of considering any portion of it. Is that a fair or proper way of treating this House or the people of this country ? When we obtain a full list of the appointments made by the present Government, it will be found that it does not stop at the letter " F," like the list referred to last night, but that it reaches the letter " O," and that more appointments have been made

under that letter than under any other in the alphabet. I venture to say that that letter "O" will prove a hole through which the whole of the Ministerial party will disappear and be never more seen. Can intelligent people look with anything but dissatisfaction at the course of this session? The late Government had a long session, but in it we managed to pass a Reform Bill and a Railway Bill which was based on broad public policy, and hardly a single line of which was altered in another place. That Bill did not contain any "cockspur" lines going nowhere, but lines which the country required, and in connexion with which every information was submitted to the House. And let it be remembered that we were met with the strongest opposition that any Government ever experienced. The present Minister of Railways sat in the opposition corner, and night after night denounced the Government as a "rotten" Government. You, Mr. Speaker, no doubt properly, called the honorable member for Sandhurst (Dr. Quick) to order the other night for using the word "rot," but I never heard the present Minister of Railways called to order when he characterized the late Government as a "rotten" Government. I am glad, however, that there is a new parliamentary rule—

The SPEAKER.—I regret that the honorable member does not appear to comprehend the distinction between the two words. The word "rotten" is intelligible to any one who understands English. The word "rot" as applied is not.

Major SMITH.—I understand English, but perhaps I do not know Irish quite so well. I ought to understand a little at all events of the English language, having been brought up in that tongue. I am perfectly indifferent what becomes of the motion which has been submitted, but I think it is desirable for the Opposition on all occasions to criticise the public policy of a Government to which we are opposed. The present Chief Secretary sat behind the late Premier, but, while ostensibly supporting the honorable member for Geelong, he was intriguing with his present chief to turn out a Government many of whom were former colleagues of his own. During the last twenty years I can only recollect one other instance of similar conduct. The Premier, in the buoyancy of his disposition, may fancy that he has the whole country at his feet, but I venture to remind him of the fate of another stiff-necked politician who was under a similar impression. That

gentleman was supported by what were called "the forty gagers," but when the forty went to the country only twelve of them came back. I venture to predict that when the country see that the present Government cannot conduct the public business, that the railways are being mismanaged, and that the public department are being stuffed with, in many respects, useless civil servants—the letter "O" predominating—they will be similarly outspoken in their expression of opinion at the next election. I know that, in the remarks I have made regarding the present Government, I have expressed the sentiments of my constituents, and I believe I have also expressed the opinion of the vast majority of the people of the colony. If the Jolimont, Windsor, and Hawthorn accidents had occurred during the régime of the honorable member for Geelong, the conservative press would have exhausted the language of vituperation, but now, of course, nothing is to be said on the subject. Nevertheless, in my opinion, the resolutions passed at the public meetings held in the Melbourne Town Hall and at Hawthorn are just as much votes of want of confidence in the Minister of Railways and the Government as though they were expressly drawn up in those terms. For my own part, I agree with those honorable members who say that the sooner the members of this House are sent to their masters—the people—the better.

Mr. McKEAN.—Hear, hear.

Major SMITH.—By that course perhaps the enormous waste of public money which has been going on under the present Government will be put an end to. Public works have been started in different parts of the colony, the money appropriated for which might as well be thrown into the sea. The proposed works at the Gippsland Lakes' entrance is one of the most glaring instances of the reckless extravagance of this Government, because the channel there changes its position two or three times every year. Sometimes it is miles away from where it was a short time before, and yet money is to be squandered at this place. Then, of course, the nurse of the Government has to be provided for by a large expenditure at Warnambool. The moment the Government are in danger, messengers are despatched for the honorable member for Warnambool, and he quickly appears on the scene. Again, what is to be thought of the way in which members on all sides of the House are treated by the Minister of Railways? Last night, when the Minister

of Railways was asked in the middle of the debate to answer a civil question, he got up and said, "I won't answer it," and walked out of the House. Such conduct by a Minister is unparalleled. If the honorable members who support this Ministry imagine that the Government alone will be blamed by the country, they will find themselves greatly mistaken, for the country will hold them responsible for the blundering of this wretched pretence of a Ministry, whom they have assisted and protected. In conclusion, I submit that the Government have shirked their manifest duty in not at once agreeing to the inquiry proposed by the honorable member for North Melbourne.

Mr. GRAVES.—Mr. Speaker, I understood the honorable member for West Melbourne (Mr. Orkney) to say that the Government had wantonly taken up this motion as one of want of confidence. So far as my experience goes, I have yet to learn that any Ministry seek a vote of want of confidence; on the contrary, I have always understood that it was the last thing any Government desired. We would, however, be cowards and unworthy of our position if, when a motion was brought forward with the full intention of testing the question, we were not ready to meet it. The honorable member for West Melbourne, in making the statement I have alluded to, must have forgotten the circumstances of the case. It will be remembered that the honorable member for North Melbourne (Mr. Munro) asked the Premier to allow his motion to take precedence.

Mr. ORKNEY.—He did not ask for precedence for it as a want of confidence motion.

Mr. GRAVES.—The Government had on the notice-paper a Bill for the better management of the railways, and that order of the day was, from my point of view, intercepted by the motion of the honorable member for North Melbourne for an inquiry into the management of the railways especially in connexion with the late accident. The honorable member for North Melbourne, immediately he came into the House on Thursday last, asked that his motion should take precedence, to which the Premier replied—

"I think it would be rather unadvisable to appoint a select committee at present for the purposes contemplated by the honorable member's motion. I submit that when the intense public feeling has subsided will be the proper time for such a committee to be appointed."

The honorable member for North Melbourne then asked—"Do you refuse to allow

the motion to come on?" to which the Premier answered—

"I am simply giving reasons why I think that the motion should not take precedence of the ordinary business of the House."

The honorable member for Geelong (Mr. Berry) immediately afterwards said—

"I want to know distinctly whether or not the Government intend to give precedence to the motion of the honorable member for North Melbourne. I take it that the honorable member means what he says, and that he is bound to make such a statement that the Government cannot refuse to give the motion precedence."

The following then took place :—

"Mr. MUNRO.—I will do it now. I shall propose this motion as a want of confidence motion.

"Sir B. O'LOGHLEN.—Mr. Speaker, I ask the honorable member for Geelong (Mr. Berry) whether he endorses the action of the honorable member for North Melbourne (Mr. Munro)?"

"Mr. BERRY.—Yes."

After that statement of the facts, I ask could the Government do otherwise than accept this motion as one of want of confidence?

Mr. MIRAMS.—Is that why the Premier moved the previous question?

Mr. GRAVES.—I do not understand about the previous question. As I stated the other night, I do not think there is any honorable member in the House, or any one outside, who denies the absolute necessity for a searching investigation into the late accident, but I maintain that the inquiry should not interfere with the inquest which is now being made by the coroner, which may possibly result in a verdict of manslaughter against some one. The honorable member for Ballarat West (Major Smith) said that the coroner's jury consists of twelve men picked up from the street. As a matter of fact, the jury consists of 16 or 17 men, of whom twelve can find a verdict which will cause the committal of a man for trial.

Sir C. MAC MAHON.—How are the jury collected?

Mr. GRAVES.—The honorable member for Ballarat West stated that they were twelve men picked up from the street. I do not know how the jury were obtained.

Mr. ZOZ.—They are all respectable men.

Mr. GRAVES.—The honorable member in whose district the inquiry is taking place states that the jury are respectable men, and it will be seen from the newspapers that they are making as good progress with the inquest as they possibly can. Within three-quarters of an hour of the accident I was on the scene. I formed my own idea as to the cause of the accident, and undoubtedly there

can be but one opinion, namely, that some one was seriously to blame. Any one who saw the wreck of the train and the condition of the unfortunate people who were injured could not but feel that such an accident should not occur in a civilized community.

Mr. R. CLARK.—Then why do not the Government hold an inquiry at once?

Major SMITH.—The Premier said after Christmas.

Mr. GRAVES.—As far as I recollect, the Premier said that the inquiry would be held with the least possible delay. He stated that the House would go into recess, and that, when it re-assembled about the 4th January, a committee could immediately proceed to hold an inquiry. It has been stated that in England these inquiries are held by the Board of Trade in hot haste, but, after spending some hours in looking over the accounts of railway accidents in England, I do not find that inquiries are held in such a manner as to interfere with the proceedings of a coroner's jury. In one case—I believe that referred to by the honorable member for Stawell—I find General Hutchinson, the officer in charge of the inquiry by the Board of Trade, stating that he had been enabled to take the evidence of a pointsman named Melia, "who had been in custody, but had been since tried and acquitted." This shows that the inquiries by the Board of Trade are not always held in such hot haste as the honorable member for Ballarat West has stated. Again, it is distinctly provided in the English Act regulating the duties of the Board of Trade in relation to railway accidents that—

"Where any coroner in England holds or is about to hold an inquest on the death of any person occasioned by an accident, of which notice for the time being is required by or in pursuance of this Act to be sent to the Board of Trade, and makes a written request to the Board of Trade in this behalf, the Board of Trade may appoint an inspector or other person possessing legal or special knowledge to assist in holding such inquest, and such appointee shall act as the assessor of the coroner, and shall make the like report to the Board of Trade; and the report shall be made public in like manner as in the case of a formal investigation of an accident under this Act."

I need not refer further to this point, but I repeat that as soon as the inquest is over—so that fair play may be afforded to those persons who are affected—I trust the Government will not lose one hour in having a full and searching investigation into the whole subject of our railway management from top to bottom. I must say I exceedingly regret the personalities which have been so largely imported into this debate. During

the time I have been in the House I have always carefully avoided personalities, and I hope to continue to do so, because they do not merely insult the person to whom they are addressed, but they lower the character of the House. On this subject a recent writer in England says—

"After perusing some of the debates at Sydney and Melbourne, we prefer to believe, not that the members of the Government are dishonest, but that each successive set of officeholders must, by the custom of the country, stand the fire of the prescribed imaginative calumnies from their parliamentary rivals, and one would be inclined to think that many of the personal scandals and accusations of dishonesty which have defaced the debates of the Colonial Parliaments ought to have been avoided. One would fain cherish the hope that they seldom mean half what they say of each other's public crimes."

I hope that is the case, and I think it is. With regard to this inquiry, I may again express the opinion which I uttered the other night, namely, that, when an accident of this kind occurs, the circumstances pertaining to the accident are best investigated by a board of perfectly independent men, apart from politics altogether, but that matters of policy should be considered in a constitutional manner in this House, and the majority should decide as to any legislative enactments. If questions of public policy, such as how the railways should be managed, are to be decided by public meetings outside, the gentlemen who hold those meetings ought to be in this House. The honorable member for Ballarat West stated that there would be an awful story to tell about this Government in connexion with the expenditure in the departments. I can only speak of my own department, and I hold in my hand a paper signed by the responsible officers showing the appointments made by me since I have been in office. The return which has been presented to the House on the motion of the honorable member for Fitzroy (Mr. Tucker) is calculated to mislead the House, because it contains the names of a number of men who are put on at the request of, and whose services are paid for by, the merchants. Honorable members may not be aware that the Customs department receives from the outside public the sum of £11,000 a year for services rendered. The return I have obtained shows that on the 30th June, 1881, just before I took office, there were 64 classified and 197 scheduled officers in the department; in the next quarter, ending 30th September, 1881, there were 65 classified and 198 scheduled officers; in the following quarter the numbers were 65 and 201

respectively; in the next 66 and 204; and in the next 66 and 202. Therefore, there are in the Customs department 66 classified and 202 scheduled officers, as against 64 classified and 197 scheduled officers when I took office, so that I do not think it can be said that there has been any great increase in the numbers of officers in that department at all events, notwithstanding the large increase in the amount of business. I may also refer to the cost of collecting the Customs revenue, concerning which I have had a return prepared similar to the returns presented to the House of Commons. In England, the average annual cost, taking the last ten years as the basis of calculation, is £3 8s. 6d. per cent. of the gross receipts, while in this colony it was in 1877-8, £3 4s. 11d. per cent.; in 1878-9, £3 11s. 4d. per cent.; in 1879-80, £3 14s. 7d. per cent.; in 1880-1, £3 4s. 7d. per cent.; and in 1881-2, during which time we were in office, £2 16s. 1d. per cent. I am perfectly satisfied that, when a few months are over, no matter what the result otherwise may be, every honest man will say that the present Government did quite right in waiting for a week or ten days to allow the coroner's inquiry to come to an end.

Mr. WRIXON.—Mr. Speaker, I think that those who are anxious to secure civil service reform have some right to complain of the manner in which the Government have treated the present matter, and of their decision to regard the motion of the honorable member for North Melbourne (Mr. Munro) as one of want of confidence. I most firmly believe that, when that honorable member gave notice of his motion, he had no other object in view than to obtain an inquiry. There was nothing in the proposal pointing against the Government. I would deprecate any such object in connexion with any inquiry. It is against a certain system, not the Government, that the inquiry is to be directed. No doubt words of heat on the subject passed between the honorable member for North Melbourne and the Premier, but I hold that the Government ought to have anticipated what the honorable member for North Melbourne would do. They ought, in fact, to have anticipated even his notice of motion, and to have proposed an inquiry themselves. We are told that we should wait until the coroner's inquest is over, but for what reason? The Premier suggested that the coroner's jury might bring in a verdict of manslaughter against some one. But, supposing they do so, what may we expect

to happen? Shall we not, if we admit the Premier's argument, be in the position that, because the person or persons committed for trial cannot be tried for a couple of months, the inquiry we wish to make into our general system of railway management must be hung up for another long period?

Sir B. O'LOGHLEN.—No.

Mr. WRIXON.—I cannot see the difference between the two cases. If we ought to delay the inquiry pending the action of a coroner's jury, there must be still greater reason why we should delay it pending the action of a jury in a criminal court. I contend that our system of railway management ought to be immediately inquired into. At the same time, I utterly disclaim an inquiry pointing at any particular Minister or Ministry. As for the contention that such an investigation should be held over until any court of law decided upon the innocence or guilt of an individual or individuals, I repudiate it altogether. I hold, also, that public opinion being eager for the inquiry makes it even more incumbent upon the Government than it would otherwise be to act promptly in the matter. We are told that an inquiry is unnecessary, because the Government have a Railways Management Bill in hand. But, without knowing what the nature of that Bill is, or whether it contains any thorough or real reform, I unhesitatingly declare that we cannot adopt it without a preliminary inquiry into the facts of the subject it deals with. If leasing the railways is suggested in it, a very great deal of investigation will be necessary before we will be competent to decide the point, and the same thing may be said with respect to a proposition to place the railways in the hands of a board. In fact, if the Government propose anything in the shape of a real reform different from the scheme of appointing three Under-Secretaries of Railways which we heard of early in the session, their proposition cannot possibly be entertained without a preliminary inquiry. As for the public excitement on the subject, we ought not to shut our eyes to the circumstance that it is only when public feeling is strongly agitated in favour of a material reform that we can get the support necessary in order to carry it out. The present opportunity ought not, therefore, to be lost. I do not pretend that the late accident shows anything against the Railway department more than there is against any other department. All the departments have been steadily deteriorating for some time past, and the only thing that makes

the case of the Railway department a distinct one is that the deterioration that has taken place there has been brought to light by a serious accident which has aroused public attention. If we postpone any step in the direction of reform for a couple of months, instead of jumping at the chance before us, what will eventuate? At the end of that period the public excitement which might have been availed of as a healthy stimulus to action will have passed away, and we shall find ourselves in a time of deadness and stillness in which nothing can be done. This community is a working community, and it is only now and then that we can get public feeling excited, and the public inclined to attend to public affairs. Another thing I object to is the Government interposing in a matter like the present, which does not necessarily affect either their position or their prestige, and saying—"If the House will not vote with us, there will be a crisis, and everything will be thrown into confusion." We hear that in the case of a vote adverse to the Ministry we will have a dissolution. Well, I object to that system of government. It has been indulged in before, and by no means to the public advantage. It is the wretched selfish principle that was adopted during the reform discussions. We were then branded as traitors, and threatened in all sorts of ways, because we showed ourselves not quite ready to support a particular reform scheme. What has been the consequence of that line of conduct? Where is that reform scheme now? It has vanished into thin air. I refuse to be coerced in any such way, and I shall deal with the question before the House simply on its merits. The reasons given by the Government for not holding the railway inquiry until after the coroner's inquest appear to me to be thoroughly unsatisfactory. The coroner's inquest and an inquiry into the general railway system of the colony have nothing in common. I think that the Government might even now reconsider their intention to treat the motion as a hostile one. The Premier smiles, but I can give him excellent reasons why he should take that course. He has, however, met the motion by moving the previous question. That means that the Government ask us not to consider the matter of an inquiry just now, and that at the same time they make that non-consideration a party question. I repeat that I do not agree with such tactics. If the Government proposed to directly negative the motion of the

Mr. Wrixon.

honorable member for North Melbourne, there would be some logic in their position, but at present there is none. This moving the previous question is simply throwing a wet blanket over a subject of great public importance. I believe that under the system now carried on in our Railway department it is rapidly deteriorating and becoming thoroughly rotten. I also join issue with the view the Premier expressed the other night of the position of a railway servant. According to the *Argus* report of his speech he spoke to the following effect:—

"The Railway department is managed in exactly the same way as companies are in England. The Commissioner here holds a similar position to a chairman of a board there. He exercises patronage. The honorable gentleman may object to the exercise of patronage for political reasons, but that is not the point I am illustrating. The Secretary of Railways occupies a similar position here to the position of general manager at home, and we have a traffic manager and a locomotive superintendent engineer just as they have there. The officers here are just as independent in the discharge of their duties as at home."

That being the statement of an honorable gentleman who has been Premier of the colony for nearly eighteen months, and who previously occupied a high position, which he assumed shortly after the disastrous dismissals of January, 1878, it is possible his views may be accepted in some quarters, but it appears to me little short of miraculous that any one with his experience could suppose for an instant that any of our railway officials is as independent in the discharge of his duty as an officer of say the London and North-Western Railway Company.

Sir B. O'LOGHLEN.—I say he is.

Mr. WRIXON.—Well, it is curious how a man can deceive himself. I venture, without hesitation, to assert that if the Premier were to make that statement in the country he would not find one man in a thousand to agree with him. It is perfectly well known that an officer of the London and North-Western Railway Company has nothing to think about save doing his duty. Is that the case with the gentlemen who hold office as Engineer-in-Chief, Traffic Manager, Locomotive Superintendent, and Secretary for Railways?

Sir B. O'LOGHLEN.—Why should it not be the case with them?

Mr. WRIXON.—Does any one believe it to be the case with them?

Sir B. O'LOGHLEN.—Yes.

Mr. WRIXON.—Well, some people can believe anything. Ask any Railway official in confidence if he is prepared to run counter to the political opinions or bias of his

chief—whether, with the knowledge that his family's bread depended upon his holding his position, and with the precedent of the dismissals of January, 1878, before him, he would dare to take any step of the kind—and what would be his reply? We know it would be in the negative. It would be idle to expect him to say anything else.

Mr. LONGMORE.—Bunkum!

Mr. WRIXON.—I am talking facts that are known to the great majority of the community. It is thoroughly accepted in every quarter of the country that, under a system of political management of departments, you cannot have single-minded officers devoted simply to the discharge of their duty.

Mr. MACGREGOR.—Do you include the Education department?

Mr. WRIXON.—I include every department. I repeat that the only difference between the Railway department and the other departments is that the recent accidents have directed special attention to the former. Look at the police force, and also at our lunatic asylums. Has it not been admitted in this House that the patients at the Kew Asylum were at one time compelled to eat bread which the warders absolutely refused to touch? Every branch of the public service has deteriorated under the political influences to which it is exposed, and the consequence is a looser discipline than ought to prevail. As for an inquiry into our railway management, the public demand it loudly, and it must be held. They see that things are going on in an altogether wrong way, they want to know the cause of the evil, and the House will be neglecting an obvious duty if it sits quietly by and indefinitely postpones an inquiry into the matter on the simple ground that a coroner's inquest is proceeding. An excuse of that character is bound to be regarded in every quarter outside these walls as eminently unsatisfactory. There need not be the slightest conflict between the two inquiries. Therefore I consider that the motion of the honorable member for North Melbourne ought to receive our hearty support. It has been suggested that the inquiry into our system of railway management ought to be conducted by non-political parties outside, but, although there are many men outside the House who must be regarded as highly competent to enter upon almost any investigation, it seems to me that if we are to have a political reform the lines for it must be laid down by political men. You can never get good political results except from good political action. Therefore

the railway inquiry ought to be entered upon by Members of Parliament. As for our not being able to get impartial politicians to act in the matter, I deny that there is any room for the idea. We can find plenty of impartial men for the purpose among our own ranks. Let it be recollected that the reform in view is one in which we are all interested, because we all exercise patronage—that is, we all send men to the Railway department—and, also, that it cannot be said that the inquiry would be directed against the exercise of patronage by a particular Minister. I think that at the hands of a select committee of practical politicians we might expect excellent practical results. For these reasons I shall vote for the motion of the honorable member for North Melbourne. I regret that the Government have put before us the issue that if the motion is carried there will be a dissolution—a general break-up of everything—because there has never been any occasion for Ministers to regard the subject in that light, and because I don't think we are prepared at the present moment for a great political change; but at the same time that regret will not prevent me from taking the course I have indicated.

Mr. BARR.—Sir, I wish, in the first place, to express my disapproval of the high-handed action of the Premier in declaring practically that he would only accept the motion of the honorable member for North Melbourne (Mr. Munro) as one of no confidence. From what I know of the matter, I don't believe that honorable member had the slightest wish or intention to make his proposal one to affect the position of the Ministry. Certainly I have no cognizance of any coalition with an object of that kind in view. My own opinion is that it is incumbent upon us, as trustees for the people, to insist upon an inquiry of the most searching kind into the causes, near or remote, that led to the late disaster. It is one of the most striking circumstances possible that, while the Hobson's Bay lines were for many years utterly free from accident, directly they came under Government management accidents set in. At the same time I protest against the Minister of Railways being saddled with the blame attaching to those accidents. Surely no sensible man will say the Minister of a department is responsible for its conduct down to the utmost minutiae of detail. Who, for example, can fairly assert that the Minister of Railways is answerable for such matters as the errors of a timetable?

Mr. RICHARDSON.—He ought not to have interfered with such matters.

Mr. BARR.—I have yet to hear that he has so interfered. As soon as it is shown that he has, I will join in censuring him. Nevertheless, whether the system or the officers of the Railway department are to blame, there is something wrong with respect to it that ought to be very closely inquired into, and I think the Government ought to have been the first to propose that such an inquiry should take place, and, moreover, that it should be entered upon at the earliest possible moment. Had they taken a course of that sort, the proposition of the honorable member for North Melbourne would have fallen flat. I have not seen a single good reason assigned why the inquiry should be postponed. It is said the coroner's inquest ought to come first, but I know of nothing to prevent both inquiries being carried on at the same time. We have been told that the witnesses could not be in two places at once, but no one could possibly want them to be so. What I would like to see would be the Government inquiring into the affair of the late accident in the same way as the Board of Trade in England would have done had the disaster occurred in that country. I don't think there would have been any waiting there until the coroner's inquest was over. In support of that view I ask honorable members' attention to the following extracts from an article published in this morning's *Age*:—

"In the case of the Thorpe accident, to which we referred yesterday, the county coroner stated, on opening the inquest on the victims, that though he had expected that the Board of Trade would have appointed an inspector to act in conjunction with him, 'he would gladly hand over the inquiry to persons better qualified to undertake it.'"

That is a pretty plain admission.

"To take one instance out of many, we may adduce that of the disastrous collision at Abbot's Ripton, on the Great Northern line, in 1876. On that occasion the accident happened on the evening of 21st January, Captain Tyler was appointed to inquire into its causes on the 22nd, and opened his court at five o'clock p.m. on the 24th; the coroner's inquest (after the identification of the bodies) being adjourned during the sitting of the more important tribunal."

Again, the article states—

"The Tay-bridge disaster took place on 28th December, 1879, and Colonel Yolland, a Board of Trade inspector; Mr. Rotherly, Inspector of Wrecks; and Mr. Barlow, President of the Institute of Civil Engineers, were commissioned to inquire into it on the very next day, and commenced proceedings within the week. In fact, the very first thing aimed at in the English system of inquiry into railway accidents is that not an hour, if possible, shall be lost before the investigation by a competent and authoritative

tribunal takes place. To ensure this the companies are laid under penalties to inform the Board of Trade of the slightest accident on their lines 'by the earliest practicable post,' if not by telegraph."

In addition, I will mention a detail or two in connexion with three English railway accidents of recent date. On the 19th July, 1881, an accident occurred on the Midland Railway; on the 22nd of the same month the Board of Trade ordered an inquiry into the casualty, and a report was sent in on the following day. On the 26th December, 1881, an accident occurred on the London, Tilbury, and Southend Railway; two days afterwards the Board of Trade issued an order for an inquiry, and a report was sent in on the 10th January. The last case I will mention is that of an accident on the London, Chatham, and Dover line, which took place on the 23rd December, 1881. An inquiry into it was ordered by the Board of Trade on the 27th December, and it was reported upon on the 21st January, 1882. I think similar promptitude ought to be displayed in this country. As for coroners' inquests, I have a large experience of them, and my opinion is that, generally speaking, they are a perfect farce. They are simply a relic of the dark ages. How can coroners' juries be said to investigate causes of death when they simply find according to the medical evidence? A good deal has been urged in favour of an inquiry by competent men outside this Chamber, but I see no necessity for us to go beyond our own ranks. It is nonsense saying that there are not seven, or three times seven, honorable members here whose verdict upon any matter they inquired into would be given without partiality, prejudice, or political feeling, and would command the respect of the whole community. In the hands of no court in the colony could our lives and liberties be more safe than they would be in the hands of a select committee of this Assembly. The Premier now asks us to burke inquiry, for that I regard as the real meaning of the amendment he has proposed. The honorable gentleman asks the House to leave the matter in the hands of the Government, and says that then we will see what we shall see. But as a matter of fact, the Government have not shown themselves so anxious to bring about an inquiry as to induce us to leave the matter in their hands any longer. Although I am placed in the dilemma of having to vote against the Government, or leave myself open to the accusation of shirking inquiry, I don't feel at liberty to do anything else than record

my conviction that a full inquiry should take place at once, even though the bringing about of that inquiry involves the fall of the Ministry. If the question were addressed to me by the Ministry—"Are you determined to put us out on this question?" I would say "No," but if the Ministry take up the position that, although the House may insist upon inquiry, they will sooner go out of office than grant it, honorable members are forced into a position of antagonism to the Ministry, and must vote against them. The question of the present management of the railways has been referred to pretty freely during this debate. It has been contended that the only remedy for the existing state of affairs is to take from the Minister of Railways the whole power he now possesses, and transfer it to an irresponsible board. Now, as I said on a former occasion, I don't believe that matters would be improved in the slightest by the appointment of such a board. Already there is in existence a responsible board, consisting of the heads of the three or four branches into which the Railway department is divided. If the Minister of Railways for the time being ignores the recommendations of that board, he is accountable to this House. I fear that the board contemplated by the Government will be composed of gentlemen who, although of high respectability and attainments, probably belong, as the honorable member for Ripon suggests, to one side in politics. Something has been said about the desirability of the members of such a board having no opinion in politics; but I think it would be a hard task for the Premier, or any one else, to pick out six or seven gentlemen, of any standing in the colony, having no opinion in politics. My own feeling is that the contemplated change in management simply means depriving the Minister of Railways of patronage, and placing it in the hands of several men, whose policies are quite as pronounced as those of the Minister, but are not avowed so openly or so frankly. I would point out that the patronage of the Railway department is a thing in which the colony is concerned. In the country districts there are growing up boys and girls, who have not the same opening for advancement in life that boys and girls in Melbourne possess. Yet a certain proportion of them naturally look for employment under the State. When I hear that of a family of six in Melbourne, five are in Government employ, I cannot help thinking of the hundreds of young men up country who cannot find occupation,

except as hewers of wood and drawers of water. It is under these circumstances that I object to the patronage of the Railway department being placed in the hands of half-a-dozen Melbourne men, who would exercise it for the benefit only of people in the metropolis. The board contemplated by the Government would be as irresponsible as the Commissioners of Audit, and it would not be possible to remove them without cases of the grossest corruption being proved against them. I believe that the only result of the proposed change would be to divide among five or six individuals the patronage now vested in one person who is responsible to this House. The attempt to bring about a transfer of patronage was first made by the honorable member for Castlemaine (Mr. Patterson), when he was Minister of Railways. It was announced here with a flourish of trumpets that the patronage of the Railway department would thenceforth be vested in the hands of the General Manager; but it was alleged the other night—I don't know whether the statement is true or not—that there were ways of "getting over Elsdon." My belief is that if the management of the railways be vested in a board, that board will soon become what the Melbourne Harbour Trust is already—a political engine of the strongest possible character; and it will be just as irresponsible. For these reasons, I say it is better to continue to have a Minister who has to sit here and submit to be badgered, and made to tell, if necessary, the secrets of the prison-house.

Sir J. O'SHANASSY.—And who is subject to a vote of want of confidence.

Mr. BARR.—Exactly. It is much better that we should have a Minister who can be brought to account in that way than that the management of the railways should be vested in a corporation which has neither a body to be kicked nor a soul to be saved. I consider the Premier is decidedly wrong in opposing the appointment of a committee to inquire fully, fairly, and straightforwardly, at once, into the circumstances attending the railway disaster at Hawthorn, and into railway management generally. The longer the honorable gentleman maintains his present attitude, the more will the public be inclined to feel that there is something to conceal, and the more will they be disposed to insist that inquiry should be made. I repeat that I have no desire to see the Ministry out of office. I consider a change of Ministry a most undesirable thing at the present juncture, with the Estimates for the year

untouched, and much important business demanded by the public on hand. But there is something to be dreaded more than a change of Ministry or a dissolution of Parliament, and that is a loss of respect on the part of the country for this House. I don't hold with those honorable members who say this House is so corrupt that it is time it should go to the country. This House is exactly just what the Ministry make it. If the Ministry desire to push on with public business they can do so, and the best way of doing so is to give way to the wish of the country as expressed by the voice of this House—that an inquiry should forthwith be made into the whole question of railway management, and that a report, full, fair, and complete, should be laid before the House at the very earliest moment.

Mr. McKEAN.—Mr. Speaker, we are asked to consider a phase of political procedure somewhat curious and novel. We are asked to take upon ourselves the responsibility of censuring the Ministry because they will not acquiesce in a policy propounded by a large section of this House. Ministers have accepted the responsibility of the position by declaring that they recognise the motion of the honorable member for North Melbourne (Mr. Munro) as a motion of want of confidence. No doubt they were influenced by what they believed to be concerted action among certain honorable members. Whether they were correct in their estimate of what was going on matters probably very little; but even if any concerted action has taken place, what honorable members have to do is really to look into the merits of the case. Now, sir, in what position are the Ministry placed? After such a disaster as that at Hawthorn, it is necessary that a coroner's inquest should be duly held. The inquest was commenced, and, for reasons best known to the coroner, was adjourned, and is now proceeding. Before this debate terminates, that inquest may be over, and the result of it well known. But while the inquest is pending, a motion is tabled in this House with the view of compelling the Ministry to take a course very different from any which has been adopted yet. One of the reasons urged in favour of the course is that this is the High Court of Parliament and can override all other courts. But, as a matter of fact, a coroner's inquest, being part and parcel of the law of the land, cannot be set aside by this Chamber, or by the Ministry, as representing this Chamber. A select committee of this House is not co-equal with a coroner's

inquest. A coroner's jury has power to commit men for trial; and it has the power to receive evidence upon oath, and to sift that evidence. A coroner's jury is now carrying out its functions according to law, and why should we in this Chamber seek practically to override that body, and act independently of it? Of course a select committee of this House, or a board outside this House, or a departmental board could be appointed; but I assume, from what has appeared in the newspapers, that a departmental inquiry has already taken place. It appears that the Minister of Railways, having called for reports from officers in connexion with the railways, bearing on the recent disaster, is now engaged in collating those reports. But some honorable members appear to think that fuller, better, and clearer evidence could be obtained by means either of a select committee of this House or by a board outside the Chamber. But neither of those bodies would be qualified to do more than take down the mere verbal statements of the persons who might be called before them, and those statements might differ most materially from the evidence on oath taken before the coroner. Witnesses examined on oath, if they tell what is manifestly untrue and unjust, can be prosecuted for perjury; but the same witnesses may misconduct themselves before a board, and no punishment can be inflicted upon them; they are then amenable only to public opinion, about which many of them care very little. There are many people who, although they will tell the truth when examined on oath, may not do so when called upon to make a statement not on oath. I have known persons undertake to give evidence of a certain class, and yet, when they have been placed in the witness-box, have given an altogether different version. When brought to book about the matter, they have stated—"In the one case I was merely making a statement, in the other, I was giving evidence under the solemnity of an oath." Now, sir, there can be no doubt that the Ministry have shown a thorough desire to have an inquiry into the whole of the circumstances of this case. That desire has been avowed, not only publicly, but privately, by every Minister who has addressed the House. Then what can be the object of the present motion, unless it be to oust the Ministry? No doubt there are many honorable members who may have a grievance against the Ministry, and who may think that this and that department might be better managed if other persons were in office; but let me ask, if this motion of no

confidence were carried, what would be the result? The Ministry might appeal to the Governor, and obtain a dissolution of Parliament. That would be a matter of serious consequence to many honorable members. I venture to say that some of them would not come back.

Mr. ZOX.—But supposing a dissolution would benefit the country?

Mr. McKEAN.—I am inclined to think it would benefit the country. A dissolution would enable honorable members who are getting rusty to brush a little of the oxide of politics from them, and to present themselves before their constituents in a new political coat. I think it would be beneficial to the country if a general election could take place now without great loss or inconvenience to the public. But what would become of our Railway Bill? We have devoted nearly the whole session to the discussion of that measure; and it is a serious question for honorable members whether, for the sake of ejecting the present Ministry from office, they will sacrifice the Railway Bill upon which so much care, attention, and time have been bestowed. I don't see the force of ejecting the Ministry from office because of a difference between them and the supporters of the motion which has narrowed itself to a week. The question at issue practically amounts to whether an inquiry shall be instituted on Monday or Monday week. Probably before the House meets again the coroner's inquest will be over, and then, no doubt, the Ministry will be prepared to take action in the appointment of a select committee of this House. At present, we are battling, as it were, upon a mere flimsy detail—a mere technicality. I ask honorable members to seriously reflect whether, if they carry this motion, they will be prepared to go before their constituents and support the position which they have taken up. If the motion is carried, and the Ministry are ejected, I will be compelled, by virtue of my promise, to go back to North Gippsland and contest the constituency again. I would not be ashamed to tell my constituency that I supported the action of the Government in regard to the motion, because I thought that they acted fairly and equitably in the matter—that they acted in accordance with the law of the land—and that I was not disposed to turn them out, and sacrifice the interests of the country, merely because other honorable members were desirous of taking their places. I have no interest in turning out the Ministry. I was very kindly offered a seat in

the Cabinet, but my professional engagements would not permit me to accept it. I have been a Minister before, but I have no desire to occupy the position again—unless under very peculiar and exceptional circumstances, which are not likely to arise—because I do not think that the position of a Minister is advantageous to a professional gentleman. Many honorable members have debated the question before the House in a fair and equitable spirit, and are anxious that the inquiry shall be carried out as proposed by the Government. I believe that the House, as a whole, is desirous that some material changes shall take place in the management of the railways, and the Ministry have shown that they participate in that desire, inasmuch as they have introduced a Bill on the subject, the consideration of which will no doubt occupy the House for some time. Our railway system has grown to such an extent that it is useless to expect that it can be properly managed by a political head. In my opinion, the management should be relegated to a board composed of gentlemen of sufficient commercial experience to conduct the lines properly and efficiently. We are told that the position of officers of the Railway department is a very dependent one, and no doubt it is. Every officer under the political head is liable to be dismissed at a moment's notice—he is liable to be dismissed if he does not please his superior officer—and the result is that every officer has to be humble and submissive to those above him. Under a board, the officers of the Railway department would feel more confidence, and no doubt they would attend to their duties more faithfully. Great care would, undoubtedly, be taken in the selection of officers if the railways were managed by a board, and none but properly qualified men would be appointed. If the Railway department had been in a thorough state of organization, the recent accident might not have occurred; but I would draw the attention of honorable members to the circumstance that, during the year 1881, there were 66 railway accidents in the United Kingdom. In one instance, no fewer than four trains came into collision with each other; and there were, in all, 40 cases of collision, most of them being caused through the mistakes of pointsmen or signalmen. These facts show that accidents are continually occurring even on the best managed railways—on railways under the control of the best talent to be found in England. What guarantee then have we that accidents would not happen here, even

if we obtained from England an experienced traffic manager at a salary of £2,000 or £3,000 a year? None whatever. It has been said that there were no accidents on the Hobson's Bay lines while they were in charge of Mr. Elsdon, but that is not the case. The Jolimont accident occurred while Mr. Elsdon was in charge of those lines, although after they were taken over by the Government. That accident was caused by the worn-out condition of the rolling-stock which was purchased by the Government from the Hobson's Bay Company. When the purchase was made, the railway pier was in a state of decay, the lines were worn to a great extent, and the rolling-stock was in such a condition that the first-class carriages were not fit for respectable second-class carriages. However, as I have said, accidents may occur under any circumstances, and even if one of the best traffic managers in England was placed in charge of our railways. No one can say that another mining accident such as that which has happened at Creswick this week, or another serious railway catastrophe, may not happen to-morrow. The motion of the honorable member for North Melbourne has been fully ventilated, and I think that the House should divide upon it as soon as possible.

MR. A. T. CLARK.—Mr. Speaker, one extraordinary anomaly has presented itself to my mind during this debate, and no doubt to the minds of other honorable members also, namely, that the proposer of the motion is the very gentleman who saddled the country with the railway lines on which all the serious accidents have occurred. Though the honorable member at one time strongly opposed the purchase of the Hobson's Bay Company's lines, he afterwards became one of the negotiators for the purchase; and now, after succeeding in getting those rubbishy lines bought by the State, and after human life has been destroyed upon them, he invites us to oust the Ministry from office on the plea that they are responsible for an accident which has occurred on one of the lines. If there is one man in Victoria who has done more than another to destroy the liberal party, it is the honorable member for North Melbourne (Mr. Munro). On all occasions he has been foremost in that direction. I don't wonder at it, for the honorable member, who is now intimately connected with banking institutions, never really belonged to the liberal party. It has always been the opinion of the liberal party, so far as I have understood their views, that there were men in the colony with

sufficient brains and intelligence to manage the affairs of the country; yet I now find honorable members who are supposed to be connected with that party advocating the importation of officers to manage the railways. As far as I recollect, in years gone by, and until very recently, every honorable member now sitting on this (the opposition) side of the House has opposed the appointment of a board to manage any department of the State, contending, as I contend now, that a responsible Minister of the Crown is the proper person to manage a department of the State. But what is the case now? Honorable members who have contended with me in favour of this principle—who have argued with me against the appointment of the Harbour Trust or any other irresponsible body—have during this debate contended for the appointment of another irresponsible body. Do honorable members think that, if a board is appointed to manage the railways, it will be anything else than a small conservative "ring"? Were not a number of the leading men who assembled at the Town Hall the other day to advocate the transfer of the railways to a board, the very men who are the expectants of office on the proposed board?

MR. BERRY.—That is a reason why you should vote for this motion.

MR. A. T. CLARK.—I think it is a reason why I should not vote for it. A great deal has been said about the management of the Hobson's Bay lines by Mr. Elsdon before they were bought by the Government. We have been told that there were no accidents upon them—that the management was perfect. But until those lines came into the hands of the Government there was really no traffic upon them; trains were run from year's end to year's end with scarcely any alteration, and if a special train was required at any time weeks' notice had to be given of it. It is, however, incorrect to say that no accidents occurred on the lines during the time that they belonged to the Hobson's Bay Company. I have turned up the record of about half-a-dozen accidents. In the *Argus* of the 23rd May, 1862, an account of an accident which happened the previous day commences with this statement:—

"Close upon the heels of the late disastrous accident on the Melbourne Railway, which took place on the 8th inst., another catastrophe has occurred."

By the accident which occurred on the 22nd May, 1862, a member of the Legislative Council was killed. In 1871 another serious

accident took place. Every honorable member will admit what I have already stated, namely, that there was comparatively little traffic on the Hobson's Bay lines until they were purchased by the Government, and that the trains ran daily for years without any alteration. What is the case at present? The number of trains which now arrive and depart daily from the Spencer-street and Flinders-street stations is 763. This number is exclusive of special trains, and, as honorable members are aware, one special train is almost as much to contend with as 50 ordinary trains. The mileage run is 2,750 miles per day, and since Mr. Anderson took the management of the lines, 38,000,000 train miles have been run; yet up to the present time, including both the Jolimont and the Hawthorn accidents, only five passengers have been killed on the railways. Why, on the Sydney tramways, double the number of persons have been killed already. The statistics as to accidents in connexion with the Victorian Railway department reflect the greatest credit on every man connected with the department. In no other part of the world can we get a more satisfactory return. In England, in the year 1880, though there was no particularly great catastrophe, 1,136 persons were killed and 3,950 were injured in railway accidents. It is idle nonsense, in the face of such facts, to say that our railways are not well managed. I contend, and always have contended, that there are employed on our railways a vastly more intelligent body of men than you will find in any other part of the world. They have passed a medical examination, and they are men of education nearly every one of them. I was told the other day that the only thing we have to complain of is that we have too many educated men on the railways—that they have too much intelligence—and that this was the cause of the accident. I am surprised that liberal members, protectionist members—men who prate about Victorian industries, and oppose the importation of engines and carriages—should be prepared to oust the Government, in order to damage one of our own local institutions. I shall expect every member of the party with which I am connected—

Mr. LANGRIDGE.—Are you going to vote with your party now?

Mr. A. T. CLARK.—No member can say that I have ever given a vote against a single principle which I have advocated on the platform, and I never will do so, on whichever side of the House I sit.

There are members of the liberal party, however, who are now lending themselves to a motion which is directed against the management of our railways by our own people. The motion is a reflection upon one of the grandest institutions which we have in this country. What a spectacle it is to see the great liberal party proposing to amalgamate with gentlemen to whom they have always been opposed tooth and nail, in order to oust the Government by a side-wind—not on a question of principle; not attempting to justify their action by bringing forward a motion declaring that the Government are not competent to retain office; not charging them with departmental maladministration, but leaguering together with their opponents to get place and pay over the mangled remains of humanity! I could join with honorable members to oust the Government on a question of principle, or a question of policy.

Mr. BERRY.—Say the workshops, for instance.

Mr. A. T. CLARK.—The honorable member need not taunt me.

Mr. BERRY.—Won't I?

Mr. A. T. CLARK.—I can go to any constituency in Victoria with the honorable member when the time comes, and I can hold my own. I will not consent, under any circumstances, to amalgamate with my political enemies to destroy everything which the liberal party have done in the past, and to be hopeless and powerless in the future. If I understand aright, the liberal party have yet a programme to carry out. Are we going to succeed in carrying out that programme by amalgamating with our enemies a few short months before we are brought face to face with the country? Is it not better that what remains of the liberal party should go to the country with the distinct programme which we have promulgated, and which honorable members have set forth on every platform in Victoria for years past? Are honorable members prepared to abandon the only plank left in that great platform? Are they prepared to amalgamate with gentlemen who sit in the Ministerial corner, and to say that the great question of leasing the lands shall be merged in a fight to get on to the Treasury bench? All the intimidation of the press of Victoria will never make me consent to support a motion to oust the Government by a side-wind. I could have been sitting on the Treasury bench now if I had desired, but I have no wish to be there. I have still principles to maintain. I object to this motion

entirely. It is neither manly, straightforward, nor to the purpose. It is an attempt by a side-wind to oust the Ministry, because the gentlemen who framed it know that, if carried, it would probably not lead to a dissolution of Parliament; and they have not the courage to propose a motion which would bring them face to face with their constituents.

Mr. LANGRIDGE.—Sir, I regret the tone of the remarks made by the honorable member for Williamstown. On past occasions the honorable member has sometimes displayed great warmth, and said things which perhaps had better have been left unsaid; but I am sure that in the whole of his political career he has never made a speech which he will more regret than the one he has delivered to-night. He has attacked the honorable member for Geelong (Mr. Berry), but I feel perfectly convinced that the honorable member himself really does not believe a word that he said.

The SPEAKER.—I think the honorable member's remark is not in order.

Mr. LANGRIDGE.—If the remark is unparliamentary, of course, I will withdraw it; but I would appeal to the honorable member for Williamstown whether he believes that the attack which he has made on the honorable member for Geelong is justified. No man has been more true to his principles than the honorable member for Geelong, as even his political opponents will admit. Lately, somehow or other, whenever the Government have thought proper to treat a motion as one of want of confidence, it has not been straight enough for the honorable member for Williamstown. The honorable member has had an intense desire for the last six or eight weeks to put out the Government, but no motion which they have regarded as one of want of confidence, whether it has emanated from the opposition benches or any other part of the House, has been straight enough for him. The honorable member has taunted the Opposition to-night with being about to vote with conservatives, but I would like the honorable member to consider with whom he is going to vote. If he reflects on that, I think he will change his tune. I also deeply regret the remarks made last night by the honorable member for Ripon and Hampden, with reference to the honorable member for North Melbourne (Mr. Munro). They were most uncalled for and unfair. I entered the House when the honorable member for North Melbourne did. The honorable member for Warrnambool was the Chief Secretary, and for some time

we sat in the Ministerial corner and supported his Government until they pursued a policy with which we disagreed. From that day to this, with the exception of some difference of opinion about the Reform Bill, the honorable member for North Melbourne has been a straightforward and consistent member of the liberal party. The honorable member for Ripon has frequently voted against his party with much less cause than the honorable member for North Melbourne ever had. It is unfortunate that many debates take place in this House which lower its character and dignity in the eyes of the public. I do not see why we cannot conduct our debates without indulging in personalities. The personal attack made upon the honorable member for North Melbourne, last night, was one of a most objectionable character. The honorable member for Ripon described him as the "assassin of the liberal party," a "snake in the grass," a "traitor," and "a thousand Judas Iscariots rolled into one." Yet these honorable members have sat together for years, and at one time were colleagues in a Ministry. Moreover, the honorable member for Ripon has done precisely the same thing that he charged the honorable member for North Melbourne with doing. There is not a man in the House who, by his conduct, has done more to break up the liberal party than the honorable member for Ripon, and the existing state of the liberal party in the House is attributable in a great measure to him. I must say that the conservative party are also much in the same condition, and it is the fact of the House being broken up into a number of parties which keeps the Ministry in office. The Government have made a great mistake in treating the present motion as one of want of confidence. As I showed the other night, the honorable member for North Melbourne had not the slightest idea, when he tabled his motion, that it would be regarded in that aspect; and he is not in the least to blame because it has been taken up as one of no confidence. If the Government will persist in accepting as motions of want of confidence proposals which are not intended as such, they have only themselves to blame; but they cannot shut their eyes to the fact that they have been kept in office entirely at the nod and beck of the conservative party. We all know that, if to-morrow the leaders of that party were to say to them "Your time has come," the Government would have to give themselves the "happy despatch." I wish it to be

distinctly understood that in one respect I do not take the same view of the late railway accident that some honorable members both on this (the opposition) and the other side of the House do. I do not say that the blame rests on the Minister of Railways or any member of the Government. I think, however, that I can point out a blot in our railway system. It is quite clear that the time has come when the working of the system should be inquired into. I am surprised that the Government and their supporters should offer any objection to a thorough and immediate investigation. Complaints of the way in which the railway system is carried on have been made for a long time past—long before the present Government came into office. It is an easy thing to find fault, but I am not one of those who condemn the system altogether. I think we ought to be proud of the way in which our railways are conducted, all things considered. Our troubles began at the time that the State bought the Hobson's Bay Company's lines. The officers of the company were all of them men who had had great experience in conducting passenger traffic; but none of them, from Mr. Elsdon downwards, had had anything to do with railway construction. A mistake was made after the Government bought the Hobson's Bay lines, and that mistake has been continued up to the present time, in transferring men from those railways to Spencer-street, and also in putting officers over the heads of men previously in the employment of the Hobson's Bay Company—men who had been brought up and educated in the business of conducting a large passenger traffic. The consequence is that there has been great jealousy between the old employes of the company and those employed on the railways made by the State. In fact, our troubles commenced when Mr. Elsdon was taken from the Hobson's Bay lines to Spencer-street, and appointed Engineer-in-Chief, and head of the whole railway system. In regard to the brake question, I think that the present Minister of Railways is to blame, although not more than some of his predecessors. Considering the great extent of our railway system, and the many thousands of pounds we have expended on rolling-stock, there ought not to have been so much delay in adopting some kind of brake. I am not one of those who desire to find fault with brakes made in this country as compared with others. I would rather see the Woods brake adopted if it is equal to the Westinghouse brake, and I am not in a position to say that it is not. I believe there are faults in it, but that

they can be overcome. It would have been more to the honour of the Minister of Railways and his predecessors if, instead of hanging up this question year after year, they had applied the Woods brake to some of the lines and the Westinghouse brake to others, so that the two brakes could have had a fair trial.

Mr. BENT.—We cannot do it.

Mr. LANGRIDGE.—I don't think there would be any difficulty in doing it. What is the use of putting the Westinghouse brake on a few carriages on the Brighton line? That brake is in use all over the world, and has been improved year after year. I believe the Woods brake would be equally as good if it had a fair chance.

Mr. WOODS.—There have been 439 failures of the Westinghouse brake during the last six months.

Mr. LANGRIDGE.—I don't want to discuss that part of the question. From what I have seen of the Woods brake, I believe it has qualities which the other does not possess. I do not think we should be cavilling over this question of brakes year after year. The Minister of Railways should be called upon to apply the Woods brake to the trains on one system of railways and the Westinghouse to those on another system, and then we would be in a position to see which is the best brake and the one most suitable for this colony. There is one point so extraordinary in connexion with the running of the trains on the Hawthorn line at the time of this accident that I wonder why public attention has not been called to it in the press, and in the departmental reports which have been published—namely, the non-employment of a pilot on the line between Burnley-street station and Hawthorn as provided in the regulations. In England, on all the great railways, when any works or repairs are in progress which interfere with the use of one line of rails, a pilot is invariably employed; and had there been a pilot to accompany the trains between Burnley-street and Hawthorn—as there ought to have been when one of the lines was being repaired—the late accident could not have happened. The honorable member for Williamstown spoke as if the Opposition were determined that the management of the railways should be handed over to a non-political board, and he abused the honorable member for Geelong (Mr. Berry) for supporting that course. I did not understand the honorable member for Geelong to do anything of the kind. It is agreed on all hands, however, that there should be some kind of alteration made in the

management of the railways, and, such being the case, surely the wisest plan is to at once set about inquiring in what direction the change should be made. For my part, I do not believe that a non-political board—if there could be such a thing—would manage the railways better than they could be managed under the present system if proper regulations were adopted and enforced. The talk we hear continually about political patronage is the biggest farce imaginable. Because a candidate for employment as a greaser, a porter, or a labourer comes to a Member of Parliament and gets him to write the words “recommended” across his application, that is called political patronage. The thing is absurd. I have many times written my name on the applications of candidates during the last 18 months, and I do not remember more than two of those men who got employment; those two were first-class men who happened to suit the positions they obtained. In conclusion, so far as I am concerned—and I believe I represent the feeling of my constituency in the matter—my desire is to see the business of the present Parliament brought to a conclusion as quickly as possible, and honorable members sent to the country. In voting for the motion of the honorable member for North Melbourne, I do not do so with any idea of bringing about a change of Government at present, or with any wish to get on to the Treasury bench. I have quite enough to do to mind my own business, and to do my duty in the House, to be actuated by any desire of the kind.

Mr. JAMES.—Sir, I have come to the conclusion, rightly or wrongly, that the present Premier is never so happy as when there is a motion of want of confidence before the House. When the honorable member for the Ovens (Mr. Kerferd) was speaking faithfully and earnestly the other night, deploring this lamentable accident, the Premier, without any reason that I can discern, except that he revels in such motions, invited him to table a motion of want of confidence. The honorable member failed to do so, but the Premier had not long to wait for his opportunity, for, when the honorable member for North Melbourne (Mr. Munro) brought forward this proposition, the Premier soon manufactured a no-confidence motion out of it. From the manner in which this motion has been spoken of, especially by members of the Government, I imagine that the Premier has instructed his private secretary to keep a careful record of all these no-confidence

motions, so that when the honorable gentleman goes to the country he can say—“See how we were harassed by the Opposition, and not allowed to do any work.” I hardly think that any one but the present Premier could have converted the proposition of the honorable member for North Melbourne into a want of confidence motion, for it certainly required the greatest ingenuity to do so. The honorable member for Collingwood (Mr. Langridge) has told the House that there was no preconcerted action in the matter, and I myself can fully corroborate his statement. Then what is there objectionable in the terms of the motion? Surely there can be nothing very wrong in a motion for a select committee to inquire into the management of the Railway department, especially at this particular time, when public feeling and public indignation have been aroused on the subject? I maintain that we, as servants of the public, have a right to concede to their request for an inquiry. If this is a no-confidence motion, I can tell the Premier that he himself, since he has been in office, has proposed and carried more than one motion of want of confidence. The motion refers to the administration of the Railway department, and did not the Premier appoint a Royal commission to inquire into the Education department? According to the same line of argument that has been adopted with regard to this motion, was not the appointment of the Education Commission an admission that the Minister of Public Instruction was incapable of attending to the work of the Education department himself, and that it was necessary to call commissioners to his aid? In the same way, was not the appointment of the Tariff Commission a reflection on the Minister of Customs? I maintain that it was quite unjustifiable for the Premier to regard the present motion as one of no-confidence. That the honorable member for North Melbourne, when he gave notice of it, did not intend it as such is evident from the fact that he did not previously communicate with the leader of the Opposition to ascertain whether he would endorse and support it. I am quite sure that we are not justified in considering the honorable member for North Melbourne so foolish a politician as to believe that he would table a motion of no-confidence without obtaining a guarantee of assistance from any quarter. The honorable member put forward his request that the motion should be discussed at once in the most courteous manner, and one showing that there was no

hostility intended. The Premier's reply was that the proper time to appoint a committee would be when "the intense public feeling has subsided." That was a lawyer's answer all over, but I think the honorable gentleman would have done better if he had forgotten, for the time being, that he was a lawyer, and remembered that he was Premier. Of course when a crime has been committed, regarding which there is great public excitement, and the prisoner has been arrested, justice dictates that the trial shall be as far removed as possible from any public prejudices, and no doubt it was this feeling, acting on the legal mind of the Premier, which prompted the answer he gave. But in that case the prisoner would be in custody, and could not escape, whereas, in the present case, further mischief may be done on the railways while the Premier is waiting. We cannot stop the railways, and suspend all the employés of the department, and, as a similar accident may happen tomorrow, it is necessary that the inquiry should take place at once, in order that the defects in the Railway department may be remedied without delay. The Government admit that an inquiry should be held, so that the question is only one of time. The honorable member for North Gippsland (Mr. McKean) made out the best case for postponement that has yet come from the Government side of the House, but, according to his argument, there remains no longer any reason why a committee should not be appointed now. The honorable member indicated that the coroner's inquest would probably be over by Tuesday next, but, if that be the case, a committee can be appointed to-night to commence its sittings on Tuesday without interfering with the coroner's inquest in any way. The honorable member also spoke about a dissolution, but the Premier has been already told by the leaders of the Opposition that there is no wish to displace the Government at the present time. The wish of the Opposition is that the Government should lead the House until the dissolution takes place, and then let all parties go to the country and take their chance. The object of the motion is not to oust the Government, but to try and prevent, if possible, catastrophes in the future similar to the terrible disaster which has taken place at Hawthorn.

Mr. WALKER.—Sir, I think that our past experience with regard to select committees affords us no ground for supposing that the appointment of a select committee on this question would result in any satisfaction

either to the House or the country. In fact, it is well known that the referring of questions to select committees or commissions is only a mode of hanging them up for an indefinite period. The Wattle Bark Commission, for instance, took a vast amount of trouble, and submitted a valuable report, but that report has never been acted upon to this day. The same thing may also be said of the report of the Torpedo Board. Again, a select committee was appointed to report on the use of the Grampian stone for Parliament House, but, although the committee reported some time ago, the matter is still in abeyance, and not likely to be settled this year or next year. If we want to prevent the recurrence of railway accidents like that at Hawthorn, I hold that the mere appointment of a select committee will not produce that result. I consider that no investigation whatever is necessary to enable the House to arrive at what is, at all events, a probable cause of accidents in the future. I go further than many honorable members with respect to the individual measure of blame attaching to the present Minister of Railways, because I maintain that even if the Hawthorn accident were directly traced to any act performed by the Minister in good faith, he is not so much to blame as Parliament, which allows the present system of railway management to exist. Is it consonant with reason that a gentleman without the slightest experience or training should, immediately on assuming office as Minister of Railways, be supposed to be capable of undertaking the direction of such a department, and, to a certain extent, of the traffic? It is utterly absurd to say that it needs a select committee to tell us that such a state of things should be altered. If it is desired that the cause of the accident shall be ascertained, then any tribunal is better for such a purpose than a select committee. The coroner's inquest, or the trials which will take place in the Supreme Court in connexion with claims for compensation, will afford the public far better and more exhaustive information as to the real cause of the accident than any select committee could do. A select committee cannot take evidence on oath, and its members would not be able to elicit the facts with the same precision that legal gentlemen accustomed to examine witnesses can do. The proper course to take would be to compel the Government to put an end to our present system of railway management without further delay. The system of political management came into vogue when there were only one or two lines, and when

it was possible that a gentleman with no experience, but who had sense enough not to meddle, could get on pretty well as Minister of Railways. But the railway system has now grown beyond the anticipations of the Parliament of that day, and requires to be managed in a very different way. When the suburban lines were purchased by the Government, and the officers of the Railway department were called upon to take charge of a totally different kind of traffic from that which they had previously been accustomed to, Parliament should have immediately altered the system, or, at all events, placed the suburban traffic under separate management. That was not done, however, and every day that has elapsed since has proved more and more the utter impossibility of any political management safely carrying on the enormous traffic which passes over our railway lines. The honorable member for Stawell, himself an ex-Minister of Railways, gave great credit to the present Minister for duplicating the lines between Hawthorn and Richmond, and Windsor and Brighton. But if the Minister of Railways duplicated those lines or carried out any other works against the judgment of his permanent officers he did very wrong, and, on the other hand, if in carrying out those works he simply gave effect to the recommendations of his officers, what credit does he deserve in the matter? None at all. The very fact that a mere layman, without any professional knowledge, should be in a position to say "This line shall be duplicated," or "That bridge is safe enough," shows that the system is utterly bad, and nothing will satisfy the country but an entire change in it. The fear expressed by one set of politicians that their supporters may be shut out from participation in the benefits of railway employment cannot be allowed to stand in the way of a real reform of the existing system, and is not, in my opinion, at all justified. The Melbourne Harbour Trust is a body somewhat similar to the board which it is proposed shall manage the railways, yet it has never been accused of abusing its powers of patronage by inquiring into the political opinions of applicants for situations, or of employing unsuitable men on account of their politics. In my opinion, the motion of the honorable member for North Melbourne does not touch the real question at all. If the honorable member had proposed that the Government should be directed to take steps immediately to alter the system of railway management at present in vogue, I would have supported him, but as the motion does not go in that

Mr. Walker.

direction at all, but simply proposes the appointment of a committee which can effect no good, I shall vote against it. But I warn the Government that they have already pledged themselves to deal with the question of railway management immediately this motion has been decided. I regard that matter as of such pressing importance that, unless the pledge is kept, I shall vote against them when the question comes up.

Mr. ZOX.—Mr. Speaker, there is no doubt that all over the country the opinion prevails that there is an absolute necessity for an inquiry into the present system of railway management, under which by the force of circumstances a gentleman is placed in charge of the Railway department without the requisite knowledge to administer it. I sincerely hope that the Government, although they oppose this motion as one of want of confidence, will realize the necessity which exists for submitting to Parliament at an early date a measure to place the railways upon a different footing. I do not believe that there is any honorable member who has occupied the position of Minister of Railways that would not be glad to be relieved from the responsibilities which are at present connected with the position, and, as far as patronage is concerned, I am certain that honorable members would rejoice to be relieved of the trouble to which they are subjected day after day by persons asking them to solicit employment for them from the Minister. It is a great pity that some tangible result cannot be made to flow from this motion, and for my own part, if it had only been couched in different language, I would have supported it.

Mr. MUNRO.—How would you word it?

Mr. ZOX.—I quite agree that an inquiry should take place, but I entirely object to a select committee of this House being appointed to make the inquiry. A celebrated statesman has said—"Show me the personnel of a select committee, and I will write their report prior to their meeting." Undoubtedly, however honest honorable members may be in their political convictions, they must be influenced by political considerations, especially at the present juncture, when political feeling runs very high in the House, and a great deal of animus is displayed on both sides. The country wants a change in the existing system of railway management, and the change must come. Had the present motion asked for the appointment of a non-political board of inquiry, and had the Ministry not received the motion as one of want of confidence, I

would have voted for it. But why should a political committee be appointed? Have we not had sufficient experience of political committees—of Elections and Qualifications Committees for example? Moreover, a select committee could not obtain so valuable and reliable evidence as an independent board, because the witnesses called before it from the public service would have to speak in reference to the acts of various Ministers of Railways, and with the knowledge that if they spoke out they might endanger their own positions. I shall insist on a measure being brought forward for the better management of the railways, and I have no hesitation in saying that, although I have a great regard for many gentlemen occupying high positions in the Railway department, some of them, owing to their having been so many years in the colony, are not altogether qualified to carry on so gigantic an undertaking in accordance with the most improved methods. Unless the Government speedily introduce a measure to deal with the management of the railways, they will wean their supporters from them, and I will be one of the first to say that they are not fit for their position.

Mr. HUNT (who rose amid cries of "Divide") said—Mr. Speaker, I have no desire to prolong this debate, which has certainly not been calculated to elevate this House in the eyes of the country. To my mind, this is nothing but an unseemly scramble for office on the part of the honorable members occupying the front opposition bench and some honorable members sitting in the corner. I regret that the honorable member for Geelong (Mr. Berry) has formed an alliance with gentlemen whom a short time ago he designated as being utterly unworthy for him to associate with.

Mr. MUNRO.—Who are they?

Mr. HUNT.—I do not allude to the honorable member for North Melbourne (Mr. Munro), who, in submitting this motion, has only acted consistently with the strong desire he has expressed at all times to displace the present Government. If the Government had received this motion in any other way than as a no-confidence motion, they would have deserved to be treated with contempt. I assert that there was no other attitude the Government could assume without placing themselves in a grossly humiliating position. In fact, had they taken any other step, I would have at once raised my voice to turn them off the Treasury bench. If the motion before us is not one of want of confidence, I don't know what it is. If it is

the harmless proposition it has been described to be, why has there been all this activity—these button-holings and endeavours to catch votes on any ground that could be thought of? I would, however, scarcely have risen to speak on the present occasion but for a statement made by the honorable member for Castlemaine (Mr. Patterson). That honorable member gave utterance last week to an assertion with regard to me which I now ask him to acknowledge was a mistake, and I will add that, if he has the honesty and candour to make that admission, the remarks I have to offer will be seriously mitigated. An interjection, or even a shake of the head, will be enough for my purpose. What I allude to will be found in the following extract from a speech delivered by the honorable member on Tuesday, the 5th December:—

"I believe the present system of railway management is worse than any other which can possibly be conceived. It is grossly bad.

Mr. HUNT.—Why did you not alter it while you were Minister of Railways?

Mr. PATTERSON.—I did alter it. I relinquished altogether the exercise of political patronage. And because a few gentlemen like the honorable member for Kilmore and the honorable member for Maryborough (Mr. Bowman) could not get what they wanted, they had the impudence to come down to this House and declare that the system was not being honestly carried out."

Is the honorable member now prepared to reiterate that statement? I take it that his silence gives consent, and that he adheres to what he said. The honorable member talked of relinquishing patronage, but does he recollect inviting me, when he was Postmaster-General, to nominate for employment in the Seymour Post-office a person outside my electorate, and that when I intimated that the patronage was due to the honorable member for the district concerned—

Mr. PATTERSON.—I never heard before that patronage could be due to any private member.

Mr. HUNT.—Of course nominations are due to honorable members. Does the honorable member recollect that when I made that statement his reply was—"Oh! I will do nothing for that fellow," meaning the honorable member for Dalhousie, who was then in opposition?

Mr. PATTERSON.—Another kangaroo yarn.

Mr. HUNT.—I undertake to show that I am telling no mere yarn. Does the honorable member deny the truth of my statement?

Mr. PATTERSON.—I have no recollection of any occurrence of the kind the honorable member alludes to.

Mr. HUNT.—I will, perhaps, on a future occasion, substantiate my allegation by calling for the document in which the offer I speak of was made. The honorable member is not the only member of the House distinguished for veracity, as well as other virtues. Nevertheless I admit that any one looking at his countenance would deem it a perfect picture of meekness, humility, and respect—that, in fact, he represented a sort of apostle of the nineteenth century. I suggest that he should not only be known as “Truthful James,” but that the title of “Saint” should be accorded to him.

Mr. PATTERSON.—Make it St. Patrick, and then I might be able to scare away certain snakes.

Mr. HUNT.—If there is any truth in the allegation that the honorable member is associated with a certain prominent countryman of mine in the Ministerial corner, he may possibly some day enjoy the title I refer to. The honorable member has not only distinguished himself by his speeches inside the House, but some of his extra-parliamentary deliverances are of even more importance.

Mr. PATTERSON.—It is the Protestant Hall business now.

Mr. HUNT.—The honorable member’s interjection brings to my mind some of his high-flown utterances in the building he mentioned—master-pieces of recitation got up, no one knows how, but delivered for a purpose no one could mistake. He undertook, in one of them, to cast certain strong reflections upon a particular portion of the country from which I have come. He contrasted one part of that country with another part, and at the same time he professed strong sympathy with the poor suffering people in the south. Of course I mean the south of Ireland. I can imagine him holding up his hands in pious horror, before the benediction was pronounced—I am told proceedings of the kind I am referring to always end with a benediction—and shouting out his anxious hope that the poor people would be rescued from their present position. I don’t know what amount of irritation the honorable member suffered to lead him to indulge in that strain. I don’t know either from what country he is himself derived. I would, however, imagine it to be the “border” land, described by Sir Walter Scott as inhabited by marauders or “rievers”—a class of people who enjoy in this colony the more emphatic, but less euphonious, title of “cattle duffers.” If he did not himself come from that quarter of the old

country, perhaps he is lineally descended from some one who did. I was struck, the other night, with the way the honorable member sneered at the brake invented by my ingenious friend, the honorable member for Stawell. I would have thought he would show some little respect, not to say generosity, towards one who was formerly his colleague and is still a member of the great liberal party. But the envy, malice, and chagrin of the honorable member for Castlemaine can perhaps be easily accounted for. It is the penalty which every one who has, like the honorable member for Stawell, used his inventive faculties for the benefit of the country must expect to endure from some quarters. I am, however, myself of a conciliatory disposition, and I desire my present speech to be looked at as conciliatory, for I beg to suggest to the honorable member for Stawell that he should close the breach between himself and the honorable member for Castlemaine by making the latter a peace-offering. It might be a question what form the offering should take, but I think that, inasmuch as the honorable member for Stawell has invented something besides a brake, he would do well and act in a kindly spirit if he made the present consist of a patent cattle-brand eraser. Possibly the honorable member for Castlemaine could find a use for the implement. I may point out also that the honorable member has been rather disparaging in his allusions to a coroner’s jury, whereas I would have thought that he, of all honorable members, would be only too glad to show his respect for a jury of his country. I am very sorry the honorable member did not, by rising in his place and acknowledging his mistake, save me from the necessity of talking in this way. I don’t think that before this any honorable member ever heard me make any offensive remark, but I suppose the exception proves the rule. When one meets with characters of a particular kind, it is necessary to treat them in a particular way. Allusion has been made to-night by the honorable member for Ballarat West (Major Smith) to fourteen or fifteen members of the Opposition who would, he said, be found to divide on the present question with the Government, and he described them as representing a class. I don’t know if the honorable member intended to be offensive, but I felt him to be very offensive. I will point out that when he was in office, although there was not a single countryman of mine in the Ministry, and a number of them voting against it, I stood by them up to their dying moment.

Mr. PATTERSON.—You gave them their last kick.

Mr. HUNT.—I gave them a lasting and consistent support. Coming back to the charge of the honorable member for Castlemaine, I beg to say that I would retire from this House and from political life to-morrow if the honorable member or any one of his former colleagues could prove that I ever asked them or their party for a personal favour. What then becomes of the honorable member's taunt? If he had a spark of decency in his composition he would blush. I have another allusion or two to make before I have done. The Major might have recollected one thing when he spoke to-night of class representation. If report speaks truth, the honorable member once upon a time himself belonged to the mother church, and I need not remind honorable members that as a rule no one can be more malignant or rancorous towards a church than one who formerly belonged to it, but afterwards left it. Having dealt in the mildest possible way with the honorable member for Castlemaine, I wish to say next a few things about the management of the Railway department. Does the honorable member recollect one occasion, when he was Minister of Railways, and honorable members generally were so wearied out by the Estimates that there was nothing but cries of "Divide, divide," and I happened to stand up to make an attack, which I believe was warranted, on the administration of the Railway department? The honorable member went almost down on his knees to induce me to desist, and I did desist, but late as the hour was, and tired out as honorable members were, there were still cries of "Go on," which evinced a strong feeling that the state of the Railway department demanded a searching inquiry. Well, that feeling still exists, and, as honorable members know, it is shared even by the Government, who admit not only that our present railway system ought to be made the subject of a close investigation, but that that investigation ought to be entered upon as speedily as possible. At the same time I beg to express the conviction that had they proposed to appoint a select committee or Royal commission to make such an inquiry concurrently with the coroner's inquest a howl of rage would have come from the Opposition, who would have cried out with one voice that what Ministers had in view was most unfair and un-English. What do I find going on round about me—to the right and to the left? Nothing but a mad eager

scheming for office. I thank God I can wash my hands in innocence of any offence of the kind. I say that such scheming for office, in season and out of season, is disgraceful to men who profess to be true representatives of the people of the country. Nevertheless, I exclude the honorable member for North Melbourne (Mr. Munro) from the category. In common fairness to that honorable member, I admit that I don't believe he cares for office. When a man on any side in politics acts consistently all through, I am prepared to respect him. I claim no credit to myself for not seeking to hound the Government off the Treasury benches, for I believe that by following such a course the liberal party is likely to lose more than it would gain. It seems, however, as though the force of circumstances makes it a blind necessity with some honorable members to go in for place and pay. I have not sinned much in that way, and I beg to assure the House that my conduct in the past is a fair indication of my conduct in the future. I never yet made an application to any Ministry or Minister for a position for any one as a personal favour, and every application I have sent in has always been couched in terms such as "if consistent with the public interest." I feel some regret that the party I have been associated with so long has now become a collection of atoms. As for the honorable member for Geelong (Mr. Berry), there has been no denial that he is attempting to coalesce with honorable members in the Ministerial corner—that he wants to lie down with the enemy, so that together they may "jump" the Treasury bench. That attempt, I am bound to say, has alienated the little feeling I had for him. I regret that such is the case, because at one time there was no man in the House for whom I had a higher personal respect. What I most deeply deplore is that he has joined himself with that arch-traitor, the honorable member for Castlemaine, in trying, for the sake of office, to throw the country into confusion. If success crowned their efforts, what would be the result? The Railway Bill, which is the sole fruit of the session, and which many country districts look to for salvation, would be shelved. It would be a public disaster if that measure was allowed to lapse. The Land Bill, which is regarded with such hope, as the means of continuing the settlement of the people on the soil, would also be lost. I assert, without egotism, that my voice on this subject is truly a voice from the country. There is little more for me to say.

I, for one, will never be a party to trying to reach the Treasury bench through subterfuges, and by means of falsehoods. I think I have shown the honorable member for Castlemaine as he really is. I don't deny that I have thrown down the gage of battle with him, and I shall now leave him to wallow in the mire he has himself created.

Mr. BOWMAN.—I rise simply to make a personal explanation. I find in the *Argus* report of last night's proceedings in this House the following:—

“Mr. BOWMAN.—The honorable member for Castlemaine (Mr. Patterson), when Postmaster-General, wrote letters asking me to nominate persons for positions in my district.

“Mr. PATTERSON.—That has been contradicted.

“Mr. BOWMAN.—The letters were sent at your suggestion by the Deputy Postmaster-General.”

Well, I took the trouble to go to the Post-office to-day, and I found there that several letters had been sent to me when the honorable member for Castlemaine (Mr. Patterson) was Postmaster-General, offering me appointments in my electorate. Yet the honorable member said my statement was not true, and that he had contradicted it before. “Truthful Bowman” was what he called me. However, I intend, like the honorable member for Kilmore, to move that copies of the letters sent to me, in which the appointments were offered, be laid upon the table. They will prove that the honorable member spoke untruly, and that he is fairly entitled to the ironical name of “Truthful James.” I have several letters in my possession which completely prove the correctness of my original statement, but I preferred to get evidence direct from the Post-office. The offers I refer to came to me without any solicitation whatever. In fact, I did not know that any vacancies had occurred. As I have said, I will move for copies of the letters in the Post-office, but in the meantime I will read to the House the copy I took of one of them. It will show the value of the honorable member's denial that he had given me an opportunity to make a nomination. The letter I copied is dated December 14, 1879, and it is as follows:—

“Sir,—I have the honour, by direction of the Postmaster-General, to request that you would be so good as to nominate a person for appointment to the charge of the Post-office, Mosquito Flat, *vice* Mr. W. Innis, who has resigned the office of postmaster at that place.—I am, &c.,

“T. W. JACKSON,
“Deputy Postmaster-General.”

If the honorable member will apologize for the language he used last evening, I will not move for the papers. He tried to bring me in guilty of a lie, but I think I have returned the compliment with interest.

Mr. PATTERSON.—Mr. Speaker, I would require to see the original document, with my signature attached, and to look well at it, before I could accede to that request, because I recollect the honorable member for Maryborough (Mr. Bowman) presenting to this House a document bearing the signature of a dead man. Therefore I shall regard with suspicion any assertion of the honorable member unless it is accompanied by absolute proof. However, I am reminded of the saying that if a man were to stoop to throw a stone at every whelp he met with, he would never get to the end of his journey. I am also reminded of the proverb that you cannot touch pitch without being defiled. Therefore I do not wish even to touch the honorable member for Maryborough. However, I may remind the honorable member that, in the course of his public career, he has had to stand before this House, and be publicly reprimanded. With respect to the speech of the honorable member for Kilmore, it would have been a very good one if it had been original; but I have read most of it in the *Advocate*. I have been told for months that this great event was to come off, and, therefore, the honorable member for Kilmore must not be surprised that it has not shaken me to the extent he might have expected. The country knows well enough that the Flynns and the Flanagans have been doing pretty well lately. It is known how certain honorable members who sit in opposition trudge across the House, one after the other, like long-necked geese, to sit behind the Government when occasion requires; and therefore it is not necessary to declaim against the honorable member for Geelong (Mr. Berry) in order to disguise their intentions, because those intentions are well known and thoroughly understood. I think it was a piece of bad taste on the part of the honorable member for Sandridge to introduce the denominational question into this debate. Have I, at any stage of my public career, mentioned that matter in this House?

Mr. C. YOUNG.—Yes.

Mr. PATTERSON.—On one occasion, when coming with the honorable member for the Wimmera (Mr. O'Callaghan) out of the opposition room, where we had been chaffing, I told him, what I tell the party, that until those who form the Catholic party organization learn how to treat politics like other men who feel and choose for themselves, they will have to be met by an organization equally powerful. What is this thing called the Catholic vote? Don't we see it like a black

cloud floating, for some mysterious purpose, on all sides of this House?

Mr. C. YOUNG.—It is all right when it is on your side.

Mr. PATTERSON.—The thing is altogether too thin. Presently honorable members will have to go to the country and explain what sort of a thing it is that could induce them to make such speeches as we have heard this evening. The public are awakening well up to the importance of conserving our educational system—a system upon which they have set their hearts—and no amount of intrigue, no amount of dissembling, no working among weak-kneed men belonging to other sections of the community, will save them when they are brought face to face with the country. I warn the honorable member of that. I tell him further that the organization I refer to is not only a political organization, but it is a scandalous and a slandering organization; and part of its policy, not only in this country but all over the world—part of its Popish policy—is to ruin men's characters publicly and privately.

Mr. DUFFY.—Mr. Speaker, I rise to a point of order. I submit that the honorable member for Castlemaine (Mr. Patterson) is out of order in using expressions offensive to other honorable members holding a different religion from that of the Protestant hero. I understand the honorable gentleman to charge the church of which I am a member with being a slandering institution. I say that if there is to be debate on the floor of this House, language like that must be put down. The observation of the honorable member applies to every honorable member who holds the religion that is attacked. I believe that no other member of the House would use such language regarding the religion of a fellow member.

The SPEAKER.—I understand the honorable member for Dalhousie to complain of the assertion by the honorable member for Castlemaine (Mr. Patterson) that the Catholic church—

Mr. PATTERSON.—I never mentioned it.

The SPEAKER.—That a certain church—I believe the expression was the Popish church—is a slandering church. I don't think that language can be held to refer to an individual member of this House, and therefore it is not out of order. The use of it is simply a question of good taste or good manners.

Mr. PATTERSON.—The honorable member for Dalhousie was singularly silent a few minutes ago when his friend and

colleague to some extent repeated slanders for which men have had to apologize in this House time out of number. It is part of the tactics of the party to which he belongs to continue to insinuate these slanders. These are the ignoble weapons they try to use against public men.

Mr. DUFFY.—It is not true.

Mr. PATTERSON.—And not only public men, for they go into private houses, and do all the mischief they possibly can.

Mr. DUFFY.—Mr. Speaker, is this in order?

The SPEAKER.—The honorable member, I understand, is alluding to a party. To be out of order, his remarks must apply to individual members of this House.

Mr. LONGMORE.—I think the honorable member for Castlemaine (Mr. Patterson) has a right to speak about the Catholic party, because his family is connected with them, and he has used them in Castlemaine for his own purposes.

Mr. PATTERSON.—I scorn and repudiate the interjection of the honorable member, the hero of the Grattan address: My object in referring to this matter is that, knowing the tactics I have referred to will be continued, the public may see the little game which is being played; that light may dawn upon the *Advocate*-Fenian party which is growing up, so that the public may understand precisely the work that is going on. With regard to the question before the House, is it necessary for me to say one word? We are asked to consider a straightforward proposition submitted by the honorable member for North Melbourne (Mr. Munro); and how have the Government—the gentlemen who are always talking of a straight fight and fair play—met that motion? They have not met it as one of want of confidence. They have met it in such a way that the public will not be able, to-morrow morning, clearly to see who vote for and who vote against what the Premier has made a motion of no confidence. The previous question, which the Premier has moved, is a mere subterfuge, or, to use the language of *May*, “an ingenious method of avoiding a vote;” and therefore I say that the division which will be taken this evening will not be a fair indication of the feeling of antagonism to the Ministry which prevails at this moment. It will not represent one-half of the unexpressed feeling of dissatisfaction with that Ministry. The honorable member for North Melbourne says a committee should be appointed at once to inquire into the management of our railway system, and also into

the unfortunate accident which has happened at Hawthorn. And what do the Ministry propose? First of all, the Premier says—"I propose, next week, to bring forward a Bill for the better management of our railways," and subsequently he intimates that he is for referring the subject of future railway management to a select committee. Now which course does the honorable gentleman intend to choose? Does he intend to choose the one or the other? Does he intend to take the responsibility, as he ought, of submitting his Bill, or does he propose to send the question to a select committee to do the work for him? That question ought to be answered before the debate closes. The necessity for a change in the management of the railways is admitted on all hands. There may be a difference of opinion as to whether the head of the future management should be political or non-political, but that there should be a different management is admitted on all hands. At present, what can you call the Railway department but a large electioneering committee-room, expending the funds of the State in various ways?

Mr. C. YOUNG.—Did you work it that way when you were in office?

Mr. PATTERSON.—I did not. The Minister of Railways, in order to make himself popular, reduces the fares on the suburban lines to such an extent that the lines won't pay. If our railway system belonged to a private company, it would be worked in such a way as to yield a dividend to the shareholders; but the Minister of Railways seeks to gain popularity by squandering the public funds, and reducing passenger fares to such an extent that the railways won't pay at all. It has been asserted that the present Minister is not responsible for the Hawthorn collision. No one will say that he is personally responsible, but if, as head of the Railway department, he makes certain changes which, judged by the results that follow from those changes, are not wise, there is evidence at once that the administration of the department is not as good as it ought to be.

Mr. ANDERSON.—Those changes had nothing to do with this accident.

Mr. PATTERSON.—I would not like to say that. I find it stated in this evening's paper that Mr. Greene intimated, when Mr. Ponting was appointed to carry out certain works on the Hawthorn line, that he would not be responsible for anything which might happen. The cause of the accident was the allowing of two trains to run on a single line, while

the time-table was made up as if a double line was available. It was through taking up one line, and throwing all the traffic on the other line, that the two trains collided. Under the block system, if all necessary precautions are taken, a single line is as safe as a double line, but the block system was not in force on the Hawthorn line. My idea is that the future management of the railways should be altogether non-political, and I believe that public opinion is in the same direction. When I was at the head of the Railway department, Mr. Elsdon complained bitterly of the system which prevailed in connexion with the Spencer-street lines. He said—"When I had charge of the Hobson's Bay Railway, everything went well; if men did not behave themselves they were discharged at once; but here nothing of the kind prevails; political influence is continually being resorted to by the men and their friends." And thus Mr. Elsdon felt that his authority was completely gone. When I was in office, three-fourths of the time of the Cabinet was occupied with railway matters; and it is the fact that nearly three-fourths of the time of Parliament, every session, is absorbed in the consideration of such questions. Nearly the whole of this session has been occupied with railway matters. In fact, honorable members are nothing more than a most incapable and inefficient lot of railway managers of a political character. We are nothing better than a railway board, and yet we are a most unfit body to deal with such a question as railway management. For all these reasons I say there ought to be a change, and that speedily. I am sorry that the Premier and the Chief Secretary do not agree at all in the reform which has been suggested. They thoroughly believe in patronage. However, I believe that public opinion will insist upon the placing of the railways under non-political management. That is the right course to take. I trust the Minister of Railways, for his own sake and the sake of every member of this House, will be bold enough to get rid of the patronage the exercise of which I feel has had very much to do with the disasters which have occurred on our railways.

Mr. GRANT.—I desire to say one word. The honorable member for Castlemaine (Mr. Patterson) has accused the Government of evading the motion proposed by the honorable member for North Melbourne (Mr. Munro) by the previous question. I admit that the previous question has been moved with that object, because the honorable

member for North Melbourne's motion is a sham motion. It raises a false issue. If we were to go direct against the motion, the impression might be created in the country that we were against inquiry.

Mr. MUNRO.—And so you are.

Mr. GRANT.—And so we are not. It is simply with the view of avoiding a false issue that the previous question has been proposed.

Mr. DUFFY.—Sir, at this late hour, I don't intend to go into the main question; but one or two of the observations made by the honorable member for Castlemaine (Mr. Patterson) I would like to say a word about. The other night, the honorable member slandered the honorable member for Kilmore; to-night, the honorable member for Kilmore attacks the honorable member for Castlemaine; and then the honorable member for Castlemaine takes the floor, but, instead of attacking the honorable member for Kilmore, he attacks a section of this House who profess a certain religion.

Mr. PATTERSON.—Oh! keep your religion to yourself.

Mr. DUFFY.—That is what I want to do; and I want the honorable member to keep his religion to himself. I can esteem honorable members who profess other religions than mine; but I don't believe in the sort of political Protestantism expressed by the Protestant hero on the floor of the Protestant Hall. The honorable member for Castlemaine appears to be frightened as much of the Pope and the Popish religion as he was of the kangaroo on a certain historical occasion. But is the honorable member always frightened of Catholics? Does he not, when it suits his purpose, enter into social and political relations with them? Will he not, on this occasion, vote side by side with the honorable member for Belfast? When the honorable member for Geelong (Mr. Berry) was forming his last Government, was not the honorable member for Castlemaine willing to sit in a Cabinet of which the honorable member for Belfast would have been Premier? If that Cabinet had been formed, I wonder what pretty little recitations the honorable member for Castlemaine would have indulged in about Catholics and the Catholic question. I fancy the broad liberal tone which the honorable member would then have adopted would be something very different from the offensive slanders he has uttered to-night. The honorable member for Kilmore has alluded to a certain occasion when the honorable member for Castlemaine gave him, because he was then a friend and ally, a piece

of patronage which could not be given to me because I sat in opposition. I thank the honorable member for Castlemaine. He can never say I craved favours from him. I consider it a compliment to be treated in the way I was by the honorable member, on the principle that there are some members of the community whose respect is a degradation, and whose disrespect is the highest compliment a person can receive. I trust the honorable member for Castlemaine is the only member who could have spoken of other honorable members professing a different religion as he has done to-night. The people of this country, notwithstanding the religions they hold, have grown up together in harmony; and they are prepared to continue to live in harmony and do their duty as citizens if men like the honorable member for Castlemaine will only let them alone.

Sir C. MACMAHON.—If in order, I desire to say a few words. I believe I am entitled to do so, because I have not yet spoken on the main question. I spoke twice last night—once on the motion for the adjournment of the debate, and once as a matter of personal explanation.

The SPEAKER.—According to the record kept by the Clerk, the honorable and gallant member has spoken twice—first, on the main question, and, secondly, on a motion for adjournment. But if there is no objection on the part of the House to the honorable and gallant member speaking again, I have none.

Sir C. MACMAHON.—If I am not entitled to speak, I do not care to speak merely by the favour of the House. I simply wished to mention, before the taking of the division, how I am going to give my vote, and why I give it.

Mr. C. YOUNG rose, but, in consequence of cries of "Divide" from all sides of the House, resumed his seat.

Mr. LAURENS next rose, and was received with renewed cries of "Divide."

Mr. BERRY.—I desire to call the attention of the honorable member for North Melbourne (Mr. Laurens) to the fact that the Minister of Public Works, who rose just now to speak, sat down in obedience to the calls of "Divide," which indicated that unless a division was taken at once the debate would not close to-night. As there is a tacit understanding that a division shall be taken, I would not like an honorable member on this (the opposition) side of the House to insist upon his right to prolong the debate.

Mr. LAURENS.—I have not spoken on this question, and I simply rose to express my dissent from the personal and acrimonious manner in which the debate has been carried on.

The SPEAKER put the amendment in the usual form—"That this question be now put."

The House divided—

Ayes	33
Noes	44

Majority for the previous question 11

AYES.

Mr. Barr,	Mr. Nimmo,
" Bell,	" Orkney,
" Berry,	Sir J. O'Shanassy,
" R. Clark,	Mr. Patterson,
" Davies,	" Pearson,
" Deakin,	Dr. Quick,
" Dow,	Mr. Rees,
" Fincham,	" Richardson,
" Hall,	" Shiels,
" James,	Major Smith,
" Langridge,	Mr. Tucker,
" Laurens,	" Williams,
" McColl,	" Wrixon,
" Macgregor,	" A. Young.
Sir C. Mac Mahon,	<i>Tellers.</i>
Mr. Mirams,	Mr. W. M. Clark,
" Munro,	" Gardiner.

NOES.

Mr. Anderson,	Mr. Hunt,
" Bent,	" Kerferd,
" Blackett,	" Keys,
" Bolton,	" Langdon,
" Bosisto,	" Levien,
" Bowman,	" Longmore,
" Brophy,	" McKean,
" Burrowes,	Dr. Madden,
" Cameron,	Mr. W. Madden,
" Carter,	" Mason,
" A. T. Clark,	" O'Callaghan,
" Connor,	" Officer,
" Cooper,	Sir B. O'Loghlen,
" Cunningham,	Mr. Toohey,
" Duffy,	" Walker,
" Fisher,	" Wallace,
" Francis,	" Walsh,
" Gibb,	" C. Young,
" Gillies,	" Zox.
" Grant,	<i>Tellers.</i>
" Graves,	Mr. McIntyre,
" Harper,	" L. L. Smith.
" Harris,	

PAIRS.

Mr. Cook,	Mr. Zinke,
" Woods.	" McLean.

TELEPHONE COMMUNICATION.

Mr. A. T. CLARK called the attention of the Speaker to the fact that the managers of the Melbourne Exchange had placed telephonic communication with that establishment at the disposal of honorable members, but full advantage could not be taken of the communication because the telephone room in the Parliament buildings was not open after eight o'clock in the evening. He would suggest that arrangements

should be made for the attendance of an official in the telephone room whenever the House was sitting.

The SPEAKER.—I will communicate with the Clerk upon the subject.

The House adjourned at eleven minutes past eleven o'clock, until Tuesday, December 19.

LEGISLATIVE COUNCIL.

Tuesday, December 19, 1882.

Representation of the Nelson Province: Resignation of Sir Charles Sladen—Management of the Railways—Position and Emoluments of Officers of the House—Jolimont Railway Accident—Railway Construction Bill: Examination of Witnesses at the Bar—Absence of the President.

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

DECLARATION OF QUALIFICATION.

The Hon. George Young delivered to the Clerk an amended declaration under the Act No. 702.

SIR CHARLES SLADEN.

The PRESIDENT.—I have, with the assistance of the Clerk of the Parliaments, searched the records for precedents with regard to this House presenting an address to Sir Charles Sladen, and also as to placing on our records an expression of regret at losing him from this Chamber, but I have been unable to discover any of either kind. That circumstance does not, however, preclude me or honorable members generally from expressing what we think in relation to the loss we have sustained. For myself, I may say that I have been intimately associated with Sir Charles Sladen, both publicly and privately, for more than half the period usually allotted for the life of man, and that I never knew any one of more honorable feelings and conduct. Upon all occasions I have found his notion of duty to be to inquire whether a particular thing was right or wrong, in order if it was right to pursue it, or if it was wrong to avoid it; and, moreover, he is one of the very few men I have known who have habitually carried their ideas of what was due from a gentleman into public life. Indeed, it is the experience of all of us that the feeling I am now referring to pervaded every act Sir Charles Sladen performed. I may add that,