

thoroughly approved of the action taken by the present Government in not recognising any mere recommendation made by the late Government. Why was the late Government put out of power? Because this House did not approve of their action or of their extravagance, and here was evidence of their extravagance. He did not doubt the word of the honorable member for Essendon, but he objected to the Government being bound by any mere verbal statement on the part of one of their predecessors.

The vote was agreed to.

Progress was then reported.

The House adjourned at twenty-four minutes past eleven o'clock, until Tuesday, September 8.

LEGISLATIVE COUNCIL.

Tuesday, September 8, 1891.

Mr. John Barker—Life-saving Appliances—Absence of the President—Agricultural Colleges Act Amendment Bill—Directors' Liability Bill—Instruction in Cookery—Police Offences Act Amendment Bill—Public Service Act Amendment Bill—Supreme Court (Bailiwicks) Bill—Crimes Act Amendment Bill—Marriage Act Amendment Bill—Defences and Discipline Act Amendment Bill—Australasian Federation.

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

MR. JOHN BARKER.

The ACTING PRESIDENT.—I have to announce to honorable members that the vote of thanks which was passed by this House to be presented to Mr. John Barker, who was so long our Clerk, has been illuminated, and I have directed it to be placed on the table of the President's room during the evening, so that honorable members may have an opportunity of seeing it.

LIFE-SAVING APPLIANCES.

The Hon. J. H. CONNOR said that, with the leave of the House, he desired to call the attention of the Minister of Defence to the necessity of life-saving appliances being placed along the Queenscliff and Warrnambool coast. Great loss of life had occurred recently, and some one must be to blame for it. The Postal department must also be to blame for the absence of telegraphic communication. Fearful accidents happened, and no one seemed to

know anything about them until it was too late to render any assistance. In the last instance the loss of life might have been prevented if proper appliances had been provided, and if there had been telegraphic communication with the adjoining districts.

Sir F. T. SARGOOD stated that it would be very unwise to attempt to answer such a question without notice. If the honorable member would give notice of the question he would endeavour to supply the information he desired.

ABSENCE OF THE PRESIDENT.

The ACTING PRESIDENT.—I have been furnished by the Clerk of Parliaments with the following letter, which I will read to the House:—

“Toorak, 7th September, 1891.

“George H. Jenkins, Esquire, C.M.G.,

“Clerk of the Legislative Council.

“Dear Sir,—I am desired by the Hon. Sir James MacBain to ask you to inform honorable members that owing to an attack of influenza he is confined to bed, and regrets very much he is unable to resume his duties this week.

“I have the honour to be,

“Your obedient servant,

“THOMAS H. STEELE, M.D.”

PETITION.

A petition was presented by the Hon. G. S. COPPIN, from members of the Church of England in North Carlton, in favour of Bible reading in the State schools during school hours.

AGRICULTURAL COLLEGES ACT AMENDMENT BILL.

Sir F. T. SARGOOD moved for leave to introduce a Bill to enable a portion of the land vested under the Agricultural Colleges Act 1890 to be leased for mining purposes.

The motion was agreed to.

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

DIRECTORS' LIABILITY BILL.

The Hon. W. A. ZEAL moved for leave to introduce a Bill to amend the law relating to the liability of directors and others for statements in prospectuses and other documents soliciting applications for shares or debentures.

The motion was agreed to.

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

INSTRUCTION IN COOKERY.

The Hon. J. H. CONNOR called the attention of the Minister of Public Instruction to the desirability of provision being made by the Education department to have girls attending the State schools taught the art of cookery. He called the attention of the late Government to this matter, and he was assured that experiments would be made in large centres of population. He understood, however, that nothing of a practical kind had yet been done. The colony was under a great debt of gratitude to Sir Frederick Sargood for the reform that he introduced with reference to the formation of cadet corps at State schools. That movement had done great good to the boys attending State schools in enabling them to be thoroughly trained and disciplined, and he hoped that the honorable gentleman would now turn his attention to the girls attending the State schools. It was important that the girls should be taught the art of cookery, which was one of the most necessary accomplishments that a girl could have. The Government spent a very large sum of money on education, and a portion of it could very well be devoted to this subject. The following extract from *Teaching in Three Continents*, by Mr. W. Catton Grasby, would show what was being done in England with reference to this matter:—

“I consider that the teaching of cooking is much more general in England than in the United States. I know of no large town or city in the Union where all the girls or the higher grammar grades are taught; but in the London board schools, all girls over eleven years of age without regard to standard, and all girls in Standard IV. and upwards who are ten years of age, are required to attend each year at least twenty out of a course of 22 lessons in practical cookery at one of the centres. The plan followed is to build cookery class-rooms, technically called ‘centres,’ in the playgrounds of suitable schools, in which pupils from all schools within a convenient distance from the ‘centre’ may receive instruction. There are now nearly 70 centres, while others are in course of construction. A ‘centre’ consists of—(1) a stepped class-room, about 21 feet by 18 feet, containing a demonstration counter, a gas stove, a kitchener, an open range stove, a dresser, and necessary appliances for teaching plain cookery; (2) a scullery; (3) a cloak-room; (4) a lavatory. A class consists of 30 pupils. The work is carried on by three superintendents and 58 instructors. Four courses of lessons are given during the year. Children who do not attend board schools are allowed to attend the classes on payment of four shillings for a course of 22 lessons. Nearly 24,000 pupils receive instruction in a year. The dishes made are sold to teachers and children for lunch.

“The fittings of the centres are, in common with the school fittings in England, plain and strong with little attempt at elegance. The education of the perceptions of the beautiful is much neglected in England. Strength and durability are all very well, but beauty should not be neglected. The Frenchman and Italian cannot help being more artistic; he is surrounded by forms of beauty. In Liverpool each school has a room provided with a gas stove, a kitchen range, and a dresser, with appliances, and the instructor visits from one school to another.”

(Mr. Bell—“Where is the money to come from?”) From the people. Instruction in cookery was more important than instruction in some other subjects, such as painting, which were at present included in the State school curriculum.

The ACTING PRESIDENT.—The honorable member cannot express opinions. He can only state facts.

The Hon. J. H. CONNOR said that he regarded this matter as one of great importance, and if necessary he would move the adjournment of the House. (Mr. Service—“Give notice of motion, and then we will all be able to say what we think on the subject.”) He would not detain the House long. There were large centres of population in the colony, such as Geelong, Sandhurst, and Ballarat, where classes for instruction in cookery could be formed at very small cost. It was absolutely necessary that the Government should take some action in reference to this matter at the earliest possible date, and he hoped that the Minister would be prepared to say that he would endeavour to make provision for these classes. If efficient teachers were not to be found in the colony there would be no difficulty in obtaining teachers from the cookery schools in England at a very small expenditure.

Sir F. T. SARGOOD stated that he was glad to be able to say that he very largely agreed with Mr. Connor as to the importance of this subject, and the honorable member would be pleased to know that he had had it under his consideration for some weeks past. He had consulted the officers of his department to see whether better results could be obtained from the expenditure of the money available. He would read the reply which had been placed in his hands by the department:—

“Instruction in cookery to State school pupils was begun in 1888 by Mrs. Wieden (now of the Sydney Technical College) and by Miss Pearson. Lessons were then given at the Servants’ Training Institute, at the Working Men’s College, and at the Education Court of

the Centennial International Exhibition. In each case arrangements were made for girls from the neighbouring State schools to attend and benefit by the lessons. Since that year classes for instruction have been regularly held at certain central State schools for the senior girls. At present Miss Pearson and Mrs. Smith give lessons in cookery to the female students at the training college and to thirteen of the largest Melbourne schools. It may be estimated that nearly 400 girls are instructed in every course, there being regularly two and sometimes three courses in each year. The question of extending the teaching of this subject is, in the present state of the finances, held over."

Mr. Bell had naturally asked where was the money to come from. Unfortunately the Government could not make use of a large sum of money which the late Government did not leave to them. (Mr. Connor—"Why is not cookery taught elsewhere than in Melbourne?") That was the very point which he now had under consideration.

POLICE OFFENCES ACT 1890 AMENDMENT BILL.

The amendments made in this Bill in committee were considered and adopted.

The Hon. J. M. DAVIES moved the third reading of the Bill.

The Hon. W. A. ZEAL said he thought it was desirable that the Bill should contain a provision to prevent prisoners who had been repeatedly convicted of offences from obtaining remissions of their sentences for good conduct. It was well known that many hardened offenders, by conforming to the prison rules, were enabled to prey again upon society very quickly after their incarceration.

The Hon. J. SERVICE remarked that the law required to be amended in respect to bailable offences. He understood that offenders who had been convicted four or five times had the right of asking to be let out on bail, and that the magistrates had no option but to grant it. (Mr. Roberts—"They may refuse bail.") He understood that magistrates could only refuse bail in very exceptional cases. This led to many miscarriages of justice because offenders were liberated on bail, the necessary money being provided by their robberies; the men then got away, and laughed in their sleeves because they were not generally caught again. He did not know if this amendment could properly be made in the Bill now under consideration, but the whole position of the law in regard to this matter required to be reconsidered.

The Hon. J. M. DAVIES observed that he did not think that either of the amendments which had been just suggested could properly be made in this Bill. One of them might be more properly inserted in a Gaols Act Amendment Bill or the Crimes Act Amendment Bill. Both of them related to important questions, and he could not be expected to deal with them without notice. With regard to the remission of sentences passed on prisoners, it must be remembered that sentences were often imposed with a knowledge that a certain proportion would be remitted for good conduct, and that the length of a sentence was affected by the fact of a remission being contemplated or not, the object of the promised remission being to induce the offender concerned to behave well in prison. As regarded the bail which could be insisted upon, magistrates had a discretionary power as to the amount. A large amount was insisted on in serious cases, but it was almost impossible to fix a matter of the kind absolutely without working injury, because innocent people who had been wrongfully arrested might suffer imprisonment in consequence of not having been able to find bail. (Mr. Service—"I referred to old offenders.") Cases might occur in which old offenders were yet innocent of the particular charges made against them.

The Hon. J. BUCHANAN said that great injury resulted to the community in consequence of habitual offenders not being more severely dealt with. Men of this class usually resisted the police violently, and it was a great wrong to society that they should be so often treated as though they were being complained against for the first time. A heavier sentence ought also to be imposed when a prisoner was brought up a second or third time for the same class of offence. It was absurd to let off with a month's imprisonment a man who was in the habit of committing violent assaults and of maiming people for life. The frequency of race meetings largely increased a well-known class of offenders, who lived by them.

The motion was agreed to.

The Bill was then read a third time, and passed.

PUBLIC SERVICE ACT AMENDMENT BILL.

The amendments made in this Bill in committee were considered and adopted.

The Hon. J. M. DAVIES moved the third reading of the Bill.

The Hon. J. SERVICE craved the indulgence of the House while he made a brief personal explanation. When this Bill was last under consideration a discussion arose upon the claims of certain teachers to be transferred to the clerical division. He was led to allude to a series of claims made in years past without any proper foundation whatever, and he referred to persons who had been "guilty" of conduct which he deprecated, also saying that they were "grabbers, instigated by bush lawyers." It might be inferred from the context that he included the teachers in this reference. He now desired to say that he did not intend for one moment to place the teachers in that category, because, although he was perfectly satisfied that they could not substantiate their claim, they were nevertheless justified in making it.

The motion was agreed to, and the Bill was read a third time.

The Hon. J. M. DAVIES moved that clauses 15, 16, and 17 be struck out.

The motion was agreed to, and the clauses were struck out.

The Bill then passed.

SUPREME COURT (BAILIWICKS) BILL.

The amendments made in this Bill, in committee, were taken into consideration.

The Hon. J. M. DAVIES stated that he had promised to recommit any clause which honorable members might desire to have recommitted. As no honorable member, however, appeared to wish to have any clause recommitted, he moved that the amendments made in committee be adopted.

The Hon. D. MELVILLE remarked that when this measure was first presented it was called a Bill for the alteration of the boundaries of bailiwicks, but its title was now a Bill to amend the Supreme Court Act of 1890. If the measure had been read a second time under its present title honorable members would have had an opportunity of making amendments in it which had not suggested themselves under the former title.

The motion was agreed to.

On the motion of the Hon. J. M. DAVIES, the Bill was then read a third time, and passed.

CRIMES ACT AMENDMENT BILL.

The House went into committee for the further consideration of this Bill—the Hon. J. Bell in the chair.

The Hon. J. M. DAVIES mentioned that a proposed new clause, C, submitted by Mr. Melville, and relating to the publication of objectionable photographs or advertisements in books, had been postponed to enable him to ascertain if the words it included "or if the same shall appear in any journal, newspaper, periodical, pamphlet, or book" were used in the English Act. He found that those words were not in the English Act. He therefore moved that they be omitted from the proposed new clause.

The Hon. D. MELVILLE said he wished to follow the English Act, but he could not see why the words in question should be objected to.

The Hon. J. M. DAVIES stated that the objection which had been urged was that the clause in the form in which it was submitted would prevent medical men from advertising in books on certain diseases.

The Hon. W. A. ZEAL remarked that it was desirable to follow the English Act, because in preceding clauses it was provided that any constable might arrest without warrant offenders of the kind contemplated, and a constable could not very well arrest persons for setting-up type.

The Hon. J. SERVICE said he was under the impression that this subject had been thrashed out, and that the committee had agreed to omit the words in question if the Minister of Justice reported that they did not occur in the English Act.

The amendment was adopted.

The Bill was then reported with further amendments.

On the motion of the Hon. J. M. DAVIES, the Bill was then recommitted for the further consideration of clauses 1, 11, A, B, and D.

The Hon. J. M. DAVIES stated that clause 1 divided the Bill into six parts, and he wished it divided into seven parts. He moved an amendment to that effect.

The amendment was agreed to.

The Hon. J. M. DAVIES moved the re-insertion in clause 11 of the words "to be imprisoned," which he said had been inadvertently left out.

The amendment was agreed to, as were also consequential and formal amendments in new clauses A, B, and D.

The Bill was then reported with further amendments.

MARRIAGE ACT AMENDMENT BILL.

The House went into committee for the consideration of this Bill.

On clause 7, which provided as follows:—

“No person shall be registered as a minister of religion who may celebrate marriages— (1) unless he is a minister of religion ordinarily officiating as such in one of the religious denominations ministers of which at the time of the commencement of this Act are registered as persons who may celebrate marriages; or (2) unless he is a minister ordinarily officiating as such in any religious denomination which the Governor in Council may at any time hereafter, by order published in the *Government Gazette*, declare to be a religious denomination for the purposes of this Act,”

The Hon. W. A. ZEAL asked whether the Government had power to say who should be registered as a minister of religion? The clause said that no person should be registered as a minister who could celebrate marriages unless he “is a minister of religion,” &c. But who was to decide whether a man was a minister of religion or not?

The Hon. C. J. HAM remarked that clause 8 provided that no minister of religion should be registered as a person who could celebrate marriages until the Registrar-General should have received a requisition requiring that such minister should be registered. Then clause 9 provided that such requisition should be in writing, and should be signed by the recognised head in Victoria (if any) of the religious denomination to which the minister required to be registered belonged. If there were no such recognised head, then the requisition was to be signed by any two or more registered officiating ministers of religion. The difficulty hitherto had been that the registrar was compelled to register anybody who declared that he was the head of a denomination. If a man called himself the head of a denomination the registrar had to register him, however unsuitable a person he might be, and the object of the clause was to prevent unsuitable persons from being registered as ministers who could celebrate marriages.

The Bill having been gone through,

The Hon. C. J. HAM proposed the following new clause:—

“Nothing in the foregoing provisions of this amending Act shall extend to any marriage in the religious Society of Friends commonly called Quakers or to any marriage of Jews, but every such marriage shall be as legal and valid as if duly solemnized under the provisions of Part I. of the Marriages Act 1890 and this Act, if such marriage was when celebrated a valid

marriage according to the usages of the Quakers or Jews, as the case may be.”

He observed that the object of this clause was to do away with any doubts as to the position of two highly respected bodies—the Quakers and Jews.

The Hon. D. MELVILLE asked how would the Salvation Army stand under the Bill? They performed their own marriages.

The Hon. C. J. HAM stated that the Bill preserved the rights of those bodies which were now registered, and amongst them the Salvation Army. (Mr. Roberts —“The Quakers are an existing body.”) The Bill would not take away the right of any person belonging to the Society of Friends who was now registered; but it provided that any person in future desiring to be registered must be a minister of religion belonging to a denomination. Now, the Society of Friends did not recognise any minister, and therefore the Bill might interfere with any future registrations in connexion with that body unless the present clause was passed.

The Hon. D. MELVILLE remarked that the officers of the Salvation Army could scarcely be called ministers.

The Hon. C. J. HAM stated that the draftsman had assured him that the Bill did not take away the rights of any persons now authorized to celebrate marriages, including the Salvation Army.

The clause was agreed to, as were also the schedules.

The Bill was then reported with an amendment.

DEFENCES AND DISCIPLINE ACT
AMENDMENT BILL.

The House went into committee for the consideration of this Bill.

On clause 16, providing that—

“No rates, taxes, or assessments shall be made, charged, levied, or recovered by any municipality or any public corporation in respect of any land or property for the time being vested in the Minister, or used for naval, military, or defence purposes,”

The Hon. D. MELVILLE asked whether it was intended to deprive the municipal councils of the right even to levy rates for paving round the orderly-rooms or other buildings belonging to the Defence department in a locality? Why should the Defence department be exempt from making roads round their property?

The Hon. F. T. SARGOOD remarked that that was the practice now. The Law department deemed it advisable to include

this clause in the Bill, simply to remove a slight doubt on the point. The clause merely followed in principle those enactments which exempted Government property from the payment of rates—the Local Government Act, Railways Act, Harbor Trust Act, Water Act, and Metropolitan Board of Works Act. There was nothing new in the clause.

The Hon. D. MELVILLE observed that the clause was throwing on the general body of the ratepayers an expense which ought to be borne by the Defence department. Under this clause, whether in connexion with barracks or other places, the department would now be exempt from any of the taxation connected with channelling, tar-paving, &c. It would be exempt from all payment of rates. He did not think it was fair to the general body of the ratepayers that they should be compelled to make improvements for the benefit of the Defence department.

The Hon. T. DOWLING thought that, in the face of the fact that under the Local Government Act Crown properties were already exempted from local taxation, there could be little use in discussing the point Mr. Melville had raised.

The Hon. J. H. CONNOR expressed the opinion that it was very unfair that the municipal authorities of such a place as Queenscliff should be compelled to spend local money in order to provide not only for the drainage of the defence works in that locality, but also for the construction of the roads and footpaths required in connexion with the different forts. Expenses of that kind ought to be defrayed by the Government.

The Hon. J. M. PRATT drew attention to the next clause of the Bill, which was as follows:—

“The Minister, with the consent of the Governor in Council, may let or lease for any term not exceeding 21 years, and subject to such exceptions, reservations, covenants, and conditions as he may think fit, any of the land vested in him or any buildings thereon.”

This seemed to put the clause now before the committee in a different aspect. He thought that as long as the Crown derived no revenue from property in its possession that property should not be subject to local taxation, but that from the moment it was leased the exemption should cease.

The Hon. W. H. ROBERTS observed that he quite concurred in the principle laid down by Mr. Pratt, but he was afraid that the terms of clause 17 were so general

that under it it would be possible for the Minister of Defence to let land under conditions which would secure it from local taxation. Such an arrangement would, however, be an extremely unfair one. It should be noticed that clause 16 would apply not only to such properties as drill-rooms and parade-grounds, but also to premises used for the storage of gunpowder and so on.

The Hon. S. W. COOKE remarked that it was undoubtedly necessary to read clauses 16 and 17 together, and he was inclined to think that the wording of the latter was so peculiar that a lessee under it might be exempted from local taxation.

The Hon. H. CUTHBERT said he did not agree with the last speaker. The law on the subject was set forth in a number of Acts of Parliament, and he was perfectly satisfied that although property in the hands of the Crown was not at present liable for rates, it became so directly the Crown put a private individual in possession. In a recent action brought against the Board of Land and Works with respect to a certain railway reserve, the Supreme Court decided that although the Crown was not liable for rates, persons occupying Crown lands were so liable. No doubt clause 17 gave power to the Minister of Defence to lease land “subject to such exceptions, reservations, covenants, and conditions as he may think fit,” but no such exception, reservation, covenant, or condition could have any weight against the existing law, which made persons in possession of Crown lands liable for rates.

The Hon. W. H. ROBERTS stated that he differed from Mr. Cuthbert, because he believed that clause 17 could be so interpreted as to enable the Minister of Defence of the day to let lands under conditions which would secure them from local taxation.

Sir F. T. SARGOOD observed that the question at issue related to the construction of the law which the committee was hardly able to settle. If Mr. Roberts would allow the Bill to be reported as it stood, he (Sir F. T. Sargood) would undertake to have it recommitted, so that any amendments which might be deemed necessary to meet the honorable member's views could be made at a subsequent period.

The Hon. W. H. ROBERTS stated that he was quite ready to agree to such an arrangement.

The Bill, having been gone through, was reported without amendment.

AUSTRALASIAN FEDERATION.

The Hon. H. CUTHBERT intimated that, in view of a request made to him by several honorable members that a day should be specially set apart for the further consideration of the Federal Bill, he proposed to ask the House to proceed with the subject in committee on Tuesday, September 22. Would such a plan meet the convenience of the Government and honorable members generally?

Sir F. T. SARGOOD said he approved of the course Mr. Cuthbert proposed to adopt. By the date named probably the notice-paper would be pretty well cleared, in which case it will be well for honorable members to stick to the consideration of the draft Bill until it was got through.

The House adjourned at twenty-four minutes past six o'clock.

LEGISLATIVE ASSEMBLY.

Tuesday, September 8, 1891.

Protection of Fish—Public Service: Applicants for Appointments: Cost of Service and Public Service Board—Wire Netting—Railway Construction Bill—Railway Department: Interlocking Gear—Municipal Overdrafts—Laanecoorie Weir—Land Sales by Auction Fund Bill—Railways Act Amendment Bill—Supply: Rainfall Experiments: Inspection of Machinery, Boilers, and Scaffolding: Schools of Mines: Mr. W. H. Nicholls: Truant Officers: The late Mr. W. H. Handfield: Registrar of Probates.

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

PROTECTION OF FISH.

Mr. ZOX asked the Minister of Customs if he would recommend the appointment of a board or Royal commission to inquire into and report upon the best means to be adopted to protect the valuable fishes in the various rivers of the colony, and to prevent them from being destroyed, as they were at present, by netting, the use of dynamite, and many other illegal methods that are resorted to for their capture?

Mr. TURNER stated that he quite agreed that it was wise that we should do all we possibly could to preserve the fishing industry. The law at the present time was very stringent, but it was somewhat difficult to convict offenders. Special instructions had been given to enforce the law in every case where an offence was

discovered, and to pay a reasonable amount to those who gave information. However, he would take an early opportunity of consulting his colleagues on the question, and if he could see his way to recommend that a board should be appointed he would do so at an early date.

PUBLIC SERVICE.

Mr. BOWMAN asked the Premier if his attention had been drawn to a regulation or rule of the Public Service Board, that applicants having passed for the civil service and not being required for twelve months were struck off the list and were not eligible, and if he would suggest to the board that the regulation or rule should be altered? He observed that it was a very great hardship to young men or young ladies who studied for the public service examination and succeeded in passing it, that if they did not obtain an appointment during twelve months at the end of that time their names were struck off the list. He could not understand why applicants who passed the examination should be rendered ineligible at the end of twelve months. There was no such provision in the law, and it was the result of a regulation passed by the Public Service Board.

Mr. MUNRO stated that he was not in a position to answer the question that day, and he would ask the honorable member to repeat it the following day.

Capt. TAYLOR moved—

"That there be laid before this House a return showing—1. The number of persons employed in the Government service, exclusive of the Railway department, the police and defence forces, and officers of Parliament, in the years 1884-5 and 1891-2 respectively. 2. The total amount of salaries or wages paid to the said persons in the years 1884-5 and 1891-2 respectively. 3. The total cost of the Public Service Board and staff, including travelling expenses and contingencies, for the year 1890-91. 4. The total revenue of the colony, exclusive of that derived from the railways, for the years 1884-5 and 1890-91 respectively."

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

WIRE NETTING.

Mr. DOW asked the Treasurer whether, in accordance with his statement made in the House on 29th July, that it was his intention to "honestly carry out every promise the late Government made," he would re-loan the money for the purchase of wire netting as it came in to the still unsupplied settlers for the

protection of their lands against rabbits, as per the promise made by the late Government when the original grant was made?

Mr. MUNRO said he was afraid he would be under the necessity of asking the honorable member for Kara Kara some questions before he could reply to the honorable member's inquiry. The first question was—Where was this promise recorded? and the second was—When were these promises going to cease? If every night they were to have new promises brought down, he did not know how they were going to meet them. He had been unable to find any record of this promise.

Mr. DOW said he could read the Premier a record of the promise which appeared in *Hansard* of July 29. (Mr. Munro—"What year?") This year.

Mr. MUNRO said the late Government could not have made a promise this year. He understood that the honorable member had been referring to a promise that was given when the grant was made originally, and he (Mr. Munro) wanted to find out where that promise was recorded.

Mr. DOW stated that he could prove that the promise was given.

RAILWAY CONSTRUCTION BILL.

Mr. METHVEN asked the Chairman of the Parliamentary Standing Committee on Railways if it was the intention of the committee to recommend that a Railway Bill be introduced into the House this session; and, if so, would it include a direct line or lines to the northern suburbs? He observed that his reason for asking this question of the Chairman of the Parliamentary Standing Committee on Railways was that he put a similar question to the Premier a week or two ago, and the honorable gentleman said he was asking the wrong man—that he (the Premier) knew nothing at all about the matter. He (Mr. Methven) desired to see the committee bring up a report, which would enable the House to pass a Railway Bill of some description this session, so as to give employment to the large number of men who would be out of work in a very short time.

Mr. BENT stated that, after long and anxious consideration, the Parliamentary Standing Committee on Railways that day came to the conclusion that it was not right for him to answer questions of this kind. He thought he was the wrong man to be

asked the question, but he might state that the committee were now giving their best consideration to the subjects referred to by the honorable member.

RAILWAY DEPARTMENT.

Mr. LAURENS asked the Honorable the Minister of Railways the following questions:—

"1. If the department has recently contracted for the supply of interlocking gear; and, if so, when?

"2. The term over which the contract is to extend?

"3. The probable amount of the contract?

"4. Were public tenders called for the supply of such gear?"

Mr. SHIELDS stated that the answers to the questions were as follows:—

"1. July, 1890.

"2. Three years.

"3. From £7,000 to £12,000 per annum, according to amount of interlocking work in hand.

"4. No; for reasons given in answers to questions put by Mr. Laurens, December 17, 1890."

The answers referred to were as follow:—

"Messrs. McKenzie and Holland's interlocking apparatus is used exclusively on the Victorian railways, and is partially protected by patent. It having been adopted by the department, it has been purchased from the firm, the price being reasonable and bearing a fair comparison with prices paid for other systems of interlocking. The firm has for some time established a manufactory in the colony at the request of the commissioners, from which supply is obtained. The McKenzie and Holland interlocking system is exclusively used in New South Wales and Queensland, and is partially used in South Australia."

MUNICIPAL OVERDRAFTS.

Mr. STAUGHTON asked the Premier, without notice, what course the Government were going to adopt with regard to municipal overdrafts? Several municipalities in his district were very anxious to know what the Government intended to do, and the Ministry had not given any definite answers to the inquiries made or the deputations introduced on the subject. This was a most serious matter to some municipalities, and he hoped the Government would agree to extend the Municipal Overdrafts (Indemnity) Act for another year.

Mr. MUNRO said the Minister of Public Works had sent a letter to the municipalities asking for information. The action of the Government would depend on the information received.

LAANECOORIE WEIR.

Mr. BAILES moved—

“That there be laid before this House a return showing—1. The area of land purchased for irrigation purposes in connexion with the Laanecoerie weir. 2. The amount of money paid for each allotment. 3. The total sum paid for such land. 4. The names of the persons from whom the land was purchased.”

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

LAND SALES BY AUCTION FUND BILL.

Mr. MUNRO presented a message from His Excellency the Governor recommending that a further appropriation be made out of the consolidated revenue for the purposes of a Bill to establish a Land Sales by Auction Fund.

On the question that the House resolve itself into committee of the whole to consider the message,

Mr. GILLIES said that he noticed that the second order of the day was the Railways Act Amendment Bill, and he would ask the head of the Government if it would be convenient to postpone that Bill, because it was not distributed until Thursday last, and he believed a large number of members had not been able to read it? He thought it would be a pity to launch the debate on the second reading of so important a Bill when many members were not in a position to speak on the subject.

Mr. MASON rose to a point of order. He said he did not know that the honorable member for Eastern Suburbs had a right to make these remarks on the present occasion. The question before the House was the Governor's message on the Land Sales by Auction Fund Bill.

The SPEAKER.—The question is raised as to whether the honorable member for Eastern Suburbs is at liberty to address the Chair. Of course honorable members will always acknowledge that latitude is allowed to the head of the Government and the leader of the Opposition with regard to the conduct of business. Although, if any honorable member objects, I shall be obliged at the present time to prevent the question being asked, yet it is usual for no objection of that kind to be offered when the leader of either side of the House desires to speak on such a matter.

Mr. MASON remarked that he only wanted to know what was going on.

Mr. GILLIES said he would not think of advancing any reason of a personal kind for the postponement of the Railways Act Amendment Bill, although he was not in a position, in consequence of a very bad cold, to debate the second reading at present; but he desired to say, on public grounds, that he thought the House would be more satisfied, and that it would be more likely to promote public business, if honorable members were given a little more time to consider such an important Bill.

Mr. MUNRO said it would be extremely awkward to depart from the arrangement of the business on the paper. The Railways Act Amendment Bill was distributed last Thursday morning, and he certainly understood that honorable members were anxious to get on with it as soon as possible. In fact, there was a great deal of dissatisfaction expressed because they could not get to it before. The Government had no other business prepared for that night except the Land Sales by Auction Fund Bill and the Railways Act Amendment Bill. Of course, he would like to do what he could to study the convenience both of the honorable member for Eastern Suburbs and honorable members generally, but if other honorable members were prepared to go on with the debate on the Railways Act Amendment Bill that night he thought it would be a pity to postpone it. Personally he had no objection to any arrangement to suit honorable members, and he would like particularly to oblige the honorable member for Eastern Suburbs; but if honorable members were prepared to go on with the second reading, he did not see why they should not do so.

The House then went into committee.

Mr. MUNRO moved—

“That it is expedient that a further appropriation be made out of the consolidated revenue for the purposes of a Bill to establish a Land Sales by Auction Fund.”

The resolution was agreed to and was reported to the House, and adopted.

The House then went into committee for the further consideration of the Land Sales by Auction Fund Bill.

Discussion (adjourned from September 2) was resumed on clause 2, which was as follows:—

“Notwithstanding anything contained in section 78 of the Land Act 1890, from and after the 1st day of July, 1891, there shall be paid within each year out of the consolidated revenue all moneys arising from the sale of Crown lands by auction under Part I. of the

said Act to the credit of a trust account to be called 'The Land Sales by Auction Fund.' Such moneys shall continue to be so paid into such trust account until the whole of the moneys so paid shall amount to the sum of £866,750."

Mr. MUNRO said it would be in the recollection of honorable members that he made a statement last week as to the items which would be required to be inserted in the schedule. Since then he had found that there was one item he had omitted, and that there was another item which was not required to be placed in the schedule. The item of £10,000 for the "Bendigo (Sandhurst) National Gallery" was included in the original statement, but was not included in the schedule he submitted to the committee. On the other hand, the item for a military college, which was included in the original statement, the military authorities now said was not required at all, and therefore he had left the item out of the schedule, while he had inserted the item for the Sandhurst Art Gallery. This would make a reduction of £15,000 on the total amount he had mentioned the previous week. He therefore begged to move the omission from the clause of "£866,750," with the view of substituting £1,084,750.

Mr. WEBB asked whether the items in the schedule would not be taken separately?

Mr. MUNRO remarked that at present they were not dealing with the schedule, but with the second clause, which covered the full amount. If any alteration was made in the schedule, he would ask that this clause be recommitted, so that the total amount might correspond with the schedule.

Mr. MASON observed that the committee were now called upon to vote a large sum of money, and he wished to point out that a very large amount of damage had been done to his constituents in Gippsland in connexion with the floods.

The CHAIRMAN.—We cannot go into that.

Mr. MASON remarked that he knew he could not increase the amount of the schedule; but he would like to see it reduced by £50,000 or £60,000, so that the money might be devoted to the repairing of flood damages in various parts of the country.

The CHAIRMAN.—That cannot be done in this Bill. The honorable member can propose to strike out any of the items from the schedule, but the money cannot

be applied to any other purpose without a message from the Governor.

Mr. MASON said he had made no proposal. He was merely speaking generally, and all he said at present was that this amount was too large for the proposals embodied in the schedule, and that it ought to be reduced.

Mr. MUNRO said he had already stated that if when they came to the schedule any item was reduced or struck out, he would recommit this clause, so as to make the total in accordance with the reduced amount. When they reached the schedule the honorable member would have an opportunity of moving any reduction he thought proper.

Mr. MASON said he desired to know if the Premier would recommit the Bill, with the view of allocating any amount which was struck out to something else?

Mr. MUNRO said he could not do that.

Mr. DOW observed that what the honorable member for Gippsland South feared was that if he committed himself to this second clause, which covered the whole amount in the schedule, there would be no use in attempting to strike out any of the items in the schedule. He (Mr. Dow) had the greatest possible sympathy with the honorable member's view that there was too much money in this schedule going to the city and none going to the country. (Mr. Munro—"It is the proposal of your own Government.") No doubt these were their own proposals, but with this difference—that these proposals were originally coupled with specific sources of revenue. The revenue was to be obtained from the sale of certain lands in the metropolitan district. The present proposals were coupled with a large sale of land up the country—selling the lands of the country to spend the money in the town.

The CHAIRMAN.—The question is that certain words proposed to be omitted stand part of the clause, and the honorable member should confine himself to that question.

Mr. DOW observed that what he had to say was that this proposal was to largely increase the amount of money to be spent on certain works which were scheduled in this Bill, and that altogether too much money was to be obtained from the particular source from which the Government proposed to get it. (Mr. Andrews—"What source is that?") Selling the people's land in the country. What he desired honorable members to

look at was the proposal to sell lands in the country districts to provide funds for improving the city of Melbourne. (An Honorable Member—"The same as your Government were going to do.") The late Government did not propose to sell vast areas of country lands. (Mr. Munro—"Neither do we.") The Bill was one to pay into the consolidated revenue the moneys arising from—

The CHAIRMAN. — The honorable member is referring to the principles of the Bill, and that is not what we are discussing now. The question before us is simply whether certain words which it is proposed to omit from the clause shall stand part of it.

Mr. MASON remarked that the committee had not yet agreed to the omission of any words, and therefore the question was so far still open. Last week the committee had certain proposals laid before them, and—

The CHAIRMAN.—When the Bill was before the House its principles were duly discussed. It was then read a second time and afterwards remitted to us to consider clause by clause, I having eventually to report to the House the result of our labours. We have now before us one of the clauses of the Bill, upon which an amendment has been moved, and to the question so raised I ask honorable members to confine themselves. The committee have nothing to do with the principles of the measure.

Mr. MASON said he believed he perfectly understood what business was before honorable members. Last week they had proposals submitted to them by Bill, and on Thursday night the Premier announced that, having looked over certain returns in the Treasurer's department, he thought it would be necessary to increase the amount mentioned in the measure by some £230,000. The items making up the amount were set out in the schedule, but that schedule had never yet been approved of. No definite opinion upon it had been expressed in any shape or form. Was he (Mr. Mason) then to be told that he was out of order in finding fault with the intended increase? What honorable members had before them the other night was one thing, what they had before them that night was another totally different thing. The measure of last week was a Money Bill involving £866,750, the measure of to-night was a Money Bill involving the expenditure of £1,084,750.

Was he to be debarred from speaking in the interests of his constituents with respect to that increase, they being concerned so far that compensation for their flood damages was in danger? He conceived that he had perfect liberty to deal at the present time with the whole question of the intended increase.

Mr. TRENWITH said he desired to speak to the point of order. He would submit that the honorable member for Kara Kara was compelled to make the reference he did to the measure generally in order to make himself intelligible. The nature of his argument forced him to compare the measure in the shape it took last week with the measure in the shape now proposed. In fact, he (Mr. Trenwith) thought that the honorable member for Kara Kara was perfectly in order, and that the effect of ruling him out of order would be to injuriously cramp discussion.

The CHAIRMAN. — The honorable member for Richmond (Mr. Trenwith) misapprehends the point the honorable member for Kara Kara wishes to raise. That honorable member's object is to increase the amount to be voted by the addition of a large sum for rabbit wire netting.

Mr. MASON stated that, so far as he was concerned, he did not at the present time propose to increase the amount proposed to be appropriated under the Bill, but inasmuch as the Premier had moved an amendment to clause 2, which had in view the increase of the sum by some £230,000, honorable members were certainly entitled to discuss the reasons why the Government had so far changed their policy. Surely honorable members were entitled to know what these reasons were.

Mr. DOW remarked that his contention was that whereas the Government proposed to increase the amount to be appropriated by the Bill, that amount being derivable from a particular source, some alteration should be made in the schedule so as to give the country districts a larger share of the intended expenditure. That would be only just, seeing that the funds for the expenditure would be derived from the sale of country lands.

Mr. RICHARDSON expressed the opinion that the present proposal of the Premier came strangely from a Government pledged to retrenchment. It was also strange that such an increase should be made at the instance of honorable members in opposition, who could be in no

way responsible for finding the additional money required. How was it that the Premier came to back down in this way? How, having previously proposed an expenditure which was in some instances utterly unwarrantable, could he propose now to increase the amount so enormously? He (Mr. Richardson) did not see how the Premier could possibly justify his proposition. How could it be said that there was anything in the present state of the finances to justify it?

Mr. MUNRO said he would again attempt to explain the state of affairs. Early in the session he informed the House that he intended to bring down a measure providing for the recoup of certain moneys that had been expended by the late Government, and also of certain other moneys which had been promised by them, and the schedule brought down the previous week included every item which the late Government had from time to time put on their Estimates and which had been approved of by the House. Surely he (Mr. Munro) was bound to do that much. (Mr. Richardson—"I do not see that.") He could not help the honorable member holding that opinion. Certainly he, for one, thought that the present Government were bound to give honorable members the opportunity of providing the money which was afforded the other evening. But in the discussion which then followed it appeared that the late Government had made other promises of money which had never been put on the Estimates and never definitely sanctioned by Parliament, and, inasmuch as it was contended that they were as binding as the other promises made, he eventually promised to give the committee an opportunity of carrying them out also in connexion with the Bill. Under these circumstances if the committee desired to strike out these further items it would not be his fault. If any of the promises of the late Government were not carried out the present Government would not be to blame, at all events. But what was he told last week? He was told that if he made the provision then asked for the whole thing would be carried in ten minutes, yet here were members of the late Government, who were a party to that arrangement, talking in the present way.

Mr. RICHARDSON remarked that the Government appeared to be endeavouring to throw upon the committee a responsibility which did not rightly belong to

them. The committee were not responsible for the management of the country's finances or of the country's expenditure. A number of honorable members in opposition, including several members of the late Government, had used their influence to induce the present Government to increase the public expenditure; and what he (Mr. Richardson) wanted the Premier to do now was to explain how he reconciled his present position with the statements he had made that the revenue of the country would not stand such expenditure? (Mr. Munro—"It is not a question of revenue at all.") But the revenue would be interfered with in an objectionable way. Well, the matter was one for which the Government must be held responsible. It was impossible for the committee to be held responsible. There was the fact that the Premier had made certain statements about it being impossible to provide for increased expenditure, and that he now, at the instance of the leader of the Opposition and his friends, himself proposed such expenditure. He (Mr. Richardson) would repeat that he did not see any justification for the Premier's conduct.

Mr. LEVIEN remarked that he, for one, did not know the policy of the Opposition. All he knew was that the other evening, in response to the request of a large number of honorable members—some sitting in opposition and some on the Ministerial side—the Premier made a certain promise, which he was now carrying out. It was then conceded by the Government that they would make additions to the schedule—for instance, that provision should be made for agricultural colleges, and so on; for it was impossible for any private member to propose any increase of the amount. If the schedule was to be added to the thing could be only done by the Government. Under the circumstances, the best plan would be to dispose of the clause before the committee, and when the schedule was reached to discuss the items in it seriatim. For himself he would object to some of them. At the same time, he thought the Government were acting very fairly, inasmuch as they were giving the committee the opportunity they were asked to give.

Mr. MASON observed that, after all said and done, honorable members had not yet had an opportunity of saying "Yes" or "No" to any of the items. Certainly when the Premier was asked the other night to bring down a number of

other items those items had not received the sanction of honorable members all round. What he (Mr. Mason) was endeavouring to do was to bring under the attention of the country members what was being done. It was all very well to say that so many of these sums had already appeared on the Estimates and been voted, but where was the money to come from? It was to come from the land, and by-and-by the House would be told that all the money derivable from the lands of the country had been already parted with, and that any additional expenditure required must be defrayed out of the other branches of revenue. No doubt it was desirable that money should be voted to the Melbourne University, but was it absolutely necessary that it should be so appropriated? The like thing might be said of the item for Parliament buildings. On the other hand, with so much money spent in these directions, where were the people of his (Mr. Mason's) district to look for money to repair the bridges which the floods had swept away? Why there was one shire which was to have a clear £5,000 a year wiped out of its endowment. Was it absolutely requisite that the House should pass an extravagant schedule of the present kind, and so tie up the land revenue for many years together? Then there were other items—the £12,000 for the National Museum, the £10,000 each for the Ballarat National Gallery and the Bendigo National Gallery, and so on. When details were come to he would ask the committee to omit a number of items with the view of inserting others. Why, under the Government plan, the country would be hampered for years to come, and the result would be either an income tax or a property tax.

Mr. G. D. CARTER said that he would suggest to the honorable member for Gippsland South that he would arrive at what he desired by allowing the motion to be agreed to. When the schedule came before the committee the honorable member could then move an amendment. It was at his (Mr. Carter's) instigation that the Government agreed to add to the schedule. There was not a single dissentient voice to that proposal. The only objection to the Bill as introduced was that it did not include certain items which the late Government thought should be included. He asked the Treasurer if he would include the other items, and increase the amount to whatever extent

was necessary. The late Treasurer and the late Chief Secretary both concurred with him (Mr. Carter) in saying that if that was done the Bill would be passed without opposition, and honorable members all round cheered the statement. Therefore, it was hardly fair now for the honorable member for Gippsland South to blame the Government for doing that which he was a party to.

Mr. BENT stated that if he had an opportunity of giving a vote on the subject it would be in favour of the lesser amount. He was not in the Assembly when the Bill was previously under consideration, but he understood that the leader of the Opposition objected to the Bill in its entirety, but at the same time asked that certain additions should be made to the schedule. Now the late Minister of Lands complained because something else had been omitted. He had never before known such consideration to be shown to an Opposition as was extended by the Government to the present Opposition, but he believed that the reason for that was that the Government felt that they were under an obligation to carry out promises which had been made by their predecessors. He thought that the committee would be acting wisely if they reduced the amount of the schedule by one half. How could honorable members go before their constituents and justify the expenditure of money obtained from the sale of public lands for such purposes? Could any honorable member, for instance, justify to his constituents the expenditure of £100,000 on the completion of Parliament buildings? All that the Treasurer was bound to do was to provide in the schedule for amounts which had already been expended. He (Mr. Bent) did not believe that there were half-a-dozen honorable members who could go before their constituents and say that the revenue to be derived from the sale of public lands should be taken from the railways for these various purposes. Was not the late Government put out of office on account of their extravagance? There had been great extravagance in connexion with the Railway department, but there had been much more extravagance in connexion with irrigation. If inquiries were made into that subject, he believed that it would be found that immense sums of money had been paid for land that was almost valueless, and the sense of the community would be shocked at the facts which would be disclosed. He

would not admit promises that had been made by the late Government, because promises were made to his constituents that were not kept. All that the Treasurer was bound to do was to put on the schedule amounts which had been expended or which were required in respect of works for which contracts had been entered into. He was not one of those who said that the colony was now in a bad condition. It was not in a bad condition, but he contended that the revenue derived from the sale of lands should go to its proper destination. It was all very well to say that they should include in the schedule £25,000 for agricultural colleges and farm schools, and also large sums of money for art galleries at Ballarat and Sandhurst. (Mr. Burrowes—"What about Melbourne?") He had already stated that he was opposed to the inclusion in the schedule of the £100,000 for the completion of Parliament buildings. (Lt.-Col. Smith—"Strike out the amount for the Public Library.") Yes, he would do that also; and he would also strike out the amount for the erection of forts, &c. Too much money was being spent on the military. He believed that it was now the intention of the honorable member for Kara Kara to make an appeal to the committee with regard to wire fencing for rabbits. Might he tell the honorable member that owing to his cursed legislation the rabbits were becoming a nuisance in the country, and were reducing the value of property in all directions? Cursed legislation was first brought in and supported by ignorant men, and now Parliament was to be asked to vote money from the public purse in order to keep down the rabbits. The Opposition declared that this Bill was a vicious Bill, which he (Mr. Bent) admitted, because the principle of it was bad, but they were inconsistent in asking afterwards that the amount should be increased. If an opportunity presented itself of rubbing out some of the items on the schedule he would be most happy to do it, whether they were items affecting Melbourne, Ballarat, or Sandhurst; but at the same time he would support provision being made to remedy damage done by the floods and to reconstruct bridges which had been washed away.

Mr. STAUGHTON observed that the honorable member for Brighton was wrong in charging the leader of the Opposition with first of all condemning the Bill, and afterwards asking that the additional

items should be added to the schedule. The leader of the Opposition condemned the Bill, because it did not provide for all the promises of the late Government. The late Government promised that they would carry out all these works conditionally on the money being obtained by the sale of the Kew and Yarra Bend lands. They found that they could not sell those lands, and they paid a large part of the money out of the public account. The present Government wanted to recoup the public account, not from the sale of the Kew and Yarra Bend lands, but from the sale of other lands. That was the object of the Bill. When the Treasurer said that he would comply with the wishes of the Opposition, and also the opinions of honorable members generally, he gave general satisfaction. The honorable member for Creswick did not raise his voice against the proposed additions to the schedule when they were mentioned, but now the honorable member saw the way in which the wind was blowing, and he thought it advisable to offer a mild protest, altogether forgetting that one of the items had reference to agricultural colleges, which he took an earnest interest in. (Mr. Richardson—"I shall oppose that item.") As the honorable member offered no opposition to the increase of the schedule when the Treasurer announced it, he could not reasonably do so now.

Mr. BAILES stated that he would cordially support the additions to the schedule. The people of Bendigo were indebted to the Opposition for calling attention to the omissions from the schedule, as it enabled Bendigo to get justice done to it. The honorable member for Gippsland South was very severe in his remarks about the item in the schedule for the art gallery at Bendigo. When the late Treasurer drew attention to the way in which the surplus was to be expended in 1889, he laid particular stress on the fact that a sum of money was to be provided for the Bendigo Art Gallery, the money to be obtained from the sale of certain lands. When a division was taken on the subject, the honorable member for Gippsland South voted for the proposition, so that he was scarcely consistent in the action he was now taking.

Mr. DOW remarked that the Treasurer was right in saying that honorable members agreed to the amendment of the schedule when it was announced. What occurred was this. There were some propositions brought forward by the late Government, conditionally on the

money being obtained from certain sources. The present Government considered these proposals so good, that, although they could not get the money in the way intended, yet they determined to obtain it by some other means. This Bill came before the Assembly, and honorable members then said that the proposals made by the late Government were so good that they should be carried out in their entirety. (Mr. Munro—"The House did not want your bills to be dishonoured, that is all; if you are anxious, we will strike out all the items in the schedule.") The honorable member could talk very high, but he knew that the committee would not think of striking out all the items in the schedule. The Government, with all the support it had, could not do that, but when the Treasurer talked of dishonouring bills, it was well that he should be reminded that he was omitting from the schedule one of the most profitable and honest of the obligations of the Government, that with reference to wire netting. (Mr. Munro—"It never was there.") A promise was made. (Mr. Munro—"I challenge you to produce the promise.") He (Mr. Dow) did not care whether provision was made for it in this Bill or not, so long as the promise was fulfilled. (Mr. Munro—"Produce the promise.") He (Mr. Dow) produced it now. It was made to deputations, and in a variety of other ways, and it had been publicly announced over and over again that provision was to be made for wire netting. Why did the Treasurer repudiate this obligation? He was not asking the Treasurer to sell lands in order to complete Parliament buildings, or to erect colleges, but simply not to repudiate an obligation. With regard to the remarks of the honorable member for Brighton, with reference to the legislation on the subject of the extermination of rabbits, he would like to inform such ignorant members—

The CHAIRMAN.—The honorable member is not in order.

Mr. DOW said he used the word "ignorant" with reference to the matter in dispute.

The CHAIRMAN.—The honorable member must withdraw the expression.

Mr. DOW said he would withdraw it with pleasure. The most intelligent members of the Chamber were sometimes ignorant on certain subjects. Honorable members who desired the expenditure of a sum of money to enable settlers to purchase wire netting—

The CHAIRMAN.—The honorable member is not in order.

Mr. DOW said it was unfortunate that so much latitude was allowed in a discussion, that matters were dragged in by some honorable members to which other honorable members were not allowed to refer. He was now dealing with the question of the proposal of the Government to increase the amendment of the schedule. (Mr. Munro—"Very well, I will move that the schedule be not increased, and leave it as it is.") He did not wish the Treasurer to do that, but he asked him to amend the schedule by adding to it something which ought to be provided for. A large part of the money was to be expended in Melbourne, and one very important item was omitted which affected the country districts. (Mr. Munro—"You know that it could not be put in the schedule.") If the Treasurer would indicate in any way that he would pay the money he (Mr. Dow) would be satisfied. (Mr. Munro—"I won't.") Then a division would have to be taken on the subject by-and-by. (Mr. Munro—"Take a division any time you like.") The honorable gentleman should not go on in that way. He (Mr. Dow) was trying to put to the Government a fair proposal. He was speaking of an act of repudiation, and the Government would hear of it again and again. The Treasurer said, "I won't," but perhaps the time would come when he would find that it would be necessary to adopt a different tone.

Mr. L. L. SMITH said that the Opposition induced the Treasurer to increase the amount of the schedule, and now what position did the Government find themselves in? The honorable member for Kara Kara desired to make a still further addition to the schedule. (Mr. A. Harris—"Why not?") The Government had not got the money. It would, perhaps, have been better if the Government had confined the schedule to the amounts which had been expended, and had not consented to add to it at all. The Opposition urged that it should be increased, and the Treasurer yielded to their wishes. Now what did the Opposition propose to do? The speech just delivered by the honorable member for Kara Kara was no doubt excellent from an electioneering point of view. Everybody would have been with the honorable member in his desire to do something towards exterminating the rabbits if he had only submitted a reasonable proposition. The

purchase of wire netting, however, might be very costly and yet accomplish nothing in the direction of rabbit extermination. The honorable member for Kara Kara, in view of the approaching elections, was very vigilant in connexion with this subject, but when he (Mr. L. L. Smith) proposed some time ago that a large sum be placed upon the Estimates as a reward to the discoverer of the best plan of exterminating rabbits, the honorable member and his colleagues who were then in office would have nothing to do with it. When a man was retrenching after having played the spendthrift he did not usually increase his articles of vertu, and he (Mr. L. L. Smith) thought that the Government ought to have economized in the matter of the art galleries, and spent the money on necessary or reproductive works. It was well known that the drainage of the Koo-wee-rup Swamp would so increase the value of the land that the proceeds would enable the whole of the Great Southern line of railway to be built without costing the State a penny. The drainage of the other swamps was also a work of great value to the colony. The Premier having proposed these increases in the schedule to oblige honorable members opposite, he ought to strike them out if the Opposition raised any further objection.

Mr. MURRAY observed that when Parliament first agreed to the items in the schedule it was upon a distinct misunderstanding as to the financial condition of the country. The real cause of the defeat of the late Government was the discovery by the country of our disastrous financial position which the House adjudged to have been brought about by that Government, and when honorable members replaced the late Government they acted on the understanding that the House was to assist the new Government in carrying out a policy of retrenchment. The Premier correctly stated last week, however, that the House was unanimously in favour of the increase now submitted in the schedule; but was it fair to the House or to the country, which was looking to see the finances brought back into a sound and stable condition, that this large increase of expenditure should now be entered upon? At the same time, the Treasurer no doubt felt himself bound to carry out all recorded promises made by his predecessor. If the late Treasurer never made a promise upon the floor of the House to complete that great and very

necessary national work, the Warrnambool breakwater, he certainly made many promises to deputations that that work should be completed. (Mr. L. L. Smith—"It is provided for in the schedule at a cost of £96,000.") That money had already been expended. (Mr. L. L. Smith—"The money which has been spent there has been wasted.") The honorable member for Mornington knew as little about the Warrnambool breakwater as he did about medicine. When he (Mr. Murray) wanted information about the Warrnambool breakwater he went to a professional man, and when he wanted medicine he went to a professional man. (Mr. L. L. Smith—"Do you take any?") He was glad to say that he never took any of the honorable member's stuff. He hoped that the Treasurer would feel himself bound to carry out his predecessor's promise in regard to the Warrnambool breakwater, as in the case of other promises by the late Treasurer. As regarded the items in the schedule, considering the present state of the finances, he would have been glad to support the Treasurer in a very large reduction.

The question that the words proposed to be omitted stand part of the clause was negatived.

On the question that the words proposed to be inserted be inserted,

Mr. MASON said he intended to propose another amendment. The Treasurer ought to have submitted in the schedule a statement showing the amounts of each vote which had been paid up to date. (Mr. Munro—"I have already given that information.") He was not aware that the House had received that information. They would wake up on the following day, and be told by the press of the country that they had voted £100,000 for the Parliament Houses and other similar large sums in the schedule, whereas a considerable proportion of the votes had already been expended. To put himself in order, he would move that the item before the Chair be reduced by the sum of £1. The schedule ought to show the amount of each item spent up to date and the amount absolutely necessary to complete the several works taken in hand. The committee were asked to vote these large sums for various works which were not absolutely necessary, while there were many country districts greatly in need of assistance on account of flood damages, though the Minister of Public Works was

proposing to make a heavy reduction in the subsidy for each local body. He would ask the committee to divide on his amendment, with the object of expressing an opinion as to whether the schedule should not include a vote to recoup local bodies in country districts their losses by floods.

The CHAIRMAN. — The honorable member cannot do that. He will have an opportunity of discussing the whole matter when the Speaker is in the chair. In making such a proposal he is trifling with the committee.

Mr. MASON remarked that he did not think that the Chairman had a right to say that he was trifling with the committee. It was competent for him to move that an item in the schedule be increased or reduced.

The CHAIRMAN. — The honorable member cannot submit a proposal for a reduction in all the items.

Mr. MASON submitted that he was entitled to take the opinion of the committee as to the desirability of reducing the vote. He had known a reduction of 1s. moved on such an occasion.

Mr. DEAKIN suggested that the proper course would be for the honorable member for Gippsland South to vote against the proposition that certain words be inserted. If he carried his point then it would be competent for him to introduce his amendment.

The question was put and agreed to, and the clause, as amended, was adopted.

Discussion took place on clause 3.

Mr. MUNRO proposed that the words "eight hundred and sixty-six thousand" be omitted, with the view of inserting the words "one million and eighty-four thousand."

The amendment was agreed to.

Sir B. O'LOGHLEN moved the addition of the following words to the clause:—

"Provided always that no contract for any expenditure towards such purpose further than already contracted for shall be entered into without the express sanction of the Treasurer for the time being."

The amendment was agreed to.

Mr. DOW proposed that the following words be added to the clause:—

"And that, in the opinion of this committee, provision should be made for re-lending money for wire netting."

The CHAIRMAN.—The amendment is out of order. It is not the rule to put abstract opinions into an Act of Parliament.

Session 1891.—[87]

Mr. DEAKIN suggested that the honorable member for Kara Kara should take another opportunity of dealing with the subject.

Mr. DOW withdrew his amendment.

The clause, as amended, was then agreed to.

On the schedule, which was as follows:—

Fencing and improving cemetery at Frankston	£1,000
Additions to Parliament buildings on the north and east sides	16,500
Completion of contract for west front of Parliament buildings, drainage, and other works in connexion therewith	32,000
Melbourne University. — In aid of building the biological, chemical, and mechanical laboratories	10,500
Erection, &c., of public offices at Sandhurst	30,000
Harbor works, Warrnambool	96,000
Lunatic Asylums.—Towards providing extra accommodation for 250 males and 250 females, and for the construction of an asylum for pay patients, a receiving-house, and an asylum for inebriates	235,000
Completion of the National Museum... ..	12,000
Ballarat National Gallery	10,000
Erection of certain additions to the Public Library, Museum, and National Gallery	45,000
Moe Swamp drainage works	51,000
Elwood Swamp drainage works	80,000
Koo-wee-rup Swamp drainage works	60,000
Reclamation works, Port Melbourne Lagoon	61,000
State school buildings	60,000
Filling up and reclaiming Crown lands	6,750
Erection and inspection of forts, batteries, &c., in the colony, and providing armament and other necessary works for defence purposes; also for naval and military buildings, drill rooms, land, offices, &c., including additions, repairs, fittings, and furniture	60,000
	£866,750

Mr. MUNRO moved that the schedule be struck out, with the view of inserting another in its place.

The amendment was agreed to.

Mr. MUNRO moved the following new schedule:—

Fencing and improving cemetery at Frankston	£1,000
Additions to Parliament buildings on the north and east sides	100,000
Completion of contract for west front of Parliament buildings, drainage, and other works in connexion therewith	
Melbourne University.—In aid of building the biological, chemical, and mechanical laboratories	
	95,000

Erection, &c., of public offices at (Sandhurst) Bendigo ...	32,000
Harbor works, Warrnambool ...	96,000
Lunatic Asylums. — Towards providing extra accommodation for 250 males and 250 females, and for the construction of an asylum for pay patients, a receiving-house, and an asylum for inebriates ...	235,000
Completion of the National Museum	12,000
Ballarat National Gallery ...	10,000
Bendigo (Sandhurst) National Gallery	10,000
Erection of certain additions to the Public Library, Museum, and National Gallery ...	90,000
Agricultural colleges and farm schools in country districts ...	25,000
Moe Swamp drainage works ...	51,000
Elwood Swamp drainage works ...	80,000
Koo-wee-rup Swamp drainage works	60,000
Reclamation works, Port Melbourne Lagoon ...	61,000
State school buildings ...	60,000
Filling up and reclaiming Crown lands	6,750
Erection and inspection of forts, batteries, &c., in the colony, and providing armament and other necessary works for defence purposes; also, for naval and military buildings, drill-rooms, land, offices, &c., including additions, repairs, fittings, and furniture ...	60,000
	£1,084,750

Mr. WEBB said he understood that out of the item £100,000, for the completion of Parliament buildings, &c., £51,500 had been expended already. He moved that the item be reduced by the latter sum. With the finances in their present condition, while the Government refused special grants for so many works which were absolutely necessary for the development of the country, this item ought not to be agreed to, especially as Parliament had last year expressed the opinion that the work should not be continued at present. It would be an injury to our credit in England if money were spent on unproductive works while it was said there was no money available for necessary works. The rabbit nuisance was becoming so formidable that the Government would have to provide a sum of money for its extinction.

Capt. TAYLOR said he would ask the committee to pause before allowing this reduction to take place. He did not know whether honorable members were aware that tenders were called for this identical work during the last session of Parliament, and that the successful tenderers actually had it announced to them that their tender, which was for something like £97,000, was accepted. (Mr. A. Harris—"That is a

mistake.") Perhaps he had better put it in this way. It was announced to all the tenderers who had tendered for the work what the lowest tender was, and the firm who had sent in the lowest tender were requested to furnish the department with their schedule of prices. After they had furnished their schedule of prices, they were then told that their contract was not to go on. Look at the position in which these tenderers were thus placed. Every one knew now not only what their total tender was, but exactly how they arrived at that tender, and unless the rights of those gentlemen were preserved, it seemed to him that a gross injustice would be done to them, inasmuch as, if tenders were called for again, some other person could come forward and put in a tender a few pounds less. When contractors' prices were called for that was tantamount to the acceptance of the tender. He knew that as a strict matter of law it was not an actual acceptance, because the Government always protected themselves by a provision that until the contract was actually reduced to writing under the seal of the Board of Lands and Works the Government could draw back from the contract. Nevertheless, he maintained that it was virtually accepting a tender when the department called upon the contractor to send in his schedule of prices. After calling on the contractor to send in his schedule of prices, and after having absolutely made that public, was the department now to go back and to say that this contractor was to have no preference over others? If that was done he thought it would be a gross injustice. He would point out that if the contract had been accepted the money required would not have been spent for more than four years, which it would have needed for the completion of the contract. There seemed to be a feeling among country members that this was for the benefit of Melbourne. He would point out, however, that the improvements to Parliament House were mainly for the convenience of country members, to enable them to have some place where they could meet their friends and constituents. It had been a just complaint with country members that they had no place where they could meet people from their electorates, and that they had to go, perhaps, to a neighbouring public-house, which was derogatory to them and to the country. These additions to Parliament House met that want, and he

did not see why the vote should be objected to, especially as the money would take at least four years to spend. The contract, to his mind, had been actually accepted, and he believed it ought not to be now interfered with.

Sir B. O'LOGHLEN said he thought the question was not whether this contract or quasi-contract was to be carried out or not, because it could be carried out irrespective of this vote; but the question was whether they were to pay out of the land fund £90,000 that had been hitherto appropriated for railways. It was not a question whether the £90,000 was to be spent on Parliament buildings or not, but how much money they were to give away from railways to other things?

Mr. WHEELER observed that he wished to set the honorable member for Hawthorn right with regard to the tender to which he had referred. He was quite prepared to admit that it was very hard on any contractor, who tendered for a large job of this kind, to have his tender made public, and for the contract then not to be proceeded with. He would point out, however, that the Government were not to blame for that. The House, by a motion last session, struck the amount off the estimates, and decided that the work should not go on, so that, if there was any blame in the matter, it attached to the House. On the day on which tenders were called for he (Mr. Wheeler) was absent on very urgent business, and the officers of the department opened and announced the tenders. As to the money not being wanted for, perhaps, two, three, or four years, he desired to tell the honorable member that if that tender had been accepted there would have been at least £10,000 to £12,000 wanted during the first year; probably £30,000 the second year, and so on. Now the Government were not in a position at the time to accept that tender and meet that amount, and when the House, by a direct vote, desired that the work should not go on, the Government had no option but to stop the work. (Mr. Mason—"Will you call for fresh tenders when this vote is passed?") That was a point on which he did not wish to say anything at present. He might state, however, that it would probably be a very long time before any tenders were called for this work again. The only injustice the tenderer to whom the honorable member for Hawthorn had referred had to complain of was on account of his tender being announced.

(Capt. Taylor—"And the department calling for his schedule of prices.") The schedule of prices was not, made known at all. (Capt. Taylor—"The schedule of prices is known in Melbourne.") He did not know how that could be, because it was not made known by the department. If tenders were to be called for immediately for the same work he could understand that an injustice would be done to the firm who tendered lowest on the last occasion, but he was perfectly satisfied that it was not at all likely that tenders would be called for this work for several years to come. The money could only be provided out of the land fund, and the work could not be carried out for several years.

Mr. TATCHELL stated that he would support the amendment. He thought the circumstances of the country were very much changed since this proposal was first introduced to the House by the late Government, and in the altered circumstances of the country he thought there were other and much more urgent works required throughout the colony which should be proceeded with before this work was undertaken. Although the committee could not pass a direct vote for any of those urgent works, if they succeeded in carrying this reduction they might have a remote chance of providing a sum on the Estimates for the very necessary work of supplying wire netting, which was urgently needed in his district and the districts to the northward of it.

Mr. METHVEN expressed the opinion that Parliament was as much justified in selling land to complete the Parliament Houses as it would be in borrowing money for that purpose. He was very much surprised at the attitude taken up by many country members in connexion with this vote. There was a large number of people, who had lived in the country districts for many years, who had been compelled not only to come to Melbourne but to bring their families here in order to enable their children to learn a trade, so that they might be able to earn their living. He believed a severe blow had been struck at the progress of the colony by the reduction of the estimates for expenditure on public works. If the Minister would consider the matter he would see that the proposal to reduce the expenditure on public works to the extent of nearly £500,000 practically debarred about 20,000 people from earning a living. The honorable member for Hawthorn had informed the committee

that a very great injustice had been done to the man who tendered lowest for this work, and he (Mr. Methven) hoped the committee would think better than to throw out the vote. If it was thrown out he had no doubt that it would be the means of inducing several of the suburban members to vote against other items in the schedule.

Mr. A. HARRIS observed that the honorable member for Hawthorn had stated that it was necessary to complete Parliament Houses, because country members had no particular place where they could meet their friends and constituents. That was no excuse for the expenditure at all. As long as he had been connected with Parliament—for the last eight or nine years, and he had no doubt he would be connected with it for many years to come in the same way—he had rarely found any inconvenience whatever in arranging matters for meeting his constituents from the country, and he did not think that any other honorable member had experienced any inconvenience. It had been said that it was by the desire of honorable members on the opposition side of the House that the Government had included this particular amount in the schedule. No doubt some gentlemen on that side might have so arranged with the Government, but he (Mr. Harris) was no party to that bargain, and he did not intend to be bound by it. He would support the reduction of the item as proposed by the honorable member for Rodney (Mr. Webb). He thought it would be a lasting shame for the Assembly to pass this vote for the extension of Parliament Houses while various municipalities in the country were languishing for want of funds to repair the damages caused by the recent floods.

Mr. T. SMITH remarked that there seemed to be some misunderstanding with regard to the item for Parliament Houses. As he understood, the vote was not objected to last year on permanent grounds, but on the ground that at that particular time the public finances were not in a position to warrant the expenditure. He agreed with what had been said by country members, that there were works in different parts of the colony which should be undertaken before the additions to Parliament Houses were proceeded with, and he, for one, would be always ready to support the carrying out of those country works—many of them reproductive—in preference

to this work, which was certainly not reproductive. At the same time he did not think it would be wise to commence with the wiping out of any item from a schedule which had been brought down by the present Government in good faith to fulfil promises that were made by their predecessors. In their good-naturedness, the Government had unwisely accepted certain advice from a quarter from which he thought they ought not to be in a hurry to take advice. They had got their thanks that night, and no doubt they would profit by the lesson which they had received; but to begin by reducing or erasing any of the items on this schedule would be a very dangerous thing indeed. They surely did not understand that the passing of this item would mean that the work was to be at once proceeded with. He was certain that the Government did not contemplate anything of the kind, and that they would not contemplate anything of the kind for some years. One most excellent reason was that they would not be in a position to do so, because the money from the sales of land that would take place during the next three or four years could be better spent on certain works in the country. Honorable members had stated that night that the land would not sell, and that the money would not be got for any of these works. He might state, however, that the tide had turned in this respect, and that the money was commencing to come in already. A sale of Government land had been held that day, at which the prices realized showed a very large advance on anything that had taken place during the last two years. This showed that if they would have confidence, and would stop the carping criticism which they had been indulging in, things would soon go on very much better. If they reduced this amount they would find themselves, lower down in the schedule, reducing, if not wiping out, amounts for other works. For the great part of these works the money had actually been expended, or contracts had been pretty well advanced. He would again ask the committee to pause before they interfered with the scheme which the Government had been practically compelled to bring down in the way they had done.

Mr. A. HARRIS remarked that the country members were going to make an attempt to reduce the particular expenditure now proposed by some half-million of money.

Mr. ZOx said there could be no doubt that, as far as the Government were concerned, they were only carrying out promises made by their predecessors. ("No.") He had no hesitation in saying that there was hardly a single item in the schedule that did not originally emanate from the members of the late Government when they sat on the Treasury bench. If any Government were to refuse to carry out promises similarly made by their predecessors, in what position would the country soon be placed? Were honorable members prepared to knock out the amounts promised for the Ballarat National Gallery and the Sandhurst National Gallery? ("Yes.") Well he, as a city member, was not prepared to do anything of the kind. Besides, very nearly half of the money set out in the schedule had already been expended, and if the expenditure in those directions was not to be continued the result would be great loss to the country. Honorable members should consider the national character of many of the works provided for. He would assert that the amount to be appropriated for the additions to Parliament buildings represented a purely national expenditure—one for the country as well as for the town. He would ask country members how they would like works which had been begun in their districts to be suddenly stopped? At all events, he could assure them that votes for works in their districts which were undoubtedly useful and unquestionably necessary would always have his support. ("Hear, hear.") Well, then, let them, on the other hand, show the same fair play.

Mr. LAURENS thought it would be acknowledged that the money now to be voted for Parliament buildings ought to be regarded as intended for the use of the country as well as of the town. As practical men, country members should recollect that substantial Government works were things that ought not to be undertaken by fits and starts. Again, to some extent, the position of the employes concerned should be borne in mind. For the last fifteen years a comparatively large number of men had been continuously employed in the completion of Parliament buildings, but now for many months past their services had been entirely dispensed with. Would it not be admitted that that was not a course that could be adopted with advantage to the work to be carried out? It was essential for success in this direction that the works should be carried on regularly, without

any sudden stop with respect to them. He was quite prepared to admit that the Parliament buildings were already sufficiently completed for all the purposes they might be required to answer for many years to come. But there was another point of view. It was this: The contracts for carrying out the works included in the schedule were not to be entered into suddenly. The schedule provided for the expenditure of more than a million of money, which would be derivable from land sales by auction, and probably the money would not be obtained for at least ten years to come. That was a matter which should have due weight. On the other hand, for aught he knew, there might be a great cry for employment to-morrow; and, without any authority on the part of the Government to carry out specific works which were required in the interests of the community generally, they might find themselves compelled to enter upon works of a less useful character. The committee should pause before they rejected the item.

Mr. LEVIEN pointed out that a large amount of the expenditure now in view had already been actually incurred. After all, the present proposal did not involve a new vote of £100,000, but practically only the transfer of the sum from one account to another. Now it would take a considerable time before sufficient money would be realized from the intended land sales to recoup the Treasury for the sums already advanced, therefore there was no need to hurry in providing for raising the whole amount. Besides providing for that at the present juncture, when so many grants on behalf of public works in the country districts were being withheld, might lead to some misconception and possibly to some sense of injustice. Therefore it appeared to him that it would be a little premature to vote the whole of this money at once, and he thought that under the circumstances the sum might well be reduced. (Mr. Munro—"I was asked by your side of the House to put the item in.") That was correct, and he begged to thank the Premier for his consideration, especially in the matter of agricultural colleges. He was very pleased when he heard the Premier say that that item would be included in the schedule. The matter before the committee was however, the item for Parliament buildings, the expenditure upon which must, it was evident, be gradual. This item

should be considered upon its merits apart from the others. What suggested itself to his mind as the best course was that the recoup to be made should extend to only the money already expended. No doubt some consideration should be extended to the firm whose tender had been accepted, for they had provided themselves with special machinery for working the stone that would be used, and their prices had leaked out.

Mr. BURROWES said he was rather surprised at the tone adopted by some honorable members with respect to this vote. It might be said that the particular work in question was not very pressing, but certainly if ever there was a time when a point should be strained in order to pass such a schedule as this it was the present time. A large number of the works in the schedule could be gone on with immediately, and, considering the very many men who were just now out of employment, everything possible should be done in order to supply it to them. Besides, the bringing down of the amended schedule was the result of a bargain, and that bargain ought to be adhered to. An agreement had been entered into, and it ought to be carried out. He, for one, could not understand honorable members in opposition making objections to the schedule, they having previously joined in the request made to the Government that the additional items should be brought down.

Mr. DEAKIN said he hoped the committee would fulfil the implied promise given, namely, that if the Government would bring down these additional items, they would be assisted in carrying the schedule without delay. Not that he (Mr. Deakin) considered that the agreement entered into could be interpreted as binding every honorable member to every item. The understanding was, that if the concession was made, there was to be no laboured discussion on the subject, and that a decision would be arrived at at once. His personal opinion was with the honorable member for Rodney, but inasmuch as the proposed expenditure would occupy many years, and would undoubtedly be under the control of the next Parliament, as well as of this Parliament, it might be just as well to pass the schedule forthwith.

Mr. FOSTER remarked that he was no party to any agreement on the subject. What the present question really turned upon was the matter of flood damages.

The honorable member for Gippsland South would never have raised any question on that point had he received any satisfaction from the Premier with regard to the subject. He (Mr. Foster) also believed that a good deal of feeling had been evoked among country members to the effect that too much of this money was intended for expenditure in Melbourne. Then, last year a sum of money for Parliament buildings was struck out of the Estimates because of the existing position of the finances, and how could it be said that the position in that regard was at the present time in any way different? Again, there was the point that this money was to be realized from the sale of lands, and that that was objected to because it was not known where the lands to be sold were situated. It might also be said that the wire netting question had greatly influenced certain members of the Opposition. As for the reduction in the grants for country public works, he thought it wrong to cast too much blame upon the Government in the matter, for they were obviously bound to draw their purse-strings as tight as possible. Still they might draw them a little too tight, and he believed that pressure would be brought to bear upon them to cause them to see if something could not be found at the bottom of the purse. (Mr. Munro—"There is nothing in it.") Then it would probably be the duty of the Treasurer to put something into it. Certainly the pressure he (Mr. Foster) referred to would be brought to bear.

Mr. W. T. CARTER thought that in putting this large amount on the schedule the Government were meeting the wishes not only of honorable members in opposition—or, at all events, of some of the leading members of the Opposition—but of a great many honorable members on their own side as well. Certainly the Government had so far echoed public opinion. In fact he (Mr. Carter) had moved in this direction himself, for his attention had been called to the disastrous results arising from the stoppage of public works of a particular kind, and he had placed a notice of motion on the subject on the business-paper of the House. Consequently he was bound to vote for the item as it stood. A number of honorable members had expressed themselves strongly upon the necessity there was for spending money in the country districts, but surely there were but few of them who would not

recognise that money appropriated to the erection of the Parliament buildings of the colony would be spent as much for the benefit of the country as of the town. Those who would object to such expenditure might be regarded as in favour of something like a savage life for the community, rather than one representing some compliance with the requirements of civilization and taste. It was said by some honorable members that they were no party to the agreement entered into when the Premier stated that the additional items should be placed on the schedule, but it could fairly be contended that if their consent was not given to the arrangement in so many words it was given by their silence. (An Honorable Member—"We were not in the House at the time.") Then they ought to have been in the House in order to perform their duty to the country. (An Honorable Member—"Some of them were in the mallee.") Those of them who were in the mallee were, no doubt, doing their duty, but there were others who had spoken that night in a certain way who were not members of the mallee committee. Again, there was the matter of the employes concerned to be considered, for the class of men employed on works like that of the Parliament buildings were not men who could be drafted away at any time to agricultural pursuits. Consequently they were now lying idle, and utterly disheartened by the fact that the expectations which they had been reasonably led to entertain were not being carried out. A question had been raised with respect to obtaining the money for these works from the sale of public lands—

The CHAIRMAN.—That question was decided when the Bill was read a second time. We have nothing to do with it now.

Mr. W. T. CARTER thought he was fully entitled to justify his vote on that point also, and he therefore thoroughly objected to the Chairman's ruling.

Mr. STAUGHTON observed that when this matter was before honorable members the other evening the vote for Parliament buildings was not mentioned at all. (Mr. Munro—"Yes, it was referred to by the honorable member for Eastern Suburbs.") At all events, when the vote was before Parliament last session it was negatived, and he would ask the honorable members who voted against the expenditure then to do pretty much the same thing now. (Mr.

Munro—"The money was then to be taken from the revenue of the year only.") He did not see where any difference on that point came in. The time would probably come before long when money for the purpose might be appropriated with great propriety, but it had not come yet. His own idea was such money should be taken out of the revenue. Possibly the expenditure already practically undertaken might be provided for now, but the remainder ought to be allowed to stand over.

Mr. HALL said he regarded the arguments offered in support of this item as deplorably weak. One was to the effect that additions to Parliament buildings were required for the convenience of honorable members and their friends. Well, he for one, was perfectly ready to sacrifice his share of that convenience. Another reason was that, practically, a contract had been accepted, but what was there in the contention? Because a few tenders had been opened was the Parliament of the country on that account necessarily committed to an immense expenditure? Then it was said that this money was voted on a previous occasion, but had not votes been given more than once in favour of railways which were not even yet carried out? He considered that the amount of the contract so far entered into might well be passed, but the balance should stand over.

Mr. MUNRO asked if any honorable member could say that the agreement entered into the other evening was being carried out. In his (Mr. Munro's) opinion it was not being carried out. It was stated then that if these additional items were inserted in the schedule the whole thing would pass in ten minutes, but that understanding was now being violated in a direct way. The evening had so far been simply wasted, and if the waste of time went on it would become his duty to move that progress be reported, in order that the House might go on with the other business of the country.

Mr. MASON stated that he was in the chamber on Thursday evening last when the Treasurer announced that certain additions were to be made to the schedule, but honorable members had not an opportunity then of expressing their opinions on the subject. No agreement, however, was made, so far as he recollected. In view of the immense amount of damage that had been done in country districts by floods, he saw no justification for some of the

items in the schedule, in the absence of any provision to remedy that damage.

Mr. MURRAY remarked that the Treasurer now saw the mistake which he made in yielding to the clamour produced by the rallying speech which the honorable member for Eastern Suburbs addressed principally to the country party. The country members were led away by the honorable member's statements into the belief that an injustice was intended to their constituents, and that they would reap some advantage if these proposals were reconsidered. Now, what was the result? Out of the additional sum of £230,000 only £25,000 was to be expended in the country. The town party knew a great deal too much for the country party, and always got the best of the alliance. With regard to the vote under consideration, if there was no prospect of this sum being expended for a number of years, what was the use of retaining it on the schedule? Would it not be far better, instead of leading the working men into the belief that something was to be done that would be of immediate good to them, to vote the amount which had been already expended, and which had to be recouped, and leave the balance to be supplied when the money was available?

The committee divided on the amendment—

Ayes	...	...	...	29
Noes	...	...	...	34

Majority against the amendment ... } 5

AYES.

Mr. Armytage,	Mr. Madden,
„ Bowman,	„ Mason,
„ Butterly,	„ McColl,
„ Craven,	„ McIntyre,
„ Derham,	Sir B. O'Loughlen,
„ Dow,	Mr. Patterson,
„ Dunn,	„ Richardson,
„ Foster,	„ Staughton,
„ Gordon,	„ Tatehell,
„ Groom,	„ Taverner,
„ Hall,	„ Webb,
„ A. Harris,	„ Wrixon.
„ Highett,	<i>Tellers.</i>
„ Kirton,	Mr. Murray,
„ Levien,	„ A. Young.

NOES.

Mr. Andrews,	Mr. Dixon,
„ Bennett,	„ Gardiner,
„ Bent,	„ Graham,
„ Burrowes,	„ J. Harris,
„ G. D. Carter,	„ Laurens,
„ W. T. Carter,	„ Leonard,
„ Deakin,	Dr. Maloney,

Mr. Methven,	Mr. Stuart,
„ Mountain,	Capt. Taylor,
„ Munro,	Mr. Tucker,
„ Nimmo,	„ Turner,
„ Officer,	„ Wheeler,
„ Outtrim,	„ Williams,
Dr. Pearson,	„ Zox.
Mr. Shiels,	
„ T. Smith,	<i>Tellers.</i>
Lt.-Col. W. C. Smith,	Mr. Bailes,
Mr. Sterry,	„ Best.

Mr. WEBB called attention to the item, "Melbourne University, £95,000." He begged to move that the amount be reduced by £84,500. He stated that the reduction would leave the item as it appeared in the original schedule. In taking this action he desired to assure the committee that the question of country and town did not influence him for one moment. He regarded this as an inopportune time to propose the expenditure of so large a sum of money, and he felt it to be his duty to move the amendment.

The amendment was negatived.

Mr. DOW called attention to the item, "Lunatic Asylums, £235,000." He begged to move that this item be reduced by £100. He said that he desired to obtain an expression of the opinion of the committee with regard to the question of wire netting.

The CHAIRMAN.—If the honorable member desires to increase the amount to be appropriated by the Bill he is not in order.

Mr. DOW stated that he did not wish to increase the amount.

Mr. LEVIEN said he would submit that the proposal of the honorable member for Kara Kara was not in order. The honorable member had stated that he wished to take the opinion of the committee on the subject of wire netting.

Mr. DOW stated that he wished to obtain an expression of opinion on the question of wire netting.

The CHAIRMAN.—The honorable member is not in order in speaking to that subject.

Mr. DOW said that in any case he would move that the item be reduced by £100.

Mr. MCCOLL remarked that it would be much better if the Treasurer would give the honorable member for Kara Kara an opportunity of testing the feeling of honorable members with regard to the question of wire netting. Last week a conference of shires was held in Melbourne, and certain resolutions were

passed which honorable members would desire to see before coming to a decision on this subject.

Mr. RICHARDSON said he hoped that the honorable member for Kara Kara would give up the idea of discussing the question of wire netting on this Bill. He would give the honorable member some assistance with regard to the matter at the proper time. When the Estimates were before the committee they could fairly ask the Government to consider the subject.

Mr. DOW observed that, in view of the support which he had been promised, he would withdraw the amendment with a view to bringing the subject forward again.

The amendment was withdrawn.

Dr. MALONEY called attention to the item "Ballarat National Gallery, £12,000," and moved that the amount be reduced by £9,000. He said that, if there was to be a fight between town and country, the sooner it took place the better. In the division which took place that evening the members for the Ballarat district, with one exception, voted against the town, and, as the matter was one which affected the artisan classes, he felt rather strongly with regard to it.

Lt.-Col. SMITH said he hoped that the honorable member for Melbourne West would not press his amendment, but would excuse the inexperience of the honorable members for the Ballarat district. If those honorable members had known what the consequences of their action would be they would not have voted as they did, and he hoped, therefore, that the honorable member for Melbourne West would overlook their indiscretion.

Dr. MALONEY stated that he regretted he had felt compelled to move the amendment, but he had previously regarded some of the honorable members who voted against the amount for the completion of Parliament buildings as friends of the working men. For the sake of the honorable member for Ballarat West (Lt.-Col. Smith) he would, however, withdraw the amendment.

Mr. WEBB drew attention to the item "Agricultural College and Farm Schools, £25,000." He said that he desired to know what was to be done with the money if this item was passed. (Mr. Munro—"Nothing within the next four or five years.") Would it then be handed over to the Council of Agricultural Education?

Mr. MUNRO remarked that he put this item in the schedule because his attention was called to the fact that it was one of the items that were promised by the late Government in 1888. It would take three or four years yet to pay off current liabilities, and there would be no money for this purpose for a considerable time. It would be soon enough to consider who was to receive the money when the money was available.

Mr. RICHARDSON said that if the item was agreed to the money would be appropriated. (Mr. Munro—"It will not be appropriated to the body referred to.") Would the honorable gentleman undertake that it would not be appropriated to that body? (Mr. Munro—"It will not during my time.") There was no objection to money being spent for this particular purpose, but the Council of Agricultural Education had already 150,000 acres of land which had been given to them by Parliament, and he had no hesitation in saying that they were not doing justice to Parliament in the way in which they were conducting their business. Only that day very serious complaints were made to him about the way in which business was done by the Council of Agricultural Education, and Parliament should not intrust that body with this large sum of money at the present time.

Mr. LEVIEN stated that he did not wish to enter into a long debate with regard to this particular item, but he thought that the honorable member for Creswick, in justice to himself and to the committee, should at least have given some reason for his statement that this money should not be handed over to the Council of Agricultural Education. He was not aware that the Council of Agricultural Education needed any defence at his hands, because no charge had been made against them. That body had done excellent work, and he challenged the honorable member for Creswick or any honorable member to bring forward a single charge which could be sustained. (Mr. Munro—"Discuss the question on the Estimates.") He did not like the tone the Treasurer adopted as to this money not being given to the Council of Agricultural Education in his time. (Mr. Munro—"I will not promise anything either one way or the other.") He hoped that some of the money would soon be available. (Mr. Munro—"It does not follow that that body will get it.")

Then honorable members were entitled to know what body was to get it. (Mr. Munro—"I cannot tell.") He could assure the committee that the money was required. Two of the agricultural colleges were opened in October, 1886. There had been 225 students admitted, and 44 had obtained their diplomas, and 74 students were now in the colleges. There were now twenty sons of farmers waiting to be admitted as students to the colleges as soon as accommodation could be found for them, and it was of the greatest consequence to the colony that training in the higher agriculture should be given. It had been said that the colleges were endowed with 150,000 acres of land; he saw nothing to object to in that.

Mr. HALL asked if a discussion on the duties of the Agricultural Colleges Council was in order.

The CHAIRMAN.—It is not in order.

Mr. WEBB stated that when the Estimates for the Agricultural department came under consideration, he would bring forward evidence which would convince the committee that the council in question was a most useless body.

The item was then agreed to.

On the item, "State School Buildings, £60,000,"

Mr. GORDON asked how the money was to be expended?

Mr. MUNRO stated that the money would be expended during the present year for State school buildings, some of which were in course of construction.

The item was agreed to.

Discussion took place on the item of £60,000 for erection and inspection of forts, batteries, &c.

Sir B. O'LOGHLEN asked how much of this sum had been spent? (Mr. Munro—"£20,000.") He moved that the item be reduced by £40,000.

Mr. MURRAY said that if honorable members recalled the past history of the expenditure for defences in this colony, and if they had any shame left in them, they would blush at the remembrance of the astonishingly extravagant and foolish manner in which the money had been expended. After this vote had been expended, a timorous Minister might be in office, who would be thrown into a state of hopeless alarm by some untrustworthy telegram sent out from England by a newspaper cablemonger, which would render him utterly unfit to manage the department. The money already expended had

accomplished absolutely nothing for our security in regard to defence against a foreign enemy. If the money now voted was not to be available for three or four years, ships in the Bay which might be considered seaworthy now, would at the expiration of that time be useless for any purpose but that of sale to a credulous Minister of Defence, who, in a season of peril, would doubtless be willing to purchase them at a great price. The vote ought not to be agreed to without an understanding as to the exact manner in which it was to be expended.

Mr. MUNRO stated that the balance of the vote would be expended during the next two years. If it was not passed now, it must be put on the ordinary Estimates, because financial arrangements had been made, and they could not be altered.

Mr. L. L. SMITH said he thought the committee should look with considerable suspicion upon the utterances of the honorable member for Warrnambool, because the honorable member had himself declared twice in his (Mr. Smith's) hearing that he was a republican, and that he was going for a republic. In doing that the honorable member had forgotten that he was a traitor to this House.

The CHAIRMAN.—That is not a parliamentary expression.

Mr. L. L. SMITH observed that the honorable member for Warrnambool had taken an oath in this House which he ought to respect.

The CHAIRMAN.—I trust that the honorable member is not going to discuss any question of that sort. If there is any doubt as to the honorable member for Warrnambool's oath, the question must be raised in the House.

Mr. L. L. SMITH said he would refer to the matter at some other time.

Mr. MURRAY desired that the Chairman should not enforce his ruling to protect him (Mr. Murray). If it afforded the honorable member for Mornington any satisfaction to attack him with his usual bad taste, it would not do him (Mr. Murray) any harm.

Sir B. O'LOGHLEN stated that the committee ought to be informed what the particulars of the proposed expenditure were.

Mr. BENT remarked that he was not a republican, but he would vote for the reduction of the sum under consideration. He agreed with the honorable member for Warrnambool and others, that there was no check upon the expenditure of the

Defence department. If the item appeared upon the Estimates there would be a better opportunity of gaining information in regard to it. He looked upon the money which was being expended on the forts as perfect waste; it would be better to devote it to rabbit extermination or the repair of flood damages. The greatest danger in connexion with the forts now was to those who had to fire the guns. He would like to ask if it was usual for the department to make engagements a couple of years ahead? Was the item in question a contemplated expenditure for brass buttons, epaulettes, or court martials?

Mr. RICHARDSON said it was time that the extravagant expenditure of the Defence department was put a stop to. It was not known what the Minister of War was going to lead the country into. There had been a great deal of mysterious expenditure about which no one knew anything, and he hoped that the Treasurer would keep his eye on the department.

The amendment was negatived.

The item was then agreed to.

The Bill having been reported with amendments to the House, the report was adopted.

Mr. MUNRO moved that the Bill be read a third time.

Mr. DEAKIN said he desired to make a personal explanation. He indicated on the second reading that he was wholly opposed to the principle and to the system on which this Bill was based in regard to its method of obtaining money at this juncture. He still held the opinion as strongly as formerly, but he did not think it inconsistent on his part to have assisted in making the measure less imperfect and to meet the views of the House.

The motion was agreed to.

The Bill was then read a third time.

RAILWAYS ACT AMENDMENT BILL.

Mr. SHIELDS moved the second reading of this Bill.

Mr. W. T. CARTER moved the adjournment of the debate. He had done his best, like other honorable members, to master the provisions of the Bill since it came into his hands; but sufficient time had not been afforded, and the Minister of Railways ought certainly to have given the House an exposition of those provisions. The honorable gentleman had explained some of the principles of the measure, but that was not enough.

Mr. McCOLL seconded the amendment. Many of the country members had been away, some of them in the mallee, and the Bill had only reached the hands of others that day. They all expected that the Minister of Railways would have explained its provisions that evening. It was well known that some of the clauses of the Bill were of great importance to the farmers and other classes in the country.

Mr. MUNRO remarked that honorable members were aware that a very large portion of the session had passed away, and that the press of the country had been demanding that this Bill should be brought forward for some time. The Government could not submit it until the Federation Bill had been got rid of. The measure had been in the hands of honorable members since last Thursday morning, and if they were not prepared to go on with it, of course the Government could not press them to do so, but under these circumstances the House must not charge the Government with delaying business. The business-paper for that night was distributed last week, and it left no doubt as to the order of business. In the early part of the session he stated that there were four Bills which the Government were anxious to push on with. Of course it was necessary to press on financial matters, and it was decided that the Federal Bill, the Railways Management Bill, the Local Government Bill, and the Constitution Act Amendment Bill should be dealt with in the order named. If the Constitution Act Amendment Bill were proceeded with now, it would be objected that it had not been arranged for. That measure had been in hand for a long time, and, when submitted, it would be gone through with. If honorable members now desired the debate to be adjourned he would not object, but honorable members must understand that the fault of the delay did not rest with the Government.

Mr. LAURENS observed that the time to which the debate should be adjourned had not been mentioned.

Mr. W. T. CARTER said he wished to move that the debate be adjourned until Thursday.

Mr. DEAKIN remarked that he thought the House ought to be prepared to discuss the matter on the following day.

Mr. W. T. CARTER said he had no objection to an adjournment until the following day.

The amendment was agreed to, and the debate was then adjourned until the following day.

Mr. DEAKIN asked the Premier to state the course of business if the Railway Bill were taken to-morrow.

Mr. MUNRO stated that the Railway Bill would be proceeded with without intermission.

SUPPLY.

The House then went into Committee of Supply.

The following votes were agreed to:—Hospitals for the Insane, £94,709 (total vote, £125,984); Inebriate Asylums, £2,145 (total vote, £2,857); department for Neglected Children and Reformatory Schools, £32,332 (total vote, £43,157); Inspection of Neglected Children and Reformatory Schools, £1,570 (total vote, £2,115).

On the vote for the Observatory, £3,895 (total vote, £5,194),

Mr. W. T. CARTER said he felt it necessary to ask the Government to see that proper notice was taken of experiments now being made in parts of America with the object of securing rainfall. (Mr. Munro—"A lot of tomfoolery.") All new ideas were called tomfoolery when they were first tried. He noticed that the Parliaments of neighbouring colonies were paying attention to the subject, and as we had an expensive Observatory department—he did not think the expense should be grudged—he believed it should take within its purview interesting experiments of this kind. Although the Premier thought it was tomfoolery, it would be remembered that very often what had been sneered at had turned out to be a very valuable scientific discovery.

The vote was agreed to, as were also the following votes:—Public Library, Museums, and National Gallery, £22,150 (total vote, £28,890); Government Botanist, £1,951 (total vote, £2,721); Government Shorthand Writer, £1,963 (total vote, £2,711); Audit Office, £7,464 (total vote, £10,137); Aborigines, £5,798 (total vote, £7,800); Friendly Societies, £307 (total vote, £410); Inspection of Officers in charge of Stores, £681 (total vote, £911).

INSPECTION OF FACTORIES AND SHOPS.

On the vote of £1,851, to complete the vote (£2,426) for the Inspection of Factories and Shops,

Mr. BAILES expressed the hope that the Premier would see that in future all appointments to the position of inspector of factories would be made from artisans who understood something about machinery. Complaints were made that persons were appointed inspectors who had no knowledge of machinery, and were quite incompetent to carry out the duties which the Act required. He was credibly informed that even the chief inspector came within this category.

Mr. W. T. CARTER asked whether the Government intended to appoint an inspector of boilers? It had been felt for a long time past that such an inspector was necessary.

Mr. MUNRO stated that the Government had a Bill prepared which dealt with the inspection of boilers. (Mr. W. T. Carter—"When is it to come on?") He could not say.

Mr. KIRTON observed that some of the trade societies were very anxious about the Boilers Bill, and he trusted it would be brought before the House at an early date.

Mr. HANCOCK asked the Premier whether it was the intention of the Government to have an inspector of scaffolding appointed? A deputation waited on the Chief Secretary at the commencement of the session on the subject. That deputation was accompanied by the late Chief Secretary, and its request was backed up by the City Coroner, who bore testimony to the large number of accidents caused by defective scaffolding. The deputation were told that the matter would be considered by the Government, but since then they had heard nothing about it. (Mr. Munro—"The matter is still under consideration.") Was it at all likely to be brought forward this session? (Mr. Munro—"I cannot tell you, as the Chief Secretary is not here.") Had he the assurance of the Premier that the matter would be considered as soon as possible?

Mr. MUNRO replied that it certainly would.

Mr. TRENWITH said it did not appear to him that fresh legislation was necessary. He thought it was quite competent under the Factories and Shops Act to appoint an inspector of scaffolding.

The vote was agreed to, as was also the vote of £3,300 to complete the vote (£5,200) for Exhibitions.

ART GALLERIES.

On the vote of £26,120 to complete the vote (£27,700) for Grants, in the Chief Secretary's department,

Lt.-Col. SMITH drew attention to the fact that the vote for the art galleries at Ballarat, Sandhurst, and Warrnambool had been reduced from £2,000, the amount last year, to £1,200. He hoped the Treasurer would inquire into this reduction, as he believed there must be some mistake. The amount which had been hitherto granted was necessary to keep the institutions going.

Mr. MUNRO remarked that every item had been carefully looked into, but he would inquire into this matter again.

Mr. DEAKIN said he might point out to the Premier that the vote for these art galleries was on a different footing altogether from the vote for the National Gallery at Melbourne, inasmuch as the vote was distributed among the galleries at Ballarat, Sandhurst, and Warrnambool in proportion to the sum which was raised locally. One of the most creditable exhibitions of public spirit ever witnessed in Victoria was the splendid endowment of statuary and pictures which had been made by local residents of Ballarat and Sandhurst. Although those galleries had only been in existence for a few years they were now amongst the sights of Victoria which the people had reason to be proud of, and a strong argument in favour of keeping up the vote was that the Government were only helping those who were helping themselves. He trusted that the Premier, bearing in mind that he was calling forth local effort, would be in favour of not decreasing the small amount of £2,000 which had been on the Estimates for the last few years.

Mr. MUNRO stated that this was a departmental arrangement; he had nothing to do with it. He would, however, inquire into the matter.

Mr. BURROWES remarked that if the local galleries received an amount equal to that which was raised locally they would obtain three times the amount on the Estimates from the Government. He felt sure that if the Treasurer looked into the matter he would increase this vote.

The vote was agreed to.

DEPUTY-REGISTRAR AT NEWPORT.

On the vote of £15,784, to complete the vote (£21,468) for Miscellaneous, in the Chief Secretary's department,

Mr. W. T. CARTER said he desired to call attention to the necessity for the appointment of a deputy-registrar of births and deaths at Newport. Newport was a very important centre, with a large and rapidly growing population, and if a deputy-registrar was appointed there, he would not only serve Newport but also Spottiswoode. A largely-signed petition was sent to the Government, asking them to make an appointment, but the object of the petition was defeated by that sort of partisanship which was sometimes taken up by heads of departments in trying to protect persons who had offices in connexion with their departments. It appeared that, out of consideration for the person who discharged the duty of deputy-registrar at North Williamstown, it was felt necessary to refuse the appointment of a deputy-registrar at Newport. Now, he maintained that public convenience must always stand above private interest.

The CHAIRMAN.—The matter to which the honorable member wishes to refer does not come within this department. Deputy-registrars are in the Attorney-General's department, and when that department is under consideration, the honorable member will have an opportunity of bringing forward the matter.

Mr. W. T. CARTER said the Attorney-General had told him to bring the matter on in this department. He asked the honorable gentlemen whether the matter was in his department, and he said he did not think it was.

IMPERIAL INSTITUTE.

Mr. DEAKIN drew attention to the item, "Imperial Institute, management of Victorian court, collection and transport samples and other expenses, £1,500." He desired to know whether this amount implied the appointment of any person? Did it provide for any salary?

Mr. MUNRO replied in the negative.

The vote was agreed to, as were also the following:—Miscellaneous, Chief Secretary's department, £15,784 (total vote, £21,468); Education department, administrative branch, £30,077 (total vote, £40,117); Education department, professional division, £505,983 (total vote, £532,645).

UNIVERSITY OF MELBOURNE.

On the vote of £9,875 to complete the vote (£11,750) for the Melbourne University,

Dr. MALONEY said he could not let the vote pass without expressing the opinion—which he had expressed many times before—that the University should be made free to every one disposed to take advantage of it. He had placed a notice of motion on the subject on the business-paper, and he hoped to be able to move it at an early date.

The vote was agreed to.

SCHOOLS OF MINES AND TECHNICAL SCHOOLS.

On the vote of £20,810 to complete the vote (£27,750) for Schools of Mines and Technical Schools,

Mr. DEAKIN asked that this vote should be postponed until he was in possession of a return, which he had already moved for, showing the work done in these schools.

Mr. MUNRO said he would promise that, if necessary, when the return had been produced, the vote should be recommitted.

Mr. RICHARDSON said that he felt bound to call the attention of the Premier to the fact that the Minister of Public Instruction did not appear very friendly to these schools. In fact, he seemed to be rather antagonistic to them. For instance, he had made regulations which, to all intents and purposes, took away from each local council the power of arranging the curriculum. The honorable gentleman had dealt pretty fairly with the maintenance votes, but how was it that an allowance for building purposes was only to be made in connexion with the schools of Bairnsdale, Daylesford, Maryborough, and Geelong, places which were represented by Ministers of the Crown? No other school of mines had any building allowance whatever. He would not say that these particular districts were not deserving ones, but other districts were equally deserving. He would not discuss the matter further on the present occasion, but he hoped that the Premier would bring influence to bear on his honorable colleague, the Minister of Public Instruction, in order that the whole of these schools might be placed on a fair footing. The late Minister of Public Instruction was, when he left office, laying the foundations of a very important system—that was to say, he was connecting State school education with University education; but his successor was treating these technical schools almost as though some of them had no right to exist. Had the Minister of Public Instruction been present

in the chamber, he (Mr. Richardson) would have occupied the attention of honorable members at some considerable length on this subject. (Mr. Munro—"If necessary the vote shall be recommitted.") He might mention that he did not stand alone in this matter.

Mr. GORDON stated that he quite agreed with the remarks just made. With respect to a great many of these schools, there had been a most unjustifiable amount of cheeseparing, although it could not be denied that they were doing very good work. He noticed that the grant for the Castlemaine school had been reduced from £800 to £600, and there was to be no allowance for building purposes.

Mr. MUNRO said he believed that full justice had been done in the case just mentioned, but he did not want to discuss the matter that evening.

Mr. GORDON expressed the opinion that there was no justification whatever. At all events, if there was it should be shown.

Mr. A. HARRIS said he wished to refer to the case of the Sale School of Mines, which had been treated in a very shabby way by the Minister of Public Instruction. Were the return which had been moved for by the honorable member for Essendon, now before the committee, he (Mr. A. Harris) would be able to mention facts which would show that the Sale School of Mines was second to no other school of the kind in the colony. The buildings had cost £5,000, a large amount of which was locally subscribed, and there was a debt of £2,000. The late Minister of Public Instruction acted very fairly; he promised £1 per £1 for the money raised, and he faithfully kept the pledge as far as he could, but his successor had made no provision whatever for building purposes, although building grants were to be given in several other cases. This was pointed out to the present Minister of Public Instruction, and the reply was that there was no funds for the purpose. But surely if money could be found for building purposes for the schools at Geelong, Maryborough, Daylesford, and Bairnsdale, it could be found for the Sale school also. (Mr. Munro—"The Sale school gets £600 this year as against nothing last year.") The grievance was that there was to be nothing for building purposes. It might be said that the allowances for building purposes for the schools he had mentioned had been previously promised; but he

(Mr. A. Harris) could assure the Premier that a similar promise had been given with respect to the Sale School of Mines. A promise was made, and the late Minister of Public Instruction bore him out in that statement. Therefore it should be carried out along with the other promises made by the late Government. The Treasurer had said over and over again that he would fulfil the promises of the late Government. (Mr. Munro—"It would take ten revenues to fulfil them all.") This promise ought to be carried out. (Mr. Munro—"We are going to recommit this.") He knew that, but the money was required, and he hoped that the Treasurer would consult the Minister of Public Instruction on the subject.

Mr. FOSTER said that the Sale School of Mines had been placed in a very false position by the promise made by the late Government. That promise should be kept. He began to think that it was a pity that the late Government did not remain in office long enough to carry out their own promises. There was this difference between this particular promise and others—that it had caused private individuals to become responsible for a large sum of money.

The vote was agreed to.

PUBLIC INSTRUCTION.

On the vote of £6,777, to complete the vote (£10,117) for Miscellaneous (department of Minister of Public Instruction),

Capt. TAYLOR moved the omission of the item—

"To continue to 30th June, 1892, to Mr. W. H. Nicholls, teachers' classifier, the salary paid to him during his first term of office, £205 17s. 8d."

He said that he had been charged in the public press with having made an unfair attack upon one of the classifiers. He had been at some pains to get certain information with regard to an accusation which had been broadly made throughout the colony of favoritism on the part of the classifiers. The allegation was that the classifiers, or rather Mr. Nicholls, when he found that a school in the country was to be reduced a class, sent up to that school a gentleman whom he might happen to favour, in order that he might come under the operation of section 94 of the Public Service Act. That section was as follows:—

"When at any triennial revision of the classified roll, or at any publication of a supplementary roll, a school is placed in a lower class,

each of the teachers shall retain his former class and salary, but without further increment, until an offer can be made to him of a position corresponding to that which he held under the former classification of his school. Should he refuse to avail himself of such offer, he shall from the first day of the month succeeding that in which the offer is made, receive the maximum salary attached to his position under the reduced classification of the school."

In other words, if a teacher who was in the second class went to a school the class of which was afterwards reduced, he got the preference of the first vacancy that occurred in the colony in the second class. Of course, this was a valuable provision if it was not abused; but the question was, had it been abused by one of the classifiers, as was currently alleged? He would take two parallel cases, and he regretted that the Minister of Public Instruction was not a member of this Chamber, as he would like to obtain an explanation from him on the subject. However, he had asked questions with regard to these two cases, and answers had been given to him. They had reference to the Clunes and Creswick State schools respectively, and the questions were identically the same in both cases. The first question put was this—"Was the head-teachership of the State school at — advertised as vacant about the beginning of June, and the classification as second class?" In each case the answer was "Yes." The next question was—"Who was the gentleman appointed?" and the reply in the one case was "Mr. Thomas Potter," and in the other case "Mr. Laurence Whyte." Mr. Whyte was appointed to the Creswick State school on 29th May, 1891. The next question was—"How soon was the same school reduced in classification after his appointment?" In the case of Clunes, the answer was "The school has not been reduced," and in the case of Creswick, "The school was reduced on 16th June." So that a gentleman was appointed head teacher on the 29th May and the school was reduced on the 16th of June, within nineteen days from the time of the appointment. That would naturally lead people to cast suspicious glances at the whole matter. The next question that was put was this, "Does such reduction give the gentleman so appointed a prior claim to the first head-teachership of the second class which may become vacant near Melbourne?" In the case of the Clunes State school, as there had been no reduction, the reply was in the negative, but in the second case the

reply was in the affirmative. Following that up he asked the other night that he might be furnished with the average attendance at these two schools for the four months prior to June, and the following was the information which he obtained:—“Clunes, February 376; March 363; April 368; May 379. Creswick, February, 374; March 378; April 376; May 373.” In March and April the attendance at Creswick was higher than the attendance at Clunes, and in May there was only a difference of six. Yet, in the face of that, the Creswick school was reduced, and the Clunes school was not; the effect of the reduction in the one case being that Mr. Whyte was entitled to the first vacancy that occurred in the second class. (Mr. Deakin—“He is in the same class already.”) Yes, of course, but there were a great many second-class teachers in the colony, and in consequence of what had been done Mr. Whyte might be sent to Melbourne to fill the first vacancy that occurred, over the heads of other second-class teachers who were anxious for such an appointment. (Mr. Anderson—“The vacancy might be in Echuca.”) The majority of the second-class schools were not at Echuca. There was no explanation as to why, if this school was to be reduced to the third class on the 16th of June, a second-class teacher was appointed on the 29th of May. Surely the classifiers must have known on the 29th of May that the school was to be reduced to a third-class school. Therefore, why did they appoint a teacher belonging to the second class? This was only one of very many cases of a similar nature. He understood that throughout the colony this system had been pursued right and left, and if such a thing was taking place it would be a good plan for the committee to strike out this item, in order to show that such tactics did not meet with the approval of Parliament.

Mr. KIRTON remarked that he did not think that the honorable member for Hawthorn had done himself justice on this occasion in reflecting upon one of the classifiers. Mr. Nicholls had the respect and confidence of a great majority of the teachers of the colony, and he had been elected three times to represent the teachers as classifier. The teachers had over and over again expressed their confidence in him, and with the exception of a few discontented teachers in the metropolis, who were seeking for promotion to which they were

not entitled, he believed that the teachers, as a whole, were thoroughly satisfied with the work that was performed by Mr. Nicholls. (Mr. Bailes—“That is not so.”) He was aware that there was a rivalry between Ballarat and Sandhurst, but at the last election of classifiers Mr. Nicholls was again elected without the occurrence of any expression of opinion against him. The honorable member for Hawthorn had not stated all the facts. The Creswick school was advertised in the usual way, and, in the absence of any applicant, Mr. Whyte was offered and accepted the appointment; it would therefore be very unjust to make any change now, Mr. Whyte having been the first on the list for promotion. The Creswick school was advertised about the first week in June, and Mr. Whyte took charge on the 22nd of June. (Capt. Taylor—“The school was reduced on the 16th of June.”) The classification was published on the 30th of June. The Creswick school and two other second-class schools were reduced to the third class. The two teachers whose schools had been reduced, Messrs. Whyte and Roper, were reported for transfer, and under those circumstances they were obliged to accept appointments to any second-class school in the colony, but it did not follow that Mr. Whyte would be transferred to Melbourne.

Capt. TAYLOR observed that as the honorable member was reading from a document he ought to lay it on the table of the House.

The CHAIRMAN.—The rule is governed entirely by the nature of the document.

Mr. KIRTON stated that Mr. Roper, who was at Bendigo at the time in question, was appointed upon his own application for transfer. It was unfair and ungenerous to make this attack upon Mr. Nicholls who could not justly be charged with showing any partiality to teachers in the Ballarat district. He believed that the classifiers had endeavoured to perform their work honestly and fairly, and that they were entitled to receive the support of the House.

The amendment was negatived.

Mr. ZOx drew attention to the item of £744, to pay increased salaries to truant officers. He had no objection to the increase, because he believed that the duties of these officers were very arduous, but he submitted that the number of truant officers must be increased if the provisions of the Education Act were to be

carried into effect. In the streets of Melbourne, the very children whom the Act was designed to reach were running about without receiving any instruction.

Mr. BENNETT (with reference to the item, "Gratuity to Edith Handfield and Frederica Louisa Handfield, daughters of W. H. Handfield, formerly chief clerk—nine months' pay, £517 10s.") stated that the claim of the family had only just been sent in, and that a larger sum was desired. He asked the Premier to allow the matter to stand over.

Mr. MUNRO said that if a larger sum was agreed to it could be put on the Additional Estimates, but the Government did not contemplate making any increase in the amount.

Mr. BAILES desired to call attention to what he considered a great abuse of the privileges allowed to teachers in the matter of private teaching. He had no objection to teachers being allowed to give private instruction, but the system ought not to be allowed to work against the interests of the department. It had become the practice for teachers to take outside pupils at 5s. a week, and to put them forward in the competitive examinations for pupil teachers to the disadvantage of the legitimate scholars. This was a very unfair handicap against the ordinary pupils attending the schools, and a limitation ought to be provided for as to the time at which private scholars could come in and compete against the regular scholars.

Mr. MUNRO said he would direct the attention of the Minister of the department to this matter.

The vote was then agreed to, as were also the following votes:—Attorney-General's department—Supreme Court, £4,913 (total vote £7,793); Law officers of the Crown, £16,175 (total vote, £22,110); Crown Solicitor, £5,006 (total vote, £6,736); and Prothonotary, £1,840 (total vote, £2,545).

REGISTRAR OF PROBATES.

On the vote of £3,763 to complete the vote (£5,123) for the Master in Equity and Lunacy,

Capt. TAYLOR said he desired to point out that the position of Registrar of Probates ought to be placed in the professional division, and not merely in the clerical division. Practically speaking, when a judge sat in the probate court he simply recorded what came to him from the Registrar of Probates, who really transacted

the judicial business in connexion with the whole of these valuable estates. The judge had a list prepared for him, and when counsel moved for probate, if the Registrar of Probates had stated that the matter was all right, the probate was granted at once. The position was a most responsible one, and should be placed on the same footing as that of the Master-in-Equity. Many encomiums had been passed on the gentleman who performed the duty of Registrar of Probates. The Public Service Act Amendment Bill would soon come down from the Council, and he hoped that in that Bill the Government would see that the Registrar of Probates was placed in a proper position.

Mr. MADDEN said he desired to support the remarks of the honorable member for Hawthorn. The Registrar of Probates was a most excellent officer, and he had highly important duties to perform. Ten years ago the amount which passed through the office was about £2,000,000 to £3,000,000, while now it was about £11,000,000 or £12,000,000, yet the position remained the same. The work involved great legal responsibility, and the Registrar of Probates had to decide many important legal points before the matter reached the judge at all.

The vote was agreed to, as were also the votes of £29,565 for the Titles-office (total vote, £39,825); and £4,984 for the Registrar-General (total vote, £6,819).

DEPUTY-REGISTRAR AT NEWPORT.

On the vote of £5,050 to complete the vote (£6,750) for Deputy-Registrars,

Mr. W. T. CARTER said he desired, on this vote, to call attention to the necessity for the appointment of a deputy-registrar of births and deaths at Newport. It was no wonder he made the mistake of supposing that this matter was in the Chief Secretary's department, seeing the communication he had received from that department. Moreover, he understood from the Attorney-General that, although the deputy-registrars appeared in his department on the Estimates, the appointments were made from the Chief Secretary's department. The matter was one of importance, or he would not persist in referring to it, and he hoped the Attorney-General and the Chief Secretary between them would inquire into the matter. A deputy-registrar of births and deaths was certainly needed at Newport, because Newport and Spottiswoode

formed a very important part of Williamstown, and they were sufficiently removed from the office of the deputy-registrar at North Williamstown to justify their having a deputy-registrar of their own. In replying to the request for an appointment, the department gave a return showing the average registrations in the Williamstown office during the last seven years. But if an average had been given for the last two or three years, the result would have been very different. Seven years ago this part of the district was very sparsely populated, whereas now it contained a very large population. He understood that some persons in the department opposed the appointment of a deputy-registrar at Newport, because it would take revenue from the existing registrar; but he (Mr. Carter) maintained that public convenience must stand before private interest.

Mr. SHIELS stated that he would inquire into the matter.

The vote was agreed to, as were also the following votes:—Patents, £2,301 (total vote, £3,191); Sheriffs, £19,880 (total vote, £27,760); and Miscellaneous, £195 (total vote, £280).

On the vote for the department of the Minister of Justice being called on,

Mr. DEAKIN expressed the hope that no more votes would be taken that night.

Mr. MUNRO suggested that the committee should go on until eleven o'clock. (Mr. Madden—"There are only nineteen members in the chamber.") There was nothing debatable in the Minister of Justice's department.

Mr. RICHARDSON stated that if the Minister of Justice's department was proceeded with, he intended to raise the question of county court judges being required to reside in their districts.

Mr. MADDEN remarked that, before the committee finished the last department, it was distinctly understood that when they had finished it they should adjourn, and a number of members had gone away under that impression. Moreover, he was aware that a number of very important questions would be raised in the department of the Minister of Justice.

Mr. SHIELS said he would urge that the committee should at all events deal with the department of the Minister of Justice before adjourning. The Assembly had an immense amount of work to do, and they had spent two months of the session over one Bill.

Mr. MADDEN stated that there was a distinct understanding that the committee should go no further than the Attorney-General's department that night, and in face of that understanding he thought it would be grossly unfair to proceed further.

Mr. DEAKIN said he would point out to the Attorney-General that he (Mr. Deakin) had never during the dozen years he had been in the House seen such progress made with Estimates as had been made that evening. Almost the whole of the Chief Secretary's department, and also two other departments, had been passed by the committee in less than two hours.

Mr. SHIELS asked whether the honorable member had ever seen two months taken up before with one Bill?

Mr. ANDERSON said he had seen more than three months taken up without a Bill at all being passed.

Mr. MUNRO moved that the resolutions be reported to the House.

The motion was agreed to, and the resolutions were reported to the House.

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

LEGISLATIVE COUNCIL.

Wednesday, September 9, 1891.

Land Sales by Auction Fund Bill—Coast Life-saving Appliances—Legal Profession Practice Bill—Legislative Council Election Laws Amendment Bill—Libraries Act Amendment Bill—St. James' Church Lands Bill.

The ACTING PRESIDENT (Dr. Dobson) took the chair at twenty-two minutes to five o'clock p.m., and read the prayer.

LAND SALES BY AUCTION FUND BILL.

This Bill was received from the Legislative Assembly, and, on the motion of Sir F. T. SARGOOD, was read a first time.

COAST LIFE-SAVING APPLIANCES.

The Hon. J. H. CONNOR directed the attention of the Minister of Public Instruction to the necessity for placing increased life-saving appliances along the coast line between Queenscliff and Warrnambool. He said that the large number of shipwrecks which had recently occurred on this coast warranted him in calling the attention of the Government to the neglect of which he complained, more particularly as regarded

that portion of the coast between the Barwon Heads and the mouth of the Gellibrand River and Warrnambool. Though most of the numerous wrecks which had occurred in this neighbourhood during the last six months were, no doubt, attributable to want of judgment on the part of the officers and crews of the vessels concerned, it must be plain to every one that the provision of life-saving appliances on the Victorian coast was altogether insufficient. It was very desirable, also, that attention should be given to the telegraphic service. When the *Bancoora* was wrecked the telegraph line happened to be out of order, and the same thing occurred again when the *Fiji* was wrecked last Saturday. Had the telegraph line been in working order last week, the people at Port Campbell and Queenscliff would have received information in time to effect an important saving of life. It would not be difficult to arrange for depôts of life-saving appliances at Barwon Heads, Spring Creek, Eagle's Nest, and the mouth of the Gellibrand River, and to have some competent persons stationed at those places to use the appliances. As the trade of the colony was increasing at a rapid rate some effort certainly should be made in this direction. He thought that the Government had been negligent in the matter of the telegraphic service as well as in that of life-saving appliances. The wrecks of the *W. B. Godfrey*, the *J. H. Scammell*, the *Ladybird*, the *Bancoora*, the *Gambier*, and the *Fiji* were surely sufficient justification for prompt action being taken. He thought, also, that the heroic action of the selector Wilkinson, who sacrificed his own life in the endeavour to save others at the wreck of the *Fiji*, as well as the conduct of other selectors who exerted themselves on this occasion, deserved recognition at the hands of the Government.

Sir F. T. SARGOOD said he had been furnished with the subjoined departmental information on the subject of the honorable member's question :—

“The following are the life-boat stations and rocket apparatus stations between Warrnambool and Queenscliff:—Life-boat stations: Warrnambool, Point Lonsdale, Queenscliff. Rocket stations: Warrnambool, Port Campbell, Cape Otway, Split Point, Point Lonsdale, Queenscliff. The question as to the necessity for increasing the number of stations on the coast line referred to is now engaging the attention of the Minister.”

The Hon. J. H. CONNOR asked if the Minister would take any steps in regard to improved telegraphic communication?

Sir F. T. SARGOOD said he had no information on that subject, as the honorable member had not given notice of any question in regard to it.

The Hon. J. H. CONNOR stated that he would give notice of a question on this subject.

LEGAL PROFESSION PRACTICE BILL.

The House went into committee for the consideration of this Bill—the Hon. W. A. Zeal in the chair.

On clause 1,

The Hon. H. CUTHBERT said that very few honorable members had had an opportunity of considering the large number of amendments which had been proposed on the Bill, and which were of so important a character that they would, in effect, create an entirely new measure. Under these circumstances, and as several members were absent from the House, he would ask the honorable member in charge of the Bill to postpone its further consideration until next Wednesday week.

The Hon. G. YOUNG remarked that the amendments had been distributed in printed form, and he proposed to briefly explain them. Honorable members would see from the amendments in their hands that the clauses were given in full in the form in which they were intended to stand when incorporated in the Bill. The object of the amendments was to more fully carry out the intentions of the measure. They provided for the complete amalgamation of the two branches of the legal profession. So far from the amendments creating a new Bill it would be found that only very slight alterations were made in many of the clauses. The amendments on clauses 3 and 4 simply provided that the change as to the status of barristers and solicitors should date from the time of the passing of the Act, instead of from the date at which the barristers and solicitors were admitted. Solicitors were to become barristers, and barristers solicitors, by virtue of the passing of this Act. The alteration in clause 5 was merely verbal. The clause enabled a barrister to recover fees from the persons on whose behalf he had been retained, and the alterations consisted in the introduction of the words “solicitor or client respectively

by whom he has been employed," instead of "the person on whose behalf he has been retained." (Mr. Roberts—"Is not that an important alteration in the law?") He did not think it was. The alteration in clause 6, dealing with restrictions as to costs, was also very slight. It merely struck out the words "for attendance in the same matter and for the same client," and substituted the words "for the like attendance and for the same client." The alteration in clause 7 (which provided that no barrister or solicitor should be deemed to be an officer of the Supreme Court) consisted in the insertion of words making the summary jurisdiction of the Supreme Court mentioned in the proviso apply to "every barrister and solicitor as the court can now exercise in the case of solicitors." He came now to deal with the proposed new clauses. (Mr. Cuthbert—"Is this new legislation, or is it taken from an Act in force in any other colony?") It was entirely new legislation. The first of these clauses provided that, subject to the right of precedence of the Attorney-General, the Solicitor-General, and Queen's Counsel, the right of precedence amongst barristers and solicitors should be regulated by the date of their admission as barristers or solicitors. He believed that that was in accordance with the views generally expressed by honorable members in the debate on the second reading of the Bill. (Mr. Cuthbert—"What is the meaning of precedence in regard to barristers and solicitors?") It meant that they should rank as from the date at which they were severally admitted to practise. The Attorney-General, the Solicitor-General, and Queen's Counsel took precedence of all others, and after that the barristers and solicitors would rank in the order in which they were severally admitted in the respective branches of their professions. Then the next clause provided that no person should be admitted to one branch of the profession only—as a barrister or a solicitor solely. The two branches being amalgamated persons were to be admitted, as Mr. Service had expressed his wish that they should be, by the one door to practise generally. Clause I went very fully into the matter and manner of future admissions to the legal profession. As honorable members had only just had an opportunity of seeing it, he would read it. It was as follows:—

"Subject to the rights of all persons who have heretofore been admitted as students-at-law

Hon. G. Young.

or have become duly articulated under any rules of the Supreme Court no person not previously admitted as a barrister or solicitor in some part of Her Majesty's dominions in which the qualification of barristers and solicitors is in the opinion of the Supreme Court of equal value to that required by this section shall be admitted as a barrister and solicitor unless he be a natural born or naturalized British subject of the full age of 21 years, of good fame and character, and unless—(1) He shall before being articulated have passed the matriculation or other examination required by the existing rules of the Supreme Court to be passed by clerks before being articulated; and (2) Shall also either before being articulated or after the expiration of such articles pass the two annual examinations required to be passed at the University of Melbourne by a person who has obtained the degree of bachelor of arts as a condition to his obtaining the degree of bachelor of laws or such modification thereof as any rules of the Supreme Court may prescribe; and (3) Shall also be articulated to a barrister and solicitor for the term of three years, and shall have served the whole of such time either after passing or before passing the said two annual examinations; and (4) Shall also pass the final examination required by the existing rules of the Supreme Court to be passed by clerks before being admitted to practise as solicitors or such modification thereof as any rules of the Supreme Court may prescribe."

He himself stated distinctly in introducing the Bill what his wish was with regard to future admissions, and several other members emphasized the same wish by declaring that, whatever alterations were made, it would be necessary, in amalgamating the two branches of the profession, to provide that the standard of examination should be high, so that the qualification of a practitioner should be undoubted. He thought honorable members would see that provision was made in the clause to secure this object. Without requiring any unduly severe examination, he thought that when this clause came into operation it would be found that a thoroughly good legal education in the theoretical as well as the practical work of the profession would be secured.

The Hon. W. H. ROBERTS said the clause provided that a person should be articulated to a barrister or solicitor for a term of three years. At the present time a clerk was articulated when he was sixteen, so that under the Bill he would be admitted as a solicitor at 19. At that age he would be an infant according to the present state of the law. How would the honorable member get over that difficulty?

The Hon. G. YOUNG remarked that the honorable member did not clearly understand the effect of the clause. If

the honorable member would look at the clause he would see it provided that a person must have served the whole of his articles before or after passing the two annual examinations of the University of Melbourne required to be passed by a person who had obtained the degree of bachelor of arts as a condition to his obtaining the degree of bachelor of laws. The honorable member would admit that it was hardly likely that a person would pass these examinations at the age of 16. (Mr. Bell—"Besides he could not be admitted until he was 21.") Yes. The clause provided for two years' training between obtaining the degree of bachelor of arts and that of bachelor of laws, which a solicitor at present had not to undertake at all, or, at least, only a portion of it. Then he had three years' practical instruction in his profession in the office of a barrister or solicitor before he was admitted to practise. (Mr. Cuthbert—"Is the examination for barristers and solicitors to be the same?") Precisely the same.

The Hon. H. CUTHBERT observed that the examination for barristers at present was more difficult than that for attorneys, because it took five years at the university before a man could receive the degree of LL.B. Was it intended to reduce the examination to the lower standard required at present for a solicitor?

The Hon. G. YOUNG observed that the examination was to be as prescribed in the clause. (Mr. Cuthbert—"Under this he need not be an LL.B.") No. (Mr. Cuthbert—"Then it is the examination for solicitors now that was to be the standard?") No; it was to be a superior examination. However, as a compensation for any lowering—if there were any lowering—in the qualification for a barrister, he was required to serve three years' articles in a lawyer's office, which term of service was not required at all at present. Therefore any lowering in the standard of general education would be made up for by three years' practical instruction in his profession. He thought these alterations would carry out very fully the opinions of the House as expressed on the second reading, and especially of those honorable members who were favorable to the principle of amalgamation. He would go further, and say that they ought, in some degree, to satisfy the objections of many honorable members who were strongly opposed to the Bill as it was originally introduced. It was urged

by some honorable members that a gentleman who had been practising as a solicitor for seven years would, on the passing of this measure, be eligible for a seat on the Supreme Court bench. Now, he intended to provide that no gentleman now in the profession of a solicitor would be eligible for appointment to the bench until he had been a practising barrister for seven years, or whatever other period the rules of the court might prescribe. As to the matter of precedence, he thought honorable members would admit, it being the intention of the House to amalgamate the two branches of the profession, that it would be very undesirable that the juniors of the higher branch, as it was called, should rank senior to the oldest members of the lower branch, and clause G provided that the right of precedence amongst barristers and solicitors should be regulated by the date of their admission to their respective branches. Clause J provided that all rules of the Supreme Court for the admission of barristers and solicitors, save as to persons admitted as students-at-law or duly articulated before the passing of the Act, were, so far as they were inconsistent with the Act, repealed. It would be admitted that this clause was absolutely necessary, as it would be highly inadvisable to have rules in existence which were inconsistent with the Act. At the same time all existing rights were preserved. The endeavour had been to make the Bill perfectly fair to all members of the profession and valuable in the interests of the public, and he believed that object had been carried out as fully as possible. He might state that he did not feel bound to the strict letter of the amendments as they were printed. Anything that was in harmony with the general principles of the Bill, and with the amendments, he would be very happy to give the fullest consideration to, and he was sure the House would be anxious to join in making the Bill carry out the wishes of honorable members as fully as possible. As to postponing the Bill, he did not wish to hurry on a discussion of the amendments, but he did not think they ought to postpone the measure for more than a week. He knew that some members would not be present on the following Wednesday; but there were others who would not be present on the Wednesday after that. He had made inquiries even with regard to the third Wednesday hence, and he found that there were so many agricultural shows throughout

the country that many honorable members would be absent in one part of the country or another during the next six or seven Wednesdays. He hoped, therefore, that honorable members would be prepared to proceed with the Bill on that day week.

The Hon. J. A. WALLACE said he would support the adjournment for the fortnight asked for by Mr. Cuthbert. A good many members would be absent next Wednesday, and, moreover, he thought it was only right that honorable members should have ample time to consider the amendments which had been submitted.

The Hon. W. H. ROBERTS expressed the hope that Mr. Young would agree to the postponement of the Bill for a fortnight. The amendments were practically a new Bill, and honorable members should certainly be allowed time to look into them fully and to understand their effect.

The Hon. G. DAVIS remarked that he would also urge the honorable member in charge of the Bill to concede the adjournment for a fortnight. With the radical change which the Bill proposed facing the legal profession, he thought the members of that profession were entitled to every consideration, and although he was a strong advocate of the Bill he would support its postponement for a fortnight.

The Hon. T. DOWLING observed that when the House went into committee he expected to find submitted to it the Bill that passed its second reading; but he was now brought face to face with quite a new measure. Under these circumstances he thought there was no necessity for hurrying the matter, and he hoped Mr. Young would agree to the adjournment asked for.

The Hon. J. SERVICE stated that he was sorry to see Mr. George Davis go over to the camp of the enemy. He excused the honorable member because he was a young member of the House and was not quite up to the tactics of some of the old leaders. There could be little doubt that the object of the longer postponement asked for was simply to block the Bill. There were one or two honorable members who had quietly hinted that they would take every advantage of the forms of the House to prevent the Bill becoming law, and when that spirit existed it was necessary that honorable members who supported the measure should be careful. The business coming up from another place would soon be accumulating very rapidly, and unless

this measure was disposed of in good time the chances were that there would not be a sufficient opportunity allowed to another place to consider the amendments made in the Bill by the Council. It would be a most inconvenient thing in a House like this, consisting of so few members, and only half of them usually in their places, if questions of the present importance were to be postponed for the convenience of individual members. If tactics of a peculiar kind had to be faced, the supporters of the Bill would naturally have to close their ranks. He hoped that all the honorable members who were desirous of seeing this Bill pass would do as he intended to do, namely, follow the lead of the honorable member in charge of the measure.

The Hon. D. MELVILLE said he was very much surprised at the remarks that had fallen from Mr. Service. If there was any desire to block the Bill surely there would be no difficulty in finding opportunities for blocking it. But what were the facts of the case? The list of amendments to be proposed by Mr. Young had only been put in the hands of honorable members since they took their seats. On the other hand, let honorable members look at the nature of these intended amendments. The other night, during the second reading of the debate, Mr. Service went in for "fusion," but it would appear now that there was to be no fusion at all. The words "barrister" and "solicitor" occurred continually in the amendments, and separate duties were specified for each branch of the profession. Another thing was the omission from the amendments of any provision for the protection of barristers and solicitors of the colony from outsiders coming in, say, from Canada or elsewhere. The latter, it would appear, would simply have to present their credentials in order to be admitted. (Mr. Young—"Evidently you don't understand the case.") He dare say he did not, but certainly the point he referred to was something which required consideration, and time should be given for such consideration. He was himself perfectly prepared to take up the consideration of the Bill next week, but in fairness to those who could not then be present he thought the adjournment should be for a longer period.

Sir F. T. SARGOOD stated that, as far as he could gather, the only honorable member opposed to the Bill who could not be present next Wednesday was Mr. FitzGerald. (Mr. Melville—"Mr. Cooke

cannot be present.") At all events no other names had been mentioned. Was it reasonable that honorable members should decline on that account to defer to the wishes of the honorable member in charge of the Bill? Besides, it did not follow that if the Bill were considered next Wednesday it would be finally dealt with then. If Mr. Cuthbert or Mr. Roberts had any amendments to prepare there would be ample time to do so before this day week, and even then if it was necessary to postpone any clause that could be done.

The Hon. S. W. COOKE stated that although he could not be present next Wednesday he was not in favour of the further consideration of the Bill being adjourned for a fortnight. He considered that adjourning the discussion for a week would give ample time. He might not be able to attend himself, but he greatly desired that when the House had any business to do it should do it as soon as it fairly could.

The Hon. S. FRASER said he could understand the opposition to an adjournment until next week if it was proposed to carry the measure through altogether on that evening, but that was not at all the case. He thought that a week's delay would afford every one concerned ample time to consider the very few amendments that were to be brought forward. It was ominous that the desire for a fortnight's adjournment only came from the opponents of the measure.

The Hon. J. M. DAVIES stated that he was now in favour of the Bill. He considered that, inasmuch as the second reading of the measure was carried by a majority of six, it was his duty to do what he could to help to carry out the wishes of the Chamber, and to make the measure as perfect as possible. At all events, he considered that he should not in any way try to defeat the express will of the House. In that aspect he was prepared to give every assistance to the honorable member in charge of the measure. That being so, he was in favour of an adjournment for a week only, for he could not conceive of any honorable member requiring more than seven days in order to gather a full understanding of the nature of the proposed amendments. He also imagined that one week would afford an ample opportunity for every honorable member who desired to do so to prepare any amendments on the proposed amendments he thought fit. There was one point of the Bill he would like to refer to, and that was in reference

to the proposed examination for a barrister as compared with the present examination. At the present time a barrister had to obtain a degree of LL.B., which required five years at the University, provided every examination was passed. Three years were needed for the B.A. degree, and two years more for the degree of LL.B. Under the Bill amended as proposed a candidate for the position of barrister or solicitor would have to first matriculate in the same subjects as the barrister had to do now, and then, either before being articulated or after the expiration of his articles, he would have to pass the two annual examinations at the University which a B.A. now had to pass before he could become a bachelor of laws. Then, either before or after that examination, he would have to be articulated for the term of three years, at the end of which period he would have to pass the final examination before the board of examiners which solicitors at present had to pass. That final examination was a most searching one, so much so that he believed most candidates failed to get through at the first attempt. So that what was proposed was merely to knock out the arts course—the three years devoted to mere literary work—except so far, perhaps, as the study of jurisprudence was concerned. (Mr. Cuthbert—"It is general knowledge you are striking out.") General knowledge came in before matriculation. (Mr. Melville—"Not much.") What would be struck out would be the merely literary education, but at the same time he thought that every one passing in the subject of Roman law would be bound to have a fair knowledge of Latin. Well, for this three years' arts course would be substituted three years' education in an office; and also the final examination he had already referred to, which he thought fully equal to the examination a B.A. was required to pass before he could become a bachelor of laws. The legal education of the barrister of the future would therefore be much higher than the compulsory legal education of the barrister at present. In short, the examinations which the future barrister and the future solicitor would be required to pass would be so varied as to get the best of both the existing systems.

The Hon. H. CUTHBERT said he did not think the request that the further consideration of the Bill should be adjourned for a week beyond the period mentioned

by Mr. Young was at all an unreasonable one. If it were made with a desire to shelve the measure he would not be in favour of it, because, although he was opposed to the general principles of the Bill, he would not be a party to any subterfuge in order to avoid a fair discussion in committee. But it could not be denied that the amendments which had been placed in the hands of honorable members that afternoon would make the future Bill a totally different one from that which had already been read a second time. Another reason why ample time should be allowed was the fact that a large number of persons were vitally interested in the present proposals, because their means of living were more or less at stake, and it would only be fair to give them every opportunity, not only of considering the amendments, but of holding meetings with respect to them with the view of taking some action on the subject. For himself, he was prepared to go into the matter without any delay, but he wanted those who were more interested in the affair than himself to have, at the very least, time during which they could exercise their right of petition. It was also desirable that honorable members should be able to ascertain the opinions of their constituents on the question. If any one supposed that this Bill would turn an attorney into a barrister, or a barrister into an attorney, he would make a very great mistake, for it would do nothing of the kind. What people wanted was cheaper law and something done to remedy the long delays that now took place, but would this Bill bring about any reform in that direction? Not at all. Let honorable members understand exactly how the matter stood, and also let them remember how careful in the past the Legislative Council of Victoria had been to preserve vested rights. For the last 30 years the question of amalgamation had been brought before this Chamber, and six times had an amalgamation Bill been rejected. At the same time it must be admitted that the Council had always taken infinitely more trouble over the question than ever the other Chamber did. Look at what the Council did in 1884. (Mr. Service—"This is not an adjournment speech.") Perhaps Mr. Service was correct, and he (Mr. Cuthbert) would be no party to wasting time. He thought he had shown good reason for granting the longer adjournment asked for.

Hon. H. Cuthbert.

The Hon. J. SERVICE said that there were three reasons why honorable members should not press for a longer adjournment. The first, which had been stated by the Minister of Justice, was that a week was ample to enable any honorable member to go through a Bill of such dimensions. The second was, that a Bill which was introduced by a private member could only go through one stage at a time. There was not the slightest chance of the Bill being passed through committee next Wednesday; and even if it were, it could not be reported until the following Wednesday, and it could not be read a third time until the Wednesday following that. The other reason was, that it was proposed to proceed with the consideration of the draft Bill for the constitution of the Commonwealth of Australia next Tuesday week, and to continue it from day to day until that Bill was finally disposed of. Nobody knew better than Mr. Cuthbert that to ask for more than a week for this Bill was pure rubbish.

The motion was agreed to, and progress was then reported.

LEGISLATIVE COUNCIL ELECTION LAWS AMENDMENT BILL.

The Hon. C. SARGEANT moved the second reading of this Bill. He said—Mr. President, I would not have felt justified in taking any further action with regard to this Bill if I had not thought that the support that I obtained last session, both inside and outside of the House, was sufficient to warrant me in submitting it again. During the interval that has elapsed since the measure was last before the House, I have been more impressed than ever with the necessity for some alteration in the mode of taking a poll at elections for this House. I do not intend to detain the House with a repetition of the remarks that I made on the previous occasion. I then explained to the House, as well as I could, the principal features of the Bill, and the great benefit that it would confer on electors as well as on candidates. Therefore, I do not propose to traverse that ground again. I may say that I went through the Bill in order to see if I could make any alterations of a material character in it, but I was not able to see my way to do so. Probably, however, in committee a few new clauses may be inserted for the purpose of improving the machinery. During the

interesting discussion that took place last session, some honorable members said that the proposal to utilize the excellent machinery of the Postal department for the purposes of the poll at elections for this House had taken them by surprise, and they thought that some time was necessary for its consideration. I recognised that there was some force in that remark, but the same objection cannot be offered now. The fear was also expressed that to intrust electors for this House with ballot-papers outside of the polling booths would be a very unsafe proceeding. I do not share in that opinion. I believe that the electors for this House could safely be intrusted with ballot-papers for the exercise of the franchise, either in their own houses or elsewhere. To say that it would be dangerous to allow them to exercise the franchise, except under the direct supervision of the returning officer, is a severe reflection upon them, and one which I think they do not deserve. The present time is opportune for the consideration of a measure of this description. Parliament is continually legislating for the improvement, good order, and betterment of the people, and this Bill will be a step in that direction. It is a purely liberal measure. It has been framed on liberal lines, and it is intended to accomplish a liberal purpose. I regret to say that most liberal measures, especially when they propose any important reform, meet in the first instance with opposition and obstruction. Ultimately they are placed on the statute-book, and, as that has been the past experience, I believe that it will be the experience in time to come. When the Bill for the institution of the ballot system was before Parliament it was regarded as a liberal measure of which we had not seen the like for many years, and very hard things were said against it. It was predicted that the substitution for open voting of the ballot system would convert the electors into political rogues, and so strong was the opposition to the Bill that the Government of the day, rather than accept it, resigned their portfolios. That should be accepted as a reason why the reform which is proposed in this Bill should not be again treated in the manner in which it was treated last session. I would ask what has been the result of the ballot system? Has it answered all its purposes, or has it turned the electors into political rogues? I think that honorable members generally will admit that the results of the

ballot system have been eminently satisfactory, and that the electors have not in any way suffered from it. We are all extremely proud of our ballot system. It is essentially an Australian system, and when it is spoken of beyond our borders it is spoken of as the Australian ballot system. So excellent is it that it has been considered worthy of adoption in the old world.

Sir F. T. SARGOOD.—Is that why you want to abolish it?

The Hon. C. SARGEANT.—I do not want to abolish it. I have been most careful in this Bill not to infringe the secrecy of the ballot. If anything, I have improved it. If the honorable gentleman will look at the schedule he will see that the ballot-paper to be used is identical with that which is now in use, and it will be treated in exactly the same way as it is now. The returning officer will place his initials on the face of each ballot-paper for the purpose of identification. He will also write on the back of each ballot-paper the numbers set opposite the voter's name on the roll, precisely as is done now, and it is after this that the change takes place. Instead of the voter having to travel miles to record his vote as at present, each ballot-paper will be enclosed in an unsealed envelope marked "ballot-paper only," which will virtually take the place of the ballot-box, and will be sent to the elector in a larger sealed envelope indorsed outside with the name of the province or division for which the election is being held, and the words "ballot-paper." This will obviate all the trouble and inconvenience which is caused by the present process. The ballot-paper will be posted to the elector as a registered letter, so that no one but the person to whom it is addressed will receive it, as it will have to be signed for.

The Hon. W. A. ZEAL.—Will the honorable member explain clause 12? It would seem from that that the ballot-paper is to be returned in an unsealed envelope, as the words are used "enclosed in the open or unsealed envelope."

The Hon. C. SARGEANT.—That refers to the unsealed envelope placed in the letter. The elector will take out the ballot-paper and use it, when he will return it in the envelope sealed.

The Hon. W. H. ROBERTS.—A letter-carrier might be able to ascertain how any person was voting.

The Hon. C. SARGEANT.—How could a letter-carrier know where a ballot-paper came from? This process is simplicity

itself, and it is designed to relieve electors for this House who live in the large provinces of the trouble which they have now to undergo in recording their votes. I have been met with the objection that the introduction of the postal system would open the door to all sorts of fraud and abuse. I would ask the House, in all seriousness, whether there is any Act of Parliament in existence which is not open to abuse. Take the Electoral Act, for instance. We all know that on the parliamentary rolls are the names of many dead persons, and that other persons exercise votes in their names. Under this Bill it would be impossible for such personation to take place.

Sir F. T. SARGOOD.—How?

The Hon. C. SARGEANT.—If a voting-paper was posted to a dead man, he of course would not be there to receive it, and the postmaster would return it to the returning officer.

The Hon. W. H. ROBERTS.—Supposing a son of the same name was living at the address, he could receive it.

The Hon. C. SARGEANT.—Any person who did that would commit a forgery. A registered letter cannot be delivered unless it is signed for, or an order is given for its delivery.

The Hon. W. H. ROBERTS.—If a letter were addressed to John Jones, and it was delivered to John Jones the son instead of John Jones the father, who was dead, there would be no forgery.

The Hon. C. SARGEANT.—If any of the electors were disposed to abuse the privileges conferred upon them by this Bill, a few sharp and decisive penalties would prevent any continued violation of the law. In the United Kingdom at the present time, 33,000 electors whose personal attendance is not required at the polling booths—I refer to the graduates of the universities—can apply for ballot-papers, and can vote by proxy. That law has been in existence for 30 years. I have made inquiries regarding it, and I find that there is no objection to the working of the system.

The Hon. S. FRASER.—Do they vote at parliamentary elections in that way?

The Hon. C. SARGEANT.—Yes.

The Hon. S. FRASER.—Give us your authority.

The Hon. C. SARGEANT.—There is a copy of the English Act which is 30 years old. I will now come a little nearer home. Last year the Parliament of South

Australia passed a Bill entitled the Absent Voters Bill. That Bill was introduced for the purpose of giving seamen an opportunity of recording their votes any time between the nomination day and the day of the election, because on the day of the election they might be absent. The Bill was so amended as to make it apply to all absent voters, and it was in force at the last general election.

The Hon. J. SERVICE.—What was the result of it?

The Hon. C. SARGEANT.—I understand that it worked satisfactorily. Notice has been given in the South Australian Parliament of a Bill to amend the present Act, and I understand that the principal feature of that Bill is to abolish polling places in scattered districts. You see that South Australia, although its legislation in this direction is piece-meal, is taking steps in advance of this colony. I am endeavouring to make the system complete in the one Bill. Why should all the electors in the vast provinces in the country districts be asked to waste a large amount of time in travelling to a polling booth? Last session, being much interested in this Bill, I watched the country papers, and I observed that, with two exceptions, all the country papers, including those of Ballarat and Sandhurst, took a favorable view of the Bill. That is strong evidence that the Bill met with the approval of the country. The two papers which expressed a view adverse to the Bill, were afraid that the system would be abused, and that was apparently their only ground of objection to it. Last session, Mr. Fraser informed the House that when he was a candidate for one electorate, he had his letters returned from the post-office in barrow-loads. I think that the honorable member was then drawing the long bow too much. The great antiquity of the roll under which elections are conducted should be taken into consideration, and I say that, under such circumstances, there is no wonder that so many letters were returned in a suburb like South Yarra.

The Hon. S. FRASER.—It was in Melbourne West.

The Hon. C. SARGEANT.—Melbourne West is worse even than South Yarra. The number of removals which take place in such a district in the period between the compilation of the roll and the election must be very large. I will make the suggestion to Mr. Fraser that he should

draft a clause to be inserted in this Bill to provide that the roll should be made up at a later period. Many honorable members, I have no doubt, would be disposed to regard this Bill as experimental. Then let the House make it a tentative measure, say, for six or seven years, and then if the system does not work well it can be abandoned. I will just sum up, in a few words, some of the advantages that are to be derived from the Bill. The first advantage is that every elector will, under the postal system, record his vote in his own house or office, without loss of time. The second advantage will be the abolition of polling booths, scrutineers, cabs, touts, and the turmoil and worry generally of elections. The third advantage will be the reduction in the cost of elections, both to candidates and to the State. With regard to the cost to candidates, that is a matter that I will leave to the consideration of honorable members. They know more about it than I do; but with regard to the State—and I would draw the attention of the Minister of Defence to this point—at the present time the Government are endeavouring to promote economy, and here they have an opportunity of economizing to a very large extent. The returning officer's bill of costs for the last election in the province which I represent amounted to £1,012, or 7s. 3d. for every vote recorded at the election, and this vast expenditure was incurred to obtain only one vote out of three of those on the roll. It is very objectionable that members should be returned to the House by only 1,500 voters, when there are 8,000 or 9,000 on the roll. I have often been told by electors, when canvassing amongst them, that they could not afford to neglect their business in order to record their votes. I say that when men cannot afford to record their votes under the existing system, a new plan should be devised to remedy the difficulty. With regard to the cost of elections, I may mention that when my colleague, Mr. Pearson, was returned only one vote was recorded in one booth, and it cost nearly £40. The fact was the voters could not really get to the booth. It would be a great gain if the whole of the votes in a province could be polled in a contested election. I maintain that under my system, though there would be a few voters missing from death and other unavoidable causes, much the greater proportion of the votes on the roll would be recorded, because the

amount of trouble imposed would be so small. In looking through the rolls for the Gippsland Province, I notice that they contain 100 voters who reside in Melbourne; those men are practically disfranchised, because proper facilities for voting are not given to them. It cannot be expected that they will travel from Melbourne to a distant province to record their votes.

The Hon. W. A. ZEAL.—Are you in favour of plural voting?

The Hon. C. SARGEANT.—That is not plural voting.

The Hon. W. A. ZEAL.—Would you give a vote in Melbourne and Gippsland as well?

The Hon. C. SARGEANT.—Certainly I would. Some other difficulties in connexion with polling day, would also be got rid of if this Bill were passed. For instance, there would be no necessity to close hotels on polling day, though a provision to that effect has been passed in New South Wales. Another valuable point is that the adoption of the postal system will secure greater purity at elections, leaving out the question of convenience. At the last election in the North Yarra Province the candidate who was returned was asked to arrange the polling day in such a way as to prevent workmen from being obliged to lose half-an-hour or an hour in recording their votes. If the workmen of the metropolitan districts feel a loss like that, how much greater must the loss be to a farmer, who often has to travel a whole day to record his vote? The elections generally take place at the worst time of the year, too, when the roads are almost impassable.

The Hon. W. A. ZEAL.—What will be done in a case where there is no post-office?

The Hon. C. SARGEANT.—There must always be a post-office within a short distance of the voters. I was asked the other day on what ground I founded this Bill? It is founded on my own experience. I have contested three elections in succession in the Gippsland Province; if a man cannot gain experience there, he cannot gain it anywhere. I have also acted as returning officer for one of the most difficult electorates in the colony, and I therefore consider that I can speak with some authority on this subject. It must be remembered that the post-office is largely resorted to for purposes akin to those of electoral voting. In the election of

classifiers under the Education Act and directors of financial institutions the plan I propose is adopted, and no one can say that it has been abused. The private conversations I have had with different people all lead me to believe that it can be fairly applied to the conduct of elections for this House. I will explain how the postal system will work. The ballot-paper will be treated by the returning officer in exactly the same way as it is treated in the polling booth. The ballot-paper is placed in an envelope, which is left open; this envelope is then placed in a larger envelope, and having been addressed to an elector, it is franked and registered.

The Hon. W. A. ZEAL.—What becomes of the voting-paper after it leaves the returning officer?

The Hon. C. SARGEANT.—The paper goes to the address of the voter, and if the voter does not call for it the postmaster causes it to be delivered to him, when the voter signs for it.

An HONORABLE MEMBER.—The voter may be dead.

The Hon. C. SARGEANT.—In that case the paper is returned. The postmaster is obliged to return all unclaimed letters to the returning officer within a fixed time.

Sir F. T. SARGOOD.—Sir, I have given considerable attention to the address delivered by the honorable member who has just resumed his seat, and I must compliment him upon the pertinacity he has displayed in bringing this measure before the House. When the Bill was submitted last session, the Minister of Justice moved that it be read that day six months, the feeling of honorable members being that there was nothing to warrant the House in adopting so important an alteration in the Constitution. There is really no demand for this change, and the House thought it would have been better had the honorable member waited to see if any demand sprung up. As far as I can ascertain, the position to-night is exactly the same as it was last session. I am not aware that a single petition in favour of the measure has been presented. The honorable member who introduced the Bill does not say that any petitions have been prepared in its favour, and I have not seen a single article or letter supporting it. As far as I am personally concerned, therefore, I am in exactly the same position that I was in last session. I fail to see any necessity for this measure,

apart altogether from its merits or demerits, and it certainly lies with Mr. Sargeant to show that there is a demand for this legislation. We must all sympathize with the honorable member in his desire to enable a larger number of the electors to record their votes, for I take it that that is the groundwork of the whole measure. It may be that the honorable member is right, to a certain extent, in theory, but I am astonished that after having had time to think the matter out he should have submitted these proposals a second time. The more I think of this subject the more the Bill appears to me to be absolutely impracticable, while, if it were practicable, it would be very undesirable. Mr. Sargeant says the Bill is simplicity itself; I would suggest that the simplicity is more on the part of the honorable member in thinking that the Bill will ever become law, or that if it ever does become law he will be able to carry out the laudable objects he seeks to attain. He calls this an age of progress, and proposes to abolish the ballot.

The Hon. C. SARGEANT.—No, I do not.

Sir F. T. SARGOOD.—The very essence of the ballot is absolute secrecy. Under the present system the voter is not allowed to take his paper outside of the booth, but Mr. Sargeant proposes that the voting-paper shall be prepared, placed in an envelope, and that the envelope shall be placed in another envelope, and then sent through the post as a registered letter. It must be remembered that a registered letter involves a considerable amount of trouble, because there must be a written authority to send and receive it, and the difficulty will, of course, be much greater in a large scattered population than in crowded centres of population. The voting-paper would go to a post-office in the country, and it would there be received sometimes by the voter himself and sometimes by a person to whom he has given authority to receive it. In a great number of cases the papers would not be applied for at all. The honorable member expects that his system will result in a large increase in the number of votes polled; I believe that the increase, taking the voting population as a whole, would be very small indeed. There is no inconsiderable number of voters who will not take the trouble to vote under any circumstances, even if the polling booth be in the next street, and I do not think that a class of men who will

not take the smallest trouble in such a matter will go through the forms of applying for a registered letter, opening it, filling up the form, and posting it. If I could get over my objection to the abolition of the secrecy of the ballot, and if I could believe that the adoption of this plan would result in a large increase in the percentage of votes recorded at elections, Mr. Sargeant might go a long way towards convincing me of the advantages of his system, but the more I think of it, the more I believe it will not attain his object. Not only does it do away with the secrecy of the ballot, it will absolutely prevent questions which are now put to voters from being put to them, and thus remove an important check upon impersonation. In addition we have to deal with a class of ratepaying voters, who are obliged to produce their electors' rights. The proposed plan will not only do away with the secrecy of the ballot, but with the security of the ballot also.

The Hon. C. SARGEANT.—Does the honorable member say that the electors' rights have to be produced?

Sir F. T. SARGOOD.—Such is the general rule. If the Bill passes this House, it must be expected that it will ultimately be passed in another place also; and I think it would be an exceedingly dangerous thing for this House to enact, even as an experiment for a few years, a system the result of which would be very different from that expected by the honorable member who proposes it. Voting cannot be kept secret when voters receive the papers by post; there may be other persons present in the house who will influence the voter in filling up the paper.

The Hon. C. SARGEANT.—There are very few instances now in which it is not known which way people vote.

Sir F. T. SARGOOD.—I do not think that that is by any means the rule. I think that a vast majority of the voters keep the information to themselves. It certainly is a violation of the secrecy of the ballot for a voter to disclose the way in which he votes, and I understand the honorable member to be an advocate of the secrecy of the ballot. What is to prevent voting-papers after being filled up being collected by interested parties? Then, supposing they are filled up to the knowledge of the agent of a candidate in a way contrary to what he wishes, I do not see any reason why he should not get hold of them and conveniently lose

them. In fact, the proposal appears to be hedged about with so many difficulties—so many doors for fraud, and so many opportunities of destroying not merely the secrecy of the ballot, but the intention of the voters—that I am only astonished that the honorable member himself has not seen those difficulties, and tried in some way to meet them, although, even if he had done so, I venture to think that the more he went into the matter the more difficulty he would find in overcoming those points. I do not wish to deal any further with the Bill as a whole, because I feel almost as if it was wasting the time of the House to discuss it; but there are a few points in connexion with the details of the Bill to which I would call attention. In clause 4 it is provided that there is to be one poll clerk for the purpose of assisting the returning officer. Has the honorable member ever made the slightest calculation as to the amount of work involved in this scheme—filling up and signing voting-papers, putting them first into one envelope, and that into another, and then posting them and registering them?

The Hon. C. SARGEANT.—The poll clerk will simply be employed at the counting of the ballot-papers. It will be competent for the returning officer to employ a staff of clerks to assist him in sending the papers away.

Sir F. T. SARGOOD.—Then, so far from the expense being reduced under this Bill, I am inclined to think that it would be increased. In the Melbourne Province, for instance, there are 18,000 electors; in the North Yarra Province nearly 16,000; and in the South Yarra Province over 20,000. Has the honorable member made the slightest calculation as to the amount of clerical work which would be required to carry out this scheme? I do not think he can have done so. Again, in clause 5 it is provided that fourteen clear days before the day of polling the returning officer shall post a ballot-paper to every elector. The honorable member overlooks that by the Reform Act the maximum interval allowed between the nomination and the polling day is only fourteen days, so that the returning officer would practically have to do the whole of this work on the day of nomination. Such a thing would be impossible, because no returning officer could carry out the work in one day. Again, in clause 8 it is intended that the returning

officer shall post only one letter to each elector; but how can that be carried out? On many of the rolls the same person appears in different divisions; and how can a returning officer possibly know whether Tom Smith in one division is the same Tom Smith that appears in a different division, or another person? The more I look into the scheme the more I am of opinion—judging from the experience I have had in connexion with elections—that it is absolutely impracticable, and so far from the statement of Mr. Fraser being incorrect as to the large number of circulars that are returned, I can vouch that in the South Yarra Province, at any rate, something like 50 per cent. of them have been returned. The honorable member in charge of the Bill speaks about saving expense; but look at the large amount of increased work that would be thrown on all postmasters in the colony, not only in connexion with the outward despatch of the voting-papers, but also in connexion with their return. I am convinced that the honorable member must be incorrect in stating that there would be economy in this scheme. I feel that the honorable member has not made out a case for the Bill this session any more than he did last session, and it becomes to my mind a question whether the same motion which was moved last session, namely, that the Bill be read a second time this day six months, should not be moved again. I shall not myself move the motion, at present, but I believe it would really be the kindest way of dealing with the honorable member, because I believe that no good can arise from prolonging the discussion on the Bill.

The Hon. S. FRASER.—Sir, I regard this measure just in the same way as I did last year. I believe that if the Bill became law it would open the door to any amount of fraud—that, in fact, it would be an incentive to fraud. At present the voting-paper is not allowed to be taken outside of the polling booth. When the voter is handed his paper he has to move from the table to the place set apart for him to vote, and then to drop the paper into the box, so that under the present Act absolute secrecy is preserved. Even if a man is promised £100 or £10,000 for his vote, when he comes into the polling booth he can vote just as he pleases, and no one can say how he voted.

The Hon. C. SARGEANT.—So he can in his own house.

The Hon. S. FRASER.—That interjection only shows the simplicity of the honorable member. Under this Bill the voting-paper would be extant for a fortnight. It would be between the postmaster or the mailman, or the letter-carrier, or the returning officer, or the elector—in fact, it would be no man's property, the possession of it varying during its transit, and then perhaps it would come into the hands of a person who was not entitled to it at all. The only thing required to make the voting paper valid is that it shall get into the possession of some man, Smith, Brown, Jones, or Robinson, of the name that appears on the paper. Suppose he is an ardent supporter of some candidate, and he knows that what he receives is a voting-paper.

The Hon. C. SARGEANT.—He has to sign for it as a registered letter.

The Hon. S. FRASER.—Then if he has to go to the post-office and take all that trouble it will be far easier for him to go to a polling booth and record his vote, and it would be much safer for the State. Suppose a voting-paper has come into a man's possession. There is nothing in the Bill to prevent these voting-papers being bought wholesale. I say, without fear of contradiction, that more bribery and corruption could be carried out under this measure than under almost any other Bill that could be passed. It would simply lead to wholesale bribery and corruption, and the man with the long purse would win the day. Again, there is the difficulty that the same man's name may appear on the roll half-a-dozen times, and how are you to prevent him under this Bill from voting several times? He might vote at Kew, then at Hawthorn, then at Emerald Hill, then at Port Melbourne, and so on. At present, when an elector goes to vote, the scrutineer takes care to ask him if he has voted in any other division, and if he has he is prevented from voting again; but under this Bill there is no such protection. As to the question of expense, I do not see how the expense would be much lessened under this system. You must create almost an army of officials to carry out this measure, while, at the same time, there will be an enormously increased risk as regards the legitimate voting at elections. I really hope the honorable member will abandon the Bill. I give him credit for taking a great deal of trouble in framing it, but I should

be sorry to see this House pass a measure which was fraught with so much danger to the free institutions of the country. Under the circumstances I beg to move, and I do so with great reluctance, that the Bill be read a second time this day six months.

The Hon. C. SARGEANT.—If you got a ballot-paper into your house what would become of it?

The Hon. S. FRASER.—When a ballot-paper goes into a man's house, and it is known that an election is going to take place, the agent for one of the candidates will go to that man's house, and he will almost demand his voting-paper. ("Oh!") I will explain what I mean. I will just suppose a simple case. Imagine an election strongly contested, and a large employer of labour deeply interested in the matter. What would there be to prevent that employer from asking any one of his men "Are you going to vote for so-and-so?" The man could hardly refuse to give an answer, and then all the influence of the employer would come in. Why, he might there and then ask to see the voting-paper sent to that employé, and get the right name struck out at once, after which no power on earth could put it back again. The whole arrangement would be so easy that a man who paid money for a vote could always get his money's worth by seeing the name he might wish to have erased, erased before his very eyes.

An HONORABLE MEMBER.—Will any one venture to pay money?

The Hon. S. FRASER.—Who can say he will not? Under the present system some elections to this House have cost thousands of pounds, and I think that under the Bill the expense would be very much increased.

The Hon. T. DOWLING seconded the amendment. He said—Sir, I greatly sympathize with Mr. Sargeant, because I feel that he is actuated by a desire to economize time and money in the matter of elections for this House. But it seems to me that his proposition fails utterly on, at all events, one point. The Bill is worthy of consideration up to the stage at which the returning officer parts with the letter sent to the elector. So far so good, but after that difficulties arise which, to my mind, cannot be got over. In the first place, having despatched the letter the returning officer has no more control over it. It goes to the residence of the person to whom it is addressed, and he

does what he pleases with it. But what follows? That so far the secrecy of the ballot-paper is destroyed altogether. Have a select committee if you like to see if the difficulty can be got over, but there it is, and I cannot imagine how it can be removed. As has been very properly pointed out, under the present law a large employer of labour can exercise no special power over his employés, but under the Bill he will have enormous power. The Bill provides a certain punishment for a certain offence, but who is to prove the offence? Another point is this: Surely if the proposed system would be good for the Council it would also be good for another place, yet Mr. Sargeant tells us that it would be of no value whatever to another place—that a different measure would be needed for the purpose. Now that is incomprehensible to my mind. At the same time I would quite agree with a committee being appointed to investigate the whole subject.

The Hon. W. H. ROBERTS.—Sir, I did not intend to speak on the Bill, but I cannot refrain from offering a few remarks. I quite agree with the theory that under this Bill the secrecy of the ballot will be ruined. Under the existing system the ballot-papers are in the custody of the returning officer, and no one is allowed to interfere with the voter except that official. But under clause 12 of the Bill the whole thing will be altered. That clause is as follows:—

"Every elector to whom a ballot-paper shall have been sent as aforesaid shall record his vote by striking out from such ballot-paper the name of the candidate or candidates for whom he does not intend to vote, and having done so shall return by post to the returning officer the ballot-paper, enclosed in the open or unsealed envelope hereinbefore mentioned, and no stamp or other fee shall be chargeable for the same."

Well, when a ballot-paper is received at a man's house, what happens? The person to whom it is sent may ask any other person he chooses to assist him in striking out the name. Where is the secrecy of the ballot then? Supposing the name of the elector is John Smith, and because of different properties possessed by him he appears on the roll of more than one division of the province. Well, under clause 8 the returning officer can post "only one such letter to each elector upon the electoral roll." But then suppose again that the elector having lived in one division has recently moved to another, and that the voting-paper is sent to his former residence,

what is the result? That he is deprived of his vote. Again, clause 13 provides for the elector putting his ballot-paper into an envelope, and it says further "such envelope with its enclosure shall be posted by him." But supposing the man is a cripple or sick, and that he cannot post it, then what happens? The vote is lost. The clause also says that the envelope "shall be posted by him." I do not say that that may not be interpreted to mean "may," but there the word is. My opinion is that under the Bill instead of plural voting being decreased it will be increased. For example, under the present law a returning officer is bound under certain circumstances to ask certain questions as to whether a particular elector has voted before at the same election, but under the Bill no such question whatever need be asked. Again, a son who votes in the place of his recently dead father, he having inherited his father's property, is not subject to any remarkable penalty. If a measure of this kind is necessary I think it should be introduced by the Government, so that honorable members could have some guarantee that the subject had been thoroughly thrashed out. I quite agree with the proposition that this Bill be read a second time this day six months.

The Hon. G. DAVIS.—Mr. President, I am scarcely in a position to meet all the objections that have been urged against this Bill. I know that objections as to matters of detail have been offered, and I hope they will be carefully considered by my honorable colleague, who, I am satisfied, scarcely expects the Bill to pass at the present juncture. But there are other matters to think of. The feature of the action of my honorable colleague in the representation of Gippsland that has struck me most is this: that something should be done to increase the facilities of voting in Legislative Council elections. The difficulty I refer to does not exist with respect to town voters, but it is greatly felt by the voters in the country districts. If any honorable member looks into the subject he will see that the proportion of electors who vote in town elections is much greater than the proportion of those who vote in country elections. Doubtless, that circumstance has furnished my honorable colleague with his primary motive. On the other hand, I would warn honorable members that it is to the country electors we must look for the maintenance of a proper balance in the

representation of the community in Parliament. Now, in connexion with the country electors recording their votes, there are numerous difficulties which my honorable colleague has endeavoured, according to his lights, to remove, and so far I think he ought to have our full sympathy. The point is that, in some way or other, the difficulties that at present exist in connexion with country electors recording their votes at elections for this House ought to be lessened. These difficulties are increasing day by day, and if they are allowed to increase much further it will happen, I am afraid, that this Chamber will be regarded as a refuge for men who have money without capacity, rather than as a place for men with capacity, although they have not much money. I would say, at the first glance, that it is clear that my honorable colleague's scheme will for one thing lessen the expenditure in connexion with Council elections, because I cannot suppose that candidates will, as a rule, resort to the dishonest methods to which some honorable members have referred. Nor can I believe that Council electors will be guilty of conduct such as has presumably been imputed to them.

The Hon. S. FRASER.—But still it would be possible for the thing to be done.

The Hon. G. DAVIS.—It will be possible—nearly everything is possible—but it will not be probable. The Minister of Defence has told us that there had been no particular agitation on the part of the public for a measure of this kind. Well, so far as my political education has gone, I would not expect to see any public agitation in connexion with a matter of this sort. It is the duty of honorable members to point to reforms. An honorable member having a reform in view which he puts forward in this Chamber may meet with opposition and be sneered at, but at the same time he is doing work which may eventuate in the policy recommended being taken up by the Government. Look at the history of any reform in which we have taken part ourselves, and what do we find? That it was originally begun by some one who introduced a proposal on the subject, and that the proposal being pressed forward in the proper way frequently resulted in an agitation which led to the matter being taken up by the Ministry of the day. Of course, the Government are not here to adopt anything new for which the public is not prepared. Theories have to be reduced to a practical

shape before they become acceptable. Still they have to be originated at some time or other. Therefore I do not think that the Minister of Defence has taken very sound ground. It is quite clear that it is the duty of an honorable member to propose such reforms as seem to him desirable. For instance, this discussion may lead to nothing at the present time, but it will be doubtless beneficial in the end. I confess that the difficulties in the way of the Bill are numerous, but I, for one, would not discourage the honorable member in charge of it by voting for Mr. Fraser's amendment. I would rather urge my honorable colleague to withdraw the measure for the time being. He has already done good work, and the agitation which he has promoted may finally lead to some sort of success. I do not wish to speak at any great length on the Bill, but I feel bound to refer to the great difficulties that exist in the way of getting electors to put themselves to any considerable trouble in order to record their votes. No doubt it has been that difficulty which led my honorable colleague to take his present action.

The Hon. D. MELVILLE.—Sir, I do not concur in the advice given by the last speaker to Mr. Sargeant. In the first place, it must act as a discouragement to the honorable member, and also to any other member who has any idea of proposing something new. I would point out that no one knows the secret mind of the Government and the extent to which they may be influenced by suggestions brought forward and discussed in this chamber. Perhaps if Mr. Sargeant knew all, he would discover that his proposition has been taken more notice of than he thinks. We have seen many instances in this chamber of proposals being made which appeared at the time to be wholly unacceptable, but which were afterwards taken up by the Government of the day and carried through. For example, there is the matter of the abolition of plural voting, which last year Mr. Cuthbert, he being at the time in office, proposed to us.

Sir F. T. SARGOOD.—Very mildly.

The Hon. D. MELVILLE.—I believe it was done very mildly, yet there is the measure on its way to us, and we will be asked from the Government bench to adopt it. Yet the other day such a Bill was looked upon as completely outside all possibility. Mr. Fraser referred to letters to electors which had been on a certain occasion sent back to him in barrow-loads,

but let me tell honorable members what I think really happened. All I can say is that if any one ever taught me that the post-office plan is the best it was Mr. Fraser himself. He was standing for the South Yarra Province, and he had a particular opponent.

The Hon. S. FRASER.—No.

The Hon. D. MELVILLE.—He had an opponent, and I want to show how he drove him out of the field. He sent a post-card to each elector, asking whether he approved of his candidature, and if he did to send back an answer, the means of doing which were provided. Was it not those answers which came back in barrow-loads? I do not know if the Minister of Defence ever tried the same thing, but evidently it was the post-office plan that sent Mr. Fraser here. Why did not Mr. Fraser simply state that, as far as he was concerned, he found the post-office system an admirable one by which to ascertain public opinion?

The Hon. S. FRASER.—The process cost £200.

The Hon. D. MELVILLE.—I suppose that the honorable gentleman does not regret the expenditure of the £200. At any rate, he was prepared then to take advantage of this method, and he was not deterred by the difficulties of which he now speaks. I do not know whether the Bill is really perfect in its *modus operandi*, but it is certainly much more perfect than the Bill which passed its second reading the other night, and of which nothing it originally contained but the title is left.

The Hon. J. M. DAVIES.—That Bill as introduced was not altered. It was only added to.

The Hon. D. MELVILLE.—The honorable gentleman has not got out of the wood yet. With reference to the argument that a ballot-paper addressed to John Smith might be delivered to other than the person for whom it was intended, I would ask whether, when John Smith appears in the polling booths now, the returning officer knows that he is John Smith? How many of the persons who voted at the recent election for the Melbourne hospital were known to the returning officer? All the objections raised to the postal system are equally applicable to the system of voting now adopted.

The Hon. S. FRASER.—No.

The Hon. D. MELVILLE.—To say "No" did not get over the difficulty.

John Smith entered the polling booth, and John Smith got the ballot-paper.

The Hon. S. FRASER.—He must be something, and he can be traced.

The Hon. D. MELVILLE.—He need not be anything but simple John Smith.

The Hon. S. FRASER.—Then he must be a gentleman.

The Hon. D. MELVILLE. — No; he need not be anything more than John Smith. These were mere bogies, which were raised by the honorable member to frighten other honorable members out of their wits. He had some knowledge of the electors of the colony, and he believed that 99 men out of 100 to whom ballot-papers were sent through the post would be proud to exercise the privilege conferred in that way, and would do so entirely free from interference. All these little dodges that have been referred to belong to a past age.

The Hon. S. FRASER.—How innocent you are.

The Hon. D. MELVILLE.—I do not know that I am particularly innocent. It is the honorable member who is innocent. I know what the practice is now. With regard to the elections, the first thing a candidate has to do is to get up a large committee, with a secretary. The committee meet every night in the back parlour of an hotel, and the walls of the district are placarded with such appeals as—"Vote for Simon Fraser, the true and trusted friend of the people." This went on for about six weeks. Was there anything special in that method of conducting elections? Possibly the candidate called on the electors, and did all that he could to induce them to vote for him. Under the system proposed in this Bill the ballot-papers would be sent to each elector enclosed in an envelope, and the elector would then proceed to deal with it.

The Hon. T. DOWLING.—Or somebody else.

The Hon. D. MELVILLE.—Well, it would not matter a great deal if it was somebody else. A very much larger number of votes would be recorded, and I believe that the secrecy of the ballot would be just as faithfully observed as it is at present. Does not Mr. Fraser know that recent elections for this House have cost thousands of pounds? If that state of affairs is to continue it means that some of our best members will probably not seek re-election, and they are members whom it would be an advantage

to the House to retain. I feel very doubtful whether, if Sir Frederick Sargood felt that he could only be returned by the expenditure of several thousands of pounds, he would undertake to contest a seat under such conditions, and I think the same remark may be made with regard to Mr. G. Davis. That is a degrading position in which to place any gentleman. I do not say that this is a perfect measure, but it can be made perfect. South Australia has taken action in the same direction by passing a Bill to give absent voters the power of recording their votes through the post-office. All the important notices of the Lands department are forwarded through the post, and it is therefore absurd to say that the post-office system is impracticable in connexion with elections. I admit that attempts might be made to buy the votes of electors, but any candidate who attempted to do such a thing would, if he were returned, lose his seat, and if he were not returned would be liable to imprisonment. If this Bill were passed there would certainly be a very great increase in the number of votes recorded, as almost every man in the colony who had a right to exercise the franchise would take advantage of the system. The Bill might at least be tried as an experiment, and if it did nothing more it would put a stop to the very great expense which candidates have to incur in connexion with elections to this House. I know that certain persons have spent as much as £10,000 in the attempt to obtain seats in this chamber, and have not been successful. If a committee were appointed to inquire into this matter, it is probable that they would find that election to this House is becoming a question of money only. Money is more potent now at elections for this Chamber than it is at elections for any similar Chamber in the other colonies. If that is true, is it not time that some steps were taken in the matter? I hope that honorable members will not attempt to discourage Mr. Sargeant in the effort that he is making, but will allow the Bill to go into committee. Mr. Sargeant only asks the House to take the Bill for what it is worth, and to assist him in making it a good and workable measure.

The Hon. S. W. COOKE.—Sir, I am sorry that I cannot support the second reading of this Bill. In principle it may appear to be very desirable, but in practice it is not at all likely to work well, at any rate at present. If we had sufficient evidence

before us to enable us to amend this Bill in committee I would be happy to vote for the second reading, but the knowledge we have on the subject is very scant indeed. Mr. Sargeant has not pointed out in what way we can meet the very serious objections that have been offered by honorable members, and especially by Sir Frederick Sargood. Legislation on this matter is not altogether new. In reading through the speeches that were delivered at the National Australasian Convention, I find that reference is made to Western Australia as having a system of voting somewhat similar to that proposed in this Bill. Sir George Grey, in speaking on the one-man-one-vote question, was interrupted by one of the delegates for Western Australia (Mr. Marmion). Sir George Grey had stated that in Western Australia votes could be recorded by proxy. Mr. Marmion interjected that they voted by a system which was not in vogue in any of the other colonies, but which allowed electors to vote by letter. If we could get from Western Australia some information as to how the principle works there, it would be of great assistance to us in discussing this question at some future time. At present we have not that information, and therefore I trust that Mr. Sargeant will withdraw the Bill and bring it forward again in a subsequent session, when he has a fuller knowledge of the subject and is able to meet the very serious objections that have been offered to it. It is greatly to be deplored that our present system should cause such an enormous expenditure of money at elections for this House. I can imagine no worse House than a House of plutocrats. If this House becomes simply a House of wealthy men, who practically buy their seats, it will quickly lose its influence in the country. In the old days it was said that the members of this House were the representatives of the land-owners. It would be worse if they were the representatives of money; and it will come to that if seats in this Chamber are to be bought by an expenditure of from £2,000 to £3,000 to the fabulous sums which have been mentioned. It has been stated that from £7,000 to £8,000 have been spent in obtaining seats in this House. That is very deplorable, and if some system could be devised to remove that great evil I think that it would be the duty of all honorable members to favorably consider it. I trust that Mr. Sargeant will not think that I regard his Bill with any feeling of coldness. I would

be glad to do anything I could to assist him in getting it passed if I were convinced that it could be successfully carried out, and that no bad results would accrue from it.

The amendment was agreed to without a division.

The Bill was then ordered to be read a second time "this day six months."

LIBRARIES ACT AMENDMENT BILL.

The Hon. H. CUTHBERT moved the second reading of this Bill. He said that the object of the Bill was to amend the Libraries Act of 1890. That Act was divided into two parts—one relating to the Public Library in Melbourne, and the other to free libraries throughout the colony. When a site had been reserved for a free library, the trustees had often found very great difficulty in obtaining sufficient funds to enable them to put up a suitable building, as they had only power to lease the ground under certain circumstances—that was, they could demise it from year to year or for any term not exceeding 21 years. In order to enable them to raise money on more advantageous terms it had been deemed desirable, and representations had been made on the subject to Parliament, to extend the power of demise from 21 to 31 years, and that alteration was made in this Bill. By clause 2 it was proposed to substitute for section 9 of the principal Act a new section, which provided—

"The trustees for the time being of such land may on the recommendation of the committee of management at any time, and from time to time notwithstanding the conditions provisos and declarations contained in any such grant by the Governor in Council, demise from year to year, or for any term not exceeding thirty-one years, such lands or any part thereof and any buildings erected or to be erected thereon or any part thereof; provided that any lands or buildings so demised are not immediately required for the purpose of such free library, reading room, mechanics' institute, or trades hall, and may demise or lease any part of the said land not so required, on a building lease for a term not to exceed fifty years, upon such terms as shall secure suitable accommodation for a free library, reading room, mechanics' institute, or trades hall and offices and conveniences connected therewith, and subject to such conditions and reservations in all respects as to the trustees and committee of management seem fit."

The object of the next clause was simply to correct a printer's error. The marginal note was "Trustees may borrow money on

security of rent of land." Section 10 of the principal Act contained the words "lands or buildings," which by this clause were altered to "lands and buildings." Under the section as it stood the lands or the buildings might be offered as a security, and manifestly that was a mistake. When a mortgage was taken of a piece of land, the land carried the buildings with it. In regard to the possibility of the trustees or the committee of management doing anything wrong with funds so raised, there was a safeguard in the provision that no money should be so borrowed until the purpose to which it was to be applied and the amount to be borrowed had been approved by the Governor in Council, and that the money should be applied to such purposes and to none others. The Bill was a simple one, and the House should have no objection to it.

Sir F. T. SARGOOD remarked that the Bill had been fully and fairly explained by Mr. Cuthbert, and he saw no reason to object to the principles of it. He desired to call attention to the words, in clause 2, "Provided that any lands or buildings so demised are not immediately required for the purpose," &c. Was not that a dangerous power to give to the committee of management? The committee of management might want a sum of money, and although the land might not be immediately required for any specific purposes, yet it might be so required in a few years. Might not clause 3 be interpreted to mean that money could be raised on land granted for a free library or a reading room, and be applied to any other purpose, say, the erection of a trades hall? (Mr. Cuthbert—"No.") The clause was, at any rate, open to doubt, and in order that these points might be considered, he would suggest that the Bill should be read a second time, and committed *pro forma*.

The Hon. J. A. WALLACE said that he had no objection to the second reading of the Bill; but he did not understand why the words "trades hall" should be used in clause 2. (Mr. Cuthbert—"Those words are used in the section in the principal Act.") Had lands been reserved by the Government for trades halls? (Mr. Cuthbert—"Yes.") No Government should have done such a thing.

The motion was agreed to.

The Bill was then read a second time, and committed *pro forma*.

ST. JAMES' CHURCH LANDS BILL.

The Hon. H. CUTHBERT moved the second reading of this Bill. He said that the lands proposed to be dealt with faced William and Collins streets. An Act passed fifteen or twenty years ago empowered the different religious denominations in the colony to dispose of their property in any way they thought fit. It also empowered them to bring their different titles under the Act, and have trusts declared in connexion with the different sites. The land he now referred to was brought under this Act, and the trustees were empowered to sell or mortgage, but the trust provided that the proceeds should be applied to two purposes only, namely, the paying off of encumbrances or the erection of buildings on the land. The church trustees, however, had no encumbrances on the land, and other people had erected buildings on it, which were now bringing in a rental of nearly £5,000 a year. The trustees now desired to raise money to supply the deficiency in church accommodation in the city, and that was the object of seeking the aid of Parliament.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 1,

The Hon. D. MELVILLE said that large reserves were originally given to the churches on the understanding that they were to serve as beauty spots and lungs for the city. Now it appeared that these reserves were being covered with stores and buildings of various kinds. Mr. Service was the lessee of a building on the St. James' Church lands, and the further consideration of the measure ought to be postponed until he and some other absent members were present. When two or three acres of land were given to a church it was well known that only a small portion of it was needed for the church buildings. It was understood that the remainder would be held for the benefit of the people.

The Hon. J. M. DAVIES asked that the Bill might be allowed to be proceeded with. There was nothing new in the proposal it contained. The land in question was given to the denomination, and that denomination was entitled to bring it under the Transfer of Land Statute. Had the trust been declared under that statute it would have passed as a matter of course. The

Bill merely dealt with the proceeds from the leases, and had nothing whatever to do with the lessees.

The Hon. J. A. WALLACE remarked that when this land was first given for church purposes it was never intended that it should be covered with commercial buildings. The mistake made was in passing an Act which empowered the trustees to let the lands. The public had, in effect, been done out of the land, but the House might now just as well give way and pass the Bill.

The Hon. D. MELVILLE said it was sufficient to pass the Bill through one stage that evening.

The Hon. H. CUTHBERT remarked that he would not ask the committee to proceed further that evening.

Progress was then reported.

The House adjourned at ten minutes to ten o'clock, until Tuesday, September 15.

LEGISLATIVE ASSEMBLY.

Wednesday, September 9, 1891.

Public Service: Applicants for Employment—Metropolitan Board of Works—Wreck of the *Fiji*: the late Selector Wilkinson—Rabbit Extermination—Burglars and Garroters—Mining on Private Property: Leases—Public Instruction: Creswick and Clunes Schools—Melbourne Botanic gardens: Position of Foreman—Railways Standing Committee—Railways Act Amendment Bill: Second Reading: First Night's Debate—Scots' Church Properties Bill—Tramways Act Amendment Bill—A. U. Alcock Electric Light and Motive Power Company Bill.

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

PUBLIC SERVICE.

Mr. BOWMAN asked the Premier if his attention had been drawn to a regulation or rule of the Public Service Board that applicants having passed for the civil service, and not being required for twelve months, were struck off the list and were not eligible; and if he would suggest to the board that the regulation or rule should be altered? He said he knew of many cases, the facts connected with which went to show that the regulation he referred to was one of the most absurd ever made by the Public Service Board. For example, he had received the following letter:—

"Dear Sir,—I beg leave to call your attention to what I call a hard case. Ten months ago my

son Robert Henry passed an examination for junior messenger in the non-clerical division of the public service, and is now fourth on the list. He has not been called in, and still the board are calling for more applicants. I consider it hard, after putting poor people to an expense they can badly afford, and loss of time, and then to be told there is not much hope of being called in. I do not know if it is a Government plan of making money; if so, it is a bad one. I have been informed if he is not called in before the 6th of August he will not be called. They take the money; and then let them fall out by efflux of time."

As he had stated before, there were many other instances of the same kind of thing. Young men were brought up to pass an examination, and afterwards allowed to remain on the register and wait for appointment to a position without anything being done for them, and then when a particular date arrived their names were struck off, and fresh applicants were called for. The injustice of this was most striking, and he hoped that the Government would apply a remedy.

Mr. MUNRO said that the answer of the Chairman of the Public Service Board was as follows:—

"The provision to which Mr. Bowman's question refers applies only to applicants for appointment to the non-clerical division of the public service; it has been in existence since the regulations were first passed under Act No. 773. There is no limitation as to the number of persons who may present themselves at any examination for the non-clerical division. The board, for instance, lately advertised that there might be vacancies for 60 letter-carriers, and 320 qualified for registration by passing the examination. If the names were not periodically removed from the register, they might remain there for some years, and cause the exclusion of better and more capable men. Ability to pass the examination is no practical test of the best men for mechanical work."

Mr. HUNT said that there was a young fellow in his district whose experience was exactly similar to that of the young man referred to in the letter read by the honorable member for Talbot.

Mr. BOWMAN asked the Premier to insist on the Public Service Board altering the regulation complained of. He did not blame the Government in the matter because the regulation was made by the Public Service Board, but it was distinctly contrary to justice. (Mr. Munro—"The Government cannot insist on any alteration of the kind; we have no more power in the matter than you have.") Well, all he could say was that the reply of the chairman of the board was an insult to the House. Such a state of things ought not to be put up with any longer. Of course,

he (Mr. Bowman) had no power as an individual member of the House to interfere; but he thought that the head of the Government ought to realize the responsibility of his position and endeavour to supply a remedy. At all events, let him say straight out that he thought the law in this direction ought to be altered, and call upon the House to interpose in the matter.

Mr. MUNRO remarked that a Bill to amend the Public Service Act was at the present time before the House.

METROPOLITAN BOARD OF WORKS.

Mr. KEYS asked the Premier whether, in view of the fact that the Metropolitan Board of Works had declined to recommend the Governor in Council to extend the operations of Part II. of the Melbourne and Metropolitan Board of Works Act 1890, as provided under section 75, he would introduce an amended Bill, so as to include the area of ten miles from the Melbourne Post-office for water supply purposes only? He said that when application with respect to this subject was made, which affected not only the shire of Morrabin, but several other shires, the board declined to interfere.

Mr. MUNRO said the Government had no intention at present of introducing an amending Bill of the kind referred to by the honorable member.

WRECK OF THE "FIJI."

Dr. MALONEY asked the Treasurer if he would, after making the necessary inquiries, place a sum on the Estimates for the benefit of the family of the late selector Wilkinson, who lost his life in gallantly saving one of the crew of the wrecked ship *Fiji*? He said that a large deputation had waited upon him to request him to put this question in the House.

Mr. MUNRO said he did not think it a proper thing to call on the Government to take the action referred to by the honorable member. Surely it should be seen in the first place what the public were prepared to do in the matter. There were a sufficient number of claims on the Government already without it being appealed to in the present matter in the first instance.

RABBIT EXTERMINATION.

Mr. STAUGHTON asked the Minister of Lands if he would furnish a statement showing—

"1. The total amount paid in New South Wales for rabbit scalps during the time the system of paying for rabbit scalps was in force in that colony.

"2. Particulars as to the result of this system of rabbit extermination by the Swan Hill shire."

He said that if the exact amount could not be ascertained an approximation thereto would be sufficient.

Mr. OUTTRIM stated that application would be made to obtain the information desired from the Government of New South Wales and the Swan Hill shire respectively.

BURGLARS AND GARROTTERS.

Mr. BENT asked the Honorable the Attorney-General—

"1. What is the maximum punishment that a court can inflict upon burglars and garroters?

"2. While a burglar is in the house, is the occupier of the house justified in shooting and, if necessary, killing the burglar?"

He said he believed that one of the leading officials of the colony had informed the public that if a burglar was in a house, and the occupier shot him, the latter would be liable to severe punishment. Now, if he (Mr. Bent) had his way burglary and garrotting should each be made capital offences, and punishable accordingly. (An Honorable Member — "Give them the lash.") Yes, they ought to have the lash. He would add that he, for one, begged to compliment Judge Hamilton on the sentence of fourteen years' imprisonment lately passed by him for a crime of this sort. Probably, it would be departing from the rules of his department for the Attorney-General to answer a question of this kind, therefore he (Mr. Bent) would simply let the question stand for what it was worth. He was tempted to place it on the notice-paper because of the present great prevalence of crimes of this character.

Mr. SHIELS said he was much obliged to the honorable member for Brighton for not persevering with his question. He thought the honorable member would see that there was very great danger in a law officer of the Crown replying to questions of this sort, his opinion not being an authoritative pronouncement of the law at all. Supposing, for instance, that he answered the honorable member's second query, might it not be found hereafter that some unfortunate man, believing the opinion expressed by the Attorney-General in the House to be a sound one, would act on it, and subsequently discover that he was not exculpated in the slightest degree?

Questions of this kind were not, therefore, in the public interest. Every one who had held the position of Attorney-General must know that it was not for a law officer of the Crown to offer advice on such matters. He was the adviser of the Crown, and his duty was to the Crown.

MINING ON PRIVATE PROPERTY.

Mr. RICHARDSON asked the Minister of Mines if he intended to enforce the conditions contained in the leases issued under the Mining on Private Property Law for land held under agreements entered into before that law was in existence?

Mr. OUTTRIM said he intended to deal with each case of the kind on its merits.

PUBLIC INSTRUCTION.

Mr. ANDREWS (in the absence of Capt. TAYLOR), asked the Premier why the State school at Creswick was reduced in classification and the State school at Clunes was not?

Mr. MUNRO stated that the reply of the Minister of Public Instruction was as follows:—

“The average attendance during the past triennium was 437 at No. 136, Clunes, and 457 at No. 1552, Clunes. Neither of these schools was reduced, the average required by the Act (400) having been maintained, although during the last few months of the triennium the attendance at both schools was so seriously affected by diphtheria as to necessitate the closing of them during two of these months. The average attendance at No. 122, Creswick, for the same period, was 389, which is below the average required for a second-class school at the triennial revision. The school was therefore reduced in classification.”

MELBOURNE BOTANIC-GARDENS.

Mr. G. D. CARTER moved—

“That there be laid upon the Library table a copy of the report of the board recently appointed to inquire as to the fitness of candidates for the position of senior foreman at the Botanic-gardens.”

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

RAILWAYS STANDING COMMITTEE.

Mr. SHIELS presented a message from His Excellency the Governor, recommending that an appropriation be made from the consolidated revenue for the purposes of a Bill to provide for the remuneration of the Railways Standing Committee.

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

STATE FORESTS.

Mr. OUTTRIM, in compliance with orders of the House (dated July 2 and July 16), presented returns relating to State forest lands.

BENDIGO RAILWAY.

Mr. SHIELS, pursuant to an order of the House (dated August 26), laid on the table a return relating to passengers from Bendigo to Melbourne.

RAILWAYS ACT AMENDMENT BILL.

SECOND READING—FIRST NIGHT'S DEBATE

The debate (adjourned from the previous day) was resumed on the motion of Mr. Shiels for the second reading of this Bill.

Mr. DEAKIN.—Mr. Speaker, I have to thank the honorable member for Williams-town for kindly giving me the privilege of being the first to address the House on this subject this evening. It was not my own desire that I should do so, but, in view of the unexpected and unfortunate absence of the honorable member for Eastern Suburbs, a number of members of the Opposition thought it desirable that there should be some criticism of the Bill from this (the opposition) side of the House. In endeavouring to deal with the subject under these circumstances, in necessarily a rather imperfect manner, I have also to regret the absence from the chamber of the Minister of Railways, who a few minutes ago told me that he was unable to remain even to hear my opening remarks, although I endeavoured to tempt him by stating that if he would stop I would make them as personal as I could. It would be very fortunate if we could deal with this most important issue quite apart from other considerations—if we could do it without considering either the behaviour of the Government or of the Railways Commissioners. But the speech made by the Minister of Railways on the first motion moved in connexion with the measure unfortunately precludes that possibility. It has never before been my lot, and I doubt if ever it has been the lot of any honorable member to hear in the House such an indictment as that formally directed by that honorable gentleman against the chief officers of the department with which he is associated. The relations between a Minister and the chief officers of his department are

necessarily intimate, and more or less confidential, and it is perfectly impossible without perfect trust on both sides for justice to be done to public business. Consequently it cannot but be regarded as an evil omen when we find the Minister of Railways so much at issue with the head of his department that he considered it necessary, in his place in Parliament, to devote the larger portion of his speech to an attack which was personal in its object and occasionally personal in its bitterness. The honorable gentleman was introducing a Bill which required the calm consideration of honorable members. The principles embodied in it needed to be thoroughly understood and fairly weighed apart from personal acerbities. I doubt whether a more unfortunate method could have been adopted, or one more certain to prejudice the House and the country against the measure, than such attacks as he made. What we usually expect from a Minister, charged with the introduction of a measure of this importance, is that he will assume an attitude perfectly judicial in its calmness and fairness, and when we find him introducing it with the demeanour and vindictiveness which characterize the partisan, the measure introduced necessarily becomes an object of suspicion. The honorable gentleman spoke not so much as Minister of Railways as Crown Prosecutor of the Chief Commissioner of Railways. His views were put with the skill of the advocate and with the partiality and reserve of an advocate. He left it to others to act as judges of his violent charges. This occasions one difficulty in which we find ourselves placed. Honorable members of the Opposition are, I believe, as sincerely anxious as members of the Government themselves that whatever maladministration there is in the Railway department should be promptly and thoroughly removed. No honorable member in opposition will appear as an apologist for any existing abuse. On the contrary, the most cordial and frank support will be tendered to the Government in carrying through a Bill for a wise and just reform of the Railway department. To that end I, for one, will vote for the second reading of the measure, even if I have afterwards to strike out everything but the title. But I am compelled to appear adverse to the proposals because I so entirely disapprove of the demeanour of the Minister in preparing and introducing them. The case for reform has

Mr. Deakin.

been put with great energy and at great length by the Minister of Railways in his correspondence with the commissioners, but it is a misfortune that it is couched in language by no means conducive to the temperate consideration of the question. Much as I may differ from some of the views urged by the commissioners in their defence, there is this to be said in their justification, that from the first stage of their correspondence to the last their replies to communications most provocative in their tenor are invariably courteous. I regret to note the tone of Mr. Shiels' rejoinders, in which it appears to me that an occasionally excellent case is prejudiced by extravagant language. I do not feel it necessary to refer to this correspondence except to point out one or two instances as illustrations of the spirit which actuated the Minister, the tone in which he addressed his subordinates, and the manner in which he approached his task. The honorable gentleman is gifted with a poetic faculty. He coins metaphors with great facility, but the misfortune is that those which occupy a conspicuous place in his correspondence directly imply mental incapacity and moral turpitude on the part of the public servants whom he is addressing. How is it possible for the affairs of a department to be satisfactorily administered by a Minister who, in one of these metaphors, pictures himself in the light of a hunter pursuing the head of his department as a beast of prey, and in another metaphor more than insinuates—almost applies, the epithet “thief” to the same officer? In case I should be questioned as to the accuracy of my citations, I will cite the passages. The paragraph in which the word “thief” is used will be found on page 51, and is as follows:—

“The commissioners allege it is ungracious to challenge these reductions. Considerations of graciousness hardly enter here. Ought a man whose horse has been stolen and given away to another to be deterred from investigating the robbery by being told by the thief that he ought not to look a gift-horse in the mouth?”

The illustration in which the Minister indicates his attitude as that of a hunter is to be found on page 54, at the conclusion of paragraph 19. The words are as follows:—

“The lion, refusing to come out of his lair to be cured of his wounds by the physician, responds joyfully to the hunter's invitation to load his gun. Would the man be much pitied or the quarry much blamed if the powder were damped or the cartridge drawn?”

Mr. McINTYRE.—Where did he get that from?

Mr. DEAKIN.—That, I take it, is wholly original. The title to it is not likely to be disputed. The metaphor is rather mixed, because it is not clear whether the lion is to load his own gun or the gun of the hunter, or how indeed a lion is to accomplish the feat of loading, or damping powder, or of drawing a cartridge. On the next page the words occur—

“The healthy children must carry the cripples whom the commissioners would have gone on gaily breeding till the whole stock became deformed.”

Breeding cripples is good. On the same page the commissioners are referred to as flying to “a very handy financial Alsatia,” and on page 56 there is a passage in which it is stated that they were expected by the Legislature “to be its guide to safety,” but have been found instead “to be a lure to danger.” I can conceive of no condition more unfavorable to the discussion of public questions between a Minister and the head of his department than the introduction into official correspondence of insulting metaphors of that kind. I allude to them because they indicate the temper in which the discussion has been carried on and in which the Bill has been prepared; but there is more in it than temper. I took the pains when the correspondence first appeared to analyze it, with a view of discovering what serious allegations it contained. I found that there were more than twenty indictments made by the Minister against the Railways Commissioners. It would be hard to imagine a fault of which the managers of railways are capable, or an error which public servants can commit, that it not directly charged or insinuated in the course of the correspondence. Presuming the statements made to be correct, there would of course be only one remedy. Public servants convicted as far as their political superior is concerned on so many distinct counts, each one of which is serious, could only receive an immediate and ignominious dismissal. If the colleagues of the Minister of Railways believed in the charges contained in the correspondence, there should have been a clean sweep of the Railways Commissioners. We might have had the same speech from the Minister—and it needed no stronger speech—made to the House in justification of their suspension. What should have

followed in any case was a fair and impartial inquiry. The Railways Commissioners, convicted on even two or three of these twenty charges by any tribunal in the country, and certainly by either House of Parliament, would, I am certain, have been informed that the action of the Minister in dismissing them was a righteous and just action. If a modicum of these charges are sustained, there is no course open except instantaneous dismissal. If they are not sustained, a glaring injustice has been perpetrated. The difficulty of the situation now is that this speech of accusation, which would have justified immediate dismissal, is made at the introduction of a Bill for their re-appointment—a Bill which is intended to clear up doubts as to whether the Railways Commissioners were ever properly appointed or not, and which is to give them a fixed tenure of office for a long time to come. This is absurd. Of course the Bill contains provisions which, it may be maintained, limit for the future the power of the commissioners, and make the means to do ill deeds not as easy of attainment as they have been in the past. But this Bill proposes further, not only to retain the Railways Commissioners, but to retain in some degree their régime. What hope can there be in the mind of the Government for the success of their own policy in this department, when it is to be administered by men whom they have just publicly branded and legally crippled in this way? The Railways Commissioners are bound to regard the Bill, if it ever becomes an Act, not only as framed upon a public indictment and public censure, but as a verdict of guilty passed upon them after inquiry by both Chambers of the Legislature, condemning them to go in fetters and to walk handcuffed in the future because of their past misdeeds. Taking the statement of the Minister that this Bill is intended to check mistakes committed in the past, it is evidently hopeless to expect that the Railways Commissioners, after they have been held up to public opprobrium and derision, can have any heart or spirit for their duty. The one thing that astonishes me is that we have not heard an appeal from them to this House.

Mr. BOWMAN.—Why did not they retire?

Mr. DEAKIN.—The honorable member had better address his question to those who can answer it. I have not been in

communication with the Railways Commissioners, and I have not the faintest idea why they have not fulfilled what seems to be their first and obvious duty, on being charged by their Minister from his place in Parliament, of appealing to the House for redress, which the House, I am sure, would be ready to give them. I am not concerned to defend the action of the Railways Commissioners. I do not appear in the light of the advocate of the commissioners.

Mr. BOWMAN.—You are a capital advocate.

Mr. DEAKIN.—I wish I could return the compliment. The honorable member by these interjections is prejudicing the case which he desires to serve. The point of view I wish to take is the point of view that all Members of Parliament should take—one entirely independent of the Railways Commissioners and of the Government. I join with those who say that wherever the Railway department needs reform they are prepared to reform it. All they desire to have put before them is the justification for that reform, and they would then be ready and anxious to vote for any reasonable proposals. I will get rid of the personal element in the discussion as soon as I can. If it were possible, I would have avoided it altogether, but it is impossible. Let honorable members read the address of the Minister of Railways, and determine what constitutes the body of that speech. The body of it is a denunciation of the Railways Commissioners. Hence, we are compelled to consider the relation of the Railways Commissioners to the Minister and of the Minister to the Railways Commissioners—questions which otherwise we would not have desired to mention. It appears to me that the Government, by their action through the Minister of Railways, have rendered the cause of railway reform far more difficult than it would otherwise have been. The opportunity was presented to the Government, when the term of office of two of these gentlemen expired, of dealing with them, if they believed the charges made in the correspondence, by instantaneous dismissal; or if they believed that they were only in part guilty, and that their errors were faults which might be overlooked and condoned, by entering into some express and explicit undertaking with them as to the terms upon which their appointments were to be held in future, so that a repetition of those errors might be prevented. Neither of these courses

has been adopted. There has been a personal controversy as to the chief re-appointment into which I shall not enter, because the statements on each side are in direct contradiction, and I have no desire to cast any imputations either on the honour of the Minister of Railways or of the Chairman of the Railways Commissioners. But if that transaction had been undertaken in a proper fashion, the Government would not have sought—and certainly a lawyer like the Minister of Railways would not have attempted—to enter into a verbal arrangement with the Chairman of the Railways Commissioners to alter the terms of an appointment under an Act of Parliament. They would have looked upon any merely verbal proposal to tie his hands as preposterous, seeing that the Act under which Mr. Speight was appointed and re-appointed gave him certain privileges and rights. Owing to the question not having been approached in a proper way, this House is now placed in a most painful position, as in the course of the discussion of the Bill honorable members will be compelled, *volens volens*, to consider the claims of Mr. Speight and his colleagues, and the circumstances under which they were re-appointed. The House will have to consider the qualifications of Mr. Speight and his colleagues for the positions they now hold. They will have to decide upon the justice of the charges made against him by his Minister. That is an aspect of the question which we might otherwise have avoided, and have simply dealt with the subject of railway reforms. When the time comes I shall be perfectly ready to give my own opinion for what it is worth of the personal qualifications of each of the Railways Commissioners, and of the administration of the railways under their charge. I will at once admit that I believe that under their charge there has been ample room left for reform, and that the need for reform has been increased rather than diminished owing to their unsympathetic attitude. The task of the House might have been rendered unnecessary by more constitutional conduct on the part of the Railways Commissioners. These gentlemen have chosen not to take that course, and the House will be compelled to deal with them, and to place on record its opinion as to the manner in which they have discharged their duties and their fitness for continuing to hold office.

Mr. ARMYTAGE.—Why did not the late Government do that?

Mr. DEAKIN.—When the time arrives, and I think it will be more fitting in connexion with the special clause than at this stage, I shall be perfectly prepared to state what was the attitude of the late Government in regard to the Railways Commissioners, and the result of certain interviews which its Cabinet had with those gentlemen in regard to railway construction. When these facts are brought to light I shall not be afraid to challenge the verdict of the House on the conduct of the late Government in regard to the Railways Commissioners, but at this time it would be leading me needlessly astray. What we have now to consider is the second reading of a Bill, in which the re-appointment of Mr. Speight and his colleagues is the subject of only one or two clauses. It is not because I shrink in the least from expressing the opinions I expressed when a member of the late Government, that I now pass by the question of the responsibility of the late Government as somewhat premature. Having disposed of the personal and Ministerial aspects of the question, I would now call attention to the Bill as a Bill. It is unfortunate that the speech of the Minister of Railways, while it entered so much into detail, made scarcely any reference to the important principles which the Bill challenges, or to the circumstances under which the measure which it seeks to amend was introduced. The honorable gentleman referred to the days in which there was political control of the railways, as if there had never been any imputation against the former system of management of the railways except the imputation of political patronage. Let those honorable members who were in the House then, or let those members of the public who watched events outside, recall the numerous debates which took place upon the affairs of the Railway department during the period from 1877 to 1883. The complaints made in the press were as loud and as numerous then as they are to-day regarding inefficiency of management, want of attention to the convenience of the public, and as to the serious accidents which cost the State tens of thousands of pounds in compensating victims, besides the lives of many who were unfortunately killed. Those complaints were multiplying, and if the cry against political patronage was strong, it was so because it was believed that a great deal of the mismanagement of the Railway department was due to political patronage. It was because

our railway management was believed to be defective in every respect that the Railways Commissioners Act of 1883 was introduced. Consequently it is not just to state that its sole object was to combat the acknowledged evils of patronage. The principal Act aimed at the accomplishment of two chief ends. The first was the abolition of political patronage, and the second the abolition of political administration. This new measure reinstates to a small degree political patronage, and it reinstates to a very large degree political administration. The complaint which is sometimes heard in the House is that under the Act of 1883 the railways have passed from the control of Parliament. That statement is proved to be incorrect by the very fact that we are considering a Bill of this nature, and by the fact that at any time Parliament can alter or destroy the whole structure which it then created. So far as Parliament is concerned, its grip of the Railway department is as strong now as ever it was. This House has found that by means of resolutions it can affect the administration of that department, and has affected it. These resolutions, of course, have been liable to indorsement by the Ministry of the day as to the manner of their execution, and so they will be under this Bill; but in that respect the Railway department to-day is not only under the control of Parliament but under the direct control of this House. It has been stated that since the Railways Commissioners entered office, the control of the finances of the Railways department has been filched from Parliament. I have yet to learn the basis on which that statement is made, because I challenge any honorable member to refer to the Estimates submitted to this Chamber prior to 1883, and to compare them with the Estimates of last year, when he will find that only a single salary, that of the Engineer-in-Chief, is omitted.

An HONORABLE MEMBER.—The present Estimates are different from the last.

Mr. DEAKIN.—The Estimates for the present year do contain fuller details as to officers receiving salaries, and that is an improvement, but it does not affect my contention. I have said that this Act to some extent brings back political patronage. If honorable members will turn to clause 31, they will find that the Board of Land and Works is to have power to appoint engineers, surveyors, clerks, and other employes as it thinks fit. I shall be glad if the

Government will point out any part of the measure which qualifies that by imposing the restrictions established under the Acts of 1883, because, as it stands, the clause appears to me to restore political patronage. If honorable members will look at a later part of the Bill, they will see a second manner in which less directly, but nevertheless distinctly, Ministerial patronage is also to be restored. It is not to be possible under this measure for increments to be granted, or any large number of officers to be appointed without the consent of the Government of the day.

AN HONORABLE MEMBER.—Quite right.

MR. DEAKIN.—That may be right or wrong, but I am pointing out that in that provision we have, in an indirect way, another restoration of political control, and it becomes the House to watch very jealously indeed the restoration in any particular of that practice which it recently abolished, and which there is no desire to re-introduce. The measure, as it is laid before us, practically consists of two parts. The first part deals with construction, and the second part deals with administration. The construction is proposed to be taken out of the hands of the Railways Commissioners altogether. At the present time this House determines what lines are to be made, and the Railways Commissioners are responsible for the order in which tenders are let, and the prices at which they are let. Attention has been called to cases in which tenders have been accepted much in excess of the estimates submitted to this Chamber. That points to a real danger, but it would be ridiculous to maintain that it needs the cumbersome and ineffective machinery of this Bill to remedy it. On the political board which is to be appointed three or four Ministers are to have seats, and the chairman, curiously enough, is not to be the Minister of Railways, but the Minister of Lands. One other member of this Chamber and one member of the Legislative Council are also to have seats on the board, and these five gentlemen are to be responsible to Parliament for everything relating to construction. The fact that this is the introduction of a political body will scarcely be disputed, and it must also be admitted that in 1883 power of this kind was deliberately taken from the Government.

MR. MUNRO.—Who are responsible now?

MR. DEAKIN.—The commissioners are responsible to the Government, and the Government is responsible to Parliament.

MR. W. T. CARTER.—Then your responsibilities were great.

MR. DEAKIN.—Perhaps it is because our responsibilities were so great that my colleagues and myself now find ourselves on the left of the Speaker. The Government propose to amend the condition of things by creating a board of five politicians, with authority, apparently, to appoint whomsoever they choose to carry out their behests. Three of the board are to be members of the Government, and, as that number will constitute a majority, the Ministry will directly control the actions of the board. That being the case, why introduce the farce of putting two Members of Parliament on the board, one of whom may be a member of another place, having financial responsibilities cast upon him which the Upper House is not permitted to accept? I ask what is the object of interposing between the Government and the House this buffer in the shape of a board, on which the Ministry are to have a majority?

MR. HANCOCK.—To prevent hasty legislation.

MR. DEAKIN.—There are depths in that interjection which I cannot fathom. As I understand it, this body has no power, and is created for no other purpose than that of carrying out the behests of this House. How, then, it can possibly affect hasty or any other kind of legislation is more than I can conceive. Legislation must come first. If the Government are to take, as they virtually do by the Bill, the control of construction, why introduce this bogus board, in which Ministers are to sit and do indirectly what the Cabinet could do directly? In committee I shall propose serious amendments in regard to the whole of this proposal affecting construction, on the ground that the body proposed to be created will be an unnecessary appanage to the administrative system of the department, and that it will tend to confuse the issue and withdraw the responsibility of Ministers, who are at one and the same time taking control of this board while seeking to evade responsibility. Under the second part of the Bill—dealing with administration—it is proposed to make an important change in the existing system. I hope that honorable members will not pass this lightly by,

for the proposal is to make the position of the commissioners entirely different from what it has hitherto been. They will be divested of all real authority and active power; they will be the mere servitors of the Government of the day; they will be bound hand and foot; they will be hampered in a way which makes one wonder why three commissioners should be retained, and not one only. Contracts cannot be let, sidings cannot be constructed, mileage cannot be increased, stations cannot be built, workshops cannot be opened, promotions cannot be made, differences between employes cannot be settled except with the consent of the Ministry. The officers themselves are not to obey the instructions of the commissioners, but are to be formed into separate independent bodies in each branch, who will be able to act independently of the commissioners. At the present time, the Railways Commissioners are responsible, but this Bill will take all responsibility from the commissioners, and reduce them below the level of the traffic managers employed in the department before 1883. Mr. Anderson exercised far greater powers than the commissioners possibly can under this Bill. The commissioners are still to be men of knowledge and experience; they are to be endowed with a throne and crown, and with the insignia of authority, and are to be deprived of all real power. It is equivalent to placing a man in charge of a steam-engine and telling him that he is responsible for its working, though another man is to control some wheels, a committee is to govern its levers, and all are to act under the orders of somebody else. Put into plain English, the Bill means that, for one reason or another, the Government will not or cannot dismiss the Railways Commissioners, but are determined to deprive them of every power which Commissioners of Railways ought to possess—to make them merely upper railway servants, who are to be held responsible but who are not to be endowed with any original authority.

AN HONORABLE MEMBER.—Is Parliament to have no voice in railway matters? Are the commissioners to be supreme?

MR. DEAKIN.—It is for Parliament to lay down the principles upon which the railways shall be managed. Parliament can make itself supreme in that way in any department. But this is not a Bill of principles—it is a Bill of details. It permits the Ministry to interfere with every single

action of the commissioners—to hamstring them, and prevent them from doing anything.

MR. OUTTRIM.—What does the Government do in the other departments?

MR. DEAKIN.—There is no other department on all fours with the Railway department. That is a great commercial undertaking. Parliament has recognised this distinction by putting the public service under one Act and the railways under another. Railway management is a specialty, and its details must be left to specialists, because there is no Minister in this country who can claim to possess the same amount of knowledge in regard to railway matters which Ministers are able to acquire in other departments. The matter resolves itself into a very simple issue. There are two ways in which the Railway department can be managed. The first is by commissioners under the control of Parliament, it being the duty of Parliament to lay down the principles upon which the department shall be managed. The other is by a Minister, to whom commissioners and all are subordinated as in this Bill. For instance, with regard to construction, on the first plan, this House is perfectly well able to determine when and where lines shall be constructed, the order in which they shall be constructed, the limit to be placed on cost, the penalties to be inflicted on defaulting contractors, and so on. Provision might be made for all these things in a Bill. The Bill ought also to determine the question as to whether the railways are to be run on purely commercial principles or national principles. That is a question which this measure entirely shirks. It leaves each successive Government to form its own judgment on all these subjects. What we desire is consistency and uniformity of railway administration.

MR. MUNRO.—No matter how bad.

MR. DEAKIN.—On principles approved of by this House. Particular cases to which attention has been called in the correspondence of the Minister of Railways point to the necessity of reform, but this Bill does not give the measure of reform which the circumstances demand.

MR. MUNRO.—Will you help us to amend it?

MR. DEAKIN.—Certainly. I wish to put to the House this important question,

upon which the Bill turns: are we to deal with the Railway department as an establishment which we are going to manage ourselves directly, or as one of which we shall be content with governing the policy and determining the principles. We can insert in this measure provisions which will absolutely prevent a repetition of the abuses which have occurred in the railway system—provisions placing this House in a position to insure the economical construction of lines, their economical management, and the just treatment of the public; and, in my opinion, we should prepare such a plan once for all, stating the policy of Parliament on all points. My complaint is that the Bill does not finally settle anything. It simply puts the Government of the day in possession of full powers to interfere and to obstruct, and leaves them to determine the details of management. That imposes upon the House the improper burden of continually criticising details which cannot be properly dealt with by a deliberative assembly or by its committee, such as the Government is. If the measure is passed much time will be wasted hereafter in abortive discussions of minor matters, while the Government will be called upon to supervise every branch of the work. How the commissioners can be held responsible when the Government takes from their control sundry branches of the department I cannot conceive. What kind of Railway department shall we have with the commissioners not only fettered by the Government, but directed by the House in matters of detail? It will be perfectly impossible to obtain or retain the services of any railway expert under such a system. The railways under the Bill must be managed by a second-rate traffic manager with a political Administration for his master. If instead of that we retain control by laying down the principles upon which the lines are to be worked, we are masters of the situation. We shall only have ourselves to blame if we allow the principles we lay down to be set aside. The Ministry say that their objection to the past administration of the Railways Commissioners is on financial grounds. I think I should be abusing the opportunity which I now enjoy if I entered into any discussion of the financial position as it affects the late Government. Honorable members will notice that I have avoided considerations of that kind, speaking individually throughout, but at a future stage I shall be perfectly willing

Mr. Deakin.

to reply to any arguments which may be adduced on this point. At present I set it aside as not immediately pertaining to the issue. It is on the financial side that the department most requires and invites our criticism. No doubt this House and the Government were not exempt from the "boom" spirit which prevailed not very long ago. It affected the Budget and it affected the Railway Bill—it not only affected the Government, but the caucus also. Now we are in the trough of the wave, a period of reaction has come, the "boom" enthusiasm has passed, and we are suffering from the blues of financial depression, after a pleasant evening of conviviality.

Mr. GRAVES. — That beats Shiels' metaphor.

Mr. DEAKIN.—But the Government go too far; the manner in which they invite us to deal with the financial aspect of the railway question is much too lugubrious. The Minister of Railways has made frequent reference to the deplorable condition of the railway finances. In discussing the Railway Bill which was passed in 1884, and also the one which was not passed in 1890, the House strictly and resolutely declined to be bound by commercial considerations, and faced the possibility of several of the lines not paying for some time to come. Having done that with our eyes open, it is a little ridiculous for honorable members to wake up now and to pretend to discover that in adopting that policy we did not know that the effect would be that we must make large drafts on the public Treasury. We were all, at that time, more or less under the influence of the "boom" spirit in our public as well as in our private investments, and now we are all wise after the event. The Chairman of the Railways Commissioners, however, is still booming; he is still full of enthusiasm, though the House feels that it is quite possible to force the pace a little too fast. In the halcyon days, with the revenue flowing in, and cheerful faces on every side, the Chairman of the Railways Commissioners was the very man for the position. If any man had confidence in the country and in its rapid progress it was Mr. Speight. Honorable members themselves felt as sanguine, and is it fair for us now to turn upon the Chairman of the Commissioners, declare that he has led us astray, and endeavour to make him the scapegoat for errors in

which we ourselves shared. Mr. Speight did not foresee the troubles coming, and he did not perhaps lay before us all the information that was desirable; but we scarcely sought for it, we were all light-hearted, and, to be just, this Parliament must take a large share of responsibility for the present position of affairs. We all made mistakes in the period of prosperity, and are all now suffering a recovery. When the late Government brought down its Railway Construction Bill, it was the then Opposition which demanded that it should be enlarged. The present Premier wanted 1,500 miles of railway a session earlier than he got them. When the Railways Commissioners reduced rates the House applauded them. Motion after motion was moved to reduce the rates.

Mr. LAURENS.—No, no.

Mr. DEAKIN.—Motions were repeatedly made in the House, and questions asked.

Mr. LAURENS.—Questions were asked, but there were no motions.

Mr. DEAKIN.—As I know that the honorable member for Melbourne North has taken all railway knowledge for his province, it would be presumption on my part to contradict him; but I am certain that by means of questions, speeches on the Estimates, and addresses by deputations, all the pressure that could possibly be brought to bear upon the commissioners to secure increased expenditure and a reduction of the rates was exerted. The commissioners yielded to the pressure put upon them by honorable members, and those who put the pressure upon them should be the last to find fault with them now. It is perfectly true that the commissioners were in a position of knowledge, and that they ought to have been wiser than the community; but honorable members need only look round to see how the keenest and ablest business men in Melbourne were misled in the management of their own affairs at that time. The ablest of our business men took just as sanguine a view as the Railways Commissioners did, and if the merchants and bankers had been right in their anticipations the railways would have been paying well now. It is not necessary that we should now pretend that we were all wise while the commissioners were wrong; that does not affect the issue a bit. The fact is we were all sanguine, and spent money broadcast with a light heart. The late Ministry must take its share of the responsibility, the

majority who supported them must take their share, and the Opposition who opposed them for opposition's sake must bear their due also. That time is now past. The attitude of the present Opposition towards this Bill is entirely friendly to its promise of reform, but gravely critical as to its method. This large and cumbrous measure of 60 clauses is certain to fail to achieve its object, and will also accomplish much that we neither desire nor foresee. If it is necessary for the Minister to control construction, let him do so—but it is not necessary. This part of the Bill is far too clumsy, and will not lead to that economical construction which the House desires. Then in the second part of the Bill also, principles instead of details should be dealt with. The doctrine of Ministerial responsibility laid down is good, but it is pushed too far. It goes much too far—into details where we cannot go with profit either to ourselves or to the Railway department. It does not set out as it should the principles on which we can act with profit to ourselves and to the department. That briefly is the case I have endeavoured to make out with regard to this Bill. The attitude of the Government with regard to the commissioners—their attitude in proposing clauses that re-appoint officers who have been condemned by them on the floor of this House—ought to be dealt with in a parenthetical way. I trust the House will not confuse those two things as the Minister of Railways confused them in his speech. Whatever we think of the action of the Government, or of the action of the commissioners, does not affect the issue. I believe this House to be thoroughly pledged to railway reform, and that this House, as a whole, will insist on the Government going in the direction of railway reform. I believe that Parliament will not be satisfied unless the Bill leaves this chamber in such a shape as to give an assurance of reform. The Ministry may have erred, the Minister may have erred, the commissioners may have erred; but whether we bring any of them to justice or not is one question, and whether we are to do justice to the country and to the Railway department is another question. The late Government took long strides towards railway reform, and were only balked by conditions which ought to be removed. The attitude of the Opposition with regard to this Bill is one thoroughly in favour of railway reform; but we believe that it should be a reform of principles and not of details. We shall deal with this measure quite apart

from personal issues. We recognise the fact that what we are proposing to do is to determine the methods of railway management in this country for years to come. What we desire is to insure economy and efficiency in the Railway department. We must take the necessary means to attain that end; but we shall not be misled by a mere cry for Ministerial responsibility into bringing back uncontrolled political management, and a large measure of political patronage. This would confuse the issue and prevent us from obtaining that cheap construction and wise management of railways which alone will meet the national needs.

MR. W. T. CARTER.—Mr. Speaker, I feel myself robbed of the pleasure which the discussion of a subject in this House is calculated to give one owing to a sense, and I must say a painful sense, of my responsibility. I feel painfully oppressed with the possibility that in expressing my opinions in reference to these proposed reforms I may unconsciously injure interests I would fain serve. I recognise my responsibility to consider the interests of the State; but I am bound also to recognise my responsibility to consider the interests of those who can only speak to this House through me and others who represent their views. I am sorry that I have incurred the displeasure of the Ministry by intervening yesterday evening to move the adjournment of the debate. In doing that, however, I simply acted in the discharge of what I felt to be my duty, and other honorable members were quite as ready to propose the adjournment of the debate as I was. But I am bound to say that, in common with a great many other honorable members, I was very much surprised at the necessity which was thrust upon us to move the adjournment of the debate. I find that when the resolution for the appropriation in connexion with this Bill was proposed, you, Mr. Speaker, in your position as guardian of the privileges of this House, following your usual policy of allowing as much latitude as possible whilst preserving the proper course of Parliamentary procedure, pointed out that a discussion of the kind then initiated was irregular, and further than that you said—

“Of course honorable members will see that this is very disadvantageous, because we are practically discussing a Bill when it has not even been printed, and, to-night, honorable

members are at a great disadvantage on that account in following the Attorney-General.”

Last night when I got home I re-read the speech of the Minister of Railways in proposing that motion, and of course it can be claimed by him that the speech was a forecast of the Bill; but you, Mr. Speaker, fully recognised, when contending for our privileges, that it was not putting us in a right relationship to a measure to give the exposition altogether apart from the text of the measure. Last night we were placed at a disadvantage in which we should not have been placed in connexion with such an important measure, when we were asked to at once rush into a discussion of a Bill, the second reading of which was simply moved by a motion of the head. Now I have no intention whatever of endeavouring to outdo the brilliant word-play of the Minister of Railways and of his latest critic. Those gentlemen, it is perfectly well known, are the rhetoricians of the House, and I feel the House would scarcely bear with me if I were once to venture on a discussion of the pros and cons of that voluminous correspondence which contains so many literary gems. I do not intend to enter into the quarrel between the Minister of Railways and the commissioners. I am bound to deplore that it should have occurred, because I cannot help feeling that in all such matters of State it should at any rate be possible to settle them without quarrels of that kind. I must say, as indeed a member of the late Government has admitted, that reform had become absolutely necessary. There was a feeling that the Railways Commissioners had escaped from the proper control of Parliament. They had become possessed of an amount of money given to them for their expenditure, and it had become to them as a civil list, whilst they, as despots, distributed that civil list without having to listen to any complaint or grievances, or anything of the kind, with the result necessarily that they were tempted, as no men ought to be tempted, to deal with those who were beneath them. Besides that, I think it was made clear to the country that the commissioners, whatever may be their merits in other respects, failed in the discharge of their duties in connexion with the last Railway Bill that was before us. Now the Government have proposed in this Bill a plan for forming a board of construction, and that has been very adversely criticised by the honorable member for

Essendon. I cannot agree with that honorable member in his criticism. He pointed out very adroitly that there would be three Ministers on the board and two Members of Parliament. But what would be the effect if the Ministers overrode Members of Parliament of both Houses? Then those gentlemen sitting with them, and knowing the whole movement, would be able to criticise their action on the floor of the House, and the minority that had been silenced in the board-room would find its voice here. Moreover, it seems to me that, in dealing with such a matter as that, a board so constituted—having placed upon it members of the Parliamentary Standing Committee on Railways—is effectively constituted to deal with such a matter as railway construction. Of course it is a political board; but I hold that it is a political board with proper political constitutional responsibility, and I do not know whenever we are to escape from that. If we at any time assign our powers here, there, or elsewhere we are bound at once to resume them when we see a misuse being made of them; and, as long as this country is governed in the way it is, surely its most important functions should be discharged by men who are responsible to those who made them what they are. The Minister goes further in reference to some minor details, and I am sorry to see that he has spent a great deal of force in proposing the organization of these conferences and sub-committees. The fact is that the Minister of Railways is a legal expert. He alarmed the laymen of this House the other night by the manner in which he told us that this, that, and the other was not valid, and we felt disposed to say with Gordon—

"Is the dry land sure, is the sea sure?
Is there aught that shall long remain?"

He made it to appear that it was a very difficult thing indeed to discover whether anything was valid unless it was validated specially and particularly. Now, when eminent lawyers begin to talk in that fashion they lead us to wonder what is the use of law at all. We are led, as laymen, to believe that the law is necessitated by the complicated state of our civilization; but when we hear that we are not even sure that an Act of Parliament is at all effective, although transactions have taken place under it, and although it is specific in its provisions, we wonder what on earth is the use of it; and I am bound to express honestly the

fear that the Minister of Railways has exerted his legal talent to a very great extent in order to draft clauses and provisions which will lead to a great deal of red-tapism and a great deal of useless formality. Although it is admitted that the Railways Commissioners have escaped from political control and from their proper responsibility to the representatives of the people, I am bound to say that it is not only the Railways Commissioners who manifest that sort of feeling. I have been told more than once, and told in a very unbecoming manner, by heads of departments that certain things would get along very well without Members of Parliament in any way interfering with them. This shows the tendency there is to escape from political control, whereas, as I understand it, those gentlemen, no matter how high their qualifications or their salaries may be, are servants of the public; and certainly if we are placed here for anything one part of our duty is to see that they do their work. Now, in order to get a right idea of the relationship of our railways to the people, I feel it will be necessary to refer to a statement that is very frequently made in reference to them, and to express my dissent from it. It is often said that our railways are an instalment of State socialism.

Dr. MALONEY.—Hear, hear.

Mr. W. T. CARTER.—I am sorry I cannot agree with the honorable member who cheers that statement, because in my opinion State socialism is of such a nature that it is utterly impossible to have an instalment of it. If ever we have State socialism we must have it not only for a whole nation, but also for every nation with which that country stands in commercial relationship, because it is just as impossible to have a department in any State which could be called an instalment of socialism as it would be to have an area of water in Hobson's Bay lying lower than the general level of the surrounding water. What do I find with reference to the railways? It is not the people who bear the burdens that get the proceeds which come from the working of the railways. As a matter of fact, it is the property-holders of the country who benefit by the construction and the working of the lines, and the result is that, instead of being an instalment of State socialism, the railways under the present circumstances are rather a means of exaggerating class advantages and class differences. At the same time

it has been very clearly and very wisely seen that in order to give a new country a development, which it could not attain for generations otherwise, it is desirable to have State railways. Having those railways, the question arises as to the relationship of the State to them. The railways, of course, must exist for the State, and not the State for the railways, and the servants of the Railway department must not expect that the State exists for them; but rather that they exist for the State. But although that is fully admitted, on the other hand, the State recognising their value, and the immense importance of the work they are doing, should also recognise its responsibility to them. In the old fighting days, when the great force of civilization was gunpowder, the men who used gunpowder were very highly thought of, and very greatly admired by the people of the time; when it was necessary that fighting should be done and that fighting men should be kept for that purpose, those men, because they carried their lives in their hands, because they might at any time be called upon to pay the greatest price that any man can pay on this earth, were admired by the people. At the present day, such departments as the State railways stand to us in precisely the same relationship that the fighting men stood in to the States of olden times, for the railways are the army by which we are carrying on a peaceable conquest—not with the power of gunpowder, but with the power of steam; and I hold that those men who are engineering that power, who are using that power, deserve from us that consideration which the importance of the functions they discharge to the State demands. I would ask honorable members if any of them have ever sought to realize the risk which they constantly run, in the use of our railways? Of course we accept the risks, because of the immense advantages which accrue from the use of the railways, and, of course, we have decided once for all that it is impossible to discharge steam from our service. If steam were discharged from the service of man, then not only would civilization go backwards, but it would actually die, because fully two-thirds of the earth's population would perish through sheer want of the means of living. In considering what we owe to railways, we must also recognise the risks that brave men very frequently run in order to get for us the advantages that we enjoy.

Mr. W. T. Carter.

As I have said, the reason why the travelling public are content to be continually risking their lives—for they do nothing else—is the perfect confidence they have in the efficient management of the railways and the efficient performance of their duty by the railway officials. It is due to the men who sit in their offices and plan, to the good work done by other employees in connexion with material used, and to the efficient and orderly way in which things are carried out, that people think no more of stepping into a railway carriage than they do of eating their dinners. Yet when they do so they commit their lives into the hands of men whose inattention to duty might at any time launch them into eternity. The value of the railway service of this country, and the manner in which it provides against accident, may be judged by comparing the history of our Railway department and the history of our railways and of our railway lines with the histories of the same things in other countries. I had hoped to be able to make such a comparison, but I cannot do so just now. Nevertheless, I am sure that it would be in favour of our own railways. Is not our railway history full of records of deeds of heroism? Why, the name of Driver Maskell will never be forgotten, because it is certain that when he remained at his post he did so knowing that he was facing certain death, and I am sure that he is the type of hundreds of our railway officials. It ought to be known that in some departments of our railway service employees cannot do their day's work without feeling that they carry their lives and the lives of their fellows in their hands. Particularly is this the case with those who work in iron, for you have only to go among them to see the poor maimed hands, fingers lost, and many other signs of the special risks they run. Now, I hold that special responsibility should always command special privileges. What I have learned is that privilege should be the reward of duty—of responsibility undertaken and properly carried out. Here we come to the public interest in the matter. I say that the public are concerned in it being seen to that the interests of the servants in this particular department are specially cared for. Well the Minister of Railways in connexion with his speech the other night lent an ear and gave an echo to the cry which we find set up in certain quarters about the incivility of some railway

employés. Now, I think that one claim these employés have is that people should be civil to them. They certainly should be civil, and in my opinion they uniformly are so, but they have a perfect right to demand that they should be treated as fellow-men, and not as mere underlings, as people not worth consideration. In short, they have a clear right to treatment very different from that which I have known and often seen meted out to them when they were doing their duty properly, and with proper deference and civility. I have often heard them spoken to in a most objectionable manner.

AN HONORABLE MEMBER. — Civility should be commanded.

MR. W. T. CARTER. — Yes, it should be commanded everywhere no matter from whom to whom. For my part, I feel under the necessity of recognising the manhood of every man, I do not care who he may be, and to be civil to every man, no matter who he may be. It will be argued that these men have special privileges in the matter of free passes given to them to travel over the railway lines. Of course this, like many other things, has been made mountains of, and there has been a great deal of talk about the number of passes that have been given in connexion with the arrangements for holiday occasions.

AN HONORABLE MEMBER. — And for duty purposes.

MR. W. T. CARTER. — I do not consider a pass for duty purposes a free pass at all.

MR. GRAVES. — Yet such passes are counted as free passes.

MR. W. T. CARTER. — Of course, the men must always be carried to their work. There is a view of this subject which has not been considered by some honorable members, who are so ready and so jealous in their denial of this privilege. It is this: that every large firm always feels itself under an obligation to give certain privileges to its employés in reference to the commodities it deals in. For instance, a firm carrying on a large business in certain articles will generally allow its employés to obtain these articles at cost price or less. At all events, special advantages are given. By way of illustration of the case of the railway employés, I will tell a short tale of an employé who asked the manager of his company for a free pass of a certain kind. The manager refused to give it, saying — "Do you mean to tell me that if you were working on a farm the

farmer would put his horse in his cart to take you home after your work?" "No sir," replied the employé, "but if his horse and cart were going the same road, and there was room in the cart, I think he would let me ride." That is something like the proper view of the matter. As for the privilege given to these men, it is something which we may regard as costing almost less than nothing. Moreover it is a matter of fact that the arrangement is one beneficial to the country. With reference to this holiday question, surely in a department like that of Railways, the permanent head of the department should have perfect control in respect to holidays. Yet it is contemplated by this Bill that the holidays of railway employés should be regulated the same as in other branches of the public service, by the Public Service Board. At all events, that is how I read clause 40 of the Bill. Now I think that in a service like the railway service, where the duties to be performed are so special, the arrangement of the holidays should be left wholly to the officers at the head of the service. For one thing, a large section of the employés can only take holidays when the general public are not holiday-making. There is another advantage which, surely, should be gained by the Railway department unless we, in Victoria, are determined to say that, with respect to the railways, we have nothing to learn. I understand that in some cases the Railways Commissioners have given young artisans an allowance of leave to enable them to go to Europe or elsewhere in order to learn the latest developments in engineering and other work in connexion with railways; and I hold that the giving of such furlough, at all events, should be properly left to the heads of the railway service. Again, there is no provision in the Bill for a proper classification of the employés. In my opinion, however, there ought to be a classification of the commissioners also, because each of them were appointed to exercise special functions. I understand that Mr. Speight was made general manager because of his general ability in railway management, that Mr. Ford was appointed because of his general aptitude for accounts, and that Mr. Greene was chosen because of his engineering knowledge. Well, if there was a division of labour accordingly it would simplify the relationships in which these gentlemen stand with respect to each other. Another

matter in reference to this relationship ought to be touched on. It bears upon the injustice, unfairness, and cruelty with which the sub-commissioners of railways are frequently referred to? They are spoken of as the dummies and tools of Mr. Speight, for which statement I think there is not the slightest foundation. I have had some little experience in dealing with the commissioners, and I have certainly found that each of them has his own personality. And I have always borne in mind that before they became commissioners they had served the country in other positions, and therein proved their ability to do valuable work and render valuable service. Surely, their office being temporary, a great injury has been done to them in the direction I am alluding to. At all events, I believe an injury has been done to Mr. Speight, because I do not think Mr. Speight is a man who would assert himself so as to crow over those associated with him, or demand from them implicit obedience, or suborn them to his own ends. I also think that the other commissioners have sufficient individuality and independence of character to enable them to maintain their respective positions. I should have said, in reference to this matter, that I would like to see a proper classification, not only of every employé, but of every officer in the railway service, no matter how high or low his position may be—a classification that would determine the relative value of every position in the service. Next, with regard to appeals, as they are intended to be dealt with in the Bill. I think there should be a radical change in this respect. For instance, I think that, in such an important matter as an appeal against dismissal, the employé concerned should be able to lodge his appeal direct with the commissioners. Also he should be able to demand that the evidence be taken on oath, and to employ counsel in his behalf. A very injurious practice has grown up in this regard, and I would rectify matters by laying it down that the foreman of the department to which the accused person belongs should not be allowed to remain in the commissioners' room a moment after the accused has had to withdraw. I do not suppose that the present practice was adopted with any unfair intention, but I think it is contrary to British fair play. The action of the commissioners in such matters should always be above suspicion. It must be remembered that the foreman

Mr. W. T. Carter.

stands in the light of an accuser. It is the boast of the Minister of Railways that he has sought in this Bill to place the railway service in precisely the same position as the other branches of the public service, but I look upon that as a mistake. I think the honorable gentleman has allowed himself to be swayed by the jealousies entertained in some quarters, rather than by his usual honest determination to do what is right. It is utterly impossible with fairness to treat the railway servants the same as the officers in other departments of the public service. They are not the same in three important ways. First, railway officials run special risks in their employment; secondly, they have no sick pay; and, thirdly, they have no regular classification entitling them to increment. Nevertheless, the Minister of Railways proposes, in clause 38, to deprive them of the right of compensation under certain circumstances which they have hitherto enjoyed ever since there has been a railway service.

Mr. MUNRO.—It is the law now.

Mr. W. T. CARTER.—It may be that the custom prevailing in this direction is against the law, but I think that, instead of legislating to destroy the custom, the honorable gentleman should legislate to legalize it. This is a matter which, I am sure, honorable members will take into their earnest consideration. To begin with, it should be borne in mind that only a limited number of railway servants are affected. It is only the men who were in the service when the Railways Commissioners took office, and their number grows less and less day by day. Ever since the commissioners took office every employé of the Railway department has had to insure his life. That is a very wise precaution, but remember that the men who were in office when the commissioners came were led to rely on the maintenance of the custom then in existence, namely, that of giving in case of death, one month's salary for each year of service. Not having been like those who came in after them, compelled to insure their lives, they have in most cases, on the strength of the other provision in their favour, not taken the precaution to insure their lives at all. Yet the Bill proposes to specially legislate so as to take away this provision from them. Well, I do not wish to use any harsh term, but I am bound to say that such legislation will, to my mind, be nothing more or less

than repudiation. Now I ask the Government not to teach me a lesson in repudiation—in the repudiation which they propose to apply to a large proportion of the working men of this country. I have an objection to repudiation. I am a British subject, and would have acquired rights of this sort as much respected as were the acquired rights of all the slave-holders in British possessions when slavery was abolished. The public conscience demanded the abolition of slavery, but at the same time the public sense of justice demanded that the vested rights of those who owned slaves should be respected. Consequently, although their slaves were taken from them, and in that way a cruel wrong was done away with, they were compensated for the loss. Similarly I would have the rights of the daily-decreasing remnant of men in our Railway department who came in before the commissioners did duly conserved. The Minister of Railways does not even propose to resort to the mild form of confiscation adopted by the South Australian Government. What did they do? They said to their railway employes, "Your compensation will be stopped now, but we will give you £4 per cent. interest on what you have acquired up to the present time." They confiscated future increment, but they left acquired rights untouched. What is the effect with reference to the rights I am referring to? That when men applied for an increase of pay they were reminded, as a reason why their request should be refused, of the provision which was being made for them or on their behalf. No, not in their behalf, but on behalf of those whom they would leave behind, and who were dearer to them than their lives. In this way these men, I say, were directly led to neglect to insure their lives. They trusted to the provision made for them in another direction. I would deeply regret if this proposed act of confiscation was indorsed by the House; and yet this comes in ruthlessly and sweeps away those rights, and says that, even though a man may have been 40 years in the service, he shall only receive nine months' pay or a pension. I have said, and I say it again, that I shall deeply regret if by a vote of this House such an act of confiscation is endorsed. I shall then be convinced that, while vested interests are to be conserved in every possible way in some directions, yet, when certain men have rights at stake, those rights are

not to be respected. There is one other point that I feel bound, as a friend of the Government, to urge upon their attention. By this mode of retrenchment they are raising the question outside of why it is that all retrenchments are made at the expense of labour. That question is bound to be raised if retrenchment is effected on such principles as are contained in this Bill. We cannot afford to treat the men whom we have in our employ in such a manner. In regard to this matter the notion of employer and employed should be dropped, and the Government should remember that the railway servants are citizens of the State just as much as other men. In such a country as this the public servants in every department stand to the Government not in a business relation simply, but in the relation of citizenship—in that, I should like to believe, of brotherhood; and if retrenchment is necessary, and I am not here to say that it is not necessary, let it be carried out in the most considerate manner possible. If it be approached in such a spirit as I have indicated, the Government will feel that they have the sense of the House and the country with them. I hope that the fullest freedom will be given in committee to honorable members in endeavouring to amend the Bill. I am pleased that the late Chief Secretary has offered the assistance of the Opposition in order to perfect the measure, and I am confident from the manner in which the House has listened to what I have said on behalf of a certain class of men that their interests will be respected.

Dr. PEARSON.—Mr. Speaker, it is a little difficult to criticise a Bill which has as yet had no advocate in the House. The Minister of Railways introduced it in silence, apparently thinking that it was safer to wait for criticism, so that he might be enabled to attack rival plans rather than to advocate the particular plan that he has put before us.

Mr. WILLIAMS.—He spoke for over two hours.

Dr. PEARSON.—Yes, on the conduct of Mr. Speight; and there has been a great deal of criticism of his remarks which he might have answered.

Mr. MUNRO.—He could not speak on Tuesday, because he was not well.

Dr. PEARSON.—I am certain that he would have made an eloquent speech, and if it was not policy, but ill-health, that prevented him from addressing the House,

honorable members will regret it, and will feel that they are the losers by it. However, it has so happened. The ex-Chief Secretary, who is one of the best supporters the Government have, in a critical way has treated them very leniently with regard to the personal charges. He went so far as to imply that he was not opposed to reforms in the railway administration, but he nevertheless riddled the Bill through and through. The honorable member is for reform, but not for reform in this way. Then we had the honorable member for Williamstown who spoke from the Ministerial side of the chamber. I listened to his speech, which contained a great deal that was interesting about State socialism, the high claims of railway employés, and a great deal else that I am sure the electors of Williamstown will appreciate.

Mr. W. T. CARTER.—That is unfair.

Dr. PEARSON.—If the honorable member tells me that they will not appreciate it then it will be unfair, and they will be very ungrateful. The honorable member has only pointed out omissions and faults in the Bill, as far as I can see. Of course that is a great service to render to the Government. On the other hand, one sitting on the opposition side of the House feels that it is not exactly his place to point out the excellences of the Bill, so much as what should be amended, and it does seem strange that we should not have heard from the Ministerial side of the House any honorable member who could tell us what there is that is distinctly good in the Bill. I wish to follow the example of the honorable member for Essendon, and I will deal as lightly as possible with the personal question. We might have found that to be a very serious question indeed to debate. There was a charge, to a certain extent, brought against the Opposition itself, for the Minister of Railways implied that Ministerial influence during the time of the late Government had had weight with the Railways Commissioners, who had made reductions that could not be justified on commercial principles, but that when a Ministry came into office against whom the Railways Commissioners had a personal feeling, they then refused to make reductions which were absolutely demanded by the public interest. I can conceive of no more serious charge than that, and it might be necessary for the Opposition to have it investigated, in order to show that they were perfectly innocent of encouraging any

public servant in conduct of that kind. I cannot imagine that party feeling should ever run so high as that a public servant should be encouraged from one side of the House in being disloyal to a Government. I have never known an instance of that sort, and I am exceedingly slow to believe it. The only reason that we are not pressing for an inquiry into this matter is that the gentlemen who are most interested appear not to have demanded one.

Mr. BURROWES.—Do you mean the late Minister of Railways?

Dr. PEARSON.—I refer to the Railways Commissioners. If they demanded an opportunity of justifying themselves I do not think that the House could have refused it, and I do not think that the country would have allowed the House to refuse it. If the Ministry had carried the refusal by a majority they would have found out their mistake when they went to the country. The Railways Commissioners have not taken that course for reasons, I suppose, which they will be prepared to justify on some future occasion; and we may reserve ourselves until the question comes before us in committee of why we are to re-appoint these gentlemen, against whom the gravest charges have been levelled, to offices the responsibility of which will be diminished, but which will still require honorable and efficient men to fill them. I hope that the Government by that time will be prepared to give some fuller information on the subject. At present they seem to say that these men are unfit to fill any position, because a disloyal official is worth nothing, and yet they ask us to re-appoint them to one of the highest offices of the State. I want to ask the House to consider that, whatever this Bill may profess to be, it calls upon the country to reverse the policy of 1883, which we entered upon deliberately after a long experience of the evils of the system that preceded it. I am certain, from the debate that has taken place, that a great many honorable members have forgotten why that change was made and why so strong a feeling grew up on the subject.

Mr. LAURENS.—What did we expect?

Dr. PEARSON.—I will tell the honorable member what we expected, and what we were justified in expecting.

Mr. LAURENS.—That is what we have not got.

Dr. PEARSON.—I wish to begin with the point of what the Ministerial management of the railways was. The feeling

against that Ministerial management first began to be strongly manifested in 1881, when there were two very important inquiries—one into the Jolimont accident and another into the Ministerial management of the railways. In the case of the Jolimont accident, it will be remembered that a tire of a wheel broke, life was lost, and a great many persons maimed in consequence. The Minister of Railways of the day was absolutely blameless in the matter because he had only just taken office, and throughout I do not intend to say a word against the Ministers of Railways of that time. The three Ministers of Railways who belonged to that period were the honorable member for Stawell, the honorable member for Castlemaine (Mr. Patterson), and the honorable member for Brighton. We all know that the honorable member for Stawell had the advantage of being a railway expert, and the other two honorable members are well known as being sound business men. Therefore it cannot be said that the system broke down on account of any want of ability on their part. I wish the House to remember what the evidence was that was given in connexion with the Jolimont accident. It was to the effect that the whole of the rolling-stock of the Hobson's Bay Railway was in such a scandalous condition that not a carriage should have left the yards. Mr. Miris stated that when he saw the rolling-stock it made his blood almost run cold. The couplings were weak, and the tires, which ought to have been 2 inches thick and should not have been less than $1\frac{3}{4}$ inches thick, were down to five-eighths of an inch, and in many cases to less.

Mr. LAURENS.—That was a legacy from the Hobson's Bay Railway Company.

Dr. PEARSON.—There was not a single accident on the Hobson's Bay Railway.

Mr. LAURENS.—They were their carriages.

Dr. PEARSON.—I was going to mention myself that undoubtedly this rolling-stock had been taken over from the Hobson's Bay Railway Company some years before.

Mr. LAURENS.—Not many years before.

Dr. PEARSON.—It was truly stated at the time that the rolling-stock was no better than a lot of rusty iron, and what happened? Mr. Elsdon made a representation to the Minister with regard to the condition of the rolling-stock, and it was pigeon-holed, and it could not be found

when it was wanted. When the inquiry was held into the accident, it appeared that no one knew who was responsible for the carriages being put upon the lines in such a condition. The stock had been getting worse year by year. The manager had reported upon it in what terms we do not know, and the Ministry of the day, as the finances were embarrassed, had determined to make an important economy. Between all these things the railways had become positively dangerous. Undoubtedly, if Mr. Elsdon had been a man with more backbone, and had gone to the Minister and stated that he would not be responsible if the Minister did not bring the state of things before the Cabinet, he would have done what was his duty.

Mr. BURROWES.—It was a mistake to take Mr. Elsdon over with the stock.

Dr. PEARSON.—It may have been a mistake. I am simply giving an historical statement that this was one of the first things that shocked public feeling as to the system of managing the railways by a Minister.

Mr. BURROWES.—It was not the Minister. It was the Engineer-in-Chief.

Dr. PEARSON.—It appeared that the same man was Engineer-in-Chief and manager. It comes to this, that the Ministerial system broke down absolutely in that way. It was political management against business management.

Mr. BURROWES.—That had nothing to do with the accident.

Dr. PEARSON.—Any honorable member who will look at the evidence will know that I am well within the facts when I state that the legitimate inference is that the Ministerial system broke down absolutely, because a Minister is always more concerned to present a good balance-sheet to Parliament than to keep the rolling-stock efficient. There was a charge brought against the Minister of Railways at that time of which he was acquitted in a most thorough manner, and which I am sorry to have to allude to at all. The point is this, that in that particular inquiry there was a draft report drawn up which the committee objected to on the ground that it was not a part of the work that they were appointed to do, but that report contained the following paragraph—

"But, while such is the case, your committee would respectfully direct the attention of the House to those portions of Mr. Elsdon's evidence in which he complains of having been subjected to improper treatment. From the

evidence referred to, it is manifest to your committee that the relations existing between the Honorable the Minister of Railways and the late Engineer-in-Chief were such as to militate against the efficiency of the public service in the Railway department. In the opinion of your committee no Minister of Railways should either alter specifications or give instructions to subordinate officers in the Engineer-in-Chief's department, as such conduct is directly subversive of wholesome discipline.

"In the opinion of your committee the late Engineer-in-Chief was not treated with that courtesy that was due to the high and responsible office he held; and his evidence proves conclusively that he retired from the position of Engineer-in-Chief under the impression that he had been subjected to indignity by the present Minister of Railways."

It came out in evidence before the committee that so far from the Minister of the day (Mr. Bent) having any ill-feeling to Mr. Elsdon, he actually raised his salary. There was no unworthy feeling of any kind, but at the same time when you have a Minister going outside the responsible head in dealing with his subordinates, instructing them to make plans for stations or appointing them to particular positions, you get a condition of things in which it is utterly impossible that the permanent head, who has professional knowledge, can do his work thoroughly and efficiently.

Sir B. O'LOGHLEN.—The officers under Mr. Elsdon were the officers under the Hobson's Bay Railway Company.

Dr. PEARSON.—Yes; the whole change had been in this, that Mr. Elsdon, under the Hobson's Bay Railway Company, was allowed to manage the system as any ordinary man would; he was not interfered with except on very special occasions, but under the State he was given double duties, and was constantly interfered with. If you drive a stage coach with a man on the box who is continually clutching at the reins, you are bound to bring the coach to ruin. There was a third case before the end of that period. I refer to the inquiry into the Hawthorn accident, which completed the strong public feeling against the management of a Minister. In that case the time-table which had been arranged for the duplication of the line was put in force before the line was duplicated. It turned out that the engineer and the station-master ran the train by wrong time in defiance of the rules, and the committee reported:—

"We find that the department has not even the general supervision of any permanent head. The secretary considers himself as the head, and the Ministers have endeavoured to establish him in that position; but the professional

heads of the branches have systematically refused, and do refuse, to treat the secretary otherwise than as merely 'the neck of communication' between them and the Minister, or between the different branches in cases where they think proper to adopt the legitimate course of conducting the business."

Now, could there be an instance of a department more thoroughly disorganized than the Railway department was at that time? There were Ministers of ability, and good officers under them, many of whom have been retained, but they were jealous of one another, and were trying to thwart one another. Any man who could get the ear of the Minister could get an order which would enable him to checkmate his superiors. There was a case given in which two permanent heads were successful in resisting the appointment by the Minister of officers whose selection they did not approve of. The committee said—

"Now, we think that in each of these cases these gentlemen were actuated by a sincere desire for the benefit of the service, and that in each case the Minister was mistaken; but that such a case of things can occur is sufficient to show the construction of the department to be virtually faulty."

It was this state of things that caused alarm in the public mind, and led to the bringing in of the Railways Commissioners Bill. There was a great public meeting in Melbourne, and the topic was freely discussed at the elections. There was a cry for the transfer of the railways to commercial management, and what was meant was that there should be one permanent head, with very considerable power, who would be able to make the different officers—experts in their way—obey him. The feeling about patronage was an exceedingly weak feeling in comparison with this. If we were to transfer the railways back to the Minister to-morrow, we could guard against political patronage. We have only to retain the present rules, by which candidates for the railway service are chosen by ballot and are promoted by seniority, and the service might then be perfectly free from patronage. The honorable member for Port Fairy reminded the House the other night that he had previously proposed a plan, which he considered to be far better than that adopted in the Bill of 1883, for remedying this state of affairs. I looked up the *Argus*, which was friendly to the honorable member's Administration, and I found that the *Argus* did not speak of the

Bill he introduced in very respectful terms. It referred to it as an insult to human intelligence, and I presume that the meaning of that was that while the honorable member professed to do what the public was wanting, the old system was completely conserved. The Bill consisted of two parts—one abolishing political patronage, and the other appointing a board of commissioners, who might send in recommendations to the Minister of the day. These three gentlemen were to draw large salaries, and they might fuss about the office, make recommendations, or go with the Minister for a jaunt into the country to survey a route or to inspect a line. The Minister might, however, pigeon-hole every communication which they addressed to him. He would be supreme, and he would have an excuse, wherever errors were committed, of saying that he had received advice from these gentlemen. Of course that did not satisfy the public demand at the time, and it was left for the Bill of 1883 to re-organize the Railway department in a new and complete manner.

At this stage, the time having arrived for giving precedence to private members' business, the debate was adjourned until the following day.

SCOTS' CHURCH PROPERTIES BILL.

Mr. ANDERSON moved the second reading of this Bill. He said its object was to convert the existing trusts relating to the Scots' Church properties into one general trust. When, some years ago, a similar Bill was before the Assembly there were conflicting interests, but now all the parties were in agreement. If the measure were passed, authority would be given to sell some land belonging to the Scots' Church in Collins-street, for the purpose of erecting a new assembly-hall, which would be an ornament to the street and a great and decided advantage to the Presbyterian Church.

Mr. A. YOUNG seconded the motion.

The motion was agreed to.

The Bill was then read a second time, and referred to a select committee.

TRAMWAYS ACT AMENDMENT BILL.

Mr. DIXON moved—

"That the select committee on the Tramways Act 1890 Amendment Bill consist of Mr. Groom, Mr. J. Harris, Mr. Laurens, Mr. Murray, and the mover, and that the promoters have leave to print the evidence taken before such committee; four to be the quorum."

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

A. U. ALCOCK ELECTRIC LIGHT AND MOTIVE POWER COMPANY BILL.

Mr. ANDERSON moved the second reading of the Bill to authorize the A. U. Alcock Electric Light and Motive Power Company Limited to generate, store, and supply electricity in the cities of Melbourne, South Melbourne, Richmond, Hawthorn, Collingwood, and Fitzroy, town of North Melbourne, and boroughs of Kew and Port Melbourne. He said that some of the arguments advanced against the Bill were very old. The honorable member for Port Melbourne opposed it on the ground that electricity was dangerous. The same argument had been employed against the use of gas 50 years before. There might be an occasional explosion of gas or an occasional injury in the use of electricity, but as science progressed the danger would be minimized. The mention of gas reminded him that a great deal of opposition to the Bill came from the Gas Company, which had lodged a petition to be heard before the select committee. A very peculiar opposition to the measure emanated from the municipal organizations. He was sorry to see these organizations, of which they should be proud, being used for improper purposes. Every municipality in the colony had received a circular, emanating, he supposed, from the Mayor of Melbourne, asking them to request their parliamentary representatives to oppose the Bill. He could understand that the metropolitan municipalities could have some object in adopting such a course, but it was strange to him that shires in remote country districts, or in the wilds of Croajingolong, should require their representatives to take action against the measure. The municipality adjoining his own constituency had asked him to oppose the Bill on the ground that the lighting should be kept in the hands of the municipalities. He held in his hand a telegram from a municipality which said, "Council request oppose Alcock Electric Light Bill." The duty of Members of Parliament was to deliberate upon the affairs of the whole colony, and it was degrading to them and to Parliament that they should be asked to become mere delegates in that way. Another communication from a similar source said—

"Sir,—I have the honour, by direction of His Worship the Mayor, to request that you

will oppose in every way you possibly can the A. U. Alcock Electric Light Company Bill, now before Parliament, on the principle that the entire control of the lighting of any municipal district should be vested in the municipal bodies."

There was nothing in the Bill to prevent each municipality having its own plant and supplying its own electric light. The Bill created no monopoly, and it was impossible for a monopoly to be created under it. As to the objection that the streets were liable to be broken up, the House had given the same power to the Gas Company, the Tramway Company, and the Hydraulic Power Company. To throw the Bill out would be to strike at the root of the enterprise of companies and to stop improvements in the lighting of the streets and private dwellings. The company bound itself to repair all damages, under the supervision of a municipal officer, and the breaking of the streets was a very small matter compared with the advantages to be obtained from improved lighting. Another objection to the Bill was that the city corporation was taking steps to light the streets in Melbourne with electricity. He was glad to hear that this was going to be done, because the city was greatly in need of improved lighting. It had also been said that the city council proposed to carry its wires along tunnels. That being so, a provision could be inserted in the Bill to bind the company to carry its wires along these tunnels and to pay for the privilege; in the same way it could be provided that if this company was empowered to erect posts in the streets it should allow any other company to attach its wires to those posts upon payment for the privilege. (Mr. Beazley—"That can be done by arrangement with the municipalities.") He had always found municipalities to be very impracticable bodies. The surveyor of Richmond, who was also an electrician and a man well qualified to pronounce an opinion upon the matter, had gone through the Bill and made suggestions as to the manner in which he thought it should be amended. Nearly all of those suggestions the company was prepared to accept. The following were the recommendations of the surveyor of the city of Richmond:—

"CLAUSE 4.—A plan or description should be added to the Bill, defining the area of ground to be occupied by the works, and no other land shall be taken at any time in any other part of the city without the consent of the municipality.

Mr. Anderson.

"CLAUSE 5.—Whilst there can be no harm in allowing the laying of the underground cable all over the city, the erection of poles should be limited to such streets and positions as the municipality may agree to.

"CLAUSE 8.—This clause is not strong enough. If any tunnels, sewers, drains, &c., are interfered with they must not only be restored to the satisfaction of the municipality but such extra works must be made by the company as may be necessary to insure their stability, as directed by the said municipality.

"CLAUSE 9.—The time of maintenance for streets broken open should be extended to six months.

"CLAUSE 14.—200 feet is too long a distance for the support of the wires; 2 chains should be the maximum.

"CLAUSE 18.—In addition to the thickness of the insulating medium being fixed, the minimum resistance should be determined.

"CLAUSE 21.—'Reasonable time' should be left to the municipality to determine.

"CLAUSE 24.—Last paragraph should be struck out or limited only to temporary supplies. It is clearly the duty of the company to provide works to satisfy all the requirements within the district.

"CLAUSE 25.—Latter part of clause should be struck out as unfair to the consumer. Where the company have to lay special mains for a large supply, an agreement to take a minimum quantity of energy for, say, three years could fairly be insisted on, and if discontinued within that time could be recovered.

"CLAUSE 28.—These prices could be allowed as a maximum, but the dividend of the company should be limited to 10 per cent. per annum, and when this is paid the price to consumers should be reduced.

"CLAUSE 29.—Instead of 'delivered at the works of the company' this should be 'at the wharf, Melbourne.'

"CLAUSE 36.—Company should be compelled to supply and maintain meters for consumers gratis, the same as is done by the gas company."

The replies of the company to these recommendations were as follow:—

"CLAUSE 4.—The company is perfectly agreeable to have this done.

"CLAUSE 5.—Agreed to, with this addendum, —but this shall not empower any municipality to prevent the erection of poles in any street not less than 66 feet wide, provided no other corporation has already erected electric light poles in the said street.

"CLAUSE 8.—The company agrees to do this.

"CLAUSE 9.—The company agrees to this.

"CLAUSE 14.—The company agrees to this.

"CLAUSE 18.—This will be inserted in the Bill; 250 ohms to be the limit.

"CLAUSE 21.—The company agrees to this.

"CLAUSE 24.—Agreed to, with these words to be inserted in line 6, page 9, after 'completed,' 'for any temporary supply.'

"CLAUSE 25.—The company agrees to this.

"CLAUSE 28.—The company's answer to this is the proposed clause to be inserted in the Bill:—

'The local authorities of the cities, towns, and boroughs in which any of the works proposed to be carried out under this Act are situate, if they shall jointly think fit, or so

many of them as may think fit, or, failing others jointly, then the corporation of the city of Melbourne, or, failing that corporation, then any other of such local authorities, may within six months after the expiration of 21 years from the passing of this Act, and within six months after the expiration of every subsequent period of seven years, by notice in writing require the company to sell, and thereupon after the expiration of six months from the service of such notice the company shall sell to such cities, towns, or boroughs, or such one or more of them, as shall agree to purchase the land, buildings, works, materials, and plant of the company used by them for the purposes of their undertaking upon the terms of paying to the company the then value of all the lands, buildings, works, materials, and plant of the company used by the company for the purposes of the undertaking; such value shall also include a value for the good-will, to be based upon the average profits for the five years immediately preceding the giving of such notice, and calculated at 25 years' purchase, and shall not include any estimated future profits, such value to be (in case of differences) determined by three arbitrators, or any two of them; one of such arbitrators to be appointed by the local authorities or local authority (as the case may be), another of such arbitrators to be appointed by the company, and a third of such arbitrators to be appointed by such other two arbitrators before they proceed in the arbitration. If either the local authority or local authorities or the company shall neglect or refuse to appoint an arbitrator pursuant to the above provision for two calendar months after the other of them shall have appointed an arbitrator and given notice thereof to the other of them then the arbitrator already appointed shall appoint a second arbitrator, and such two arbitrators shall jointly appoint the third arbitrator.

"When any such sale has been made all the rights powers and authorities of the company in respect to the undertaking shall be transferred to, vested in, and may be exercised by the local authorities or local authority of the cities, towns, and boroughs to which the undertaking shall have been sold in like manner as if such local authorities or local authority had constructed the same under the powers of this Act."

"**CLAUSE 29.**—The company agrees to this."

"**CLAUSE 36.**—The company agrees to this."

It was thus quite clear that the company was very willing to meet the views of the municipalities as far as it could. If the Gas Company had nothing to do with the opposition to the Bill, it seemed strange that it should have lodged a petition to the House praying for certain things to be done in connexion with the measure. He did not believe that the House would be so unfair as to take the unprecedented course of not allowing the Bill to go to a select committee. The Mayor and Town Clerk of Melbourne also petitioned to be heard by counsel in respect to certain provisions of the Bill. It had been said that

the Metropolitan Board of Works ought to take charge of this matter. (Mr. Laurens—"It must change its constitution before it can do that.") He had no objection to the Metropolitan Board of Works taking charge of the matter, but it appeared likely to have its hands full for the next five or ten years. The press had objected that the Melbourne Corporation was about to undertake the lighting of the city, but the corporation could only light the streets. The amount of machinery ordered by the corporation, however, was totally inadequate to the lighting of the streets, because there were about 160 miles of streets to be lighted. (An Honorable Member—"Why should a private company undertake electric lighting?") Surely the honorable member knew that with a well-found electric plant electric lighting could be done more efficiently and cheaply than with the small resources of private individuals. In the lighting of the city 600 arc lamps and 1,200 incandescent lamps were to be used. The corporation, instead of opposing the Bill, ought to be glad of help in the illuminating of the city. He hoped that the day was not far distant in which they would see such improvements in electric lighting that they would scarcely be able to distinguish between night and day. This was no bogus company; some of the most influential men in the city were connected with it—men who were ready to plank down their own dollars to back their opinion. He might state that it was a friend of his who led him into taking charge of the Bill, and he agreed to take charge of it because the gentlemen who were promoting the movement were perfectly straight men. At the same time he might say that his friend did not tell him that there were breakers ahead in connexion with the Bill. However, he trusted honorable members would rise above petty feeling in this matter, that they would not be swayed by the requests of any municipality, that they would assert their dignity as representatives, that they would not be the delegates of either municipal councils or of private or public companies, but that they would extend to this Bill what the House was ever ready to extend to every measure that was brought before it in a straightforward manner—fair play. That was all the promoters of the Bill asked. Let the House go into the measure and deal with it fairly. The committee to which it would be referred would be a committee of the House,

and he would take care that the metropolis was well represented on that committee: There was nothing but what was straightforward with regard to this Bill, and the company, he believed, had done its best towards meeting the views of the municipalities as far as they possibly could be met. After all it was only a very small matter that the company asked from the municipalities.

Mr. W. T. CARTER seconded the motion.

Mr. ZOx said he was rather surprised at the mode in which the honorable member for Villiers had introduced this Bill, because, in doing so, he had cast reflections on, or made innuendoes against, some of the companies in Melbourne. As one of the metropolitan representatives, he (Mr. ZoX) desired to say that no one connected either with the Metropolitan Gas Company or any other company had asked him to oppose this Bill in any shape or way. There was no honorable member for whom he entertained a higher regard than the honorable member for Villiers. But when the honorable member asked why should Croajingolong or some other outside municipality ask its representatives to oppose this Bill, he (Mr. ZoX) was induced to ask in return, why should the honorable member for Villiers have been asked to introduce a Bill of this description, which affected neither his own nor any other up-country constituency in any way? (Mr. W. T. Carter—"Because he likes fair play.") He (Mr. ZoX) liked fair play also. He loved fair play to this extent, that if he were asked to introduce a Bill in which the constituency of the honorable member for Villiers was interested, he would say to those who made the request, "Go to your own representative and ask him to introduce the Bill." If the honorable member refused to introduce the measure, then he (Mr. ZoX) might consider whether fair play was at stake or not.

Mr. ANDERSON remarked that he was innocently led into this matter. He never dreamt that a proposal so fair and liberal would meet with such opposition as the Bill had encountered.

Mr. ZOx said he would ask the honorable member, as he was innocently led into it, if he would be innocently led out of it? He knew, however, from the honorable member's characteristics that, having taken up the Bill, he would fight the matter out. He (Mr. ZoX) had no objection to the city

of Melbourne being lit with the electric light, and if the corporation of Melbourne did not do its duty, he would say let some company come forward and grant this boon to the citizens. But what was the state of the case? Every honorable member must be aware that the very municipalities and corporations that were interested in the matter had unanimously passed a resolution against giving this right to a private company. (Mr. G. D. Carter—"Why?") The honorable member ought not to ask why. He did not desire to cast the slightest reflection on the honorable member, but, if report spoke truthfully, he was greatly interested in the passing of this Bill. (Mr. G. D. Carter—"Then it does not speak truthfully.") The corporation of Melbourne and a number of people said that the honorable member was greatly interested in the passing of the Bill, and until the last few days he was a director of the company. (Mr. G. D. Carter—"That is not true.") The honorable member could not say that it was not true, because it was only within the last few days that he had resigned his position as a director. (Mr. G. D. Carter—"It is not within the last few days.") Let there be fair play. (Mr. G. D. Carter—"Don't slander me, or I will make it hot for you.") He did not think that expression was parliamentary; but he had seen by the daily press, and he believed it, that within the last few days the honorable member had resigned his position as a director of this company.

Mr. G. D. CARTER rose to a point of order. The honorable member made a statement three times which he (Mr. G. D. Carter) had told him was untrue; and instead of, like a gentleman, withdrawing that statement, he kept on reiterating it. The honorable member said that within the last few days he (Mr. G. D. Carter) had resigned his position as a director of this company. That statement was absolutely incorrect.

The SPEAKER.—The honorable member for Melbourne East (Mr. ZoX) will see that he is bound to accept the statement of the honorable member for Melbourne with regard to himself.

Mr. ZOx stated that in deference to the ruling of the Speaker he would accept the honorable member's statement. Besides, he did not believe that the honorable member would say anything that was untrue. He knew the company was composed of most respectable men, but he found that the corporation of Melbourne,

within the last few days, had advertised for tenders to supply what this company proposed to give, namely, electric lighting. He could understand that if there was apathy on the part of the municipality, or if the corporation would not undertake the responsibility of conferring a benefit of this kind on the citizens, it would be quite right for a private company to come forward and seek to do so; but the corporation of Melbourne had undertaken this responsibility. Further, he would point out that, with one exception, there was not a suburban municipality which this Bill was intended to benefit but refused the boon at the hands of this company. The only exception was the municipality of Richmond, which occupied a peculiar position with regard to this company, inasmuch as the works of the company were situated there, and the workmen employed must reside in that suburb. As far as he was concerned, he felt bound to oppose the Bill on principle. (Mr. Graves—"Why?") Because he was not going to give a monopoly to this company. If the work was carried out by a corporation which represented every section of the community, there would be no monopoly there, or if there were a monopoly, the citizens would get the benefit of it. If a Bill of this kind was intended to benefit the people of Melbourne he said, with all respect to the honorable member for Villiers, that the promoters should have exhausted the metropolitan representatives before asking a country member to introduce it. It almost seemed as if the promoters had refrained from asking a metropolitan member to introduce the Bill, because they knew that the constituents of the metropolis were against it.

Capt. TAYLOR observed that he could not accept the doctrine of the honorable member for Melbourne East (Mr. Zox), that Bills of this sort should be exclusively in the hands of metropolitan members. Members of the Assembly were not only members for districts but for the whole colony, and he believed they had the interests of the whole colony at heart. He (Capt. Taylor) was placed in a somewhat ambiguous position with regard to this Bill. He had been addressed by the council of the city which he represented, and had been asked to oppose the second reading of the Bill. Now, unless he saw good grounds for opposing any measure brought before the House, he really did not consider himself bound by any

direction of any portion of his constituency, even though it were the council of the district. He was perfectly prepared to give any motion passed by the council his most sincere consideration, and to bow to their judgment as far as possible on all local matters, because the council were far better acquainted with such matters than he was. But when they had a broader question to consider, namely, the advancement of scientific lighting, he thought they were bound to give every opportunity to companies of this kind to advance that system of lighting, provided that certain restrictions were imposed in the Bill which would secure the rights of the citizens and of the councils interested. There were two things which he particularly desired to see provided for in the Bill. If he had the pledge of the honorable member in charge of the Bill that those things would be provided for in committee he was prepared to vote for the second reading, otherwise he thought the council of the city he represented was fairly entitled to his vote against it. The two things he desired were: first, that no monopoly should be created by this Bill, and, secondly, that it should be placed beyond all doubt that the council of the municipality into which it was proposed to bring this electric lighting should first give their consent before the company would have the right to open up streets, erect posts, or do anything necessary for introducing the light. The municipalities had a very important duty imposed upon them, and he believed that, as a rule, they carried out that duty very carefully and well. It would be a very invidious thing for the House to pass any measure which would give any company a right to go into a municipality and, without the consent of the municipal council, to break up its streets, or do anything of that kind. If the consent of the municipality was first obtained he could not understand how any opposition could then be offered to the Bill.

Mr. W. T. CARTER observed that the two points on which the honorable member for Hawthorn wished for a guarantee were freely conceded by the representatives of the company.

Capt. TAYLOR remarked that as the honorable member in charge of the Bill, who had been absent from the chamber, was now present, he would like to know from that honorable member whether he was willing that the Bill should be altered

in committee so as to secure the two points which he (Capt. Taylor) had mentioned—namely, that the Bill should create no monopoly, and that the consent of the municipality must be obtained before streets could be broken up or posts erected?

Mr. ANDERSON stated that there was no doubt as to the point that no monopoly would be created by the Bill. He had already given an assurance on that point. As to the other question, he believed there was no objection on the part of the company. (Mr. Munro—"Then what is the good of the Bill?") Councils changed their opinions. One council might consent, and the next council might wish to withdraw the consent, but if the Bill was passed once the company got the consent of the council they were all right.

Mr. DERHAM remarked that the honorable member for Villiers had introduced the Bill, generally speaking, in his usual mild and inoffensive manner, but the honorable member was betrayed by some feeling into making one remark which seemed to reflect on honorable members. The honorable member said that the Gas Company had put forward a most astonishing opposition to the Bill. As far as he (Mr. Derham) was concerned, no person connected with the gas company had, either directly or indirectly, sought to influence him on the subject; and he thought it was rather a pity that the remark was made. The honorable member also referred to municipalities in various parts of the colony asking their representatives to oppose the Bill; but, no doubt, the reason of that was that the municipalities affected by the Bill had asked the other municipalities to help them in what was a municipal matter, and, therefore, the municipalities in various parts of the colonies, seeing that the Bill was distinctly adverse to the public interest, had asked their members to oppose it. Why, the Premier himself and other leading honorable members set themselves in opposition to the Bill before the municipalities had spoken a word on the subject. So it was plain that the opposition offered to the Bill originated on public grounds, and not from instructions received from the municipalities. There could be no doubt the Bill as it stood conferred a monopoly, for any idea of granting equal privileges in this direction to a number of other electric lighting companies could not possibly be entertained for a moment.

Therefore, there would be a distinct monopoly, which would lead to conflicts with other electric lighting companies—such conflicts as had been known in connexion with other companies. Possibly physical violence would be resorted to. The country had had considerable experience of the results of granting concessions to particular public companies, and there could be no denying that a very undesirable state of things had been brought about thereby. It was not possible for any one who looked carefully through the Bill not to arrive at the conclusion that it was about the most greedy and self-seeking measure ever presented to Parliament. For his part, he considered that the proposals contained in it could only be characterized as impudent. The powers asked for were most extraordinary. It was proposed that on giving one day's notice the company should be able to enter upon the streets of any municipality and break them up, no matter whether the municipality liked it or not. Moreover the thing could be done without anything in the shape of proper superintendence, and the company would not, after a certain period, be responsible for any accident that might occur. Now, why should a company not be responsible in this direction for all time? If any street was broken up without notice the company proposed to be subject to certain penalties, but they would be of the very mildest sort—only £5—and the other penalties provided for would be of the most trivial character. Then it was proposed that the expense of inspecting the company's work should be paid by the municipality concerned, or by the Governor in Council, although the work was done for the profit of the company and for their own purposes. One of the most extraordinary provisions in the measure was a matter to which the attention of the Treasurer should be particularly drawn. At the present time this colony and other colonies were most anxious that trustees in England should be allowed to invest in Australian debentures, but what did this company ask? They asked that their debentures should be placed in a somewhat similar position, so that any trustee, unless he was strictly forbidden by instrument, would be able to invest the money of widows and orphans in the debentures of this particular association. In fact, hereafter, every man who did not want his property to be so disposed of would have to

expressly provide against it in his will. Surely such a proposal should be scouted. It was urged that the Bill might be amended in committee, but honorable members had a right to expect that every measure brought before them was in the first instance an honest and fair one. There was another provision equally reprehensible, namely, one under which the company could sell, let, or otherwise dispose of their rights or powers. What would be the effect of that? There was no specified time in which the company would have to commence operations, so when that Bill became law they would not only have an enormous concession—one worth hundreds of thousands of pounds—made to them, but they would be able immediately afterwards to go into the market and sell out to another company or to other companies at a prodigious profit. (Mr. W. T. Carter—"The directors are not the men to do that.") This was scarcely the time to discuss the character of the existing set of directors. For one thing, they had shown themselves astute enough to be able to bring a prodigious weight of influence into Parliament. It was to be hoped, however, that honorable members would not be weak enough to allow themselves to be swayed by the influence which had been brought to bear. The whole thing was monstrous, mischievous, and ought to be rejected at once.

Mr. NIMMO said he was rather amused by some of the remarks of the honorable member who moved the second reading of the Bill. That honorable member stated that the public ought to be in a position to obtain new street lights; but surely the public should not have thrust upon them something for which it was not prepared? Besides, would the honorable member, as one of a democratic community, be against the majority ruling? If he would not, what was the fact he had to face? That there was a perfect consensus among the metropolitan municipalities against the Bill. (Mr. Anderson—"Not Richmond.") Richmond objected until certain suggestions that it made had been adopted, otherwise all the metropolitan municipalities—bodies charged with important public responsibilities—were dead against the measure. Perhaps had the company gone about their business in a business-like manner, taken the municipalities into their confidence, and been plain, explanatory, and above-board, they would have removed a great deal of the opposition

they now had to encounter. But the promoters of the Bill had done nothing of the kind. They simply asked for power to override the local authorities. (Mr. Anderson—"No; we are prepared to ask for their consent.") He would repeat that what the Bill in its present shape asked for was for power to override the municipalities. Was it possible to suppose that the municipalities had entered into a conspiracy to crush private enterprise? It was absurd to imagine anything of the kind. Again, did not the honorable member's own experience tell him that an immense public danger would probably arise from the electric lighting wires being carried along as the company proposed to carry them—the danger of communication between the electric fluid in the clouds and the electric fluid in the wires? Surely before the company asked for powers of this sort they should have acquainted themselves with all the facts of the case. On the other hand, the municipalities were wholly taken by surprise. They had a perfect mine sprung upon them. He (Mr. Nimmo) would be very sorry to see the company opposed in any unfair fashion, but in view of the way in which they originally came forward, utterly neglecting the rights as well as the responsibilities of the municipalities, he would feel constrained to vote against the measure. At all events, it would be proper to refuse to pass the Bill until a great deal more information with respect to it had been afforded.

Mr. OFFICER expressed the hope that the second reading of the Bill would be agreed to, so that it might be referred to a select committee. The honorable members who had spoken against it seemed to do so under orders, for not a single good reason against it had been adduced. Some honorable members characterized the scheme as a monopoly, as embodying a request for privileges which would not be given to any other company; but the arguments offered on that head seemed, when looked into, to utterly break down. The idea that there was to be such a monopoly as some members thought of was wholly without foundation. Now, his (Mr. Officer's) opinion on the subject was that the interests of the public should be consulted rather than the interests of the municipalities. Honorable members had been told that two petitions had been presented against the Bill, but from whom did they emanate? From the city council

of Melbourne and from the Metropolitan Gas Company. Well, there were very many reasons why the Metropolitan Gas Company should oppose the Bill. For one thing, their dividends were in danger. As to the Melbourne City Council, that body wanted to supply itself with electric lighting. But when would that supply be established? Probably not for many years to come, and in the meantime this company was to be blocked. He would say, therefore, that in the interests of the public the Bill ought to be passed.

Dr. MALONEY stated that, to what the honorable member for Dundas had said about honorable members speaking to order, he (Dr. Maloney) would reply that he opposed the Bill before a single word was heard from the municipalities. He opposed it as embodying a monopoly, and it was obvious that it was a monopoly. He was glad to find the municipalities waking up on the subject, because in what position did other municipalities—for instance, the municipalities of Great Britain—stand in the matter? Here was a newspaper extract, which honorable members might read with advantage:—

“The twelve largest public gasworks in the country are those of the following municipalities, which each produce over 600,000,000 cubic feet of gas annually. Outside the metropolis there are only eight joint-stock gas undertakings of equal magnitude.”

These municipalities were Manchester, Birmingham, Leeds, Glasgow, Nottingham, Bradford, Edinburgh, Leicester, Belfast, Salford, Oldham, and Bolton. In his opinion, electric lighting also should be left to the municipalities concerned. Some honorable members were doubtless interested in the present question from the fact that they held shares——

The SPEAKER.—The honorable member is not in order.

Dr. MALONEY said he would withdraw the remark. He regretted that the fact that it was true had led him to make it.

The SPEAKER.—The honorable member is at perfect liberty to say that honorable members of this House hold shares in the Gas Company, but he is not at liberty to draw the inference that holding those shares influences their votes.

Dr. MALONEY said that possibly he spoke with a little heat because of the interjections to which he had been subjected. He would repeat that the Bill would establish a monopoly, and if it was

true that there was already a monopoly in gas he could only say that he would be one to take that monopoly away. He would vote straight against the Bill.

Mr. HIGGETT observed that it might be said that country members had no particular interest in this Bill, but, in his opinion, their interest in it was very great indeed. In fact, it might be said that every part of Australasia was interested in the subject. Certainly the progress of Melbourne was a matter which concerned every country member. For himself, he could assert that the experience gained by him in his travels was that in the matter of street lighting Melbourne was ten years behind any other city of its size in the world. Almost every city in Great Britain or on the continent had its streets beautifully lighted. Why should not the case be the same here? Well, if the Melbourne Corporation would not do the work they should allow some public company to do it. At all events they should not stand in the way of outside enterprise. He was opposed to anything in the shape of monopoly, but when the Bill was fairly taken in hand it might be amended so as to permit other companies to do the same thing. Indeed, he hoped that when the measure came out of committee it would be found so licked into shape as to leave no chance of monopoly. As to the assertion that some honorable members were speaking in favour of the Bill because they held certain shares, he (Mr. Higgett) did not believe for a moment that the House had arrived at anything like such a depth of degradation. He was quite certain that there was no honorable member who would act in a way so unworthy of his position. He was very surprised to find any honorable member who professed to represent the labour portion of the community objecting to a Bill of this sort, which meant the investment of a great amount of capital, the establishment of a large wages fund for the benefit of the labour classes, and a great deal of general good to the whole community. If any municipal council was asked for its consent to the introduction of electric lighting, he believed that such pressure would be brought to bear upon them by the rate-payers that they would have to consent, provided that the scheme were an honest and straightforward one.

Mr. ANDREWS remarked that there was a strong feeling in the country that public lighting should be under the

control of the local authorities. (An Honorable Member—"It would never be done then.") He represented a town which was suffering owing to the public lighting being in the hands of a private company, and he was opposed to such power being given to private companies, especially when the municipalities were hostile to it. He had been asked by the corporation of Geelong and the council of the adjoining borough to oppose the Bill, and he concurred entirely in their decision in regard to the matter. They objected to a private company having control of the streets, independent of the municipal authorities. (Mr. Anderson—"This is not a monopoly.") It was a monopoly to such an extent that he must oppose it.

Mr. LAURENS stated that the council of North Melbourne had met in conference with the representatives of other municipalities, and they had come to the conclusion that this Bill should be opposed, on the ground that the lighting of towns and cities ought to be in the hands of the local authorities. He was aware that no municipality in Victoria had yet undertaken to supply lighting for the public, but honorable members knew that some of the leading municipalities in England had for many years supplied public lighting with great advantage to the ratepayers. What had been done in England could be done here. The honorable member who had charge of the Bill had said that it was not intended to create a monopoly, but the honorable member forgot the difficulty, the trouble, and the annoyance that was caused by the frequent removals of the surface of the streets. The streets of Melbourne, at points where the traffic was very great, were constantly being blocked in this way, and if this Bill were passed, it could not be expected that Parliament would consent to confer the same privileges on any other similar association. Whatever might be the advantages that would be derived from competition, they would be neutralized by the stoppage of traffic and the injury done to streets. As he had from the first been requested by the council of North Melbourne to endeavour to prevent the Bill from being passed, he had not given as much attention to it as he would have done otherwise. The honorable member for Port Melbourne had pointed out that in the Bill the company sought power to place their debentures judiciously on a par with Victorian Government stock. (Mr.

G. D. Carter—"It will not be compulsory on any one to buy it.") No; but that one fact showed that the demands made in the Bill were most exacting. He was not aware that at the present time trustees in Victoria were allowed to invest in municipal stock. (Mr. Anderson—"Why should not they be?") Well, they were not; and even the debentures of the city of Melbourne could not be taken up by trustees. The honorable member for Port Melbourne had done right in calling attention to this point. Possibly the strong objection to the Bill might be removed if the honorable member in charge of it would say that he would insert a clause to enable any municipality to refuse to allow their streets to be opened up by the company. (Mr. Anderson—"I said so several times.") But if that were done what would be the advantage of the Bill? In the Tramways Company's Act it was provided that a tram line could not be laid down in any municipality until a vote of the ratepayers had been taken. Provision was, however, made for the creation of a trust, which had power to construct tram lines without taking a vote of the ratepayers. No unconditional powers were given to the Tramway Company itself.

Mr. HALL said that he was untrammelled with respect to this Bill. He had not received any instructions with regard to it, and he had no share in the company. He had a circular in his hand which had been issued by the promoters of the company, and which contained statements that had not been answered. The only reason that had been given for opposing the Bill was that it would create a monopoly. But would not that objection apply to the Tramway Company, to the Gas Company, and also to the railway system of the colony, which was a State monopoly? It was stated in the circular to which he had referred that the Bill was read a first time, and notices were duly sent to the councils affected by it. He had heard one or two honorable members say that their councils had been completely ignored by the promoters of the Bill, and yet the circular stated that all the councils had been written to and requested to make suggestions. It appeared, however, that only in one case had any reply been given. (Capt. Taylor—"We are not the dummies of the councils.") He was very glad to hear it. The honorable member for Port Melbourne made out a very good case from his point of

view, and if the Bill had the defects which he had attributed to it he was perfectly justified in opposing it. He (Mr. Hall) did not, however, think that honorable members should refuse to agree to the second reading of the Bill. The Bill might require alteration, and whatever alteration was necessary could be made by the select committee. In the circular it was also stated that a petition had been presented against the Bill by the Metropolitan Gas Company. Some honorable members had stated that the Gas Company had taken no action in the matter, and yet no reply had been offered to the statement made in the circular. Not very long ago there was a discussion in the House about the bad gas supplied by the Gas Company, and about the high rates they charged for it. If the company ever attempted to supply bad gas again at double rates, he would support any system in opposition to it. Then, again, it was stated in the circular that the city council only intended to seek power to supply electric lighting in the streets. Who was to supply electric lighting for private use? It was strange that the city council should not have thought of this matter until this new company turned up. If the circular was correct, it would be five years before the city council could supply electric lighting to Melbourne, and if that was so why should not something be done in the meantime by others? The promoters of the Bill asked that they should be accorded the privilege which was accorded to the promoters of other private Bills. He trusted that the sense of fairness of honorable members would induce them to go so far. He was not particularly interested in the Bill, but he thought that it should be referred to a select committee before any final decision was given with regard to it. As was stated in the circular, the select committee would have an opportunity of taking expert evidence, and of reporting to the House as to the alterations which were required. It would be very easy to insert a clause in the Bill which would prevent any monopoly from being formed. Honorable members should not do anything that was unjust, and that might inflict injury upon their constituents. Was not the electric light which was in use in Parliament buildings supplied by some company? There were more electric lighting companies in Melbourne than one, and therefore he

Mr. Hall.

did not see how a monopoly could be formed under this Bill.

Mr. G. D. CARTER said that he had not intended to speak on the motion, but circumstances had rendered it necessary that he should do so. The children of this generation were wiser than the children of light. (Dr. Maloney—"Hear; hear.") The honorable member who said "Hear, hear" had reminded him of that fact, because he had pointed out that the gravamen of the offence of the promoters of the Bill had been that they had not first gone "koo-tooing" to the different municipalities in order to obtain their support. Had they done so, they might have been in a different position now. The promoters of the Tramway Company's Bill showed the wisdom of the children of this generation, because they went first to every municipality and made things right with them beforehand. The promoters of this Bill had shown great indiscretion in not adopting a similar course. The honorable member for Port Melbourne had referred to the opening up of the streets, but if electric lighting were undertaken by the municipalities or by the Metropolitan Board of Works, the streets would still have to be opened up. The House had been told that it was one of the first duties of the municipalities to provide light. All he could say was that that was a very serious reflection on all the municipalities of Victoria. He was not aware that any one of them had yet provided light. If they had waited for the municipal bodies to do that they would have had to remain in darkness until this day. Victoria had been made by private enterprise, and what success had the municipalities achieved in any sort of business which they had undertaken? (Mr. Andrews—"Electric lighting is supplied by the municipalities in England.") Victoria was not in England. If there was anything in that contention, why did not the municipalities begin to supply electric light? The Gas Company had lighted the streets with gas, the Tramway Company had provided tramways, the Hydraulic Power Company had supplied the water pressure, and the electric light companies had given Melbourne all the electric light which it enjoyed. If there was anything in the argument they might carry it farther, and ask whether the municipalities should not act as butchers and bakers for the people. That was the socialist idea. All private enterprise should be snuffed out, and every man with brains in his head should

leave the country as quickly as possible and go where enterprise would be appreciated. Another point was that this Bill had been introduced by one of the most respected members of the House. It was very sad that this wicked company should have taken advantage of the unsuspecting innocence of the honorable member for Villiers, but, after all, was not that a high compliment to the House? If the promoters of the Bill had selected a wicked sinner like himself it might have been said that he was an interested party, but the fact that the honorable member for Villiers was associated with the Bill should have dispelled suspicion. Instead of that it appeared to have been regarded as an offence. It would be easy in committee to insert a clause in the Bill to provide that nothing it contained should be construed to have given the company a monopoly. Another grievance was that under certain circumstances it was to be incumbent on the company in certain contingencies to proceed with all despatch to open the streets and repair damage. The honorable member for Port Melbourne said that that was done sometimes on 24 hours' notice. Were the public of Melbourne to remain in darkness for three weeks while notice was given to the municipal bodies that the company desired to take up a piece of the street and to repair a broken wire? Would not that be a lovely condition of things? He had always opposed monopolies, but if this Bill were referred to a committee the committee would recommend such amendments as were deemed to be necessary, and it would then be for the House to say whether they approved of it or not. Therefore, what harm could be done by referring the Bill to a committee? If any monopoly were created under the Bill it would be the fault of the committee to whom it was referred, and of the House, who would subsequently have to approve of it. A remark was made by the honorable member for Melbourne East (Mr. Zox) which, perhaps, implied more than he intended. When the honorable member made a certain statement, he (Mr. Carter) interjected "Why?" and, instead of answering his question, the honorable member made some observations which would lead the House to infer that he (Mr. Carter) was a director and a large shareholder in the company, and that that fact would influence him in dealing with this measure. He could hardly believe that the honorable member meant anything so serious. If he did, he very much regretted

that the honorable member should apparently continue a friendship with so unworthy a person. He did not think that there was an honorable member, be he friend or foe, who had any such opinion of him. He was induced a long time ago to go into this company as a director, but some months ago he tendered his resignation. They pressed him not to insist upon doing so, and he let the thing stand over, scarcely ever attending a meeting, till about two months ago, when he insisted that they should accept his resignation and send him a letter to that effect, which they did. Therefore, the statement of the honorable member for Melbourne East was incorrect. The number of shares which he had held and still continued to hold in the company amounted to the enormous sum of £104 5s. He did not think that even the honorable member for Melbourne West thought he was to be had at that price. He (Mr. Carter) might be very wicked, but when he did sell himself or the constituency that he had the honour to represent, it would be for something more than the 30 pieces of silver.

Mr. HANCOCK observed that most honorable members had alluded to the fact that if the people who were engineering this Bill had acted wisely half the opposition that had been raised would not have been engendered against it. There was not the least doubt that a large number of members felt to a certain extent bound to vote as nearly as possible in the direction of the wishes of their local councils. Of course they should not give a blind adherence to the wishes of those councils; but at the same time they were bound to consider that it was highly probable that the councils would have the most reliable information on matters affecting local interests. The honorable member in charge of the Bill had shown himself very compliant. In fact, he was willing to do anything as long as the House consented to the second reading of the Bill, and, indeed, it might be said that the entire usefulness of the Bill had been destroyed by the honorable member's compliance. He (Mr. Hancock), however, opposed the Bill on the ground that we had already sufficient monopolies. He would prefer even to see the electric lighting of the city delayed for a few years rather than that another monopoly should be brought into existence. He felt perfectly certain that the time was coming when these matters would be taken in

hand by the municipalities. Good evidence of that was shown by the fact that a body which had never previously displayed very great activity, which, in fact, had always been a bar to progress—he meant the City Council of Melbourne—had taken this matter in hand. When the city council was found to be waking up to the fact that it would be better for the municipalities to do this work and share the profits among themselves, instead of giving them to people whose only interest in the matter was to draw dividends, there was little doubt that before long other municipalities might follow suit. The honorable member for Melbourne had suggested that they were on their way to become a socialistic community, but he (Mr. Hancock) could not see anything very terrible in that. He was not at all afraid that all the brains would run away. He had generally found brains to remain where the most could be got out of a community, and whether this affair was managed by the municipalities or by private individuals it would be found that the brains would always be in the best positions. It by no means followed, however, that the people with the best brains were the most successful in money-getting. In fact if they looked at the ordinary state of society they would find that the case was just the reverse. It had been said that “some people has brains and no money, and some people has money and no brains,” and it seemed to him that a full pocket in a good many cases was accompanied by an empty head. Despite the remarks of the honorable member for Williamstown, he believed that State railways were an object of socialism, and he would like to see the electric light, gas, water, and many other things in the hands of the people. He felt sure that in that case there would not be those struggles between capital and labour which took place when private firms ran affairs. As to the question whether they should pass the second reading of this Bill or snuff it out at once, he sincerely hoped that it would be snuffed out, with the object of bringing it forward again in a shape in which it could be passed quickly through the House. As it was now they had the promise that certain things would be included in the Bill in committee, but how did they know that when the Bill went into committee the majority might not object to those clauses being inserted? If the clauses which had been asked for had been included in the Bill originally he

Mr. Hancock.

would have had much pleasure in supporting the second reading; but as it was he must oppose it.

Mr. W. T. CARTER moved the adjournment of the debate. He observed that he did so in order that proper attention might be given to the promised concessions of the company.

Mr. L. L. SMITH seconded the motion for the adjournment of the debate.

Mr. DERHAM observed that honorable members had attended at great personal inconvenience in order to thoroughly discuss the Bill, and he thought they should deal with it now and have done with it rather than waste any other nights on its discussion.

Mr. DIXON expressed the opinion that it was somewhat unfair for a warm supporter of the Bill to ask for the debate to be adjourned when every honorable member who wished to speak on the subject had done so. No argument had been urged why the debate should be adjourned, and as honorable members had made up their minds which way they intended to vote on the Bill, he would certainly oppose the adjournment.

The House divided on the question that the debate be adjourned—

Ayes	...	...	17
Noes	...	...	31

Majority against the adjournment	the } 14 ... }
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AYES.

Mr. Anderson,	Mr. Murphy,
„ Cameron,	„ Nimmo,
„ G. D. Carter,	„ Officer,
„ W. T. Carter,	„ L. L. Smith,
„ Duncan,	„ T. Smith,
„ Highett,	Capt. Taylor.
„ Laurens,	<i>Tellers.</i>
„ Methven,	Mr. Bailes,
„ Mountain,	„ Hall.

NOES.

Mr. Beazley,	Mr. McLellan,
„ Craven,	„ Munro,
„ Derham,	„ Peacock,
„ Dixon,	„ Richardson,
„ Dow,	„ C. Smith,
„ Gardiner,	„ Tatchell,
„ Gordon,	„ Trenwith,
„ Graham,	„ Turner,
„ Graves,	„ Webb,
„ Hancock,	„ Wheeler,
„ A. Harris,	„ Williams,
„ J. Harris,	„ A. Young,
„ Keys,	„ Zox.
„ Leonard,	<i>Tellers.</i>
„ Madden,	Mr. Andrews,
Dr. Maloney,	„ Best.

Mr. W. T. CARTER said that, before the vote on the second reading was taken,

he desired to say a few words in order to justify his relationship to the Bill. It had been so persistently asserted that this Bill was a monopoly, that it was necessary for those who were against monopolies, and who yet had supported the Bill, to give the reasons for their action. He had been challenged to say whether the Williamstown Town Council was not also, like the other suburban municipalities, against the Bill. He was sorry to say that that was the fact, and that the Williamstown Council wished its protest to be lodged before the House. No doubt the reason of that council's opposition was because it believed that the Bill was a monopoly, and was interfering with the rights and privileges of other councils. At the same time, he felt sure that the Williamstown Council would have felt very sore indeed if action had been taken to get the Collingwood Council, for instance, to protest against the Tramway Bill now before the House which concerned Williamstown. The present Bill could not in any way affect Williamstown, because it was not contemplated to extend the operations of the company to that municipality. This company had endeavoured to meet the wishes of the various councils in every possible way. Whenever it was pointed out that any proposal in the Bill was likely in any way to jar upon the feelings of municipal councils, or to interfere with them, modifications of the provisions had been promised. It was urged that the city council was making provision for electric lighting. Well, the city was making provision for about 600 arc lamps and 1,200 incandescent lamps. It would take at least 50,000 horse-power to light the whole of Melbourne, and if the city council were to do their level best in street lighting, it would take several companies during the next ten or a dozen years to supply the whole of the lighting required in Melbourne. Then came the question why he (Mr. W. T. Carter), being disinterested, so far as personal interest was concerned, should have taken an interest in this matter. His interest in the matter was of very long standing. It dated from the time that electric lighting had to fight its way against even stronger prejudices than existed now. The electric light was now becoming recognised, not merely as the light of the future, but as the light which we should have at the present time. On grounds of health alone it ought to be preferred to gas, because

there was no doubt that gas—especially during the summer—consumed the vital principle of the atmosphere in houses, and poisoned people in their homes. It was of no use to say that the Gas Company had nothing to do with the opposition to this Bill, because there was the petition of the company. In that petition the Gas Company made a statement which should be felt as an insult to the intelligence of the House. They declared in effect that, inasmuch as they had been granted a monopoly to light with gas, Parliament should not grant the means of lighting with anything else at all. And it was because this Bill was against the interests of the Gas Company, because it was against the monopoly which had been granted to that company, that the measure was objected to. Instead of this Bill proposing to create a monopoly, it made a very effective fight against the monopoly. Its object was to put people in a position to fight that monopoly. If the Bill were passed, the people of Melbourne would not only have their choice of the kind of light they would use, but they would be much more cheaply as well as better served. This company did not ask for any monopoly. In fact, no company in connexion with a thing of this kind could say that they wanted to prevent any other company from following in the same lines, and there was no such proposal in the Bill. He felt that this Bill had not had fair play. There was no doubt that some unwisdom had been shown in not fully conciliating the local councils that were concerned. Certain councils, however, were consulted, and arrangements entered into with them, but they had turned round against this company, and were now determined to crush it out. Well, those who acted in that style were simply placing themselves in the way of private enterprise. The honorable member for Mandurang had told the House how thoroughly behindhand the streets of Melbourne were in the matter of street lighting, and his statement ought to have full weight. Certainly its correctness could be borne out by any one who walked down Bourke-street after dark.

Mr. ANDERSON stated that, inasmuch as the feeling of the House seemed to be against the Bill, he would withdraw his motion.

The motion for the second reading of the Bill was withdrawn.

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

LEGISLATIVE ASSEMBLY.

Thursday, September 10, 1891.

Railways Standing Committee: Reference of Proposed Lines—Supply: *Ab Toy v. Musgrove*—Railways Act Amendment Bill: Second Reading: Second Night's Debate.

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

PETITION.

A petition was presented by Mr. A. YOUNG, from women resident at Buninyong, praying for the extension of the parliamentary franchise to women.

LAANECOORIE WEIR.

Mr. GRAHAM presented, pursuant to an order of the House (dated September 8), a return relating to the Laanecoorie weir.

RAILWAYS STANDING COMMITTEE.

Mr. OUTTRIM (in the absence of Mr. SHIELDS) moved—

"That the following lines of railway be referred to the Parliamentary Standing Committee on Railways for consideration and report, viz. :—Lines from Korumburra, on the Great Southern line, to Coal Creek, Strezlecki, and Jumbunna coal mines."

He said that he very much regretted the absence of the Minister of Railways, who fully intended to be present that day and to move the motion standing in his name, but was prevented from doing so. As the matter was an urgent one, he, at the request of his colleague, had undertaken to propose the motion. According to section 13 of the Railways Standing Committee Act, it was not absolutely necessary that railways which would not cost £20,000 should be referred by the House to the Railways Standing Committee; but the Government thought it right that they should adopt this course, in order to give that committee an opportunity of making full inquiries with regard to these lines; and of reporting upon them. The motion dealt with three lines, one of which was a short one of only 33 chains. The estimated cost of the latter line from Korumburra to Coal Creek was £6,615. He might inform honorable members who were not familiar with the country through which this line would pass that it was very mountainous country, and very difficult for the purposes of railway construction. Although the cost of this line might appear

to be excessive, it really was not excessive when the nature of the country was taken into consideration. The cost of the line from Korumburra to Jumbunna, by blue line, down creek, was £18,432; by Anderson's Inlet (line and branch A), £27,347; by Anderson's Inlet (line and branch B), £23,734. The estimated cost of the line from Korumburra to Silkstone and Strezlecki was by line 1 in 30 (green line), £17,866, and by line 1 in 40 (red line), £12,577. Honorable members would see that the estimated cost was given for alternative routes. Taking the cheapest estimates, the cost of the three lines would be £37,624, and the highest estimates £51,828. The estimated annual cost of maintenance, as given by the Railways Commissioners, was as follows:—

"From junction with Great Southern Railway to Coal Creek Coal Mining Company's shaft (A to K), £150.

"From junction with siding to Coal Creek coal mine to end of siding in the Strezlecki Company's property, by red line (B to T), £600.

"From junction with siding to Strezlecki coal mine to O, and terminating with branch B in the Jumbunna Coal Mining Company's property (E to O, and branch B), £840."

He would now read the report which had been furnished by the Railways Commissioners in accordance with the Act. It was dated 7th September, and was as follows:—

"We attach in duplicate plans of the proposed railways to the Jumbunna, Coal Creek, and Strezlecki coal-fields, together with estimates of the cost of construction and description of the proposed lines. The surveys being only preliminary the plans do not indicate the exact course of the railways, and a limit of deviation to provide for any contingency when the permanent surveys are determined has been provided in the schedule. The Mining department report that the coal-fields in question would probably yield 12,000,000 tons of workable coal. This being so, the estimated revenue to the railways would depend upon the energy displayed by the coal companies in developing their respective properties. If each company, say five altogether, had an output of 100 tons of coal per day—a less quantity would not be worth opening a colliery for—the total output of the district would amount to 150,000 tons per annum. A rate of 5s. 6d. per ton, assuming the coal came to Melbourne, would yield over £40,000 per annum, and after deducting working expenses would give net results sufficient to warrant the proposed outlay. As the coal companies have to incur considerable expenditure before they would be in a position to win the coal, and yield our estimated output, it is desirable that expenditure on these railways, if authorized, should only proceed as the owners develop their properties. This estimate of traffic is dependent upon the gradual opening of the coal mines, and it would necessarily be

some time before it is realized. Consequently the traffic of some time to come would probably be much below the estimate, and in the meanwhile involve a loss of interest on cost of construction as well as in working."

Mr. BENT said that he desired to help the Minister of Mines in regard to his motion, and he would like to point out to him that, under section 13, lines which were to cost under £20,000 could not be remitted to the Railways Standing Committee. (Mr. W. T. Carter—"He has mentioned that matter already.") He was not aware of it, as he had only just come into the House.

Mr. OUTTRIM stated that the lowest estimate for the line from Korumburra to Jumbunna was £18,432, but the highest was £27,347. (Mr. McIntyre—"What about the smaller lines?") If the Government erred at all in proposing this motion, they erred in the right direction. It was advisable that the Railways Standing Committee should have an opportunity of inquiring into the merits of these lines. He would now read the report of the Mining department upon which the Railways Commissioners based their report:—

"Melbourne, 10th August, 1891.

"With reference to the recent interview of the Honorable the Minister of Mines with the Commissioners of Railways, relative to the subject of railway connexion of the coal mines of Korumburra with the Great Southern line, I have the honour to furnish the following information with respect to the extent and permanency of the mines in question, supplied by the Government Geologist:—"From personal knowledge of the country, from the facts already disclosed by means of borings and otherwise, and from consultation with Mr. J. Stirling (who has made careful surveys of the areas), I consider that it would be fairly within bounds to estimate the existence of one square mile of workable coal in the vicinity of Jumbunna and two square miles in the district traversed by the proposed line south-eastward from Korumburra. Assuming 4 feet of workable and available coal over these areas, would allow an estimate of 2,000,000 tons as contained within them. I consider, therefore, that there are fair grounds for assurance that the fields are permanent ones, at all events within the limits named, and that, taking into consideration the prevalence of the faults, they can be profitably worked."

"I have the honour to be, &c.,

"A. W. HOWITT,
Secretary for Mines."

The report of the Railways Commissioners, which was favorable to the construction of the line, made reference only to the coal traffic which would be derived from the lines. There were other considerations, such as the population which would be

attracted to the neighbourhood and the traffic which would in that way be created. The estimated revenue—based on the mining report, which showed that by present indications 12,000,000 tons of coal were available—was that at 5s. 6d. per ton the gross railway return for carriage to Melbourne would be £3,500,000. A point not touched by the commissioners was this: that, assuming that 400 men were employed, it would take 30 years to take out such coal. The revenue from the traffic on goods for these men and their families would be a considerable item as back carriage. He would now lay on the table a book of reference, containing plans, estimates, &c., all of which were sealed with the stamp of the Engineer-in-Chief's department and initialed by the Engineer-in-Chief, as required by the Act.

Mr. MUNRO seconded the motion.

Mr. PATTERSON said that he had much pleasure in congratulating the Government upon having brought forward this motion. There could be no objection whatever to it, as the lines proposed were fully inquired into by the Railways Standing Committee, which had more than justified its existence already, and was doing exceedingly useful work. The lines proposed were of the kind that were required as speedily as possible; and, provided that they were not to be constructed in the interests of any private persons for the mere floatage of a company, this was the proper course to adopt.

Mr. LAURENS stated that the honorable member who spoke last had almost taken the words out of his mouth. The lines proposed were of a kind that ought to have been constructed long ago. If Parliament was prepared to stretch a point it ought to be in the direction of making it possible for the local coal mines to supply the local wants, and this motion would contribute to that result. With regard to these three lines, it was noteworthy that more information was given to the House as to their merits by the Railways Commissioners than was given with regard to the whole of the lines in the last Railway Construction Bill. The House was then told that it was a matter of impossibility for the Railways Commissioners to give any information as to the merits of the lines, because they had to prepare their report before the second reading of the Bill, and it contained lines which they knew nothing about. He was pleased to be able to follow the remarks

of the honorable member for Castlemaine (Mr. Patterson), and to compliment the Government on the attempt they were making to assist in the development of the coal mines of the colony.

Mr. STAUGHTON said that he was rather surprised at the remarks of the honorable member for Melbourne North that the House had received more information with regard to the three lines referred to in this motion than was given with reference to the whole of the lines submitted in the last Railway Construction Bill. He would point out to the honorable member that it was much more easy for the Railways Commissioners to report on three short lines than on 6,000 or 7,000 miles of lines. It did not seem to have struck the honorable member that he was really making a point against himself. The House knew the feeling the honorable member had against the Railways Commissioners, and also the feeling he had in favour of the Railways Act Amendment Bill, and they could therefore understand his attitude on this occasion. Efforts had been made for the last 20 or 25 years to develop the coal mines of the colony, and it would, perhaps, have been better if the Government had proposed, first of all, to construct only one line of railway, in order that they might see what the results of that expenditure would be. (Mr. Outtrim—"The three lines are to be referred to the Railways Standing Committee for report.") It appeared that several companies had been pulling at the Government, and one company said that if the Government gave a line to another company, and not to them, they would be handicapped. There was no person who was more anxious than he was that, if the coal mines of the country were of any value, everything that was possible should be done to develop them, even if in the first instance there was some loss. If only the one line was constructed the Government would then see whether the company were really prepared to work the coal, and whether the traffic would be sufficient to justify the construction of additional lines. For years enthusiasts had been saying that the colony had the finest coal-fields in the world, and that they were easily worked; but what had been the result up to the present time? Absolutely nothing. (Capt. Taylor—"They cannot bring the coal away from the mines.") In one case a company received money from the Government in order to construct a

line. (Mr. L. L. Smith—"No.") At any rate, he knew that if it had not been for the business capacity of the honorable member for Castlemaine (Mr. Patterson) a considerable sum would have been taken out of the Treasury. He was heartily in accord with the proposition, but he thought that it should be confined to one line. Then if it was shown that the company were really prepared to develop the coal, and that there was a sufficient quantity of coal in the seam to justify the construction of other lines, no one would be more willing than he to give whatever assistance was necessary.

Mr. MUNRO remarked that he had not expected that at this stage it would be necessary to enter into any discussion upon the motion, because all the Government asked was that this matter should be referred to the Railways Standing Committee, in order that they might obtain fuller information. He had received several deputations with regard to these lines, and they were not deputations from different companies in antagonism to other companies but united deputations from all the companies. He had also received reports from the Mining department and the Railway department, each of which showed that this was a proper work to be done in the interests of the community. He asked for two things further: first, that he should be allowed to see the list of the capital of the companies, and, secondly, that he should be satisfied with regard to the *bona fides* of the companies. (Mr. Staughton—"Was the capital satisfactory?") Quite satisfactory. One of the alternative lines was a continuation of the main line to Anderson's Inlet, and the others were branches from it. The time, however, to discuss the propriety of making the lines was when the Railways Standing Committee reported upon them. Nothing would do more good to the colony than the development of its coal mines. The House was not now asked to sanction the expenditure of one shilling, and they would not be asked to do so until they were perfectly satisfied that the companies would proceed to work to supply coal. It would not be wise to authorize the calling for tenders for the construction of the lines until the companies had shown their *bona fides* in the matter. He was informed that one of the companies had a considerable amount of coal on the surface, and the Mining department assured him that the coal was of the best character, that

a large area of country had been prospecting, and that the coal covered the whole of that large area. It would be an improper action on the part of the Government to favour one company as against the others by referring to the Railways Standing Committee only one of the lines. (Mr. Staughton—"We do not care for the companies; we want the coal.") The Railways Commissioners took this view of the matter: that if there were three or four companies all at work, and one of them broke down, they would still have traffic from the others? It was better to make two or three lines, which would enable several companies to supply traffic to the railways, than to make only one line in the interests of a company which might collapse. If the Railways Standing Committee would add their testimony to that of the Mining department and the Railways Commissioners with regard to these lines, then he thought that the House might sanction their construction. (Mr. Gardiner—"You are hanging it up.") He did not want to hang it up. (Mr. Gardiner—"We have heard that before.") He knew that the honorable member had heard it before from his own friends, but he had not heard it, nor anything of the kind, from him (Mr. Munro). He had done everything that he could to hasten this matter forward, keeping the interests of the country in view.

Mr. W. T. CARTER said that the remarks of the honorable member for Bourke West (Mr. Staughton) deserved notice. The reason why a local supply of coal was considered to be important was that the price of coal would then be reduced, and it would be better to have several companies competing with each other than one company, which might make its own price. In addition to that, there was the argument used by the Premier, that if several companies were at work, and one broke down, there would still be traffic for the lines. He felt sure that the Government had not brought forward this motion until they were satisfied that coal did exist in payable quantities.

Mr. DEAKIN stated that honorable members on his (the opposition) side of the House cordially agreed with the proposal of the Premier, but he would point out that, but for the money spent by the late Government in boring, nothing or scarcely anything would be known of the value of these coal-fields, and their development

would not be nearly so well advanced. There could be no party feeling on a question of this sort. The House was at one with respect to it. If coal existed in Victoria it ought to be obtained, and nothing that the Government or the Railway department could do to make it available and to bring it to market would be considered adversely by honorable members in opposition.

Mr. MCINTYRE said he would not have risen but for the remarks of the honorable member for Melbourne North. It was stated by that honorable member that more information had been obtained about this coal line than had been furnished with respect to the whole of the lines brought forward by the late Government. That appeared to involve a reflection on the Railways Commissioners. Well, what he, as a member of the Railways Standing Committee, could say was, that they had had excellent railway reports from the Railway department upon every matter brought under consideration. As to some of the country gone over by the committee, it appeared that the reports of the Railways Commissioners and their officers were correct to the letter, both with respect to the contour of the land, the traffic probably derivable from the proposed lines, and a variety of other important particulars. It was only fair to the commissioners who had done such good work that he (Mr. McIntyre) should make this statement.

Mr. TUTHILL remarked that the danger he anticipated from the action of the Government was that it would unduly favour certain companies to the exclusion of certain other companies. What he would like to see remitted to the Railways Standing Committee was which lines of railway should be constructed on the ground that they were the most desirable to the development of the coal resources of the colony. That would be a more general question than the question for any single line.

Mr. STERRY pointed out that the present question was one of opening up an existing coal district and not one of favouring any one company or another. The aim was to afford all the companies certain facilities for getting their coal away from the mine to the market. Coal had already been obtained from the localities now referred to, and also from others, in considerable quantities, and were railway facilities afforded a great deal more would be done. Anything the House or the Government could do towards developing the railway

resources of the whole colony ought to be carried out at once.

The motion was agreed to.

PENAL ESTABLISHMENTS.

The resolutions passed in Committee of Supply on September 3 and September 8 were taken into consideration.

Dr. PEARSON drew attention to the following item of the vote for Penal Establishments and Gaols, "Inspector-General, £750." He said he did not wish to delay business, but he would very much like to obtain from the Premier a more definite statement as to the increase of this amount which was promised to Captain Evans by the late Government. Perhaps when the Supplementary Estimates were being prepared—(Mr. Munro—"I will not agree to the increase of any salary this year.") As the late Chief Secretary told the House a definite promise was given, and that being the case, Captain Evans' claims ought to be recognised.

Mr. RICHARDSON inquired whether the Government had decided to retain the services of a certain officer of the Penal department who was over 65 years of age? If that was the fact, the reasons justifying the arrangement would have to be very strong indeed, because a general order had gone out to all the officers of the service to the effect that each of them would have to retire when he reached the age of 65. A large number of officers were about to retire on this account, and the retention in office of any one of them would have a most invidious appearance.

Mr. MUNRO said that the case the honorable member referred to was that of Mr. Dwyer, the governor of Pentridge, who was over 65 years of age. He (Mr. Munro) had objected very strongly to any officer remaining in the service after he was 65, and in this particular case he offered strong opposition, but the statement of the Inspector-General was that new arrangements were to be made in the Pentridge establishment, under which the inmates would be fed in their cells, and not in large companies as at present, and that this plan could only be carried out under the superintendence of the existing governor. Upon hearing this, he (Mr. Munro) remarked that, in view of all the circumstances of the case, the intended reform ought to have been carried out at least twelve months ago, in order that it should not have become necessary to retain an officer in the service who was over

the retiring age, on the ground that there was no one ready to fill his place. However, he (Mr. Munro) found the pressure too strong for him, and the result was that Mr. Dwyer would remain in the service for another twelve months.

Mr. GORDON expressed the opinion that the House and the country would view the retention of this officer after he had reached the retiring age with much suspicion. Certainly the arrangement was not in the public interest. (Mr. Munro—"Yes.") At all events it was not in the interests of the public service. It was a well-known fact that there were many officers quite capable of filling the position of governor of Pentridge, while, on the other hand, the retention of the present governor would block promotion to a number of deserving public servants. It was only the other day that a number of governors of gaols were removed from their positions because they were over 65, and it was not fair to them that the arrangement was not made a general one.

Mr. GRAVES remarked that he was quite aware of the contemplated alteration at Pentridge referred to by the Premier. It was an unusual and very dangerous system to have hundreds of criminals messing together in one room three or four times a day, and the change about to be made would be one in the right direction. But that it required a man over 65 years of age to carry out the alteration beat his (Mr. Graves') comprehension altogether. He recognised the propriety of all members of the public service over 65 retiring from active duty, and he himself intended when he reached that age, which he would do in the ordinary course of things in three years' time, to retire himself. He would not then again present himself to his constituents. He considered that as Members of Parliament drew £300 a year from the public Treasury, they should abide so far by the rules of the public service. He was not in the chamber when the honorable member for East Bourke Boroughs (Dr. Pearson) addressed the Premier with regard to the promise alleged to have been given to Captain Evans that his salary would be increased, or he would have done then what he would do now, namely, express regret that this portion of the Estimates had been agreed to in the absence of the Chief Secretary. He wished that that honorable gentleman had been present, because in the former discussion on the

subject, the Premier stated that he had no knowledge of any promise being made to Captain Evans. (Mr. Munro—"I said there was no record.") The words attributed to the Premier in *Hansard* were, "The Government know nothing about any promise, so where is the repudiation?" Of course it was not to be supposed that the Premier, who had the general management of Government affairs, would know all the promises of this sort, and for that reason he (Mr. Graves) had hoped that the Chief Secretary would be in his place to say whether he was aware that such a promise was or was not given. He (Mr. Graves) had already stated that it was hardly possible for the Estimates of the Penal department to have been prepared and discussed between the Minister and Mr. Wilson, the Under-Secretary, without the matter of this promise being brought up. Indeed, he had reason to believe that the fact of the promise having been made was communicated to, and was well known to, the Chief Secretary. Under these circumstances, if the opportunity arose, he would take the liberty when the Chief Secretary was in his place of putting a question to him on the subject. If it turned out then that the fact of the promise having been made was known to the Chief Secretary, it was to be expected that the Government would honorably carry out the arrangement.

Mr. TUTHILL said that no doubt a promise by one Government ought to be respected by the succeeding Government. He was sure that honorable members all round were not at all satisfied that the promise referred to by the honorable member for East Bourke Boroughs (Dr. Pearson) was not given. As to the retirement of officers of the Police department at the age of 60, it would seem that there was still some doubt as to the intentions of the Premier in the matter. For instance, he saw in a newspaper the other day a paragraph, which appeared to have been inspired, giving a very different version of the arrangement with respect to the retirement of the senior officers in the Police department to that given by the Premier the other evening. Did the Government intend that all the senior officers of the Police department should retire, or did they intend to make two exceptions to the rule? Had not two officers been notified that they would not be called upon to retire? (Mr. Munro—"I know as much as you do what you are talking

about.") He thought the Premier knew a very great deal more about it than he (Mr. Tuthill) did. He did not like to mention names, but he could if he chose give the names of two officers of whom it had been said that an agreement had been come to between them and the political head of the department that they would not be called upon to retire. Now such differences should not be made without very weighty reasons, and at all events without the House being made fully aware of them. It was not right to have one rule for one set of public servants and another rule for another set of similar officers.

SCHOOLS OF MINES.

The vote of £20,810 to complete the vote (£27,750) for Schools of Mines and Technical Schools was recommitted for further consideration.

AH TOY v. MUSGROVE.

On the vote of £16,175 to complete the vote (£22,110) for the Law officers of the Crown,

Mr. LAURENS said that this vote being before the House he thought it a very fit occasion for him, at all events, to express his deep thanks and gratitude to the ex-Attorney-General for the very able way in which he presented and conducted the case of *Ah Toy v. Musgrove* before the Privy Council. He had felt in this way ever since he had any knowledge of the subject, and long before full information of the result reached him. From the moment he read the account given in the daily journals—particularly that published in the *Argus* newspaper—of the way in which the honorable member for Portland discharged his duty to the colony, he felt, as one of its citizens, deeply indebted to him, and he did not think that honorable members would be fair to themselves as representatives of the people if they did not recognise the faithful way in which the honorable member fulfilled the mission intrusted to him. More especially did he desire to say this in the face of the incidental reference to the subject made some time ago by the honorable member for Dundas, who, he was sure, would not dream of saying anything he did not think to be quite correct, but who referred to the judgment of the Privy Council in this case as a somewhat wishy-washy affair, out of which he could make

nothing. Now, the report of the judgment published in the London *Times* of March last — (Mr. McIntyre — “The late Attorney-General had nothing to do with the judgment given by the Privy Council.”) Perhaps so, but he had a great deal to do with the manner in which the case was put, and it was to that that he (Mr. Laurens), was referring. He would say, also, that, although from the time the issue was first raised he was convinced of the merits of the Victorian case, so far as the policy of the colony with respect to the Chinese was concerned, that was not exactly the question that was decided. It so happened that the Attorney-General took higher ground—honestly, and certainly fairly, from his point of view—and that was the ground he desired to maintain before the Privy Council. It might be contended that he did not gain his case on that point, but he (Mr. Laurens) would submit that practically he did gain it, and he was supported in this view by the report published in the *Times*. The Privy Council decreed—what? They decreed first that the Chinese who, in the particular case in question came to Victoria, did so in violation of the local law of the colony, and then they went on further to say that no alien, whether Chinese or otherwise, had any right to go into the law courts — “municipal” courts was the Privy Council term—of the colony to question the action of any executive officer of the local Government. Was not that exactly one of the great points at issue? Moreover, although in the *Ah Toy* case the person concerned happened to be Chinese, the term “alien” used by the Privy Council had a much wider signification, and would refer to members of any other outside nationalities. Well, *Ah Toy*—who, it was believed, was prompted by political action to take the step he did take—asked for damages from the Government, for what? For not being allowed to land in this country. And now the Privy Council had declared that no alien had the right to question the action of any executive officer of any colonial Government. (An Honorable Member—“Why should he?”) That did not matter. It so happened that *Ah Toy* set up this claim in the Supreme Court of Victoria. It would not be right for him (Mr. Laurens) to reflect on the judgment of that court, but unfortunately four of the Victorian judges took the other view, and stated that *Ah Toy* had a right to sue in that court. Upon this no more

Mr. Laurens.

need be said except to point to a remarkable feature of the affair, namely, that the two Victorian judges who agreed with the view subsequently taken by the Privy Council were both of them old politicians. One was the late Mr. Justice Kerferd, whose judgment was greatly admired by the Privy Council; and the other was the present Chief Justice of Victoria — Mr. Higinbotham. Perhaps it would be contended that these two judges were guided more by political than judicial considerations; but, be that as it might, the outcome was that the dictum of the four Victorian judges who, never having been politicians, were possibly inclined to look at the action of this Chamber and of the Executive with some degree of disfavour, was overruled by the Privy Council, while the dictum of the other two judges, who had previously taken their share of the struggles in the political arena, was supported. At all events, he (Mr. Laurens) was extremely glad to find that the judgment of the highest court of the realm was in favour of the executive authorities of this colony having the right to say to aliens at any time that they should not land on these shores. Surely if Russia could expel Russian Jews by the million, while other countries could expel people from their territories every day of the week, it would be hard if the Government of this self-governing colony could not prevent the landing in Victoria of persons whose presence here they had reason to think would be detrimental to the best interests of the country. (An Honorable Member—“America has done the same thing.”) Yes, there were several instances which went to show that this was only a right which every self-governing community should exercise. He would admit, at the same time, that it was a right that should be exercised with the utmost care and caution; but when the Government of this country thought proper to exercise it, they should be enabled to do so without demur. He (Mr. Laurens) had much pleasure in making these remarks, because he felt, as a citizen of the colony and as the representative of his constituency, that he was under a personal obligation to that able defender of Victorian rights—the ex-Attorney-General.

Mr. MUNRO stated that he was glad that the honorable member for Melbourne North had called attention to this matter, because he felt, like the honorable member, that the colony was under a great obligation to the ex-Attorney-General for

the admirable way in which he had placed the case referred to before the Privy Council. Of course the judgment was not in every respect as full as might be wished. (Mr. Laurens—"Practically it was sufficient.") Yes, it answered the purpose. The honorable member for Portland deserved the thanks of every member of the community.

Mr. DEAKIN stated that it was only fair to add, what he supposed the honorable member for Melbourne North had never known, namely, that when the late Attorney-General left these shores he did so in the teeth of advice received from some of the ablest English lawyers the Government were able to consult, who held out no hope of success. The honorable gentleman went to England perfectly aware that he was relying only on his own judgment and that of two Victorian judges. He had against him the weight of the perfectly impartial opinions obtained from the highest sources, and therefore had so imposed upon him the task of educating, to some extent, legal opinion in the mother country on the points in question. If he had not got a verdict on all the national issues, he had raised them, and raised them in a manner that commanded high admiration. The private testimony given as to the brilliant success achieved by him was of a most marked character. The honorable gentleman had the satisfaction of knowing that he had done good service, not only to the colony, but to the British people as a whole, in reviving a most important principle. He had succeeded in establishing the right of self-governing communities to protect themselves against the influx of aliens.

Mr. WRIXON said he felt very much indebted to the House for the unexpected honour that had just been conferred upon him, and also very much indebted to the honorable member who had raised the question, and who had spoken so kindly of him; also to the Premier and the honorable member for Essendon. When he was intrusted with the mission to England he was grateful for the trust, and he felt that he owed much to the generosity of his colleagues in the then Ministry who required, certainly for that session, the services of all its members. He was also grateful to the House and to his constituency for relieving him from his legislative duties in this colony. If he felt under an obligation to the whole colony then for being allowed to undertake this

errand, he felt under a much greater obligation now when he found so much kind appreciation of his efforts in the case in question. His colleagues and himself in the late Government always believed that they were right on the question of law, and that their cause was just, but they were certainly not quite prepared to secure such a triumph as they had gained before the Judicial Committee of the Privy Council. They all tried to do their duty in their various ways, but it was a satisfaction not only to have done one's duty, but to be rewarded by the general appreciation of one's fellow-colonists.

Mr. TUTHILL desired to add his congratulations to those which had already been offered to the late Attorney-General, whom he believed to be one of the ablest barristers in the colony. However, he wished to refer to another matter, and ask the Premier if his attention had been called to the fact that the Supreme Court Bench was at present very much undermanned. The law's delays had become a very serious matter. A month's law list or a list of appeals was now never completed in the time set down for hearing. As a matter of fact, solicitors no longer expected to have an appeal heard within a year of the time at which it was made. The loss inflicted on the community by these delays was very great. (An Honorable Member—"There is nearly always one of the judges away.") There were two judges away, and their places were supplied by temporary judges, but that did not alter the fact that additional judges were required. If the Premier would take a walk through the Nisi Prius Courts he would see an array of witnesses waiting for cases to be called on. Many of them had travelled several hundred miles, and they would have to return to their homes with their cases still unsettled. There was a strong feeling outside that the bench required strengthening both as regarded the Supreme Court and the County Court.

The resolutions were adopted.

RAILWAYS ACT AMENDMENT BILL.

SECOND READING—SECOND NIGHT'S DEBATE.

The debate (adjourned from the previous day) on Mr. Shiels' motion for the second reading of this Bill was resumed.

Dr. PEARSON.—Mr. Speaker, when the debate was adjourned last evening, I was pointing out to honorable members that

the administration of the Railway department had broken down not through any fault of the Minister, but from the inherent vices of the system, and that the proposal of the honorable member for Port Fairy was practically a continuation of the Ministerial system which was rejected on that account by public opinion. In 1883 we made a decisive change, and we have been working under the system then inaugurated for the last seven years. It is rather important to consider what powers we gave to the Railways Commissioners, and in what respect they have failed to use those powers worthily. One duty we undoubtedly put upon them which in general estimation they failed to adequately perform. I refer to the duty of reporting upon the different lines which the House proposed to consider, so that it might form an opinion as to their merits, and determine what the cost should be. More than once it has been pointed out in this House that in 1884 the Parliament of the day distinctly absolved the commissioners from the duty of reporting at any length upon the lines. Therefore, any blame in this respect attaches to Parliament itself. The charge which undoubtedly weighs much against the commissioners in the public estimation at this moment is that many railways have been found to exceed the estimates submitted to Parliament and on the faith of which Parliament authorized them. Now, on that matter I should like to point out to Parliament that if it insists on passing octopus lines, they must be accompanied by octopus loans. The last Railway Bill in regard to which the estimates for the lines were found to be practically sufficient was the one submitted by the honorable member for Castlemaine (Mr. Patterson), in 1880. On that occasion the honorable member brought in a Bill for the construction of 483 miles of railway, and, with a single exception, these lines were constructed for very nearly the sums estimated. Of course at that time there was no great variation in the price of land. Another Bill, for the construction of 99 miles of railway, was subsequently brought in. It was absolutely impossible to construct those lines in less than seven or eight years, and some of them are not constructed now. The land boom enormously increased the price of land connected with these lines, and great disturbances in the money market also occurred. I say the House has only itself to blame if it adopts lines on the

faith of estimates which it is quite clear cannot be adhered to. No business man can in such a community as ours accurately estimate the cost of things during a period of six or seven years. It is not therefore to be wondered at that the expectations of the Railways Commissioners have not been quite realized. Let us now look to the main thing the commissioners have done. They found absolute disorganization in the department—officers quarrelling with one another and disobeying the permanent head. They have changed that, and the service is now a well-disciplined and effective one. In the next place, the commissioners found that the lines and rolling-stock were in a very imperfect condition, and they have brought them into a state of complete efficiency. They had to deal with a very large railway system, and they have treated the difficulties which beset them with perfect thoroughness, so that, with the single exception of some accident which happened to the honorable member for Grant's portmanteau, the railways have been worked with the greatest satisfaction to the travelling public and the whole commercial world. Indeed, a testimonial signed by the chief merchants of Melbourne has been presented to the commissioners in recognition of the admirable way in which they managed the wheat traffic, which is the most difficult to provide for.

Mr. ARMYTAGE.—That was a put-up job.

Dr. PEARSON.—Let me remind honorable members that it is absolutely impossible to manage the railways upon commercial principles, such as business men would adopt with their own affairs. In dealing with the railways we have to consider national necessities much more than the requirements of the future—the substantive good of the people rather than the revenue to be received; and accordingly the commissioners had to struggle constantly against these limitations. There is another point—they have not been allowed to find rolling-stock or rails in the cheapest market. They have been constantly restricted by the necessity for doing everything they could to stimulate local industry; that has been done at a certain expense to the public, though the policy has been indorsed by Parliament. Nor have the commissioners been allowed to engage labour at market rates. They have not been allowed to take men who would have come to them at 6s. a day; they have been

obliged to pay men the same wages they were actually getting before they were engaged by the department. In fact, from time to time Parliament has forced the commissioners to raise the wages that were paid when the commissioners were appointed. In the next place, the commissioners have very limited power of dealing with their officials; they cannot dismiss officers without extreme difficulty. Reference was made to supernumerary hands in the recent correspondence of the Minister of Railways. When supernumeraries or others are dismissed, they naturally object to it; their cases are taken up by the trades unions, or by the Parliamentary members for the district, and pressure is brought to bear upon the commissioners. It appears, from the correspondence I have referred to, that the services of one man who had been dismissed were retained under these circumstances; but that is no great matter. The point is we are jealous, and justly so, of anything being done to deteriorate the position of the working man. We wish to put him in a better position, and that circumstance undoubtedly tells upon the balance-sheet of the Railway department. Then there are other limitations which are not to be disregarded. The commissioners, for instance, may have a desire to organize Sunday traffic and contemplate a considerable increase in the income of the department from that source, but Parliament has shown a jealousy in that matter, out of respect for religious convictions, and the commissioners are shut out from that source of revenue.

Mr. MUNRO.—Sunday trading is at present carried on at a dead loss.

Dr. PEARSON.—Not on the Brighton line.

Mr. MUNRO.—The Sunday lines as a whole.

Mr. L. L. SMITH.—If trains were run to Beaconsfield and Lillydale they would pay.

Dr. PEARSON.—The Sunday trains are carried on at a loss because they are run intermittently. If the public knew that trains were being run constantly to Beaconsfield, Lillydale, and other country places, they would pay exceedingly well. This is an instance of the inability of the commissioners to manage the railways as a business man would manage a business concern. If, however, the House thinks that the interests of the public would be best served by running Sunday trains on the Brighton and Beaconsfield lines, the superior

wisdom of the House must be bowed to. The late Government authorized an experiment in regard to running a Sunday train, but I do not know the exact result.

Mr. MUNRO.—It is a failure.

Dr. PEARSON.—There is another important point which distinguishes the Railways Commissioners from business managers—they are not allowed to accumulate surpluses. Parliament has decided that whenever a surplus is shown, it shall be applied to reductions in freights and fares. Though a considerable surplus was shown some two or three years ago, the money is not now available as a set-off against the recently-constructed lines. The commissioners have been blamed for not yielding to Ministerial importunity with regard to the reduction of the expenses, but, with respect to the running of trains which have been said to be unnecessary, a reference to *Hansard* will show that pressure was brought to bear upon the commissioners. I have heard it stated upon good authority that a syndicate in London would be willing to purchase our railways, and spend £8,000,000 more upon them, on condition that they were allowed to manage them on business principles.

Mr. LAURENS.—There is no responsibility in making a statement of that kind.

Dr. PEARSON.—If the restrictions on our present system of management were removed it would make an enormous difference in the working of our lines.

Mr. LAURENS.—Would the syndicate pay the £9,000,000 of our money which has been spent besides the English money?

Dr. PEARSON.—The sale could be effected in six months if Parliament would consent to it, but Parliament never will consent to it because it is important to keep the railways in the hands of the State.

Mr. LAURENS.—It is so easy to talk about it because we are not going to do it.

Dr. PEARSON.—I think that honorable members should bear in mind with reference to the single charge against the commissioners, namely, that the railways are not paying, that for two years trains have been running on unprofitable lines, which have been newly opened, and that the commissioners have not had an opportunity of managing them in the way that would have been adopted by English railway managers. I say that what the commissioners have done they have done

admirably. They have brought discipline and efficiency into the service. During the years 1882 and 1883, just before they took office, three bad accidents arose from imperfect rolling-stock and want of subordination among the officers.

Mr. MUNRO.—How many accidents have occurred since?

Dr. PEARSON.—Not one from the same cause.

Mr. PATTERSON.—What about the Windsor accident?

Mr. LAURENS.—And the Lancefield accident?

Dr. PEARSON.—In those cases the accidents were due to negligence. As long as the world lasts we shall occasionally have accidents of that kind, but that is a very different thing from allowing wheels to become worn out, or rails to get bad, or from having something like a state of mutiny among the railway servants, and men running trains in defiance of express orders. All that has been absolutely stopped since the commissioners took charge of the system. I am perfectly willing to admit that the Government had a case in one respect against the commissioners. When the Government indicated that the finances of the country were depressed, that economy was necessary, and that £100,000 ought to be saved in a particular way, I think the commissioners, although they were quite right of course in pointing out that they considered that that particular economy was injudicious, ought, when they found that they could not convert the Government, to have complied instantly with the demand. I think that is the real blot on the system so far, and I am quite willing to say that it is a blot which should be corrected. Even assuming that the commissioners were right in believing that the higher economy was to carry on the lines at a loss for a time, trusting to increased facilities making up the loss in the long run, still I say that the commissioners, not being the persons charged with the credit of the country, were bound to defer to those who are responsible for the credit of the country, and you cannot for a moment compare the two responsibilities. Take, for instance, one illustration, which I think is a fair one. The *Age* newspaper has drawn a good deal of attention to the system of railway "zones" with cheap fares, which is adopted in Hungary. That system appears to answer exceedingly well in Hungary, which is a country in many respects like

an Australian colony. It is an exceedingly rich country, but there are only a few large towns and there is an immense extent of sparsely inhabited country, so that it is a country which I should hardly have thought would have suited that system. However, assuming that system to be a good one for this colony—a question about which I know nothing, and I suppose it would be a mere experiment—I do not think we can say for a moment that any commissioners ought to introduce it without the consent of the Cabinet of the day. It would be too big an experiment, and I think, therefore, we must say that there are certain limits prescribed by reason although not expressed in the Act which ought to temper the acts of the commissioners in their conduct of the lines. But at the same time I am not prepared to admit that you want a Bill of 58 clauses to give the Ministry the particular power that they need. It appears to me that one clause would be sufficient, and I think it would be better to substitute for this Bill one clause giving the Government power by Order in Council to reduce the mileage to the proportions which they think necessary. They might also have power to have regard to economy in the building of stations. I do not think any one would demur to that. But there are various ways in which the Ministry might have acted instead of introducing these proposals. They might, for instance, have called on the House to pass a resolution to the effect they desired, or they might even have gone the length of suspending the commissioners if they refused to carry out their request, of course warning them first that they would be compelled to bring the matter before the House. But all this is no reason why we should change our system, which means management without the vices that we have seen under Ministerial management. Why should we go back to the system which broke down under different Administrations before 1883? Then, looking at the measures proposed in this Bill, I think them cumbrous and complicated in the extreme. One proposal is that when the chairman and the two other commissioners differ, their difference is to be submitted to the Minister, and the Minister may, so to speak, give a casting vote. That system might lead to interminable quarrels between the chairman and his colleagues, and I do not think it is wanted. Surely we can get some simpler method than that. But undoubtedly the

worst clause in the Bill is that which proposes to take into the hands of the Governor in Council almost every matter of railway administration except the purchase of rails and rolling-stock. The Governor in Council may interfere at any moment, may say that the expenditure on stations is to be diminished, may increase the rates of fares, create differential rates, diminish the suburban radius, and interfere in a thousand different ways. It seems to me that what this system would practically lead to would be that while the Minister would not be really responsible to Parliament—while the administration would still seem to be vested in the commissioners—the commissioners would have the heart taken out of them by perpetual interference. Now I say that if this system of management by commissioners has broken down, it must be either the fault of the men or of the system. If it is the fault of the men, get rid of them; if it is the fault of the system, revert at once to the old Ministerial plan. Let the Minister, if you like, be a man independent of the Ministry, as I see they are proposing in Adelaide. Let him be a Minister who does not necessarily stand or fall with the Cabinet; but a man who is chosen for his business capacity, and who simply has a voice in the House and in the Cabinet. Take any new plan you like to make the Minister more capable, but whatever you do do it in a plain, honest, and straightforward fashion. Let it be understood that we are reverting to the system that broke down—that either we think ourselves more capable of working it now, or else that we intend to surround it with some safeguards—but do not deal in this way with men who have given us the great advantage of disentangling our railway administration from party politics, who have not been hitherto dependent (which is an enormous advantage) on the special needs of the year, who have not been subjected to having grants refused because the Opposition wished to embarrass the Ministry, or because the Minister of Railways was told by his colleagues that he must not go into further expenditure. Do not change this system, which is working well after a fashion, by turning these men—business men, capable men, as I believe them to be, or, at any rate, as such commissioners might be—into a mere board of advice, simply able to make suggestions to the Minister of the day, which he may reject or alter as he likes, while he, in his turn, will not

be responsible to Parliament, but can come down and say, "Oh, it is not I who administer the department." I sincerely trust the Ministry will either allow this Bill quietly to drop, or else cut it down by a great many clauses. The clause relating to compensation to employés will, no doubt, provoke a good deal of discussion; and the clause about renewing the appointments of these three gentlemen who are declared to have failed will also give rise to a great deal of debate; but the great fault, I think, is in the construction of the Bill. It is a compound of two systems, and it appears to me to contain the worst features of both; and, as we do not wish to embarrass the Ministry in any way, I hope they will spare us a difficulty by themselves laying this Bill aside and allowing it to drop into oblivion.

MR. WHEELER.—Sir, I must thank the honorable member who has just resumed his seat for saying that he has no desire to embarrass the Government. There does seem, as far as this discussion has gone, to be a disposition to have railway reform, and that disposition seems to exist on both sides of the House. Now I would like to say, before proceeding with my remarks, that I was desirous of speaking last night, and following the honorable member for Essendon; but the adjournment of the debate having been moved the previous night by the honorable member for Williamstown, and that honorable member having given way last night to the honorable member for Essendon, I felt that I could not do less than allow the honorable member for Williamstown to follow the honorable member for Essendon. I mention this because I believe it has been generally the rule in this House that a Minister should follow the leader of the Opposition. Not that I am ambitious or aspire to follow one of the best speakers we have in this House or in the colony—far from that; but I think it is the duty of the Government to put their view of a measure before the House after the leader of the Opposition has spoken. I do not propose to follow the honorable member for Essendon in his opening remarks with reference to the correspondence which has taken place between the Minister of Railways and the Railways Commissioners. There is no doubt that it was unfortunate that circumstances should have arisen to call that correspondence into existence, but I may say, that there were circumstances leading up to that correspondence which, I

venture to say, honorable members are not altogether familiar with. I do not think it is any part of my duty to-night, in the absence of the Minister of Railways, to refer to the matter further than to indicate to honorable members the reason why that correspondence took place. In the first place, the Cabinet invited the Railways Commissioners to discuss, in the most friendly spirit possible, the question of reform, and how to cut down the expenditure; and the commissioners met the Cabinet, and, I believe, honestly discussed the matter. I will admit that the Chairman of the Commissioners probably believed honestly that the way in which he was working the railways was the very best possible way in which they could be worked—that they were the best managed railways in the world. The Cabinet just as honestly differed from him in that view; and after a very long discussion, lasting over several hours, during which many very valuable suggestions were made to the commissioners, I regret to say that none of the recommendations were acquiesced in, nor was any effort whatever made to prevent the ruinous state of things which is going on.

Mr. TUTHILL. — Were the other commissioners present?

Mr. WHEELER.—The three of them were there. I am only putting this before the House to show that there is really some justification for the correspondence, and let me further say this with regard to that correspondence, that whatever may have brought it about it was most ably carried on on both sides. The commissioners had a right, and exercised it, to reply to every letter that was sent to them, and I must say that I believe that correspondence has done a great deal of good. It has had a most educational effect on the people of this colony, and I believe it has put them in possession of facts in connexion with our railways which the majority of the people were not at all aware of before. I will go so far as to justify the correspondence on those grounds, and there I intend to leave it. I am afraid that our difficulties in connexion with this question began when the Railways Commissioners were first engaged. Probably if the then Minister of Railways, the honorable member for Eastern Suburbs, had taken his part as a Minister, not merely in name but in fact, and had gone down to that department and exercised control, the state of things would have

been different now. No doubt the Act did not give him that power, but I venture to say that in view of his large experience, of his knowing a great deal more about the management of our railways than it was possible for any other man to do, it should have been his duty, and it undoubtedly was his duty, to go down to the Railway department, to exercise the functions of a Minister, to direct and assist the commissioners, and to take part in that department as a Minister of the Crown. I have no hesitation in saying that if he had done that, notwithstanding the Act of Parliament, there would have been no exception taken, and if he had followed that course, then I say that every Minister of Railways who succeeded him would have exercised exactly the same control over matters in the Railway department, and in all probability to-day we would not have been in this financial muddle. I believe the late Minister of Railways to be one of the most capable men in the colony, and had he kept a tight hand upon matters there would not have been the extravagance that has taken place. The "boom" is one of the things that is put forward as an excuse for the Railways Commissioners running into extravagance. I say that they had no right to be influenced by the "boom" at all. The Railways Commissioners were simply there as business men to manage the affairs in the Railways department, and it should have been their duty to have strictly confined themselves to that, and not to go "booming," or to be run into extravagance by "boom" times. Of course, what has brought the present state of affairs about is really the frightful deficiency which has been going on each year, and which now is not decreasing but absolutely increasing; and economy will have to be practised. The thing will have to be grappled with, and we shall be compelled to use strict economy. We shall be compelled to reduce the train mileage. The people of this country must expect to get, and will be satisfied with, less accommodation than they have had up to the present, and in all probability it may result also perhaps in a slight addition to train fares. And I think it is right we should make our railways pay. I think no honorable member will contend anything to the contrary. We have one of the finest properties in the world, and why should we not make it pay? How is it that New South Wales makes its lines pay?

Mr. ANDERSON.—If they constructed as many new lines as we, their railways would not pay.

Mr. MUNRO.—Their mileage is very nearly equal to ours.

Mr. WHEELER.—I was going to point out that Victoria is now running over 3,000,000 more train miles than New South Wales, and that the population of that colony is about equal to the population of Victoria. Again, New South Wales has a far larger territory than we have—our population is more compact, and consequently things in that respect are in our favour—and the only thing I know of that militates against us is a little extra cost for coal, and that is not an item which is very serious.

Mr. DEAKIN.—And our cockspurs. Their cockspurs do not pay and ours do not.

Mr. WHEELER.—At all events, I do not see any reason in the world why our railways should not be made to pay. The people have got the accommodation, they have turned bad roads into good railways nearly all over the colony. They have an accommodation which I venture to say many of them would have been only too glad to obtain at the cost of paying 20 per cent. more for sending their goods to market rather than be without those railways. I do not advocate an advance on the rates for farm produce, but I say there are other ways in which you can raise revenue without affecting farm produce at all. And I think we have a perfect right to adopt those means. It is nonsense to suppose that things can go on as they are now. Are the taxpayers going to stand the present state of things? Are they to be taxed, many of them who really get little or no benefit from railways, to the tune of a quarter of a million or half-a-million year after year, taken out of the revenue of the country in order to pay the interest and working expenses on the railways?

Mr. DEAKIN.—Who does not get any advantage from the railways?

Mr. WHEELER.—There are a great many people who get a very large benefit from the railways; but there are others who get very little, and many parts of the country have no railways at all at the present time. Those people are the suffering people. They are patiently suffering and waiting for their lines, and now they have to pay out of the general revenue for the working expenses and interest on the railways large sums each year—in the

coming year it may be half-a-million. The railway revenue is falling off at the rate of £4,000 a week, and where shall we be at the end of the year if no honest effort is made to alter the present state of things? If this Government made no honest effort to deal with the matter, I say they would not be worthy of their position, and ought to be turned out. We came into office with a distinct pledge that we would bring about railway reform, and we are honestly trying to do so. The plan that we are adopting may look round about and clumsy. Let me remind honorable members that it is a very easy matter to pull down; but it is not altogether so easy a thing to build up. I venture to say that, if honorable members will bring their minds to bear, they will find that we have not submitted such a very crude measure as some of them think. The honorable member for East Bourke Boroughs (Dr. Pearson) asked just now "Why all these clauses to meet this difficulty?—one or two clauses would have done it." Yes, we are quite aware that one or two clauses would be sufficient if you are willing to allow the Minister of Railways to have the same control over the railways as he had before the Railways Commissioners Act of 1883. But will the House agree to that? The general complaint against the Bill is that it is far too large and too cumbersome. In drafting this Bill the Government have been desirous, as far as possible, of avoiding any return to the old system of political patronage. We know very well that the House and the country do not wish that we should go back to that system. I opposed that system as strongly and as strenuously as did any honorable member in this House, and I feel still that it will be unwise to return to it. But what have we done? We have done everything that is possible, by introducing checks and surrounding the administration with safeguards, to prevent political patronage. We have been compelled to take some power of control, and I think that the people of the colony realize that it is absolutely necessary that the Government of the day and Parliament should have direct control over our State railways. I feel the difficulty that the Government are in in introducing a measure of this kind. They have an honest desire to keep out political patronage; but one of two things must be done. We must either have control over the railways, or else we must continue the deficit that is going on from

year to year. Of the two evils, we choose the lesser one. Under this Bill it is proposed to create a board, and I would like honorable members, before arriving at a decision in regard to this matter, to listen attentively to what I have to say, and I think they will find that there is very little ground for complaint. The board may look large, but it is proposed with the object of protecting the best interests of the country. The honorable member for Essendon last night, in speaking upon this question, very carefully avoided any reference to the subject of the finances of the Railway department, and I dare say the honorable member was quite right in doing so, because he here explains it. He said, as reported in the *Argus*—

“It was no doubt true that the greatest failures of the present commissioners had been in connexion with the finances of the railways.”

Mr. DEAKIN.—I am not quite correctly reported.

Mr. WHEELER.—I am reading from the *Argus* report. The honorable member also said—

“The relation of the late Government to that question was not immediately pertinent to this Bill, and he would not deal with it unless the actions of the late Government in that respect were challenged.”

The financial position of the railways is really what has made it necessary to introduce this Bill. If it had not been for the serious losses that we are making on the railways, if things had been going on swimmingly, there would have been no occasion whatever for a measure of this kind. The Government approached the commissioners, and they invited them to discuss the matter, but they met with no response. With a loss staring us in the face of from £250,000 to £500,000 a year, it behoves the Government to do all that they can to bring about some means of putting a stop to this reckless extravagance. What do we find? We find that the working expenses of the Railway department are steadily increasing, and have been steadily increasing during the whole time that the Railways Commissioners have held office. In 1880–81 the working expenses amounted to 54 per cent. This year they will reach as high as 70 per cent. at least. There is a difference of 16 per cent. during the time the Railways Commissioners have held office. In addition to that, the deficit has increased from year to year, and from all appearances it is likely to go on increasing. What was the object, when

we passed the Act of 1883, of sending to England and bringing Mr. Speight out here? Was it not to put the railways under more efficient management, and to work them on commercial principles so that they might be made to pay? Mr. Service pointed out at the time that it was absolutely necessary to get thorough and efficient management to take the administration of the Railway department out of the hands of politicians, and to place it in the hands of a board of commissioners; but how have the commissioners succeeded? I do not want to be severe. It is better that we should discuss this matter calmly; but it is my duty to point out that the Railways Commissioners, instead of working the railways cheaper every year have been working them dearer every year, and the deficit has been continually growing larger. I was asked for the justification for the introduction of this Bill. This is the justification, and I venture to say that the statements made by the honorable member for Essendon last night was a further justification. The honorable member distinctly stated that reform was necessary, and that he was in favour of reform—in fact, that he was as much in favour of reform as were the members of the Government, although he did not agree with the kind of reform which we proposed. There is another reason why we were justified in introducing this Bill, and I have now to make another quotation from the speech which the honorable member for Essendon delivered last night, and which I hope is correctly reported. The honorable gentleman said—

“The House was pledged to railway reform, and would insist upon moving in that direction, but it would not be satisfied if the Bill left the chamber in its present state. The late Government took great strides towards railway reform, and were only balked by conditions.”

It would be very interesting to know what those conditions were. We did not hear one word about the late Government having tried to bring about reforms in the Railway department until last night. We did not hear one word from the Railways Commissioners themselves on the subject, and it would be interesting to know what those special conditions were that balked reform. I am bound to say to the honorable member for Essendon that I believe what he says, and I believe that there must have been a great deal of dissatisfaction in the late Government with the management of the railways. I have no

doubt that that dissatisfaction was well-grounded, and that it did cause the late Government to move in the direction of reform. I am quite prepared to accept that.

Mr. DERHAM.—We do not say that.

Mr. WHEELER.—It was said.

Mr. DERHAM.—Not that.

Mr. WHEELER.—When this Government came into office the first step they took was to approach the Railways Commissioners upon the question of reform, and to endeavour to place the railway finances in a satisfactory position. With that view we laid schemes before them, and tried to induce them to cut down expenses by reducing the train mileage and by a number of other valuable suggestions, by which an enormous saving could have been effected. It is said on behalf of the late Government that they made strides towards reform, whilst we are only making steps. We have not seen what those strides were, but I have no doubt that the late Government did take some action, and did it honestly. When we came into office the first thing we did was to take the action I state. What was the result? Have the Railways Commissioners moved a peg? Have they adopted a single suggestion that was made to them by the Government? No; and has not the honorable member for East Bourke Boroughs (Dr. Pearson) stated that the Railways Commissioners should have listened to what the Government said, and adopted their suggestions?

An HONORABLE MEMBER.—One suggestion.

Mr. WHEELER.—Well, one suggestion; and is not this another justification for the introduction of this Bill? Is it not conclusive evidence that the Government should have some power of control over the administration of the Railway department? I do not mean to say that we have any desire to restore the system of political administration, but we do say that the Government of the day and the House should have some power of control, which will enable them to insist that the commissioners shall do what they consider to be right. What interest had the present Government in making these suggestions to the Railways Commissioners? No interest in the world but that of trying to do the best we could for the country. We did not seek to make any capital out of the Railways Commissioners, and we did not

want to injure them in any way. The unfortunate circumstance that has arisen in connexion with the correspondence is a small matter, but it may be used as a lever to overshadow the question of railway reform. Railway reform must come, and whether it comes through this Government or not, no Government will be able to remain in office long unless railway reform is brought about, and the commissioners are brought under the control of the Ministry of the day and of this House. It has been asked, whether we are to say that these gentlemen are simply servants of the Government of the day. I suppose that when the Government engages men, whether as Railways Commissioners or in any other capacity, those men are simply the servants of the public. We do not want to degrade them. Far from it, and I venture to say that if the Railways Commissioners were open to reason and would try to meet the Government fairly they would not be interfered with. But, on the other hand, if they refuse to adopt reasonable suggestions which are made to them, then we would not be worthy of our position if we did not take some action in the matter. Upon this question and the unwillingness of the commissioners to comply with the request of the Government, let me point out one important fact. Mr. Speight a short time ago was before the Railways Standing Committee, and what was the evidence he then gave? He distinctly said that he was not in favour of cheap and light lines, and that the lines that we were constructing now were the right lines to construct. Therefore, Mr. Speight does not wish to depart from the track he is in. Could there be any stronger evidence that that gentleman believes that there is no man in the world who knows more about railway construction than himself?

An HONORABLE MEMBER.—Why did you re-appoint him?

Mr. WHEELER.—Because we had no alternative. If there is any evidence wanted of unwillingness to meet the requirements of the country in regard to cheap railways the statement to which I have referred supplies it. It shows distinctly that Mr. Speight has not changed his opinion, and that he still thinks that the expensive lines that we are now constructing are the best for the colony. How can such lines be made to pay? They cannot, and we must have a cheap mode of construction, and run fewer trains, if

our railway system is to be made a success. There is another matter that I wish to refer to. The honorable member for Essendon said—

“If the Government of the day were to take the responsibility of the construction of the railways, why not do it frankly and straightforwardly, instead of interposing the buffers of a bogus board?”

I desire to show what this “bogus” board is to be. I think that it will be admitted on all sides that it is high time that the construction branch of the Railway department was separated from the traffic branch. The functions of the proposed board are these. In the first instance when lines are introduced, they are referred to the Railways Standing Committee. That committee recommends that certain lines be constructed, and their recommendations come before the House, and if they are adopted, it is then intended that they shall be dealt with by the Construction Board. It was stated last night by the honorable member for Essendon that this board was to consist of three members of the Government and two members of the Railways Standing Committee. It is not so; there are to be four members of the Government, and two members of the Railways Standing Committee on the board.

Mr. ANDERSON.—That intensifies the evil.

Mr. WHEELER.—Would railway construction be safer in a single man's hands than in the hands of six?

Mr. ANDERSON.—That depends upon the men.

Mr. WHEELER.—The board is to consist of the President and Vice-Presidents of the Board of Lands and Works, and the Chairman and Vice-Chairman of the Railways Standing Committee. The Chairman and Vice-Chairman of the Railways Standing Committee will have all the information with regard to the lines recommended in their possession. They were placed on the board with the view that they would be able to render very material assistance to their colleagues in their deliberations. The board is to deal purely and simply with construction. It is to let tenders, to discuss the question of whether the tenders shall be let in sections or as a whole; to settle disputes between contractors and the Government, and to deal with a thousand and one little things that may arise in connexion with construction. Will any honorable member seriously contend that one individual

can deal with such questions, especially when there is any dispute regarding them, as effectively as six men? Let me put another view of the matter, which is a much more serious one than that. Supposing construction is left in the hands of one Minister, is it not possible to have collusion in some way? We have heard of such things where one man only has been consulted, but nothing of the kind could occur where five or six men had to meet together and to deal with these matters. The appointment of this board will be one of the greatest safeguards that the country could have that money voted for railway construction will be properly expended. As to this system being a cumbersome one, I contend that it could not be more simple. The board will not cost one shilling. The Chairman and Vice-Chairman of the Railways Standing Committee will be paid, and they should be paid. I was against the appointment of the Railways Standing Committee, but, having given some attention to the work which has been done by them, I believe that it has been the means of saving the country hundreds of thousands of pounds. I say that the board which we propose in this Bill is one that will completely protect the interests of this country in the same way. The Railways Standing Committee will make recommendations as to the best lines, and the cost of construction, and then everything will be tied down. The Bill does this good, it ties us down to an estimate that cannot be exceeded unless an Act of Parliament is violated. Another objection taken to this board by the honorable member for Essendon is contained in his assertion that this Bill to some extent will bring about political patronage, and he referred us to clause 31, which he said would give the power he referred to. Well, I can say that the Government are not desirous of getting political patronage at all. They do not want it, the board will not want it I am sure, and I do not believe the House wants it.

An HONORABLE MEMBER.—No one wants it.

Mr. WHEELER.—Then if the construction branch is removed from the authority of the commissioners it will be the easiest thing in the world to put the whole of that department under the Public Service Board. There will be no difficulty about that.

Lt.-Col. SMITH.—More Public Service Board.

Mr. WHEELER.—I am only showing a way out of the difficulty, because this cry against political patronage has been made a cry against the Bill. If honorable members are afraid of political patronage, all they have to do is to say in the Bill that the whole of the employees in the construction branch should come under the Public Service Board, and that will end the trouble. So far, the difficulty will be got rid of. Another matter referred to last night is that the Railways Commissioners had such pressure brought to bear on them, and were so much influenced by it, as to make reductions in freight which seriously reduced the railway revenue. But for my part I was under the impression, when the Railways Commissioners were appointed, and made thoroughly independent, that the thing was done to prevent any outside pressure being brought to bear upon them. Moreover, I said at the time, that they had no right to adopt these reductions during what is called the boom period, that is to say during prosperous times, without making their position very secure—without making it certain that they would never have to go back. No prudent man would do a thing of the kind without taking every precaution. In my opinion, there is no excuse for that transaction. Since the commissioners could have settled the whole matter without any reference to the Government or to Parliament, it does not lie in their mouths, I think, to complain that the loss in railway revenue has been caused because of the reduction in rates. I say that the folly lies at their door, and not at the door of honorable members or of the Government. It has been said that honorable members have gone down to the Railway department and squeezed the commissioners into conceding reductions; but I would ask was there any reason why the commissioners should have listened to them for a moment? Of course, I can understand drowning men catching at straws. So far as that is concerned, I hope the commissioners' heads are above water. That is all I can say. When we were discussing railway matters last session, I said myself that I took strong objection to these reductions, because I thought the commissioners ought during prosperous years to be preparing for the duller times that would necessarily follow. It seems to me that the commissioners were wanting in experience—in the experience we have all

gained since. I hold that the commissioners need not have made the reductions they did, at all events they should not have made them to the extent they did. The honorable member for Essendon has just handed me the *Hansard* report of his speech on the 30th October last, and I find that it contains the following passage:—

“If the Government had been in a position to submit their proposals, I think the honorable member would have found them sweeping and thorough enough, and that every step that can be reasonably taken at the present time to reform the defects of our railway system would be taken courageously and thoroughly.”

Well, it seems to me that that only strengthens my argument.

Mr. DEAKIN.—But it disposes of what you said was the fact.

Mr. MUNRO.—It was simply the song of the dying swan.

Mr. WHEELER.—It only strengthens my argument as to why, the moment the late Government went out of office, the present Government had to bring pressure to bear in order to make alterations in the system.

Mr. DEAKIN.—That was not the argument to which I referred.

Mr. WHEELER.—The honorable member further remarked that we had to justify the introduction of this Bill. I would like to bring before honorable members some additional facts. When the late Premier introduced the Railway Bill of 1884 he assured the House in the most solemn way possible that the construction proposed would only cost £3,960 per mile, exclusive of rolling-stock, and that the total cost of the lines would be but little more than £7,000,000. Now, as a matter of fact, these lines, which are not yet finished, have cost over £14,000,000. The honorable member also assured the House that the calculations had been made most carefully down to the smallest particular. If the honorable member for Essendon will say that the expenditure of this enormous amount over and above the estimated cost is not sufficient reason for bringing in a Bill to put a stop to that sort of thing, I would like to know what is. Now the Government have no desire to do anything more than insist upon railway construction being carried out economically, and upon the railways being worked economically. We want to bring about these reforms, and we ask the House to help us. This House has the power in its hands, and if

we are going to split straws about modes and methods we will be very unlikely to arrive at a satisfactory settlement of the question. Here is a return called for by the honorable member for Melbourne North, which shows that on 38 lines there has been a dead loss of £117,679 over and above interest on the cost of construction.

Mr. ANDERSON.—But you give no credit for the increase of traffic brought to the main lines. The Railways Standing Committee discovered that advantage.

Mr. WHEELER.—There may, perhaps, be something in that view, but—

Mr. LAURENS.—It is only the data of the department.

Mr. WHEELER.—What we want to do is to prevent loss. Surely if the Government can find means to prevent that loss they ought to use them. It may be that branch lines have brought an increase of traffic to the main lines, but this loss I am speaking about is continually increasing, and it will further increase unless we go on very rigidly economical principles. Rigid economy must be brought about. We must stop money being frittered away as has been done. We are willing to help the commissioners if they will only give us the opportunity of doing so. The honorable member for Essendon last night referred to clause 31, which gives power to the board "from time to time to appoint such engineers, surveyors, clerks, and other officers and employés as they may think necessary." But I will point out that, under section 70 of the principal Act, the Railways Commissioners have the right to employ any such officers whenever they like and how they like; and that that is simply what we are doing in this Bill with respect to the board. We also say that no salary shall go beyond £500 a year, except with the consent of the Governor in Council. What will that mean? I think it is a very proper arrangement. We have before us an instance of which every honorable member is thoroughly aware. I refer to the engagement of the present Engineer-in-Chief in the face of and against the direct wish of the present Government that the late Engineer-in-Chief and also Mr. Darbyshire should retire from the service, and that engineers with more modern ideas should take their places. The appointment of Mr. Darbyshire was one about which we did not hear one word until it had been made. Now, I think that we should take

some power, at any rate, over these high salaries. That is, I think, full justification for the provision in question. I will also draw attention to clause 24, which has been alluded to as a very dreadful thing. But what is it? Simply that we can call for a report from the commissioners on any proposition for all or any of the following purposes, namely:—

"1. For the audit, inspection, and keeping accounts.

"2. For prescribing the method of entering into letting, subdividing, and generally carrying out contracts.

"3. For enforcing any contract or any penalty incurred in connexion with any contract.

"4. For limiting the cost of any new workshop or of altering or adding to any workshop.

"5. For determining whether any proposed new siding shall or shall not be constructed.

"6. For diminishing the train mileage on any system or line.

"7. For increasing the rates of fares for the conveyance of passengers.

"8. For creating differential rates of fares for the conveyance of passengers and differential charges for the conveyance of animals, goods, and parcels in the case of new lines of railway.

"9. For diminishing the suburban radius.

"10. For limiting the issue of free passes.

"11. For limiting the number of stations on any line, or the cost of constructing, re-building, adding to, or altering any station by the commissioners.

"12. For limiting the number of officers and employés and their rate of remuneration, or for discontinuing any office, or for enforcing the provisions of the law relating to the retirement of officers and employés.

"13. For enforcing civility and attention to the public from officers and employés.

"14. For establishing and regulating committees, sub-committees, and conferences of officers.

"15. For making, altering, or repealing any regulations or by-laws which may be necessary for carrying out any of the objects set out in this section."

That is the whole list of subjects on which the Government may call for a report. All we ask is this: that the Minister of Railways and the Railways Commissioners should come together and arrange these matters among themselves, and then there will be no necessity for a report. But, in the event of their not being able to agree, a report should be called for; and then the Minister will be able to place that matter before the Governor in Council, where it will be fully discussed. If an order is made on the report, that order will have to be laid before both Houses of Parliament. I ask honorable members to look over these items, and see what patronage, what influence, what kudos, the Government can get? None whatever. Not the slightest. Nor do we want such

patronage or influence. But I say we have a right to this control. We have no feeling of antagonism towards the commissioners. We wish to work friendly and amicably with them, and it will be their fault if we do not. If not, the Government must be in a position to help themselves. For instance, I say that the train mileage is excessive. We are running 3,000,000 miles more than New South Wales. No doubt our suburban system is larger, but I venture to say that we could run 1,000,000 miles less without the general public being interfered with in the least. I think we could do more than that. For example, if we were to put a first and second class carriage on every goods train on branch lines we would be able, I submit, to do away with numbers of trains that are running now in excess of the requirements of the traffic. Not only would trains be saved, but in many cases the public concerned would get better accommodation. What was the upshot of a change made some time since? About the end of last year a middle of the day train was taken off a particular line, and the consequence was an enormous saving. And we had the people concerned declaring that they never had a better service. That is one instance. Will any honorable member tell me that the same thing cannot be done all over the colony on many other lines? I have no desire to prolong my remarks.

Mr. W. T. CARTER.—What about the 3rd sub-section of clause 38? We want to know what the Government think about that.

Mr. WHEELER.—The point is a legal one, and I would like the honorable member to put it when the Attorney-General is present. No doubt it involves a very important matter, but as a layman I am hardly able to speak of it. I am quite sure the Attorney-General will explain the matter very fully. This Bill contains one very important alteration. It is with regard to the rotten system of ballot. I venture to say that there has been nothing more disastrous to the Railway department than the effect of that ballot system. No wonder there has been a lot of mistakes, when in all probability the best applicants have in many instances been refused, and the worst taken on. Well, we propose to appoint a board to examine the applicants, and each applicant will be only known to the board by his particular number. No personal knowledge of any sort will be brought

to bear. In fact, the selection will be made in exactly the same way as that adopted with respect to the police. If it works well with the police, why should it not work well with the railway employés? I thank honorable members for the patient hearing they have given me, and I hope that when this Bill goes into committee it will not be treated in the way suggested by the honorable member for Essendon. I hope that something more will be left of it than the title. I would hardly expect the honorable member for Essendon to vote for the second reading of a Bill not one of the provisions of which he intended to retain. The only wish of the Government is to prevent in the future the disasters of the past. We ask for certain powers, and if the House refuses to give them, why then the present state of things must go on. But that is very undesirable. I think that honorable members will agree with me that, however much they may wish the Railways Commissioners to be entirely independent of the Government and free from political patronage, I have, at all events, made it plain that the Government do not want to exercise political patronage. We only want controlling power, and we think we are entitled to it. We would not adopt a recommendation which we did not think was for the benefit of the country. Mr. Speight, I may point out, has had no experience in railway construction. The railways he managed in England were constructed when he was a boy. However, I do not wish to say anything against that gentleman, and I hope he will long retain his position as Chairman of the Railways Commissioners. I am perfectly satisfied that so long as he does what the Government desire should be done for the best interests of the country the Government will not interfere with him.

Mr. PATTERSON.—Mr. Speaker, I wish to say a few plain words upon this question, and I am very glad that it is not a party matter. Probably I may have to say some things which my friends will not agree with, and which may not be satisfactory to the other side of the House. At the same time I feel that this subject is the most important one which we have to deal with in this country. We have a splendid property in our railways, and the more I have seen of railways the more I think of this grand property, but I believe that we might have had a greater length of lines for the money. I hope

that we are not going to adopt a too doleful tone with respect to the present position of affairs. It appears to me that the prospects of the colony are brightening every day. I think it is not patriotic to take the contrary view, as though there were not a fraction in the Treasury, and besides it is not true. There is no necessity for taking a gloomy view; a little cheerfulness at the present time will revive prosperity. It is impossible to enter upon this discussion without referring to the correspondence which recently passed between the Minister of Railways and the Railways Commissioners. I must say at the very commencement that the Government had reason to complain like the preceding Government. They endeavoured to bring about some reform, and they found that the commissioners were immovable. The commissioners seem to think that they have a vested interest—a kind of freehold—in the railways, and that the property is their own; they forget that the railways belong to the State, and that the deficiencies in the revenue must be made up by taxes paid by the people. It is of no use for them to try and flout the Ministers when they make suggestions. The correspondence I have referred to was conducted in so suave and dignified a manner that a fortnight elapsed before one set of men replied to the other. When the Government put the question, "What do you intend to do in regard to train mileage?" and so on, the answer came, in this useless correspondence, "We shall be happy at all times to serve the Government," and nothing was done. It is of more consequence, however, to look at the acts of the commissioners than at their words. The question is, how far did they comply with the demands of the Government? Legislation will not cure a difficulty of that kind; the defect here must be removed by improved administration and by the establishment of harmony and loyalty on the part of the commissioners towards the Government. The Minister of Public Works has rightly said to-night that there will be no difficulty if the commissioners work harmoniously with the Government. I go further, and say, that if the commissioners will do that there need be no Railway Bills. The House and the country require from the commissioners that they shall listen to those who have to find the money for the working expenses and to cover deficiencies in the railway revenue. What business have the

commissioners to raise a question of public policy, and say that the people will not approve of this or that? They are the commercial managers of the State property, and have nothing to do with questions of policy. The objects for which the commissioners were appointed were that they should bring about a more economical working of the railways, better discipline in the service, and the removal of undue influence upon the department. Under clause 24 of the Bill, Ministers now propose to take back upon themselves the very powers which the commissioners were appointed to relieve them of. That is reversing the whole intention of Parliament. I believe that public opinion acquits the Government of blame in regard to its attitude towards the commissioners. It is recognised that the Government, which must meet deficiencies in the revenue, should have the right of calling upon every one concerned to do his best on behalf of the people. In my opinion it was an outrageous act on the part of the commissioners to appoint an Engineer-in-Chief without consulting the Government. There can be no vindication of that proceeding. While I believe that the action of the Government in their desire to accomplish economical and good management is justified, I think there is a strong public feeling that the Act of 1883, now called the Act of 1890, has not had a very long trial, and that Mr. Speight should remain to see if he cannot meet the views of the Government. I believe I am speaking the feeling of the country when I say that Ministers are not to blame except, perhaps, in the matter of the tone of the letters, which is, however, only a small point. The people of this country believe that they have in Mr. Speight a man of considerable ability and integrity. When you have two high-spirited men like the Chairman of the Commissioners of Railways on the one hand and the Minister of Railways on the other, you have a tremendous friction, yet they are both honorable men. I would like to see an opportunity given to Mr. Speight of bringing himself into harmony with the Government, and of doing his best to establish improved management of the railways.

Mr. MUNRO.—How can you do it? I have spent hours with him privately, and he wanted to make out that he was the most perfect man in the world.

Mr. DEAKIN.—Perhaps that is what made him worse.

Mr. Patterson.

Mr. PATTERSON.—The answer to that is, that if he will not work harmoniously now it is not possible to get him to do so under any legislative measure. I say it is too soon to condemn Mr. Speight, and I ask this House to come to a proper temper, and in a quiet mood, to consider whether some mode of reconciling the differences between the Minister of Railways and the Chairman of the Commissioners cannot be arrived at, in order that our railways may be profitably conducted. The public ought to be allowed a voice in the matter. I believe that if this Bill is suspended, and other matters are gone on with for a couple of months, such an understanding can be arrived at with the commissioners as would cause all trouble to cease. Some things have happened which have had a tendency to somewhat ruffle the Chairman of the Commissioners, and we ought to make some allowance for his feelings as a man. It ought not to be forgotten that he came to this country with a high reputation, and that at one time we lauded him too much, while at other times he was exposed to too much criticism. I concur in the portion of the Bill which deals with construction, though I do not believe in the method proposed. The method is of too cumbrous a kind.

Mr. MUNRO.—Suggest a better method and we will meet you.

Mr. PATTERSON.—A better method would be to appoint a professional head over the professional branch. It might be possible to do that without legislation. The plan proposed by the Government would be needlessly expensive, while it would also be unworkable. I believe that there is as much sense in dividing construction from management as there is in saying that it is not necessary that a man who builds a house shall live in it. Under the board a committee would inquire into the railways proposed to be constructed, submit them to Parliament, and after Parliament had adopted them the board would carry them out. The Government have not safeguarded against the political patronage which has been so much complained of in times past. However, I do not wish to go into the details of the matter, because I think the Bill is unnecessary if the Government and the commissioners meet in a proper spirit. The fault is more in the men than in the Act under which they work. There is certainly great room for reform, because we see long trains running without

passengers or loading. The great art in railway management is that the trucks shall load both ways. A perfect traffic manager is worth a very high salary, because he does not allow the rolling-stock to be worn out without carrying goods; if we can get such a man, he will be invaluable. It is now demanded that the Minister shall have more direct authority in the management of railways. When the present Minister of Railways went into office it was with the intention of bringing about certain reforms, but when he got up to Spencer-street he found that he had no authority. He had to come back here and declare that he had not got authority to put putty into a window. Under the present Act there is not much room for the Minister, but at the same time unless we have commissioners who are prepared to consider the public interest and their own reputation, there is no Act of Parliament that will make them do it. This is a Bill to regulate Mr. Speight, whereas if Mr. Speight were amenable to persuasion no Bill would be required. The Bill is unnecessary, and I think that the Chairman of Commissioners should be allowed one more chance on the understanding that his position is made perfectly clear, and that there is no intention of humiliating him.

Mr. WHEELER.—Why did you not do it when you were in office?

Mr. PATTERSON.—We had undoubtedly strong grounds of complaint; we had the commissioners before us several times, and we never could get them to understand that it was possible to cheapen construction. Railways may be constructed without superfluous buildings. What is wanted is that a track shall first be carried through the country for the farmer, and the rest should wait until the finishing touches are required; but, like the present Government, we were unable to impress this upon the commissioners. I am perfectly prepared to divorce construction from the Railway department, because the gentlemen chosen as commissioners do not necessarily possess any of the knowledge that is required for the construction of railways. If we go into committee with this Bill, endless time will be wasted on it. There are two clauses designed to destroy the preponderating influence of the Chairman of Commissioners when he is in a minority on the board. It would be better to say that the chairman shall have a casting vote, or to provide some

equally simple method of accomplishing the object in view. I think it is objectionable to transfer the preponderating influence from the chairman to the Minister. Under clause 24 the Government take power to reduce rates, check expenditure, and economize in everything, but no power is taken for increasing the rates or extending the service in case the commissioners will do too little; the clause only provides against the commissioners doing too much. The system proposed of selecting men for employment by a board is a most debatable point. With 100 applicants, all equally qualified, how is a selection to be satisfactorily made?

Mr. LAURENS.—They then go to the ballot for selection.

Mr. PATTERSON.—I understood that this Bill was to do away with the ballot.

An HONORABLE MEMBER.—Not altogether.

Mr. PATTERSON.—I have not paid particular attention to the point; but here we have a number of selectors picking men from equally-qualified persons. This Bill is only necessary on the ground that we have no confidence in the railway managers. The mischief can be remedied by a change in the management; but there is a strong disposition on the part of the community to give Mr. Speight and his colleagues a fair chance. I am in accord with the Government in removing the construction branch from the commissioners, but we must consider whether this will involve any extra expense; in doing this we must remember that there will still be the same surveyors, the same engineers, and the same staff throughout. What is wanted, therefore, is some intelligent engineering head of that department. An intelligent Minister would be required to sit on the board and direct the Engineer-in-Chief as to the construction of the lines, especially limiting him in respect to the cost. The right way to proceed would be to say, "We want something done; do it at the cost named." Evidence of professional men in the railways is always worthless, like that of doctors in cases of insanity; the opinions of ordinary common-sense men are much more worth having. In the professional evidence recently given with regard to a railway for the northern suburbs, the proposed gradient was started at 1 in 13, then it went up to 1 in 30, and it will soon be

1 in 40. Railway officers only require to be pressed to extend their views. Sub-section 2 of clause 7 seems to imply that members of the board are to be paid.

Mr. WHEELER.—No.

Mr. PATTERSON.—The words of the sub-section I refer to are these:—

"The payment of the official salary or allowances of any member of the board shall not be deemed a bargain or contract within the meaning of this section."

Mr. TURNER.—That refers to officers in the Railway department.

Mr. PATTERSON.—Of course the Ministers are paid, but the words seem to imply that members of the board are also to be paid. It may be all capable of explanation, but it is necessary to know what expense will be incurred by divorcing the construction from management. Now, to come back to the original idea of 1883, when we appointed the Railways Commissioners with great hopes of the vast improvements in the system they would inaugurate. I do not think we are justified in believing that the system then established is not capable of improvement without making such a radical change as that proposed by the Bill. Nothing is so objectionable as making a law one day and reversing it the next. I believe that our Act has been copied by the other colonies.

Mr. MUNRO.—Yes, and improved on.

Mr. PATTERSON.—No matter how you alter that Act, if the commissioners are determined to be headstrong and obstreperous no legislative measure will make them loyal and harmonious, and in that respect any Bill must be a failure. When the Government say that Mr. Speight has not acted rightly by them, in order to be logical they should dispense with his services altogether, but they wisely recognise that public opinion would not support them in that, and they, therefore, very properly determine to carry on with him. I trust that the Premier will take some little time and have a consultation with the Chairman of the Commissioners before he meets the House again, to see whether it is not possible to work the law as it at present stands, because this is not a matter to be mended by legislation but by administration.

Mr. McINTYRE.—Sir, will the Government accept the suggestion of the honorable member for Castlemaine (Mr. Patterson), that they should withdraw this Bill and have a friendly chat with

the commissioners? That would save a lot of public time. I understood the Premier to say that the Government were determined to go on with the Bill to a finish.

Mr. MUNRO.—As far as the second reading is concerned.

Mr. McINTYRE.—Do I understand that the Premier will not ask us to go into committee until he has endeavoured to act upon the suggestion of the honorable member for Castlemaine?

Mr. MUNRO.—Oh, no.

Mr. McINTYRE.—Then honorable members must feel themselves bound to criticise the Bill. The honorable member for Castlemaine pointed out some imperfections in some of the clauses of the Bill; in fact he said sufficient to cause the Government to take the Bill back and remodel it altogether. However, if they are determined to go on with it, honorable members will continue to criticise it now. Let me say, in starting, that I am very sorry indeed to find the Minister of Railways and the leader of the Opposition—the late Minister of Railways—absent during this debate. I think under all the circumstances it would have been far better—those two prominent members being absent, the two gentlemen who are most conversant with the requirements and necessities in connexion with railway reform—if the Government had held over the debate on this question until they were well enough to attend. I am sure the Government must feel themselves in an awkward position in the absence of the Minister of Railways, and the Opposition must also feel themselves in an awkward position through the absence of the late Minister of Railways. If it were possible for the Government to adjourn the debate at this moment I think it would be in the interests of the House, and certainly in the interests of the country to do so. I was one of the advocates partially for the reform which the present Railways Commissioners Act introduced. At the same time I remember when the Bill was first brought forward that I had to defend the system which then existed. The present Minister of Railways, in those days, took another view of the question. I think he was not then so virtuous as he has been since he became a Minister. He had the idea that the system which existed in those days was one which required reform, the reform then proposed. I pointed out many of the possibilities which have since arisen,

and I said it was absurd to appoint three commissioners while giving all the power to the chairman, in fact that the appointment of the two extra commissioners under such circumstances was like adding a fifth wheel to a carriage. I held that a splendid commission would be the chairman, with the Secretary for Railways and the Traffic Manager, or those two officers and the Engineer-in-Chief. If that plan had been adopted Mr. Speight would have felt his responsibility more than under the present system, as those officers would have been more immediately connected with him. However, the commissioners are in existence now, and I ask the House to deal fairly by them. I think we have been to a considerable extent unfair to the commissioners during this debate, and especially during the initiation of it by the Minister of Railways, when he foreshadowed the character of the Bill which was to be introduced. When the Minister of Railways made his statement we had none of the correspondence between him and the commissioners before us. His address was one long condemnation of the commissioners right and left in every possible way, and referring to certain correspondence which was not then before the House. It was only by the insistence of the House that we got that correspondence when we did. The spirit in which that speech was given showed that it was a spirit of hostility and vindictiveness towards the Railways Commissioners which induced the framing of this Bill at all.

Mr. MUNRO.—No.

Mr. McINTYRE.—I think every impartial member of the House and of the community must feel that we would never have had such a sweeping measure submitted had not that spirit existed which was conveyed in every word of the Minister's speech. I regret this, because the Minister of Railways, I believe, has a great and good heart, notwithstanding his fiery nature and disposition, but throughout the correspondence he did not allow his legal thoughtful mind to prevail, and he showed a similar spirit when he drafted this Bill or had it drafted. I do not know whether he drafted it himself or not; but at all events he dictated the policy of it, and whoever drafted it carried out the extreme wishes of the Minister. I think there is a strong feeling amongst all members of the House in favour of that British feeling of fair play which prescribes that we should never kick a man when he is down, and

that people should avoid striking below the belt.

Mr. MUNRO.—Who is down?

Mr. McINTYRE.—The Chairman of the Railways Commissioners.

Mr. FOSTER.—We can't get him down.

Mr. McINTYRE.—It seems to me that the Government were determined to have a scapegoat of some kind.

Mr. MUNRO.—They want the will of this House carried out; that is all.

Mr. McINTYRE.—The will of this House had nothing to do with the origination of the correspondence. The will of the House was the will of the Minister at that time; because the House was in recess when the correspondence was initiated—at least so far as appears from what has been published. I am not going to say that the Government had not an absolute right to do everything they could to have their desires carried out with regard to the financial management of the railways, and to endeavour to make them pay; but I object to the way in which they went about the matter. The honorable member for Castlemaine spoke very fairly on this question, and if he had been in the position of the present Minister of Railways, possibly a better result would have followed. The late Government may perhaps be blamed for not endeavouring to do something of the kind that the present Government are doing.

Mr. MUNRO.—They did their best.

Mr. McINTYRE.—They say they tried to do something; but the present Premier himself would be the last man in the world if he was in the position of a railways commissioner, working under an Act of Parliament, to allow any Minister to dictate to him. If the commissioners had been met in a proper spirit—

Mr. MUNRO.—They were met in a most kind spirit.

Mr. McINTYRE.—There is no evidence of that in the correspondence.

Mr. MUNRO.—That was written after every effort had failed.

Mr. McINTYRE.—I will show that that is not a correct statement of the Premier. The first complaint, according to the correspondence, was in December, 1890, with regard to a return showing the cost of two boudoir cars on the Portland line. On the 25th February, 1891, the Minister writes with reference to the matter—

“The commissioners will remember that I had to complain, when Parliament was sitting, that information promised me did not come to

hand in time to enable me in the House to answer questions and deal with notices.”

What is the reply of the commissioners to that? It is very straightforward. They say—

“The Minister does not specify the particular matter upon which this complaint is made; but if it is the case which formed the subject of a conversation at Parliament House between two members of the board and himself, the commissioners would remind him that the particulars asked for were the subject of a notice by an honorable member given on the previous day; that he desired such information to be in his possession by 2.30 p.m.; that every effort was made to get it ready by that time, but that it was found impossible to complete it until some half-hour after that time, and that it was sent up to him immediately it was completed.”

Now, here is a distinct and definite reply at once. The commissioners go on to say—

“It must be pointed out that during the whole period the commissioners have held office many questions have been put by honorable members, most of which have been answered the following day; but some questions have involved more labour in getting together particulars to reply to them, and in such cases the Minister of the day has got the question postponed.”

Surely that is a satisfactory explanation. But how does the Minister of Railways receive it? He replies in the most extraordinary terms. He does not answer the letter until the 16th of April, a month afterwards.

Mr. MUNRO.—Because he was away in Sydney at the Convention.

Mr. McINTYRE.—The complaint is that the commissioners flouted the Minister, and I am showing by a few extracts from the correspondence that they treated the Minister with the utmost respect, and endeavoured to explain to him why he did not get the information at the time he asked for it. The commissioners, in the letter from which I have already quoted from, say—

“The request for an approximate estimate of the year's deficit made by the Minister was, the commissioners would remind him, preferred the day before he was leaving for South Australia, and the Minister desired that it should be ready upon his return. The Minister returned to Melbourne on 17th February, and a memorandum containing the commissioners' views was supplied two days afterwards. In like manner the rough memorandum relating to minutes was discussed between the Minister and commissioners, the purport of such discussion not being relevant to the complaint of delay need not be referred to, but within, at the outside, a few days, the Minister left for South Australia, returning as previously stated on the 17th February, and the memorandum was in his possession

on Thursday the 19th, the day but one after his return."

What ground of complaint could there be in that case?

Mr. TURNER.—What is the Minister's answer to that?

Mr. McINTYRE.—It is the most offensive answer, to my mind, ever given by a Minister to any respectable public servant or individual out of the public service. On the 16th of April, the Minister writes—

"My complaint is not, as the commissioners allege, that I cannot obtain information in an impossibly short time, but that I do not obtain it at, or reasonably near, the time when it has been definitely promised to me."

Yet he got this information two days after the date on which he required it. Here is the offensive part of the letter:—

"Respecting what the commissioners allege was done by the previous Minister in regard to questions, I think no good purpose can be served by bringing into this correspondence his practice, and I do not intend, for obvious reasons, to make any reflections upon what he thought it right to do, or on the commissioners' readiness to meet his wishes."

Mr. MUNRO.—What is offensive in that?

Mr. McINTYRE.—It means this—it is as plain as a pikestaff—that the commissions favoured the late Ministers, and would do anything they could for them; but that, as regarded the present Ministry, they would do nothing at all, but would throw every obstacle in their way.

Mr. LAURENS.—That is your own construction.

Mr. McINTYRE.—The Minister of Railways admitted it in the House himself. Let us take one more sample from the correspondence, and I am done with it.

Mr. LAURENS.—Give us the reply about the appointment of Mr. Darbyshire.

Mr. McINTYRE.—I am not going into that matter. In his letter, dated 15th May, 1891, the Minister says—

"The under-estimate of annual working expenses for the last four years, amounting, as you state, to the enormous total of £855,000, seems, according to your reference, to have been made—so far, at least, as 1889-90 was concerned—knowingly, and of set purpose."

Mr. MUNRO.—Hear, hear. They admitted that themselves.

Mr. McINTYRE.—What! Admitted that they had actually deceived Parliament intentionally?

Mr. MUNRO.—Yes. They said so in their own report, and the late Minister of

Railways admitted that such was the case on the floor of the House.

Mr. TURNER.—He said it was done to inculcate economy.

Mr. McINTYRE.—I think honorable members have sufficient proof in the correspondence of the unfitness of the Minister of Railways, for whom I have the highest respect, for that office. I believe he allowed his feelings to carry him away altogether, and the correspondence and his speech in this House—a speech such as never was made before in any House of Parliament against a servant of the State—show that he was totally unfitted to frame a Bill such as that which we have before us to deal with the very gentlemen whom he condemned in such a wholesale manner. If he had done as I think he ought to have done, he would not have touched the matter himself at all, but would have allowed the Premier to deal with it; and if the Premier had dealt with the matter I believe he would not have asked for a Bill like this. He would not have proposed any such drastic measure. One clause would have been sufficient to meet all that is required, and that could have been carried quickly through the House.

Mr. MUNRO.—Will you draft it?

Mr. McINTYRE.—Will the honorable gentleman accept it if I do?

Mr. MUNRO.—Yes, if it answers the purpose.

Mr. McINTYRE.—With regard to the alleged misdeeds of the commissioners, I may say that I am not here to defend them. I simply desire to see fair play, and that men should not be condemned unheard. When we come to the clauses of the Bill providing for the re-appointment of the commissioners, I intend to ask the House for the appointment of a committee to inquire into the correctness or otherwise of the accusations made against those gentlemen by the Minister. I hold that if a committee, after going into the question carefully, find that the commissioners are at all guilty of what is stated against them in the correspondence the House ought not to re-appoint them to their positions. As I have said, I do not intend to defend Mr. Speight; but I may state that I have been to the old country on two occasions since he was appointed to the position of Chairman of the Railways Commissioners, and on one occasion I got into the company of several leading railway men, and I heard Mr. Speight spoken of in the highest

possible terms as regards ability and knowledge of the management of railways. I was told that he had worked himself up from the lowest rung of the ladder, and that he occupied a position second to none in the railway world.

Mr. G. D. CARTER.—Did he ever construct a mile of railway in his life?

Mr. McINTYRE.—I do not think he did. So far as construction is concerned, when he came here he simply inherited the system that had been established in the colony. If he had come here earlier possibly we would not have had such an expensive system of construction. That system was started by the late Mr. Higinbotham, and no doubt it was very extravagant and expensive, but the result is that the railways built in that way cost little or nothing for maintenance. I believe that the commissioners, if they were asked, would be delighted to get rid of the construction branch to-morrow, and if they had nothing to do with construction I believe they would be able to show far better returns in connexion with the working and management of the railways than is possible while construction is mixed up with management. This idea of separating construction from management has come from the Railways Standing Committee; I believe the Premier will admit that.

Mr. MUNRO.—The Railways Standing Committee no doubt proposed it, but we had the Bill drafted before we received their recommendation.

Mr. McINTYRE.—At all events, the committee recommended the system for good reasons, and I believe that Mr. Speight and the other commissioners would fall in with it readily. At present, if a railway is to be constructed at a cost of, say, £5,000 per mile, when the contract is completed the line immediately gets into the hands of the maintenance department, and then it may cost, perhaps, another £5,000 before it is in a working condition. But if the two departments were separate you may depend that the running department would not take over a line until it was thoroughly finished. It might even be provided that the line should be worked for a certain time after the contract before it was taken over. The commissioners would be very glad to be placed in that position, but to create the board of construction proposed in this Bill would, I think, be a very great error. In New South Wales, construction and

maintenance are separated; but the construction is simply managed by the Public Works department. Why should not the same thing be done here, without all this paraphernalia of a board? The most important matters in connexion with railway construction in the future will be in the hands of the Railways Standing Committee. The committee will inquire into proposals for railway construction, and the Government will introduce Bills founded on their recommendations. Now, according to the Act which created the Railways Standing Committee, no railway which they recommend can exceed in cost of construction 10 per cent. beyond the estimated price per mile. Under these circumstances, what is the use of a construction department at all? Cannot the Public Works department receive tenders when it is settled that the cost of a railway is not to exceed a certain amount, say, £5,000 per mile.

Mr. MUNRO.—There need not be any trouble about that point.

Mr. McINTYRE.—I am sure that the Railways Standing Committee would not desire to see either their chairman or vice-chairman taken away to attend to this construction board. If they had much work to do on that board they would not be able to attend to their duties on the committee to the extent required. They could not attend to both, because as it is their time is fully taken up with the committee. The title which I would give to this Bill would be; "A Bill to abolish the Railways Commissioners, and to hand over the management of the railways to any one whom the Government for the time being may appoint." That is really the meaning of the Bill. The Government are giving us a Bill which is essentially a political management Bill. There is not a member of the House who has been a more earnest advocate of reform in the financial management of the Railway department than I have been, and I am so still. I stated the other day that, notwithstanding the improvement which has been made in the Estimates of the Railway department for this year, they are still far from satisfactory. More details are required.

Mr. MUNRO.—I could get no more.

Mr. McINTYRE.—Is the House to understand that the Railways Commissioners would not give fuller details?

Mr. MUNRO.—I had to send the Estimates back four times.

Mr. McINTYRE.—I am glad that there is an improvement, but I think that we should still have more information. No amendment of the Act is required in order to enable the Government to obtain it. The colony is in a somewhat depressed condition at present, but it will only be temporary. It is absurd to talk as if we were going headlong to ruin. I can remember, as if it were yesterday, Mr. Service, when leader of the Government, standing in this chamber and saying "We are in utter poverty; they have left us without a sovereign; they have borrowed to the right and to the left, up and down, and all around." Those were exactly the words which Mr. Service used. What did we find then? The very Government that was so accused paid off £500,000 of Treasury-bills and reduced the beer tax; and the Government of which Mr. Service was the head added 10 per cent. to the expenditure of the colony. The expenditure continued to increase under the late Government. The present Treasurer is crying out for want of funds; and what is his object? The honorable gentleman wants at the end of the year to show that by his management the country has gained. I trust that he will be able to show that, and of course the more he depreciates the present financial position the better it will be for him at the end of the year. There is bound to be an improvement. I regret the falling-off in the railway returns which has taken place during the last two months, but the Treasurer must know that this is only temporary, and it has arisen from circumstances that can easily be explained. We shall have such a splendid season that we shall be able to more than recoup all that we have lost during the last two or three months. It is not because of the financial position of the Railway department that it has been considered necessary to bring in this Bill. If the Treasurer went into the country districts and saw how urgent was the need for the construction of railways, he would crack up the colony as much as he could, so that he might be enabled to go on the London market and borrow millions in order to construct railways. There are people in the country districts who are simply famishing for the want of railway accommodation. They were misled, owing to the surveys that were made, into expecting railways, and, of course, they have been grievously disappointed. Many of the settlers in the Gippsland

district, for instance, are fenced in, and are unable to do more than grow crops for their own use, whilst they are waiting for railways. I hope that the Government will see the necessity of avoiding, as far as possible, the continual cry of poverty. We are bound to go at an early date to the mother country to borrow money. Yesterday a statement was made by the Treasurer himself that £1,500,000 would be required in order to clear present liabilities.

Mr. MUNRO.—That is true.

Mr. McINTYRE.—Then, in that case, if we went to the mother country to-morrow for £1,500,000 there would not be a penny left for railways. What is the use, therefore, of telling the northern suburbs that the Government will see what can be done for them? What is the use of proposing the appointment of a board of construction? I did not regard the statement of the Treasurer seriously, but thought that it was an illustration for the purposes of his argument. Of course, if it is true, then it reveals a serious condition of things.

Mr. MUNRO.—I have an absolute return, signed by the accountant, showing that it is so.

Mr. LAURENS.—It is not a deficit.

Mr. McINTYRE.—I know that, but the Treasurer says that we have to pay that money for works which have already been undertaken.

Mr. MUNRO asked to be allowed to explain the matter referred to. Last year authority was given by Parliament for £400,000 additional money for railway purposes. Then there was £500,000 which was expected to be obtained from the Act No. 1015—the Victorian Government Stock Act—but which has not been obtained. In connexion with those two items, £800,000 is required. Authority was also given for the expenditure on irrigation and waterworks of between £600,000 and £700,000, for which no provision was made in the Loan Acts.

Mr. McINTYRE.—These works have to be carried out.

Mr. MUNRO.—Yes.

Mr. McINTYRE.—The money will not be required for the next five or six years.

Mr. MUNRO.—Some of the works have been almost completed, and the money has had to be taken out of the trust funds.

Mr. McINTYRE.—Then if we went to the London market for £1,500,000 to-morrow that would be required in order to meet these liabilities. In that case we

may say farewell to any more railway construction for some years to come. From the discussion which has taken place in the House, the Railways Commissioners will realize the situation, and will do all that they possibly can to meet the views of the Government; but it is no use to suggest an increase of freights and fares. If this were done there would be such a falling-off in traffic as would never be made up again. I can understand higher rates being charged for extensions from the main lines, but to alter the present rates will not do at all. In the old country, where there is an immense population and railways are provided by private enterprise, it often takes fifteen or twenty years to make a railway pay, and here we seem to expect that our own lines should pay from the commencement. I would ask the Government to pause before they insist upon any increase of freights and fares; and, as for a reduction of the train mileage, I question whether the country would submit even to that. There is a strong feeling in the country, and I believe that it will always exist, that the State should not make any profit out of the railways. Serious as the state of things at present may appear, it is perfectly explainable from the fact of the construction of so many new railways. If construction were stopped for a year or two it would make a very great difference in this respect; but, be assured of this, that immediately a margin of profit is exhibited this House will be the first to clamour for a share of that profit being given to the several constituencies. The Minister of Public Works was one of the most active members of the House in insisting upon the Government making provision for extra trucks. Of course, when an honorable member becomes a Minister the position of things is altogether altered. If to-morrow the railways were to show a surplus, pressure would be again brought to bear to bring about reductions all round, and to give the people the benefit of the surplus. If honorable members are very anxious that the railways should pay, let them lease the lines. If they do that, there will be no more grumbling about deficits. One would think from the way in which honorable members have been speaking that this country has absolutely wasted the money expended on the railways. We have got a property that is worth £50,000,000 of any one's money, and it only cost us £37,000,000.

Mr. McIntyre.

Mr. MUNRO.—It cost us £41,000,000

Mr. McINTYRE.—Then we have to consider this fact that land which belongs to the people of the country was given for railway purposes, and if the value of that land were taken into consideration it would add very considerably to the value of the property. It was, in fact, as good as a money grant, and if any private company were constructing the lines such land would have cost them something enormous. If my advice with regard to the railway accounts had been adopted, we should have been in a different position now. My idea is that the railways should be charged with the value of all the property given by the State, with interest accrued thereon, and a debit and credit balance shown. The people would not then grumble so much about the railways not paying interest, and they would not venture to think of crying out for reductions of freight and fares as they have done. With regard to the Bill, I am entirely with the honorable member for Castlemaine. If we can work with the commissioners in a proper and fair spirit where is the necessity for the Bill at all? Do the Government intend to put the commissioners entirely under this Bill? If they do, and if the commissioners have one spark of manliness in them, they will refuse to submit to the conditions laid down. My idea is that bringing in the Bill in its present form is only a ruse to get quit of the commissioners. I would have thought, in view of all the sins of omission and commission alluded to in the extraordinary correspondence before us, that the Government might as well have got rid of them straight away, but now it seems they want to do it in another way, because the commissioners would not, I am sure, think of accepting the position prepared for them.

Mr. MUNRO.—Oh, yes, they will.

Mr. McINTYRE.—Well I am under the impression they will not. They will never bring themselves so completely under the heel of authority. We will be going back to a period worse than the period prior to the commissioners' appointment. The powers exercised will be greater than any powers that have been exercised before. This Bill is a political patronage Bill, and I do not think that any honorable member would like to see it pass, knowing the pressure that will be brought to bear upon Ministers and upon themselves with respect to applications for appointments, and

so on. Look at the 2nd sub-section of clause 31. It says—

“The board shall from time to time appoint such engineers, surveyors, clerks, and other officers and employes as they may think necessary for the purposes of this Act, and such persons shall hold office during pleasure only.”

I think that is the “All right, dear boy” clause of the Bill. I hope the Government will not press this matter. For years past I have had a wearisome time in opposition, and I would not like to have to go there again. Besides look at the possibilities. Ministers should never forget that a time may come when they will have to oppose the very system they are advocating now. I ask them to look forward and see what may be said of them in the future. See how members of the late Government feel some of the hits of their successors. If they had looked forward as they should have done perhaps we would not have had the boom Budget and all its consequences. Why not meet the commissioners in a proper spirit under the present Railway Act—an Act which, I think, gives the Government and the commissioners all the power they should have? I feel sure that if the Premier would take the advice of the honorable member for Castlemaine, and discuss matters amicably with Mr. Speight, a satisfactory arrangement could be arrived at. Surely there would be no difficulty about having such an interview.

Mr. MUNRO.—Oh, no; the chief commissioner and I have always been very good friends. We have had many interviews.

Mr. McINTYRE.—I am glad to hear it. Did not Mr. Speight show the Premier that he is now, to the best of his ability, going on right lines?

Mr. MUNRO.—He did not.

Mr. McINTYRE.—If the Government had met the commissioners in the first instance, and chatted over things with them properly, we would not at all events have had this correspondence. No doubt Mr. Speight has stood largely in his own light, but I am sure that he always thought he was doing what was right. Perhaps some additional powers may be conceded to the Government, but a little friendly arrangement would have done away absolutely with any necessity for drastic reforms of the present character. It must be remembered that whatever changes are made there will be no immediate remedy. We must wait a year or two. And although we may not be aware of it at the present time, there can

be no doubt that the commissioners are doing all they can to meet the exigencies of the case. I think we will all give credit to the commissioners for one thing, and that is the way they carried on during the late strike. They showed then that they understood the position very clearly, and I believe, from their complete knowledge of their business, that they ought to be able to do, and possibly they are doing, something now to meet the views of the Government.

Mr. MUNRO.—The Government know of all that is being done.

Mr. McINTYRE.—I am exceedingly pleased to know that. If the commissioners are not cutting down expenses right and left under the present circumstances, it is only fair to believe that they are doing their utmost in that direction. I think the House should be prepared to give the Government fair control, but I and other honorable members say that we will not go back to the old political patronage lines. We say, “If you bring in a short measure, defining as broadly as possible what is wanted, we will support you, but we will not support propositions of the present kind.” I can assure the Government that there will be considerable cutting down of this Bill. More than that, I can tell them that if certain amendments are not promised, the Bill will not pass even its second reading. At all events, without some assurance of the sort it will never be got through. The session will not be long enough to deal with it. The object of the Government should be to deal with the financial position of the railways, and of the construction branch, and that should be done in the fewest words possible. A very short measure would serve the purpose, and give the Government proper control over the commissioners.

Mr. MUNRO.—That is all we want.

Mr. McINTYRE.—Well, that can be done in a Bill of three or four clauses. If they bring down a measure of that sort it will be passed at once; but there cannot be the upsetting of the bread-basket which is now asked for. A Bill of two or three clauses would meet the whole case. Has that view been considered by the Government?

Mr. MUNRO.—Of course it has.

Mr. McINTYRE.—Well, then I ask the Government—

Mr. MUNRO.—Will you submit to us something better? If you do we will accept it with pleasure.

Mr. McINTYRE.—I will be quite prepared to do something of the kind when the Bill is in committee, but I ask the Government not to take the Bill into committee. I ask them to withdraw the Bill and bring in a different one. If they were to do that they would save the waste of a month at least.

Mr. G. D. CARTER.—Mr. Speaker, being neither an orator nor a poet, but a plain man of business, I feel much inclined to accept the view expressed by the honorable member for Castlemaine. That is, to set aside as far as possible every question arising out of this most interesting correspondence, framed doubtless on the letters of Lord Chesterfield to his son, and almost as entertaining as the charming epistles that usually come to light in breach of promise cases. It is only fair to say that I am perfectly satisfied that the Government have endeavoured to place before the House a thoroughly honest Bill, with the view of bringing about a great reform, which is much needed in the management of our railways. I am sure there is not a member of this House who has more conscientiously endeavoured to do his duty than the Minister of Railways has. No honorable member has shown a spirit of more fearless independence and more utter disregard to outside opinion than he has. At the same time, all those who have come into contact with the Railways Commissioners must be perfectly satisfied with their thorough integrity and rectitude of intention. It is almost a pity that these gentlemen, if they felt aggrieved by the action of the Government, did not ask the Minister of Railways for a committee of inquiry, and, if it was refused, petition the House to give them one. But, as they have remained silent, it is not the duty of the House to interfere in the matter at all. It is plain that they do not deem it of sufficient importance for them to demand an inquiry; why then should the House volunteer to give them one?

Mr. McINTYRE.—They have relied on the fair feeling of the House.

Mr. G. D. CARTER.—They will have it when we have passed this Bill. Then, I suggest to the House that it is necessary in dealing with business matters to have the facts as clear as possible. The honorable member who has just resumed his seat twitted the Minister of Public Works with having asked for trucks, and appeared to attribute the loss

on the railways to that request having been granted. Has it not occurred to the honorable member that additional trucks do not increase the expense, because the more trucks we employ the more revenue we receive? The honorable member also, referring to the cost of land, said that if our railways were purchased by private companies they would have to pay for the land, whereas, when we constructed the lines, the land was given free of charge. Surely that is a greater reason why we should make the railways pay. Why defend the commissioners for not making the lines pay, although they got the land for nothing? I think it must be evident to all who use our railways, and to those who have studied the financial aspect of the question, that the management has not realized the expectations formed when the commissioners were appointed. We must admit that their administration has been crowned by failure, and not by success. Whatever may be said against the old system, the fact is clear that a result of 6 per cent. interest is better than 4 per cent. and sometimes $3\frac{1}{2}$ per cent. The only object in view in appointing the Railways Commissioners, and abolishing political patronage, was to make the railways a paying concern. If that has not been done the reason for the existence of the Railways Commissioners is no longer in being. But leaving all that on one side, I ask is an annual deficiency of £300,000 making the railways pay? Then, again, are the railways to be run for the benefit of a portion of the people, or for the whole of the people. Is A, who does not travel and sends no goods by rail, to be taxed to enable B, who does travel and has goods to transport, to receive a benefit at a loss to A?

Mr. McINTYRE.—What will you do with the postal system?

Mr. G. D. CARTER.—The postal system was not established with a view to making it pay, and no commissioners have been appointed to manage it. It is intended as a national benefit, while the railways occupy an entirely different position. John gets no monetary profit when he writes to Jane, but the case is different with a man who sends goods by the railways. Why did the Railways Commissioners, knowing that the new lines were being worked at a loss, persist in ordering reductions of fares and freights when deputations waited upon them and asked them to make those reductions? Their reports show that they

were making these reductions at the very time they were losing money on the lines.

Mr. LAURENS.—£53,000 in one year.

Mr. G. D. CARTER.—It was the duty of the Railways Commissioners to resist political pressure, because they are intended to be a buffer between paying railways and political pressure.

Mr. LAURENS.—They never announced a deficiency before the year 1890.

Mr. G. D. CARTER.—Why did they increase the mileage when they knew that the increase would entail a loss? They should have said, "We were brought here to make these railways a commercial success, and we regret very much that at this juncture we are unable to comply with your request." Any Government which attempted to interfere with them for doing their duty in that way would soon have had reason to regret it, and any honorable member who sought to obtain the dismissal of the commissioners on such a ground would have lost the confidence of his constituency. The commissioners state, in their correspondence, that when the public demanded more trains they were obliged to furnish them. I say that making the railways pay is the thing they have to look to. One of the greatest factors in our present state of depression is the circumstance that the commissioners have not made the railways pay. It has affected the floating of the loans of the colony. If news had gone home that our railways were paying our loans would have been floated easily, and instead of suffering from a time of depression we should now be enjoying a season of success.

Mr. MUNRO.—That is quite true.

Mr. G. D. CARTER.—Far too many carriages are run on the suburban lines during certain portions of the day. Trains pass through the Richmond station almost every minute, and during certain parts of the day the passengers have a carriage apiece. The carriages are no doubt full during parts of the day, but the trains ought to be shortened in the slack period. It is contrary to common sense to say that a carriage is subjected to as much wear and tear while standing in a shed as when it is running on the line. In no other country under the sun is such wasteful extravagance indulged in. It is better for Parliament to bear the brunt of complaints from a small number of people in portions of the suburban districts than that this extravagance should be allowed to go on. It is the convenience of the

whole people which should be consulted, and not any section of them. What is wanted in the position of the Chairman of the Commissioners is a strong man, who will put his foot down, and say, "I have got to make these lines pay." If Parliament objects to a strong man he must give place to a weaker one. I admit that Mr. Speight is a man of much ability, but I agree with the honorable member for Maldon that he never before occupied a position like the one he holds here. He never had charge of the construction of lines before, nor has he ever had the right of deciding upon the policy of a country. He is in the wrong place. He should be in this House, because he is a politician and not an ordinary manager of railway traffic. If he had not made the Midland railways pay in England, talking about developing the country would not have kept him in his position there; the directors would have said, "You are here to make these lines pay dividends."

Mr. ANDERSON.—That is very different; he was managing for a private company in England.

Mr. G. D. CARTER.—But Mr. Speight was brought here for the express purpose of making the railways pay.

Mr. McINTYRE.—Can you point to any such instruction?

Mr. G. D. CARTER.—The *raison d'être* of the appointment was that political influence should be abolished, that the lines should be made to pay, and that the commissioners should stand between public pressure and the interest of the State. The whole argument was that the railways could not pay as long as political influence was continued. We have had as bad accidents since the commissioners took office as before. However, I do not blame the political heads nor the commissioners for any accidents which have happened. Whether the Minister of Railways or the commissioners had had the control the Windsor and the Jolimont accidents would have happened just the same, because the one was owing to negligence and the other to bad material. The commissioners have done their duty; the only defect is that they have been too yielding to this outside pressure. Mr. Speight always seemed to me to view the matter from the stand-point of the ultimate development of the country, and to consider that, although the lines might not pay at first, they would pay eventually. But that is a question to be decided in

this House and not in the Railway department. What Mr. Speight has to do at Spencer-street is to make his lines pay.

Mr. ANDERSON.—He does not decide on the lines at all.

Mr. G. D. CARTER.—I am not speaking of deciding on lines; but, at the same time, I think he had something to do with advising the Minister as to the advisability of constructing lines. I do not think the lines were placed by the late Government in the last Railway Bill without the commissioners having been consulted on the subject, and I believe Mr. Speight, at all events, went over the various lines proposed. Mr. Speight presented himself to my mind as an able, upright, and remarkably intelligent man, but he has always seemed to me to misconceive his function here. He has always been looking rather to what he considers to be the ultimate good of the country than to the profitable management of the railways. In fact, while he has been looking at the mountain he has stumbled over the mole-hill. I think that, undoubtedly, Parliament is a great deal to be blamed. As I said before, we, in the last few years, caught the boom fever, just as a lot of us are now catching the *grippe*, and we went mad. No doubt the Railways Commissioners caught the disease from the Members of Parliament with whom they came into contact, and went in for extravagance. I think there are a great many savings which could be made on the railways. I believe the management might be made less expensive in many directions, but it is now for Parliament to decide the policy which is in future to govern the railways. If we are going to open up the country, run the railways at a loss, and damage our credit so as to make it impossible for us to borrow money in England, of course we must continue the present system. But, on the other hand, if we are going to make the railways pay, there must be a change in the system. For my part, I would not be satisfied with making the railways barely pay. I consider that we should have a small sum set aside every year for a sinking fund, to provide for unforeseen contingencies of various descriptions. I would ask the honorable member for Villiers what would be the effect, in floating a loan, if the news went to London that our railways not only paid but that we were putting aside £100,000 a year to meet emergencies? Why, we could borrow the money at one-half per cent. cheaper.

Mr. ANDERSON.—We could do that now by adjusting our accounts.

Mr. G. D. CARTER.—If the honorable member for Villiers can do it then I think he should be at once taken into the Government. I wish it to be distinctly understood that I am not advocating any return to the old political management. I want to keep clear of that, and if any part of this Bill is in the direction of political management so far as that part is concerned I shall be constrained to vote against it. I quite approve, as I think every honorable member does, of the separation of the construction branch from the traffic business. I also approve of the railway accounts being kept separate from the ordinary revenue and expenditure; but I would like those accounts to be kept on a commercial system instead of on a political system. As regards the ordinary revenue and expenditure, I do not see how the political system—which simply consists in putting before the public a statement of receipts and expenditure, and nothing else—can be avoided. As long as that is applied to the general revenue, I do not see that much harm is done, except that the system enables every Treasurer to mislead the public as much as he likes, by paying too much in advance or holding back payments in order to show a surplus. I can always understand commercial balance-sheets, but I confess I have a great difficulty in comprehending political balance-sheets. There is a lot of fog about them by calling things recoups, holding back payments, and one device or another, so that it is very difficult to understand them. I do not object to that, however, as regards the general revenue and expenditure; but if we are going to run a commercial undertaking, for goodness sake let us have commercial bookkeeping. We have not that system now. We construct a railway, and although that railway may take a year to build, and we make progress payments during the whole year, we charge the interest on that money against the future revenue of that railway. What could be more absurd? What man building a house with the intention of letting it would debit his future rent with interest on the house while it was being built? Would he not take that as part of the cost of the construction of the house? I believe that is what is done in New South Wales, and it is in accordance with common sense. Another thing is that if you buy £150,000 worth of stores and only use £50,000

worth during the year, and have £100,000 worth left at the end of the year, surely that remains as an asset to be brought forward to the following year? That is a point on which I think the Minister of Railways, not being a business man, failed to grasp the view urged by the commissioners. Hitherto we have never had any yearly accounts showing items at all. We have merely had an account showing receipts and payments, and that is not a way in which an accurate account can be presented to any person who wishes to know what the profit or loss was on the year. You cannot have a profit and loss account without a proper statement of assets and liabilities. Another matter is that I have never been able to understand why those persons who have made such gigantic fortunes by railways being brought through their lands have never been asked to contribute anything to their construction. If the value of a man's estate is increased by railway construction, instead of his paying something for the benefit he receives, he actually has the audacity to ask payment from the State for taking a portion of his land. Surely the betterment system should be introduced.

Mr. MUNRO.—It is in the Bill.

Mr. G. D. CARTER.—I am very glad to hear it. The present system is very unfair. When I have spoken to Mr. Speight on the subject his answer has been, "What about the people who get the railways for nothing?" I say we cannot help that; but because Peter has got his railway made and pocketed his money, that is no reason for treating Paul in the same way. I am sure that as far as I am concerned I would give 25 per cent. of the value of any land I have if the Government would bring a railway near it, and then I would make a good thing out of it. What is the system in connexion with the Yan Yean? If people want reticulation in a certain locality, the Government say, "Give us a guarantee to pay 6 per cent. and we will bring the water, otherwise we will not." There has never been any objection to that system, and why not adopt the same system with regard to railways? Why not say, "If you want a railway to your outlandish place, guarantee us 4 per cent. and we will make it?" There is another matter which has been brought before the Railways Commissioners, but which they could never see any reason for agreeing to. Why should not tickets be collected in the trains? Mr.

Speigh says that that would involve the altering of the whole of the rolling-stock, so as to make passages right through the carriages for the guards. But that is not at all necessary. After I landed at Brindisi, the train had gone 30 miles before a man opened the door, walked into the carriage and asked for the tickets. There the guards walk along outside the carriages on the foot-boards, and the carriages are similar to ours.

Mr. MUNRO.—That is done all over the continent.

Mr. G. D. CARTER.—Yes, everywhere you go. Not only that, but in England there are means of communicating from one end of the train to the other; but we are told here that that is impracticable. Again, why should the sheet time-tables at the railway stations not be renewed more frequently, so that travellers may ascertain at what times trains start? At numbers of stations there is the greatest difficulty in ascertaining when trains leave. Then, again, why should travellers not be able to get small time-table books at country stations? When I was in the country and asked for a time-table at a station, I was told that I would have to go to Prince's-bridge for one. Now, if you are 100 miles up the country, it is not convenient to go to Prince's-bridge for a twopenny book. I do not see why the department should not supply a number of books to the officials at every station, making them account for them. I mention these as small grievances which the public have to complain of. Again, I would like to know whether any honorable member has ever been fortunate enough to have his portmanteau carried for him by a porter? I have seen people—sometimes women and children—struggling along with luggage, but I never remember seeing a porter come forward and offer to take the luggage, the same as porters do in other parts of the world. I think it is not merely colour blindness that railway officials suffer from in this colony; they are also afflicted with a kind of blindness which prevents them from seeing luggage. They never seem to see a portmanteau, especially if it is a heavy one. The filthiness of some of the stations is disgusting, and many of the carriages are not clean. Then, with regard to the free-pass system, I have been reading the evidence which has been taken on the subject, and it seems to be an excellent idea that the holder of a free pass—I do not mean a member's free

pass—should, instead of paying his money at the window, present his pass and receive a ticket in exchange. Then that pass would be debited to the general revenue. If the Government, for the good of the country—for the sake of advertising the country—give free passes to illustrious strangers, surely the Railway department should not incur a loss on that account. This is done for the benefit of the whole country, and the country would pay for it. If the plan suggested were adopted, we would then have some idea of the cost of the free passes issued. I trust that this Bill will not in any way be regarded as a party measure. It is a Bill that should be left entirely in the hands of the House. While we give every credit to the Railways Commissioners for honesty and integrity, we still feel that the result of their labours has not been as successful as we anticipated. We give the Government credit for bringing forward a measure with a view of putting things on a better footing, and it rests with honorable members to give them their assistance in endeavouring to make the measure as perfect as possible.

On the motion of Mr. HALL, the debate was adjourned until the following Tuesday.

The House adjourned at thirty-seven minutes past ten o'clock, until Tuesday, September 15.

LEGISLATIVE COUNCIL.

Tuesday, September 15, 1891.

Life-saving Appliances—Military Reserves Bill: Constitutional Powers of the Council—Crimes Act Amendment Bill—Marriage Act Amendment Bill—Defences and Discipline Act Amendment Bill—Medical Practitioners Bill.

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

LIFE-SAVING APPLIANCES.

The Hon. J. H. CONNOR directed the attention of the Minister of Defence to the want of sufficient telegraphic communication along the coast line between Queenscliff and Warrnambool, and asked what action, if any, the Government proposed to take in the matter? He said that owing to the large number of shipwrecks which had recently taken place on the Victorian coast, more particularly between Barwon Heads and Port Campbell,

he felt perfectly justified in specially calling the attention of the Government to the necessity for additional telegraph stations along the coast line between Queenscliff and Warrnambool. The Government would see that it was necessary to provide life-saving appliances at various additional places, and to have persons competent to use those appliances stationed there. He did not wish to reflect upon any officer in connexion with the Telegraph department, because he really did not know who was to blame; but it seemed passing strange that the telegraph lines along the coast should invariably be interrupted when they were required, as in the case of the recent wrecks. For instance, the telegraph line between Barwon Heads and Drysdale was interrupted on Monday the 13th July, the day the *Bancoora* went ashore near Spring Creek, and for a day or two before that date. Then he was informed that no intimation was given from Queenscliff to Geelong about the ship *Melpomene*, from England, passing Port Phillip Heads bound for Geelong, and the first notice of the vessel's arrival was her appearance in Corio Bay in tow of a tug steamer, on Monday, the 7th September. Again, the Port Campbell telegraph instrument was in an unworkable condition several days before the 5th September, the date of the wreck of the ship *Fiji*, and a new instrument was not furnished at Port Campbell until Monday, the 7th September, when the survivors of the wrecked ship were landed. He firmly believed that if the telegraphic communication along the coast had been in a proper state of repair, as it ought to have been, and the telegraph instrument at Port Campbell had been in a workable condition when the wreck of the *Fiji* occurred, some of the lives of the brave men who were lost in the shipwreck would have been saved. There were a number of places along the coast with which telegraphic communication should be established, and where men who were competent to use life-saving appliances should be stationed, more particularly Barwon Heads, Spring Creek, and the mouth of the Gellibrand River. The Government should also instruct the telegraph authorities to see that the coast telegraph lines were kept in a proper state of repair. Of course any telegraph line was liable to get out of repair, but it ought to be promptly attended to, and it was difficult to imagine any justification for