

VIC. MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL SESS. 1910.

VICTORIA.



MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

SESSION 1910.

WITH COPIES OF THE VARIOUS DOCUMENTS ORDERED TO BE
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MINUTES OF THE PROCEEDINGS, ETC.

VICTORIA.

No. 1.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

WEDNESDAY, 6TH JULY, 1910.

1. The Council met pursuant to the Proclamation of His Excellency the Governor, bearing date the ninth day of June, 1910, which Proclamation was read by the Clerk, and is as follows:—

FURTHER PROROGUING PARLIAMENT, AND FIXING THE TIME FOR HOLDING THE THIRD SESSION OF THE TWENTY-SECOND PARLIAMENT OF VICTORIA.

PROCLAMATION

By His Excellency Sir Thomas David Gibson Carmichael, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS the Parliament of Victoria stands prorogued until Tuesday, the fourteenth day of June, 1910: NOW I, the Governor of the State of Victoria in the Commonwealth of Australia, do by this my Proclamation further prorogue the said Parliament of Victoria until Wednesday, the sixth day of July, 1910, and I do hereby fix Wednesday, the sixth day of July, 1910, aforesaid, as the time for the commencement and holding of the next Session of the said Parliament of Victoria for the despatch of business, at the hour of Twelve o'clock noon, in the State Parliament Houses, situate in the Carlton Gardens, in the city of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this ninth day of June, in the year of our Lord One thousand nine hundred and ten, and in the first year of His Majesty's reign.

(L.S.)

THOS. D. GIBSON CARMICHAEL.

By His Excellency's Command,

J. MURRAY.

GOD SAVE THE KING!

2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The Clerk announced that he had received a Message from His Excellency the Governor, which he read, and is as follows:—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 1.

The Governor informs the Legislative Council that he has officially learned with the deepest regret that our late Most Gracious Sovereign His Majesty King Edward VII. departed this life at Buckingham Palace on the 6th day of May, 1910.

The Governor further informs the Legislative Council that on the 9th day of May, 1910, His Most Gracious Majesty King George the Fifth was duly and lawfully proclaimed King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Defender of the Faith, Emperor of India, Supreme Lord in and over the State of Victoria and its Dependencies in the Commonwealth of Australia, whereof public proclamation and due notification were fully and lawfully made by the Governor within this State on the 9th day of May, 1910.

The Governor, therefore, desires that, pursuant to the twenty-eighth section of *The Constitution Act Amendment Act 1890*, honorable Members will, before they proceed to sit and vote in the Council, respectively take and subscribe the Oath of Allegiance set forth in the Second Schedule to the said Act, to His Most Gracious Majesty King George the Fifth before Commissioners or a Commissioner duly authorized by the Governor to attend in the Legislative Council Chamber, on Wednesday, the 6th day of July, 1910, to administer the same.

State Government House,
Melbourne, 14th June, 1910.

His Honour Sir Thomas a'Beckett, the Senior Commissioner from His Excellency the Governor appointed to open the said third Session of the Parliament, having been introduced to the Council Chamber by the Usher, said—

HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

His Excellency the Governor, not thinking fit to be present in person, has been pleased to cause Letters Patent to issue under the Seal of the State, constituting His Honour Mr. Justice Hodges and myself his Commissioners to do in his name all that is necessary to be performed at the opening of this Session of Parliament, as will more fully appear from the Letters Patent which will now be read. Then the said Letters Patent were read, and are as follow, viz. :—

GEORGE, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India :

WHEREAS by Proclamation made the ninth day of June last by His Excellency Sir THOMAS DAVID GIBSON CARMICHAEL, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, Wednesday, the sixth day of July instant, was fixed as the time for the commencement and holding of the third Session of the twenty-second Parliament of Victoria, at twelve of the clock noon, in the State Parliament Houses, situate in the Carlton Gardens, in the city of Melbourne : And forasmuch as for certain causes the said Sir THOMAS DAVID GIBSON CARMICHAEL cannot conveniently be present in person in the said Parliament at that time : Now KNOW YE THAT WE, trusting in the discretion, fidelity, and care of our trusty and well-beloved His Honour Sir THOMAS A'BECKETT, and His Honour HENRY EDWARD AGINCOURT HODGES, Judges of Our Supreme Court of Victoria, do give and grant by the tenor of these presents unto you the said THOMAS A'BECKETT and HENRY EDWARD AGINCOURT HODGES, or either of you, full power in Our name to begin and hold the said Session of Our said Parliament, and to do everything which for and by Us, or the said Sir THOMAS DAVID GIBSON CARMICHAEL, shall be there to be done ; commanding also by the tenor of these presents all whom it may concern to meet Our said Parliament, and to the said THOMAS A'BECKETT and HENRY EDWARD AGINCOURT HODGES, or either of them, that they diligently attend in the premises and form aforesaid. In testimony whereof We have caused the Seal of Our said State to be hereunto affixed.

WITNESS Our trusty and well-beloved Sir THOMAS DAVID GIBSON CARMICHAEL, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George,
(L.S.) Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., at Melbourne, this sixth day of July, One thousand nine hundred and ten, and in the first year of Our reign.

THOS. D. GIBSON CARMICHAEL.

By His Excellency's Command,
J. MURRAY.

Entered on record by me in Register of Patents, Book 24,
page 352, this sixth day of July, One thousand nine
hundred and ten.

W. A. CALLAWAY.

3. COMMISSION TO ADMINISTER OATH TO MEMBERS.—Sir Thomas a'Beckett, Commissioner from His Excellency the Governor to administer the Oath of Allegiance to His Most Gracious Majesty King George the Fifth, then handed his Commission to the Clerk, which was read, and is as follows :—

By His Excellency Sir Thomas David Gibson Carmichael, Bart., Knight Commander of the Most Distinguished Order of Saint Michael and Saint George ; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To Sir THOMAS A'BECKETT, Knight Bachelor, Judge of Our Supreme Court in Our said State of Victoria.

GREETING :

WHEREAS by the 28th section of *The Constitution Act Amendment Act 1890*, No. 1075, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath set out in the Second Schedule to the aforesaid Act : And that whensoever the demise of Her Majesty Queen Victoria or of any of Her successors to the Crown is notified by the Governor of Victoria to the said Council and Assembly the Members of the said Council and Assembly shall, before they are permitted to sit and vote therein respectively, take and subscribe the like Oath to the successor for the time being to the said Crown : And whereas I, the Governor of the said State, have this day notified to the said Council and Assembly the demise of Our late Most Gracious Sovereign Lord King Edward the Seventh : Now therefore I, the Governor of the said State, do by these presents command and authorize you to proceed to the State Parliament House, in the Carlton Gardens, in the City of Melbourne, on Wednesday, the sixth day of July instant, at Twelve of the clock at noon, then and there to administer the said Oath to the several Members of the said Legislative Council.

(L.S.) Given under my Hand and the Seal of the State at Melbourne, in the said State,
this sixth day of July, in the year of our Lord One thousand nine hundred
and ten, and in the first year of His Majesty's reign.

THOS. D. GIBSON CARMICHAEL.

By His Excellency's Command,
J. MURRAY.

Entered on Record by me, in Register of Patents, Book 24,
page 352, this sixth day of July, One thousand nine
hundred and ten.

W. A. CALLAWAY.

4. RETURNS TO WRITS.—The Clerk announced that there had been received Returns to writs issued by the President of the Council for the election of members to serve in the places of members whose seats became vacant by effluxion of time, and by the indorsements on such writs it appears that the following members have been returned for the several Electoral Provinces set opposite their respective names, viz. :—

The Honorable James Balfour for the East Yarra Province ;
 The Honorable John McWhae for the Melbourne Province ;
 The Honorable John Percy Jones for the Melbourne East Province ;
 The Honorable Donald Melville for the Melbourne North Province ;
 The Honorable Thomas Henry Payne for the Melbourne South Province ;
 The Honorable John George Aikman for the Melbourne West Province ;
 The Honorable Joseph Sternberg for the Bendigo Province ;
 The Honorable Edward Jolley Crooke for the Gippsland Province ;
 The Honorable Theodore Beggs for the Nelson Province ;
 The Honorable William Lawrence Baillieu for the Northern Province ;
 The Honorable Arthur Otto Sachse for the North-Eastern Province ;
 The Honorable Richard Bloomfield Rees for the North-Western Province ;
 The Honorable William Henry Embling for the Southern Province ;
 The Honorable William Addison Adamson for the South-Eastern Province ;
 The Honorable Thomas Charles Harwood for the South-Western Province ;
 The Honorable Frederick William Brawn for the Wellington Province ;
 The Honorable Walter Synnot Manifold for the Western Province.

5. SWEARING-IN OF NEW MEMBERS.—The Honorables W. A. Adamson, J. G. Aikman, W. L. Baillieu, J. Balfour, T. Beggs, F. W. Brawn, E. J. Crooke, Dr. W. H. Embling, T. C. Harwood, J. P. Jones, Walter S. Manifold, J. McWhae, D. Melville, T. H. Payne, R. B. Rees, and J. Sternberg having severally approached the Table, took and subscribed the oath required by law, and severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM ADDISON ADAMSON, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty pounds and upwards above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Brighton, and are known as “Farleigh” and vacant land in Male-street, Brighton, and in the municipal district of Melbourne known as the Racing Club Hotel, and in the municipal district of Essendon, vacant land situated in Bent-street, Essendon, and in the municipal district of Whittlesea, known as the Sale Yards in the Plenty-road, and in the municipal district of Lancefield, known as the Sale Yards in Dunsford and High streets.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Brighton are rated in the rate-book of such district upon a yearly value of One hundred and thirty-five pounds, and that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of One hundred and eighty pounds, and such of the said lands and tenements as are situated in the municipal district of Essendon are rated in the rate-book of such district upon a yearly value of seven pounds, and such of the said lands and tenements as are situated in the municipal district of Whittlesea are rated in the rate-book of such district upon a yearly value of fifteen pounds, and such of the said lands and tenements as are situated in the municipal district of Lancefield are rated in the rate-book of such district upon a yearly value of nine pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“WM. A. ADAMSON.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, JOHN GEORGE AIKMAN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Two thousand one hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as the Melbourne Coffee Palace, 214 to 218 Bourke-street.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of Two thousand one hundred and fifty pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“J. G. AIKMAN.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM LAWRENCE BAILLIEU, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and seventy pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the Town of

Camberwell, and are known as all that piece of land containing two acres three roods and twenty-two perches, being part of Crown portion 129, parish of Boroondara, county of Bourke, and being the land more particularly described in certificate of title, volume 2625, folio 524945.

"And I further declare that the said lands or tenements are situate in the municipal district of the Town of Camberwell and are rated in the rate-book of such district upon a yearly value of One hundred and seventy pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"W. L. BAILLIEU."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, JAMES BALFOUR, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Seventy-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Queenscliff, and are known as Crown Allotment nine, Section two, Town of Queenscliff, Parish of Paywit, County of Grant.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Queenscliff are rated in the rate-book of such district upon a yearly value of Seventy-five pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"JAMES BALFOUR."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, THEODORE BEGGS, of Eurambeen, Beaufort, Grazier, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty-one pounds ten shillings above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Ripon, and are known as Crown Allotments 70B, 73C, 74, 74A, and 73B, Parish of Eurambeen, County of Ripon, containing 206 acres.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ripon are rated in the rate-book of such district upon a yearly value of Fifty-one pounds ten shillings.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"THEODORE BEGGS."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, FREDERICK BRAWN do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and sixty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Ballaarat, and are known as three brick cottages in Mill-street, Ballaarat.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballaarat are rated in the rate-book of such district upon a yearly value of One hundred and twenty-seven pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"F. BRAWN."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, EDWARD JOLLEY CROOKE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Five hundred and fifty-six pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and, further, that such lands or tenements are situated in the municipal district of Rosedale, and are known as portion of 'The Holey Plain Estate.'

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Rosedale are rated in the rate-book of such district upon a yearly value of Five hundred and fifty-six pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"E. J. CROOKE."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM HENRY EMBLING, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Two hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of St. Kilda, and are known as 'Elmwood,' Chapel-street, St. Kilda.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of St. Kilda are rated in the rate-book of such district upon a yearly value of Two hundred pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said land or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"WILLIAM HENRY EMBLING."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, THOMAS CHARLES HARWOOD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Newtown and Chilwell and Geelong, and are respectively known as 'Hawthorn,' Skene-street, Newtown, Geelong, and number 87 Yarra-street, Geelong.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Newtown and Chilwell are rated in the rate-book of such district upon a yearly value of One hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Geelong are rated in the rate-book of such district upon a yearly value of Forty-eight pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"THOS. C. HARWOOD."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, JOHN PERCY JONES, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and twenty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Melbourne, and are known as Nos. 22-24-26 Patrick-street, Melbourne.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Melbourne are rated in the rate-book of such district upon a yearly value of One hundred and twenty-five pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"J. P. JONES."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, WALTER SYNNOT MANIFOLD, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Ninety-four (£94) pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of the shire of Warrnambool, and are known as parts of Crown allotment 24A and Crown allotment 23 A¹, parish of Mepunga, county of Heytesbury, containing three hundred and thirty-three acres three roods and eighteen perches.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of the shire of Warrnambool are rated in the rate-book of such district upon a yearly value of Ninety-four pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"WALTER MANIFOLD."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, JOHN MCWHAE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty-three (£53) pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Morwell, and are known as McWhae's farm, of 315 acres, in Wonyip, being allotments 40A, 40B, parish of Wonyip, containing 315 acres 3 roods 19 perches.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Morwell are rated in the rate-book of such district upon a yearly value of Eighty-five pounds, and that such of the said lands or tenements as are situate in the municipal district of Morwell are rated in the rate-book of such district upon a yearly value of Eighty-five pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"JOHN MCWHAE."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, DONALD MELVILLE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Ninety-eight (£98) pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Brunswick, Pyalong and McIvor, and are known as—

"My residence, situated in Albion-street, West Brunswick, with three acres land; two hundred and six acres land within the shire of Pyalong; and one hundred and forty acres land within the shire of McIvor.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brunswick are rated in the rate-book of such district upon a yearly value of Fifty-three (£53) pounds, and that such of the said lands or tenements as are situate in the municipal district of Pyalong are rated in the rate-book of such district upon a yearly value of Thirty pounds, and that within the municipal district of McIvor at Fifteen pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"D. MELVILLE."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, THOMAS HENRY PAYNE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Nine hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of city of Prahran, and are known as 'Leura,' Toorak, being Crown portion 20, parish of Prahran, county of Bourke.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Nine hundred pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"T. H. PAYNE."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, RICHARD BLOOMFIELD REES, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Swan Hill, and are known as shop and dwelling properties, situate in Campbell-street.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Swan Hill are rated in the rate-book of such district upon a yearly value of above One hundred pounds per annum.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"R. BLOOMFIELD REES."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, JOSEPH STERNBERG, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of over Fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of the shire of Deakin and of the City of Melbourne, and are known as, firstly, Crown allotments 91, 92, 93, and 133, parish of Kyabram, county of Rodney, in the municipal district of the shire of Deakin; secondly, Crown allotments 39A, 39B, 40A, 40B, and 41B, parish of Carag Carag, county of Rodney, in the municipal district shire of Deakin; and thirdly, Crown allotment 12, section 14, City of Melbourne, at East Melbourne, parish of North Melbourne, county of Bourke, particularly described in the certificate of title entered in the Register Book, vol. 2665, fol. 532852.

"And I further declare that such of the lands or tenements as are situate in the municipal district of the shire of Deakin, and firstly above described, are rated in the rate-book of such district upon a yearly value of One hundred and seventeen pounds, and that such of the said lands or tenements as are situate in the municipal district of the shire of Deakin, and secondly above described, are rated in the rate-book of such district upon a yearly value of Forty-two pounds; and that such of the said lands or tenements as are situate in the municipal district of Melbourne, and are thirdly above described, are rated in the rate-book of such district upon a yearly value of One hundred and twenty-eight pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"J. STERNBERG."

6. SWEARING-IN OF MEMBER.—The Honorable J. M. Davies, having approached the Table, took and subscribed the oath required by law and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Constitution Act Amendment Acts, I, JOHN MARK DAVIES, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Lilydale, and are known as Crown allotment fifty-six, and part of Crown allotment fifty-eight, parish of Wandin Yallock, county of Evelyn, containing one hundred and forty-nine acres or thereabouts.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Lilydale are rated in the rate-book of such district upon a yearly value of One hundred and thirty-five pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“JNO. M. DAVIES.”

7. SWEARING-IN OF MEMBERS.—The Honorables J. D. Brown, G. T. Dickie, W. H. Edgar, F. Hagelthorn, A. Hicks, T. Luxton, D. E. McBryde, J. Y. McDonald, A. McLellan, E. Miller, W. Pearson, and E. J. White, having severally approached the Table, took and subscribed the oath required by law and severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Constitution Act Amendment Acts, I, JAMES DRYSDALE BROWN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and thirty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Coburg, and are known as part of Crown portion One hundred and forty-three at Coburg, parish of Jika Jika, county of Bourke.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Coburg are rated in the rate-book of such district upon a yearly value of One hundred and thirty-eight pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“J. DRYSDALE BROWN.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, GEORGE THOMAS DICKIE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and twenty-two pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Bacchus Marsh, and are known as—

Shop and land, Main-street (Dickie's shop) ; Patterson's allotment ; lucerne paddock ; Armstrong's shop ; Armstrong's allotment ; Allen's shops ; Darley paddock ; Pilmer-street, house.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Bacchus Marsh are rated in the rate-book of such district upon a yearly value of One hundred and twelve pounds ten shillings.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“GEO. THOS. DICKIE.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM HASLAM EDGAR, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty-eight pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Malvern, and are known as No. One Claremont Avenue, Malvern.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Malvern are rated in the rate-book of such district upon a yearly value of Fifty-eight pounds, and that such of the said lands or tenements as are situate in the municipal district of Malvern are rated in the rate-book of such district upon a yearly value of Fifty-eight pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“W. H. EDGAR.”

"In compliance with the provisions of the Constitution Act Amendment Acts, I, **FREDERICK HAGELTHORN**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Three hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Malvern, and are known as "Coonil," Wattle-tree-road.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Malvern, are rated in the rate-book of such district upon a yearly value of Three hundred pounds, and that such of the said lands or tenements as are situate in the municipal district of Malvern are rated in the rate-book of such district upon a yearly value of Three hundred pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"F. HAGELTHORN."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, **ALFRED HICKS**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Eaglehawk, and are known as shops and dwellings situate in High-street.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Eaglehawk are rated in the rate-book of such district upon a yearly value of One hundred and thirty pounds, and that such of the said lands or tenements as are situate in the municipal district of Eaglehawk are rated in the rate-book of such district upon a yearly value of One hundred and thirty pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"A. HICKS."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, **THOMAS LUXTON**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and seventy-six pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as 'Grandview,' 5 Wynstay-road, Armadale; 'Craigmill,' 15 Mathoura-road, Toorak.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of One hundred and seventy-six pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"THOS. LUXTON."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, **DUNCAN ELPHINSTONE MCBRYDE**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Three hundred and eighty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Brighton, and are known as 'Kamesburgh,' containing ten acres or thereabouts, being part of Dendy's special survey at Brighton, and situate at the angle of North-road and Cochrane-street, and purchased by me for the sum of Twelve thousand two hundred pounds.

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Brighton are rated in the rate-book of such district upon a yearly value of Three hundred and eighty pounds.

"And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

"D. E. MCBRYDE."

"In compliance with the provisions of the Constitution Act Amendment Acts, I, **JOHN YOUNG McDONALD**, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Two hundred and sixty-nine pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Ballarat West, and are known as the 'Edinburgh Buildings.'

"And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat West are rated in the rate-book of such district upon a yearly value of Two

hundred and sixty-nine pounds, and that such of the said lands or tenements as are situate in the municipal district of Ballarat West are rated in the rate-book of such district upon a yearly value of Two hundred and sixty-nine pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“J. Y. McDONALD.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, ADAM McLELLAN, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Richmond, and are known as land and buildings, corner of Lord-street and Boyd-street, Richmond.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Richmond are rated in the rate-book of such district upon a yearly value of One hundred and sixty-two pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ADAM McLELLAN.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, EDWARD MILLER, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and fifty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Kew, and are known as land, four acres, Findon-street and Barker's-road.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Kew are rated in the rate-book of such district upon a yearly value of One hundred and fifty pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“EDWARD MILLER.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM PEARSON, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Five hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Rosedale, and are known as ‘Kilmany Park,’ Sale.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Rosedale are rated in the rate-book of such district upon a yearly value of Three thousand three hundred and eighty-eight pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“WM. PEARSON.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, EDWARD JAMES WHITE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred and twenty pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Dundas and Borough of Hamilton, and are known as ‘Waratah,’ being part of subdivision of the Kenilworth Estate, parish of Gatam Gatam, county of Dundas, containing 1,786½ acres. In the Borough of Hamilton is my house and allotment fronting Clarendon-street; an allotment fronting Gray-street; and an allotment at back of Hospital.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Dundas are rated in the rate-book of such district upon a yearly value of One hundred and fifty pounds, and that such of the said lands or tenements as are situate in the municipal district of Borough of Hamilton are rated in the rate-book of such district upon a yearly value of Forty-four pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“E. J. WHITE.”

His Honour Sir Thomas a'Beckett attested the Oath Roll, and then withdrew.

8. RESIGNATION OF MEMBER.—The Clerk announced that he had received the following letter from His Excellency the Governor, which he read, and is as follows, viz. :—

To His Excellency Sir Thomas D. Gibson Carmichael, Bt., K.C.M.G., &c., &c.

SIR,

Kew, 28th June, 1910.

Pursuant to the provisions of the Constitution Act, I hereby resign my seat in the Legislative Council for the South-Western Province.

I have the honour to remain,

Your Excellency's obedient servant,

H. J. WRIXON.

9. ELECTION OF PRESIDENT.—The Clerk announced that, the office of President having become vacant through the resignation by Sir Henry Wrixon, as a Member for the South-Western Province, the time had now arrived for proceeding to the election of a President of the Council.

The Honorable J. Balfour, addressing the Clerk, proposed to the Council for their President the Honorable John Mark Davies, and moved, That the Honorable John Mark Davies do take the Chair of the Council as President, which motion was seconded by the Honorable D. Melville.

The Honorables J. Sternberg and E. Miller also addressed themselves to the question.

The Honorable John Mark Davies, addressing the Clerk, expressed the high sense he had of the honour proposed to be conferred upon him, and submitted himself to the Council.

The Council then unanimously calling the Honorable John Mark Davies to the Chair, he was taken out of his place by the Honorable J. Balfour and the Honorable D. Melville and conducted to the Chair; and, standing on the dais, he returned his acknowledgments to the Council for the great honour that had been conferred upon him, and thereupon he took the Chair of the President.

Then the Honorables W. L. Baillieu, T. C. Harwood, and Walter S. Manifold congratulated the Honorable the President.

The Honorable W. L. Baillieu announced that His Excellency the Governor would be pleased to receive the Honorable the President-elect at a quarter past two o'clock, in the Library of the State Parliament Houses.

10. APPROACH OF HIS EXCELLENCY THE GOVERNOR.—The approach of His Excellency the Governor was announced by the Usher.

His Excellency came into the Council Chamber, and commanded the immediate attendance of the Legislative Assembly, who, being come with their Speaker, His Excellency was pleased to speak as follows :—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

I have called you together that I may avail myself of your advice on matters of public importance.

The lamented death of His late Most Gracious Majesty King Edward VII., who was revered and beloved in every part of his extended Dominions, has plunged the British Nation into the profoundest grief, and evoked spontaneous expressions of the deepest sympathy throughout the entire world. The high personal character of our late Sovereign, the tact, sagacity, and love of peace displayed during his brief but illustrious reign, and his broad sympathy with all that concerned the welfare of the people, endeared him to his subjects, and won their loyal devotion to the Imperial Crown. Resolutions embodying our universal sorrow will be submitted for your concurrence.

The accession to the Throne of His Most Gracious Majesty King George V. was hailed with unanimous feelings of satisfaction, and the earnest hope of His Majesty's Advisers is that his reign may be long and beneficent.

My Government notes with satisfaction the continued prosperity of the State. The producing interests are sound and progressive, and all the agencies of trade and commerce afford welcome indications of health and activity. The revenue returns for the past year were satisfactory.

The urgent and important question of the financial relations between the Commonwealth and the States, upon which an Agreement was arrived at in August last by their respective Governments, has given My Advisers much anxiety. The defeat of the Agreement at the recent Referendum placed the settlement of the problem in the hands of the Federal Parliament. While accepting without complaint the verdict of the electors, My Ministers trust that the Federal authorities will, as early as practicable, deal with this question in a manner equitable to the States, and thus relieve them of grave uncertainty with respect to their future revenues.

My Government feels that in order to promote intense cultivation on the irrigable lands of Victoria, experienced irrigators must be obtained from oversea. With this object in view, the Honorable the Minister of Lands and the Chairman of the State Rivers and Water Supply Commission were despatched on an immigration mission to Europe and America in May last. It is confidently believed that, as a result of their inquiries and representations, many agricultural settlers will be attracted to Victoria, who will, by force of example, demonstrate to our farmers the best and most profitable uses to which these favoured areas may be put. It is also hoped that the serious loss on its water storage and distribution works which the State annually sustains will be arrested, and these valuable assets converted into a source of increasing profit and production.

My Advisers, acting upon the advice of the Lands Purchase and Management Board, have made extensive purchases of land in the irrigation districts, for subdivision and settlement in small farms. These holdings will be made available for the settlers from abroad, but measures will be taken to insure that ample and equal opportunities will be afforded our own people who desire to make homes for themselves on the land. The general settlement of the land is also being prosecuted with zeal, and considerable progress has been made during the year.

The exploration and development of the rich coal seams of the Powlett Valley have been carried out with energy and success. The opening of the State Coal Mine, which was established under the authority of Parliament, has been attended with gratifying results, and there is every

assurance that in the near future the importation of fuel for railway purposes will be rendered unnecessary. The town of Wonthaggi has been laid out on the most modern principles, and the leases of the business sites were the objects of vigorous competition. The 100 miners' homes in course of erection by the Government are well advanced; and all will be occupied as soon as they are completed. Provision is being made for an excellent water supply, which will serve the needs of a large population. Generally, the great resources and prospects of the new field afford every reason for congratulation.

It having become apparent that, owing to the expansion of sea-borne trade without corresponding additions to the harbor accommodation, Melbourne was in danger of losing the reputation of a first-class port, the Inspector-General of Public Works was despatched to Europe to investigate the systems there in operation in the great shipping centres for the berthing of vessels and handling of cargo. He was authorized, after completing the necessary inquiries, to act in conjunction with a British engineer of eminence in harbor construction in the preparation of a scheme for the immediate improvement of the Port of Melbourne, and its further development, as circumstances should demand. Sir William Matthews, K.C.M.G., an engineer of the highest rank in marine works, was intrusted with this important undertaking, and he has submitted a comprehensive and practical report. My Ministers are impressed with the wisdom of his proposals for increasing the convenience and accommodation of the Port of Melbourne, and intend asking the early authority of Parliament for their adoption. The scheme when completed will not only facilitate the handling of inward goods, but will afford means of more economically dealing with our ever increasing export trade.

It was also realized that our Graving Dock was quite inadequate to the requirements of modern warships and merchantmen. Arrangements have therefore been made by which the Inspector-General was permitted to confer with the Admiralty authorities, with the result that drawings are being prepared under the direction of Colonel Sir Edward Raban, K.C.B., R.E., Director of Construction for the Navy, for a Graving Dock which will accommodate the largest ships likely to seek anchorage within Port Phillip Heads.

Preliminary steps have been taken to re-open the Beet Sugar Factory at Maffra, and arrangements have been made with farmers adjacent to the Gippsland Railway to plant a sufficient area of beet to warrant this action. Much depends upon the attempt to revive this important industry, the successful establishment of which will confer substantial benefits upon the State as a whole.

A scheme has been adopted for extending the operations of the Government Labour Bureau in the country districts, by which the police throughout the State are to act as agents for the Bureau in assisting to find work for workers out of employment. The efforts which are being made to widen the scope of the Bureau are already bearing good fruit, and will, it is hoped, when fully in operation, do much to minimize the evils of unemployment.

The claims of the travelling public of the Metropolis for better and faster railway and tramway facilities to cope with the phenomenal expansion of passenger traffic has engaged the serious attention of the Government. Appreciating the urgency of the demand, the Railways Commissioners have been authorized to proceed with the construction of large additions to the locomotive and passenger stock, and the work is proceeding with all possible despatch. With a view, however, to a careful and thorough investigation of the whole question of the re-organization and operation of the great railway and tramway systems of Greater Melbourne, a Royal Commission will be appointed to consider and report thereon. It is accordingly hoped that a scheme adequate to immediate requirements and providing for the expanding needs of the residents in the outer suburbs will be evolved at an early date.

During the recess a Conference was held at Mount Gambier, between the Premiers of South Australia and Victoria, to consider, amongst other matters, the question of railway communication between Mount Gambier and Portland. As a result of their deliberations, it was decided to appoint a Royal Commission from each State, to act conjointly in inquiring into and reporting upon the proposal to link certain lines of railway contiguous to the borders of these States. The Parliamentary Standing Committee on Railways has been constituted the Royal Commission for this State, and has already commenced its inquiries.

Railway construction is being energetically proceeded with. During the past year new railway lines have been opened from Ultima to Chillingollah, Alexandra-road to Alexandra, Moe to Walhalla, Nycra to Woolamai, and Woolamai to Powlett Coal Field, a total distance of 81 miles, while the line from Mildura to White Cliffs will shortly be available for public business. The line to Powlett Field was so expeditiously constructed as to establish a record in railway building for Australia.

The appointment of the Royal Commission to inquire into the River Murray waters question, with a view to an amicable and equitable settlement of that involved subject, has been amply justified by the very valuable report submitted. The suggestions made are receiving the careful consideration of the Government.

My Advisers note with regret the decline of the gold yield of the State, but are hopeful from the well-defined but unexploited auriferous areas that with reasonable State assistance, combined with more systematic working, this important industry may be revived.

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

The Estimates of Expenditure which will be laid before you, while framed with a due regard to economy, provide adequately for the requirements of the State.

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY :

The most important measures which you will be called upon to deal with in the coming Session are : a Land Tax Bill, providing for the financial requirements of the State, and for the encouragement of land settlement ; a Bill for the amendment of the Electoral Laws, insuring the enrolment of the people ; a Bill for the improvement of the Education system, providing for the

enlargement of technical instruction, and for the establishment of a Council of Education; a Bill for the compulsory acquisition of land; a Bill for the compensation of workers injured in their employment; and a Bill to provide for the more effective management and better maintenance of our Charitable Institutions.

There will also be submitted for your consideration measures dealing with the following subjects, viz.:—Factories and Shops Acts, Melbourne Harbor Trust, Forests Act, Mines Acts, Gold Buyers Acts, the Licensing of Estate and other Agents, the Regulation of the Dental Profession, Building Regulations of Municipalities, Inspection of Scaffolding, and other measures designed to promote the welfare of the people.

I now leave you to the discharge of those high duties with which you are intrusted, and fervently pray that the blessing of Divine Providence may attend your deliberations.

Which, being concluded, a copy of the Speech was delivered to the President, and a copy to Mr. Speaker, and His Excellency the Governor left the Chamber. The Legislative Assembly then withdrew.

11. The President took the Chair and read the Prayer.

12. RECEPTION OF THE PRESIDENT-ELECT BY THE GOVERNOR.—The President reported that, accompanied by Honorable Members, he had presented himself to the Governor, who had been pleased to approve of the choice made by the Council, and had addressed him in the following terms:—

Mr. President,

The Members of the Legislative Council have its honour and dignity at heart; they know you well; they have chosen you as their President. I, with full confidence, as Representative of His Majesty the King, approve their choice.

THOS. D. GIBSON CARMICHAEL.

State Government House,
Melbourne, 6th July, 1910.

13. COMMISSION TO ADMINISTER OATH TO MEMBERS.—The President announced that he had received from His Excellency the Governor the following Commission, which was read by the Clerk, and is as follows:—

By His Excellency Sir THOMAS DAVID GIBSON CARMICHAEL, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State of Victoria and its Dependencies, in the Commonwealth of Australia, &c., &c., &c.

To the Honorable JOHN MARK DAVIES, President of the Legislative Council of the State of Victoria:

GREETING:

WHEREAS by the twenty-eighth section of *The Constitution Act Amendment Act 1890*, No. 1075, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor aforesaid, do by these presents command and authorize you from time to time, in the State Parliament House, in the Carlton Gardens, in the City of Melbourne, to administer the said Oath to such Members of the said Legislative Council as have not already taken and subscribed the same to His Majesty King George the Fifth.

(L.S.) Given under my hand and the Seal of the State, at Melbourne, in the said State, this sixth day of July, in the year of Our Lord One thousand nine hundred and ten, and in the first year of His Majesty's reign.

THOS. D. GIBSON CARMICHAEL.

By His Excellency's Command,

J. MURRAY.

Entered on Record by me, in Register of Patents, Book 24,
page 353, this sixth day of July, One thousand
nine hundred and ten.

W. A. CALLAWAY.

14. SWEARING-IN OF NEW MEMBER.—The Honorable A. O. Sachse being introduced, took and subscribed the Oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth:—

“In compliance with the provisions of the Constitution Act Amendment Acts, I, ARTHUR OTTO SACHSE, do declare and testify that I am legally or equitably seized of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Three hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Prahran, and are known as ‘Marilla,’ Toorak-road, South Yarra.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Prahran are rated in the rate-book of such district upon a yearly value of Three hundred pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“A. O. SACHSE.”

15. **SWEARING-IN OF MEMBERS.**—The Honorables R. H. S. Abbott, W. J. Evans, and W. Little having severally approached the Table, took and subscribed the Oath required by law and severally delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Constitution Act Amendment Acts, I, RICHARD HARTLEY SMITH ABBOTT, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same; other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal districts of Bendigo and Strathfieldsaye, and are known as—

‘Mandalay,’ Rowan-street; ‘Tacsonia,’ Rowan-street; house property, Wattle-street, city of Bendigo.

‘Edinburgh Tannery,’ parish of Mandurang; ‘Hooligan,’ land, parish of Eppalock, shire of Strathfieldsaye.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Bendigo are rated in the rate-book of such district upon a yearly value of One hundred and thirty-five pounds; and that such of the said lands or tenements as are situate in the municipal district of Strathfieldsaye are rated in the rate-book of such district upon a yearly value of One hundred and five pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“RICHARD HARTLEY SMITH ABBOTT.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM JOHN EVANS, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Fifty-five pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of South Melbourne, and are known as 32 Withers-street; of Port Melbourne, and known as 143 Cruickshank-street; and of Lilydale, known as Blocks Nos. 25 and 26, Mullum Mullum-road, Ringwood.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of South Melbourne are rated in the rate-book of such district upon a yearly value of Thirty-three pounds, and that such of the said lands or tenements as are situate in the municipal district of Port Melbourne are rated in the rate-book of such district upon a yearly value of Twenty-four pounds, and that such of the said lands or tenements as are situate in the municipal district of Lilydale are rated in the rate-book of such district upon a yearly value of Twenty-two pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“W. J. EVANS.”

“In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIS LITTLE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Two hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment; and further, that such lands or tenements are situated in the municipal district of Benalla, and are known as allotments 1 to 4, section II, Benalla, one hundred and ninety-three acres, Fifty-seven pounds; allotments 1 and 2, section I, Benalla, three hundred and twenty-seven acres, Eighty-one pounds; allotment 3, section I, Benalla, sixty-five acres, Sixteen pounds; allotment 24AB, Benalla, three hundred and twenty acres, Fifty pounds; allotments 1A, 1B, 46B, 47A, Kilfeera, seven hundred and sixty-six acres, One hundred and fifty-three pounds; allotments 33, 46A, Kilfeera, two hundred and ninety-nine acres, Sixty-one pounds.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Benalla are rated in the rate-book of such district upon a yearly value of Four hundred and eighteen pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“WILLIS LITTLE.”

16. **CHAIRMAN OF COMMITTEES.**—The Honorable W. L. Baillieu moved, by leave, That the Honorable Thomas Charles Harwood be Chairman of Committees of the Council.

Question—put and resolved in the affirmative.

Whereupon the Honorable Thomas Charles Harwood was congratulated by the Honorables the President and W. L. Baillieu on his securing the confidence of Honorable Members, and then the Honorable Thomas Charles Harwood returned his thanks for his election to the office of Chairman of Committees.

17. **PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS.**—The Honorable W. L. Baillieu moved, by leave, That the following Members of this House be appointed Members of the Parliamentary Standing Committee on Railways, viz. :—The Honorables D. Melville and Dr. W. H. Embling.

Question—put and resolved in the affirmative.

18. **STOCK MORTGAGES BILL.**—On the motion of the Honorable W. L. Baillieu, a Bill to amend the Law relating to Mortgages of Stock was read a first time, ordered to be printed, and read a second time on Tuesday next.
19. **DECEASE OF KING EDWARD VII.**—The Honorable the President read a copy of the Cable sent to the Secretary of State, and the Reply received through His Excellency the Governor, which are as follow :—

Copy of Cable, dated the 8th May, 1910, forwarded to His Excellency the Governor for transmission to the Right Honorable the Secretary of State for the Colonies.

The President of the Legislative Council and the Speaker of the Legislative Assembly of the State of Victoria, Commonwealth of Australia, Parliament not being in session, desire to express their deep sorrow at the loss which the Empire has sustained by the death of His late Majesty King Edward the Seventh, and tender their loyal and respectful condolences with His present Majesty and all the Royal Family.

State Government House,
Melbourne, 11th May, 1910.

DEAR MR. PRESIDENT,

I have the honour to inform you that I have to-day received a telegram from the Secretary of State, dated London, 12.30 p.m. 10th May, 1910, in which he asks me to "convey to President of the Legislative Council expressions of deep gratitude from Their Majesties and the Royal Family for loyal sympathy in their bereavement."

I have the honour to be,

Dear Mr. President,

Your obedient servant,

THOS. D. GIBSON CARMICHAEL,

Governor.

The Honorable the President of the Legislative Council.

20. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council an Address to His Majesty the King, and an Address to Her Majesty Alexandra, the Queen Mother, and also an Address to His Excellency the Governor, adopted this day by the Legislative Assembly, with which Addresses they desire the concurrence of the Legislative Council.

FRANK MADDEN,

Speaker.

Legislative Assembly,
Melbourne, 6th July, 1910.

The Address to His Majesty the King was read by the Clerk, and is as follows :—

TO THE KING'S MOST EXCELLENT MAJESTY—

MOST GRACIOUS SOVEREIGN :

We, the Legislative Assembly of Victoria, in Parliament assembled, embrace the first opportunity we have had since the death of our beloved Sovereign, King Edward the Seventh, to assure Your Majesty that we deeply sympathize in the great sorrow which Your Majesty has sustained by that mournful event.

We recall with deep pleasure Your Majesty's visits to Victoria, first in 1881, and later, when, on the 6th May, 1901, Your Majesty, accompanied by Her Majesty the Queen, arrived in Melbourne to open the First Parliament of the Commonwealth of Australia on the 9th May, the same date on which Your Majesty was proclaimed King.

We submit to Your Majesty, and to Your Royal Consort, Her Majesty Queen Mary, our loyal congratulations on Your accession to the Throne, and hope that, under the Divine blessing, Your Majesty may enjoy a long and beneficent reign, and that it may be marked by a continuance of the peace, progress, and happiness participated in by all classes of the British race during the reign of Your Illustrious Father.

The Honorable W. L. Baillieu moved, That the blank in the foregoing Address be filled up by the insertion of the words "Legislative Council and the."

Question—put and resolved in the affirmative.

The Honorable W. L. Baillieu moved, That this House agree with the Assembly in the said Address.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Assembly acquainting them that the Council have agreed to the Address, and have filled up the blank therein by the insertion of the words "Legislative Council and the."

The Address to Her Majesty Alexandra, the Queen Mother, was read by the Clerk, and is as follows :—

TO HER MAJESTY ALEXANDRA, THE QUEEN MOTHER.

MAY IT PLEASE YOUR MAJESTY—

We, the Legislative Assembly of Victoria, in Parliament assembled, for the first time since the death of our revered Sovereign King Edward the Seventh, desire to express to Your Majesty, with deep respect, the profound sympathy which is felt for Your Majesty throughout Victoria.

We assure Your Majesty that the people of Victoria will ever hold His late Majesty's honoured name in affectionate remembrance, and pray that Your Majesty may be sustained by the blessing of Almighty God in the sorrow which has fallen upon Your Majesty, and upon the whole Empire, of which Victoria is proud to be a part.

The Honorable W. L. Baillieu moved, That the blank in the foregoing Address be filled up by the insertion of the words "Legislative Council and the."

Question—put and resolved in the affirmative.

The Honorable W. L. Baillieu moved, That this House agree with the Assembly in the said Address.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Assembly acquainting them that the Council have agreed to the Address, and have filled up the blank therein by the insertion of the words "Legislative Council and the."

The Address to His Excellency the Governor was read by the Clerk, and is as follows :—

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Assembly of Victoria, in Parliament assembled, respectfully request that Your Excellency will be pleased to communicate, by cable, to the Principal Secretary of State for the Colonies, the accompanying Addresses for presentation to His Majesty the King and to Her Majesty Alexandra, the Queen Mother.

The Honorable W. L. Baillieu moved, That the blank in the foregoing Address be filled up by the insertion of the words "Legislative Council and the."

Question—put and resolved in the affirmative.

The Honorable W. L. Baillieu moved, That this House agree with the Assembly in the said Address.

Question—put and resolved in the affirmative.

Ordered—That a Message be transmitted to the Assembly acquainting them that the Council have agreed to the Address, and have filled up the blank therein by the insertion of the words "Legislative Council and the."

21. SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The President reported the Speech of His Excellency the Governor.

The Honorable J. McWhae moved, That a Committee be appointed to prepare an Address to His Excellency the Governor in reply to His Excellency's Opening Speech.

Question—put and resolved in the affirmative.

The Honorable J. McWhae moved, That the Committee consist of the Honorables J. McWhae, W. A. Adamson, T. Beggs, W. J. Evans, A. Hicks, W. Little, and T. Luxton.

Question—put and resolved in the affirmative.

The Committee retired to prepare the Address.

The Honorable J. McWhae presented the Address, which had been agreed to by the Committee, and the same was read by the Clerk, and is as follows :—

To His Excellency SIR THOMAS DAVID GIBSON CARMICHAEL, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY—

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

The Honorable J. McWhae moved, That the Council agree with the Committee in the said Address.

Debate ensued.

The Honorable D. Melville moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

22. ADJOURNMENT.—The Honorable W. L. Baillieu moved, That the Council, at its rising, adjourn until Tuesday next, at half-past four o'clock.

Question—put and resolved in the affirmative.

And then the Council, at thirty minutes past six o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 2.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 12TH JULY, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President:—

THOS. D. GIBSON CARMICHAEL,

*Governor of Victoria.**Message No. 2.*

The Governor informs the Legislative Council that he has received the following telegram from the Right Honorable the Secretary of State for the Colonies, viz. :—

“London, 11th July, 1910.

“I have laid before His Majesty the Message of the Legislative Council and the Legislative Assembly of Victoria, and have received His Majesty the King’s commands to express to both Houses his deep appreciation of their expression of sympathy and their good wishes for the Queen and himself. I also communicated the Message of the Council and the Assembly to Her Majesty the Queen Mother, who is deeply touched by the sympathy of both Houses, and desires me to convey to them, through you, her grateful thanks.”

“CREWE.”

3. COMMITTEE OF ELECTIONS AND QUALIFICATIONS.—The President laid upon the Table the following Warrant appointing the Committee of Elections and Qualifications:—

VICTORIA.

Pursuant to the provisions of *The Constitution Act Amendment Act 1890*, I do hereby appoint—

The Honorable Richard Hartley Smith Abbott,
The Honorable James Drysdale Brown,
The Honorable William John Evans,
The Honorable Willis Little,
The Honorable Duncan Elphinstone McBryde,
The Honorable John Young McDonald, and
The Honorable Edward Miller,

to be members of a Committee to be called “The Committee of Elections and Qualifications.”

Given under my hand this twelfth day of July, One thousand nine hundred and ten.

JNO. M. DAVIES,
President of the Legislative Council.

4. DAYS OF BUSINESS.—The Honorable W. L. Baillieu moved, That Tuesday, Wednesday, and Thursday in each week be the days on which the Council shall meet for the despatch of business during the present Session, and that half-past Four o’clock be the hour of meeting on each day; that on Tuesday and Thursday in each week the transaction of Government business shall take precedence of all other business; and that on Wednesday in each week Private Members’ business shall take precedence of Government business.

Question—put and resolved in the affirmative.

5. STANDING ORDERS COMMITTEE.—The Honorable W. L. Baillieu moved, That the Honorables the President, J. Balfour, J. D. Brown, E. J. Crooke, F. Hagelthorn, T. C. Harwood, Walter S. Manifold, D. E. McBryde, E. Miller, and T. H. Payne be Members of the Select Committee on the Standing Orders of the House; three to be the quorum.

Question—put and resolved in the affirmative.

6. **PARLIAMENT BUILDINGS COMMITTEE.**—The Honorable W. L. Baillieu moved, That the Honorables the President, J. G. Akman, A. McLellan, J. McWhae, and W. Pearson be Members of the Joint Committee to manage and superintend the Parliament Buildings.
Question—put and resolved in the affirmative.
7. **LIBRARY COMMITTEE.**—The Honorable W. L. Baillieu moved, That the Honorables the President, W. A. Adamson, Dr. W. H. Embling, D. Melville, and A. O. Sachse be Members of the Joint Committee to manage the Library.
Question—put and resolved in the affirmative.
8. **REFRESHMENT ROOMS COMMITTEE.**—The Honorable W. L. Baillieu moved, That the Honorables W. J. Evans, A. Hicks, J. Y. McDonald, R. B. Rees, and E. J. White be Members of the Joint Committee to manage the Refreshment Rooms.
Question—put and resolved in the affirmative.
9. **PRINTING COMMITTEE.**—The Honorable W. L. Baillieu moved, That the Honorables the President, R. H. S. Abbott, T. Beggs, F. W. Brawn, G. T. Dickie, W. H. Edgar, J. P. Jones, W. Little, T. Luxton, and J. Sternberg be Members of the Printing Committee; three to be the quorum.
Question—put and resolved in the affirmative.
10. **PAPERS.**—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
Education.—Report of the Minister of Public Instruction for the Year 1908-9.
Forty-fifth Report of the Board for the Protection of the Aborigines.
Public Service Commissioner.—Report for the Year 1909.
Report by the Chairman, Indeterminate Sentences Board, on Reformatory Prisons and Institutions in Europe and America and on Legislation in connexion therewith and with Habitual Criminals.
Report of the Royal Commission on the Murray Waters; together with the Minutes of Evidence, Appendices, and Plans.
Statistical Register of the State of Victoria—
For the Year 1908.—Part IX.—Interchange.
For the Year 1909.—Part I.—Blue Book.
For the Year 1909.—Part II.—Finance.
The Children's Court Act.—Report of the Chief Probation Officer for the Year 1908.
Report of the Departmental Conference on Uniform Standards for Foods and Drugs, Sydney, 8th June, 1910.
Severally ordered to lie on the Table.
The Honorable W. L. Baillieu presented—
Return of Articles and Materials not made in the Commonwealth obtained from contractors and under agreement, for use by the Department of Lands and Survey.
Ordered to lie on the Table.
The following Papers, pursuant to the directions of several Acts of Parliament were laid upon the Table by the Clerk :—
Bank Liabilities and Assets.—Summary of Sworn Returns—
For the quarter ended 30th September, 1909.
For the quarter ended 31st December, 1909.
For the quarter ended 31st March, 1910.
Education Act 1890.—Regulation No. XI. (c).
Pure Food Act 1905—
Amendment of Regulations under Pure Food Act.
Further Regulations to secure the cleanliness and freedom from contamination and adulteration of milk.
Justices Act 1890.—Fees in Courts of Petty Sessions, and in Proceedings before a Justice or Justices.
Land Acts—
Addition to Regulations under the Land Acts.
Additions to Regulations under the Land Act 1901.
Additions to, and alterations in, Regulations under the Land Acts.
Amendment of Regulations under the Land Act 1901.
Amendments of, and additions to, Regulations under the Land Acts.
Regulations under the Land Act 1901.
List of Suspensions of the Labour Covenant of Mining Leases granted during 1909 under the Provisions of Section 18 (5) of the Mines Act of 1904.
Marine Board of Victoria.—Statements of Receipts and Disbursements on Pilotage Account for the year ended the 31st December, 1909.
Medical Act 1890, Part II., and the Dentists Act 1898.—Regulation.
Metropolitan Fire Brigades Board.—Report for year ending 31st December, 1909.
Public Service Act 1901, No. 1779, Section 17.—
Copies of papers in connexion with the promotion of Charles Stuart McPherson, an officer of the Third subdivision of the Third Class, Clerical Division, Department of Public Instruction, to the First subdivision of the Second Class.
Copies of papers in connexion with the promotion of William Webster, an officer of the Fourth subdivision of the Fourth Class, Clerical Division, Department of Public Instruction, to the First subdivision of the Third Class.
Public Service and Lunacy Acts.—Regulations—
Classification of Professional Division.—Department of Lands and Survey.
Travelling Allowances.—Department of Public Instruction.
Stores and Transport.—Chapter XV.
Classification of General Division.—Hospitals for the Insane.

- Addition of Class B 2.
 Classification of Professional Division.—Department of Public Works.
 Classification of General Division.—Department of Public Works.
 Classification of General Division.—Department of Agriculture.
 Lunacy Department.
 Travelling Allowances.—Department of Public Instruction.
 Classification of Professional Division.—Department of Mines and Water Supply.
 Classification of General Division.—Hospitals for the Insane.
 Travelling Allowances.—Department of Mines.
 Travelling Allowances.—Professional Division, Class B 2.
 Attendance and Conduct of Officers.
 Classification of General Division.—Department of Chief Secretary.
 Classification of General Division.—Department of Lands and Survey.
 Travelling Allowances.—Chapter IX.
 Travelling Allowances.—Department of Public Instruction.
 Classification of Professional Division.—Department of Law.
 Registration of Teachers and Schools Act 1905—Teachers and Schools Registration Board.—
 Regulations.
 Regulations under the Coal Mines Regulation Act 1909, No. 2240, Division 14.—Miners'
 Accidents Relief.
 Report of the Chief Inspector of Explosives to the Honorable the Chief Secretary, on the
 working of the Explosives Act during the year 1909.
 Report of the Country Fire Brigades Board for the year ended 31st December, 1909, together
 with Statement of Receipts and Expenditure and Assets and Liabilities for that period.
 Report of the Proceedings of the University of Melbourne from 31st July, 1908, to 31st July,
 1909; together with four Appendices, containing—A. List of contributions to Literature
 and Science published by Members of University Staff and Students working in the
 University Laboratories; B. List of donations to the Libraries; C. Statement of Accounts
 for the year 1908; D. Amendment of Statutes and Regulations and new Regulations
 made during the year.
 Report of the Trustees of the Public Library, Museums and National Gallery of Victoria for
 1909, with a statement of Income and Expenditure for the financial year 1908–9.
 Rules under Division VII. of the Companies Act 1896, Eleventh Schedule.—Return by
 Prothonotary of Business of Court.
 The Parliamentary Standing Committee on Railways.—Nineteenth General Report.
 Victorian Mining Accident Relief Fund.—Balance Sheet, 31st December, 1909.
 Victorian Railways.—Report of the Victorian Railways Commissioners—
 For the quarter ending 31st December, 1909.
 For the quarter ending 31st March, 1910.
 Water Acts—
 Declarations of the Honorable the Minister for Water Supply dated the 16th day of
 June, 1910, defining the respective areas that ought to be constituted Waterworks
 Districts hereunder mentioned, together with plans showing the areas of such
 proposed districts, viz. :—
 Karkaroc Waterworks District.
 Wonthaggi Waterworks District.

11. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message
 from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to
 apply out of the Consolidated Revenue the sum of One million one hundred and twenty-three thousand
 nine hundred and two pounds to the service of the year One thousand nine hundred and ten and One
 thousand nine hundred and eleven,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,

Speaker.

Legislative Assembly,

Melbourne, 6th July, 1910.

12. CONSOLIDATED REVENUE BILL (No. 1).—On the motion of the Honorable W. L. Baillieu, the Bill trans-
 mitted by the foregoing Message was read a first time, ordered to be printed and, by leave, was,
 after debate, read a second time, and ordered to be committed to a Committee of the whole this day.
13. ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Order of the Day for the
 resumption of the debate on the question, That the Council agree with the Committee in the
 Address in Reply to the Speech of His Excellency the Governor, having been read—
 Debate resumed.
 The Honorable W. L. Baillieu moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until later this day.
14. CONSOLIDATED REVENUE BILL (No. 1).—This Bill was, according to Order, committed to a
 Committee of the whole.—The President left the Chair.
 House in Committee.
 The President resumed the Chair; and the Honorable T. C. Harwood having reported that the
 Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read
 a third time and passed.
 Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

*Address in Reply to Speech of His Excellency the Governor—Consideration of Report of Committee—Resumption of Debate.
Stock Mortgages Bill—Second reading.*

16. ADJOURNMENT.—Ordered, That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at thirty minutes past nine o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 3.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 19TH JULY, 1910.

- 1. The President took the Chair and read the Prayer.
- 2. ADJOURNMENT—The Honorable W. L. Baillieu moved, That the Council, at its rising, adjourn until Tuesday next.
Question—put and resolved in the affirmative.

And then the Council at forty-six minutes past four o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 4.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 26TH JULY, 1910.

1. The President took the Chair and read the Prayer.
2. RETURN TO WRIT.—The President announced that there had been returned to him the Writ issued for the election of a Member to serve for the South-Western Province in the place of the Honorable Sir Henry John Wrixon, resigned, and by the indorsement on such Writ it appeared that Austin Albert Austin had been elected in pursuance thereof.

3. SWEARING-IN OF NEW MEMBER.—The Honorable A. A. Austin, being introduced, took and subscribed the Oath required by law, and delivered to the Clerk the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“In compliance with the provisions of the Constitution Act Amendment Acts, I, AUSTIN ALBERT AUSTIN, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of One hundred pounds above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment, and further, that such lands or tenements are situated in the municipal district of Buninyong, and are known as ‘Larundel,’ Elaine.

“And I further declare that such of the said lands or tenements as are situate in the municipal district of Buninyong are rated in the rate-book of such district upon a yearly value of Six hundred and eighty-three pounds.

“And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements or any part thereof for the purpose of enabling me to be returned a member of the Legislative Council.

“AUSTIN ALBERT AUSTIN.”

4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 3.

The Governor informs the Legislative Council that he has, on this day given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to apply out of the Consolidated Revenue the sum of One million one hundred and twenty-three thousand nine hundred and two pounds to the service of the year One thousand nine hundred and ten and One thousand nine hundred and eleven.”

Government Offices,
Melbourne, 13th July, 1910.

5. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—Annual Report of the Secretary for Mines to the Honorable P. McBride, M.P., Minister of Mines and Forests for Victoria; including Statistics, Reports on Geological Survey, Sludge Abatement, Inspection of Mines, Dredging, Progress of Mining, Boring Operations, &c., for the year 1909.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Fisheries Act 1890.—Notices of intention to issue Proclamations—

Prohibiting all fishing in and the taking of fish from certain portions of the Thomson River.

Re Restrictions on Netting, &c., in Corner Inlet and Port Albert.

Variation of existing Proclamation *re* Licences to Net and Registration of Boats.

Re Prohibition of Netting in McMillan's Straits and Newland's Backwater.

Prohibiting all fishing in and the taking of fish from the Cardinia Creek and its tributaries until the 15th December, 1911, inclusive.

Definitions of Mouths of Pound and Screw Creeks, Anderson's Inlet, and Prohibition of Netting in Areas connected therewith.

Alteration of Netting Boundary in Anderson's Inlet.

Public Service Acts.—Copies of Papers in connexion with the promotion of John Alexander Norris (Treasury Department) from the Fourth Class to the Third Class of the Public Service.

Regulations for the Disposal of Lands acquired under the Closer Settlement Acts.

Report respecting Applications and Proceedings under the Electric Light and Power Act 1896, for the year 1909.

Statement of all Moneys received by the Melbourne Harbor Trust Commissioners for the year ended 31st December, 1909.

The Geelong Harbor Trust Commissioners' Fourth Report for the year ending 31st December, 1909.

6. ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Order of the Day for the resumption of the debate on the question, That the Council agree with the Committee in the Address in Reply to the Speech of His Excellency the Governor, having been read—
Debate resumed.
7. ADJOURNMENT.—The Honorable J. G. Aikman moved, That the Council do now adjourn, and said he proposed to speak on the subject of the appointment of a Board to inquire into the cause of the Railway accident at Richmond, and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.
8. ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.—Debate was resumed on the question, That the Council agree with the Committee in the Address in Reply to the Speech of His Excellency the Governor.
The Honorable W. J. Evans moved, That the debate be now adjourned.
Debate ensued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until to-morrow.

And then the Council, at thirty minutes past nine o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 5.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 27TH JULY, 1910.

1. The President took the Chair and read the Prayer.
2. ADDRESS IN REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR.—The Order of the Day for the resumption of the debate on the question, That the Council agree with the Committee in the Address in Reply to the Speech of His Excellency the Governor, having been read—
Debate resumed.
Question—put and resolved in the affirmative.
The Honorable J. D. Brown moved, That the Address be presented to His Excellency the Governor by the President and such Members of the Council as may wish to accompany him.
Question—put and resolved in the affirmative.
3. COMPANIES DEBENTURES BILL.—On the motion of the Honorable J. D. Brown, a Bill to further amend the Companies Act was, by leave, read a first time, ordered to be printed, and read a second time on Tuesday, 9th August next.
4. INDUSTRIAL ASSOCIATIONS BILL.—On the motion of the Honorable J. D. Brown, a Bill to amend the Law relating to Provident Societies was, by leave, read a first time, ordered to be printed, and read a second time on Tuesday, 9th August next.
5. MUNICIPAL REGULATIONS BILL.—On the motion of the Honorable J. D. Brown, a Bill to authorize the adoption by municipalities of certain Building Regulations and Regulations for Traction Engines was, by leave, read a first time, ordered to be printed, and read a second time on Tuesday, 9th August next.
6. INEBRIATES LAW AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, a Bill to amend the "Act to provide for the care control and treatment of Inebriates" was, by leave, read a first time, ordered to be printed, and read a second time on Tuesday, 9th August next.
7. ADJOURNMENT.—Ordered, That the Council, at its rising, adjourn until Tuesday, 9th August next.

And then the Council, at twenty minutes past ten o'clock, adjourned until Tuesday, 9th August next.

GEORGE H. JENKINS.
Clerk of the Legislative Council.



VICTORIA.

No. 6.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 9TH AUGUST, 1910.

1. The President took the Chair and read the Prayer.

2. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—Melbourne Harbor.—Proposed Improvements—Report by Sir William Matthews, K.C.M.G., 22nd February, 1910, with three Drawings. Statistical Register of the State of Victoria for the year 1909— Part III.—Population. Part IV.—Accumulation. Part V.—Law, Crime, &c.

The Children's Court Act.—Report of the Chief Probation Officer for the year 1909.

Severally ordered to lie on the table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education from 1st January, 1909, to 30th June, 1909.

Department for Neglected Children and Reformatory Schools.—Report of the Secretary and Inspector for the year 1909.

Fisheries Act 1890.—Notice of intention to issue a Proclamation prohibiting fishing at Goulburn Weir during August and September of each year.

Forests Act 1907.—Copy of proposed Order in Council (No. 4) to excise certain areas from the State Forests for the purposes of Settlement, Public Purposes and Road ; together with Schedule.

Water Acts.—Copies of Declarations of the Honorable the Minister of Water Supply defining the respective areas that ought to be constituted Waterworks Districts hereunder mentioned ; together with plans showing the areas of such proposed districts, viz :—

Tyntynder Waterworks District.

Shepparton Irrigation and Water Supply District.

3. ADJOURNMENT.—The Honorable D. E. McBryde moved, That the Council do now adjourn, and said he proposed to speak on the subject of the urgent necessity that exists for establishing a uniform railway gauge connecting the capitals of the various States in the Commonwealth, and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.

4. PETITION.—The Honorable J. G. Aikman presented a Petition from Thos. Hogg and others with respect to the prosecution for conspiracy, before Mr. Justice Hood, of the Honorable Robert Harper, and Messrs. William Harper, William Bocket, and Walter Kemp, and praying that the Council will take the facts set out in their Petition into consideration and institute an inquiry, with the view of ascertaining whether the second proceedings were such as could be justified, and whether it be not advisable that the discretions of the Attorney-General in such cases be surrounded with safeguards which would be a protection to innocent citizens. Petition read and ordered to lie on the Table.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
- MR. PRESIDENT,
- The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the 'Forests Act 1907'*", with which they desire the concurrence of the Legislative Council.
- Legislative Assembly,
Melbourne, 28th July, 1910.
- FRANK MADDEN,
Speaker.
6. FORESTS ACT 1907 FURTHER AMENDMENT BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time to-morrow.
7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
- MR. PRESIDENT,
- The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Law relating to the University of Melbourne,*" with which they desire the concurrence of the Legislative Council.
- Legislative Assembly,
Melbourne, 3rd August, 1910.
- FRANK MADDEN,
Speaker.
8. UNIVERSITY OF MELBOURNE LAW FURTHER AMENDMENT BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time to-morrow.
9. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
- MR. PRESIDENT,
- The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Evidence Act 1890,'*" with which they desire the concurrence of the Legislative Council.
- Legislative Assembly,
Melbourne, 28th July, 1910.
- FRANK MADDEN,
Speaker.
10. EVIDENCE ACT 1890 AMENDMENT BILL.—On the motion of the Honorable Walter S. Manifold, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time to-morrow.
11. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
- MR. PRESIDENT,
- The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Wrongs Act 1890,'*" with which they desire the concurrence of the Legislative Council.
- Legislative Assembly,
Melbourne, 28th July, 1910.
- FRANK MADDEN,
Speaker.
12. WRONGS ACT 1890 AMENDMENT BILL.—On the motion of the Honorable Walter S. Manifold, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time to-morrow.
13. STOCK MORTGAGES BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
14. COMPANIES DEBENTURES BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with an amendment, the House ordered the report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
15. INDUSTRIAL ASSOCIATIONS BILL.—The Order of the day for the second reading of this Bill having been read, the Honorable J. D. Brown moved, That this Bill be now read a second time and, debate arising thereupon, it was ordered, on the motion of the Honorable Walter S. Manifold, and after debate, that the debate be adjourned until Tuesday next.

16. MUNICIPAL REGULATIONS BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with an amendment, and had amended the title thereof, which title is as follows:—

“An Act to authorize the adoption by Municipalities of certain Building Regulations and Regulations for Traction Engines and for other purposes,”

the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

17. INEBRIATES LAW AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

And then the Council, at fifty-five minutes past eight o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council

VICTORIA.

No. 7.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 10TH AUGUST, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a seller of boots, shoes, or slippers, with which they desire the concurrence of the Legislative Council ”.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 9th August, 1910.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

3. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until Tuesday next :—

Evidence Act 1890 Amendment Bill—Second reading.

4. WRONGS ACT 1890 AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.

5. UNIVERSITY OF MELBOURNE LAW FURTHER AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

6. **FORESTS ACT 1907 FURTHER AMENDMENT BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable W. L. Baillieu moved, That this Bill be now read a second time.
 The Honorable Walter S. Manifold moved, That the debate be adjourned until Tuesday next.
 Debate ensued.
 The Honorable J. Sternberg moved, as an amendment, That the word “next” be omitted with a view to insert in place thereof the word “week”.
 Debate continued.
 Motion, by leave, withdrawn.
 Question—That the debate be adjourned until Tuesday week.
 The Honorable W. L. Baillieu moved, as an amendment, That the word “week” be omitted with a view to insert in place thereof the word “next”.
 Debate further continued.
 Question—That the word proposed to be omitted stand part of the question—put and negatived.
 Question—That the word “next” proposed to be inserted be so inserted—put and resolved in the affirmative.
 Question—That the debate be adjourned until Tuesday next—put and resolved in the affirmative.

7. **ADJOURNMENT.**—Ordered, That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at five minutes past six o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 8.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 16TH AUGUST, 1910.

1. The President took the Chair and read the Prayer.
2. PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR.—The President reported that he had that day waited upon His Excellency the Governor, accompanied by Honorable Members, and had presented to him the Address of the Legislative Council, agreed to on the 27th July last, and that His Excellency had been pleased to make the following reply:—

MR. PRESIDENT AND HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL :

In the name and on behalf of His Majesty the King I thank you for your expressions of loyalty to Our Most Gracious Sovereign contained in the Address which you have been good enough to present to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

THOS. D. GIBSON CARMICHAEL,

Governor of Victoria.

16th August, 1910.

3. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—

Regulations as to Accounts and Moneys in the Offices of the Registrar-General and Registrar of Titles and of the Collector of Imposts (Stamps Acts) and Comptroller of Stamps.

4. INDUSTRIAL ASSOCIATIONS BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable J. G. Aikman moved, That the debate be adjourned until Tuesday next.

Debate continued.

Question—That the debate be adjourned until Tuesday next—put.

The Council divided.

Ayes, 11.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
T. Beggs,
W. J. Evans,
T. C. Harwood,
J. McWhae,
E. Miller,
T. H. Payne.

Tellers.

D. E. McBryde,
A. McLellan.

Noes, 13.

The Hon. A. A. Austin,
W. L. Baillieu,
J. D. Brown,
G. T. Dickie,
W. H. Edgar,
F. Hagelthorn,
A. Hicks,
W. Little,
Walter S. Manifold,
D. Melville,
W. Pearson.

Tellers.

F. W. Brawn,
T. Luxton.

And so it passed in the negative.

Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.

Ordered—That the Bill as amended be printed, and taken into consideration on Tuesday, 30th August instant.

5. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until to-morrow :—

Forests Act 1907 further Amendment Bill.—Second reading.—Resumption of debate.

6. FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons, wheresoever employed, in the business of a seller of boots, shoes, or slippers—having been read,

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

The Honorable Walter S. Manifold moved, That the debate be adjourned until Tuesday week.

Debate ensued.

The Honorable W. L. Baillieu moved as an amendment, That the word "week" be omitted with a view to insert in place thereof the word "next."

Motion, by leave, withdrawn.

Question—That the debate be adjourned until Tuesday next—put and resolved in the affirmative.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of slaughtering or dressing sheep or lambs for export,” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 16th August, 1910.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 30th August instant.

8. EVIDENCE ACT 1890 AMENDMENT BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.

And then the Council, at forty-five minutes past nine o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 9.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 17TH AUGUST, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Four hundred and forty-eight thousand and thirty-three pounds to the service of the year One thousand nine hundred and nine and One thousand nine hundred and ten,*" with which they desire the concurrence of the Legislative Council.

A. W. CRAVEN,
Deputy Speaker.

Legislative Assembly,
Melbourne, 17th August, 1910.

3. CONSOLIDATED REVENUE BILL (No. 2).—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave and after debate, to be read a second time this day.

4. ADDRESS TO THE HONORABLE SIR HENRY JOHN WRIXON, K.C.M.G., K.C.—The Honorable W. L. Baillieu moved, by leave, That the Council agree to the following Address, viz. :—

To The Honorable Sir Henry John Wrixon, K.C.M.G., K.C.

We, the Members of the Legislative Council in Parliament assembled, desire to convey to you on the termination of your Parliamentary labours our sincerest wishes for your happiness and welfare.

We share the general regret that the state of your health prevented you from continuing your valuable services as President of this House.

During the many years you presided over our deliberations you have won the esteem of all Members by the zeal and ability you brought to bear upon the high duties of your office.

We earnestly pray that in your retirement from public life you may not only enjoy better health, but reap the fruits of a long and distinguished career, and we assure you that we shall always retain towards you the tenderest feelings of affection and regard.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable W. L. Baillieu moved, That the Clerk be directed to enter upon the Minutes that the foregoing Address was passed unanimously.

Question—put and resolved in the affirmative.

5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 4.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ An Act to further amend the Law relating to the University of Melbourne.”

Government Offices,
Melbourne, 16th August, 1910.

6. FORESTS ACT 1907 FURTHER AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put, was resolved in the affirmative—Bill read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

7. CONSOLIDATED REVENUE BILL (No 2).—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

8. ADJOURNMENT.—Ordered, after debate, That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at eleven minutes past eleven o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

VICTORIA.

No. 10.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 23RD AUGUST, 1910.

- 1. The President took the Chair and read the Prayer.
- 2. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Constitution Statute.—Statement of Expenditure under Schedule D to Act 18 & 19 Vict., Cap. 55, during the year 1909–10.
 - Public Service Acts.—Regulations—
 - Travelling Allowances—Department of State Forests.
 - Classification of Professional Division—Department of State Forests.
 - Travelling Allowances—Department of Lands and Survey.
 - Classification of Professional Division—Department of Law.
 - Classification of Professional Division—Department of Law.
 - Report of the Chief Inspector of Factories, Workrooms and Shops, for the year ended 31st December, 1909.
 - Report of the Registrar of Friendly Societies for the year 1909.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to revoke the Permanent Reservation of certain Land in the Township of Beulah reserved as a Site for Show Yards,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th August, 1910.

A. W. CRAVEN,
Deputy Speaker.

4. BEULAH LAND RESERVE REVOCATION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to revoke the Permanent Reservation and Crown Grant of certain land in the City of Ballaarat reserved as a Site for Public Gardens,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th August, 1910.

A. W. CRAVEN,
Deputy Speaker.

6. **BALLAARAT LAND RESERVE REVOCATION BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.
7. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Closing of certain streets in the City of St. Kilda and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th August, 1910.

A. W. CRAVEN,
Deputy Speaker.

8. **ST. KILDA STREETS CLOSING BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.
9. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to empower the Courts of Mines to deal with Special Cases stated by a Warden,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 18th August, 1910.

A. W. CRAVEN,
Deputy Speaker.

10. **COURTS OF MINES BILL.**—On the motion of the Honorable J. Sternberg, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.
11. **CONSOLIDATED REVENUE BILL (No. 2).**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

And then the Council, at thirty-one minutes past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,

Clerk of the Legislative Council.

VICTORIA.

No. 11.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL

WEDNESDAY, 24TH AUGUST, 1910.

There being no quorum of Members present at the expiration of half an hour after the time appointed for the meeting of the Council, the President took the Chair, and, without question put, adjourned the Council to the next sitting day.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 12.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

THURSDAY, 25TH AUGUST, 1910.

There being no quorum of Members present at the expiration of half an hour after the time appointed for the meeting of the Council, the President took the Chair, and, without question put, adjourned the Council to the next sitting day.

GEORGE H. JENKINS,
Clerk of the Legislative Council.



VICTORIA.

No. 13.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 30TH AUGUST, 1910.

1. The President took the Chair and read the Prayer.

2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "An Act to amend the Fences Acts," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 24th August, 1910.

FRANK MADDEN,
Speaker.

3. FENCES ACTS AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time on Tuesday next.

4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "An Act to amend the Law relating to Parliamentary Elections and for other purposes," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd August, 1910.

FRANK MADDEN,
Speaker.

5. ELECTORAL LAW AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time on Tuesday next.

6. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
Lara Inebriates Institution.—Report of the Inspector of Inebriates Institutions and of the Medical Officer for the year ending 31st December, 1909, with an Appendix.

Ordered to lie on the table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Agricultural Education.—Accounts of the Trustees of Agricultural Colleges and the Council of Agricultural Education, from 1st July, 1909, to 31st December, 1909.

Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 30th June, 1910.

7. **INDUSTRIAL ASSOCIATIONS BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole having been read—
 Ordered—That the said Order be discharged.
 Ordered, after debate—That the Bill be recommitted to a Committee of the whole.
 House in Committee.
 The President resumed the Chair; and the Honorable Dr. W. H. Embling, having reported that the Committee had agreed to the Bill with further amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
 Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.
8. **FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of slaughtering or dressing sheep or lambs for export,” having been read—
 The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.
 Debate ensued.
 Question—put and resolved in the affirmative.
 Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.
9. **FORESTS ACT 1907 FURTHER AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair
 House in Committee.
 The President resumed the Chair; and the Honorable Dr. W. H. Embling reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
10. **FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the resumption of the debate on the question, That the Council concur with the Assembly in agreeing to the following resolution, viz.:—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a seller of boots, shoes, or slippers,” having been read—
 Debate resumed.
 Question—put and resolved in the affirmative.
 Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next:—
Beulah Land Reserve Revocation Bill—Second reading.
Ballaarat Land Reserve Revocation Bill—Second reading.
St. Kilda Streets Closing Bill—Second reading.
Courts of Mines Bill—Second reading.
12. **ADJOURNMENT.**—Ordered, That the Council, at its rising, adjourn until Tuesday next.
- And then the Council, at twenty minutes past ten o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 14.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 6TH SEPTEMBER, 1910.

- 1. The President took the Chair and read the Prayer.
- 2. ADJOURNMENT.—The Honorable W. L. Bailieu moved, That the House do now adjourn out of respect to the memory of the late Honorable George Thomas Dickie.
 Debate ensued.
 Question—put and resolved in the affirmative.

And then the Council, at ten minutes past five o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.



VICTORIA.

No. 15.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

WEDNESDAY, 7TH SEPTEMBER, 1910.

- 1. The President took the Chair and read the Prayer.
- 2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Nine hundred and seventy-six thousand eight hundred and forty-nine pounds to the service of the year One thousand nine hundred and ten and One thousand nine hundred and eleven,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 31st August, 1910.

- 3. CONSOLIDATED REVENUE BILL (No. 3).—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, to be read a second time this day.

- 4. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
The Land Acts.—Report for the year ended 31st December, 1909.
Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament were laid upon the Table by the Clerk :—

- Amendment of Regulations under the Land Act 1901.
- Public Service and Lunacy Acts—Regulations—
Classification of General Division—Department of Chief Secretary.
Travelling Allowances—Department of State Forests.
Classification of General Division—Hospitals for the Insane.
Classification of General Division—Department of Lands and Survey.
Travelling Allowances—Department of Lands and Survey.

- 5. BRUNSWICK AND COBURG RAILWAY.—The Honorable D. Melville moved, That a Select Committee be appointed to inquire into and report upon the answers given to certain questions in relation to the Brunswick and Coburg Railway.

Debate ensued.
Motion, by leave, withdrawn.

6. STATE COAL MINE.—The Honorable J. G. Aikman moved, That there be laid before this House a Return showing—
1. Total amount expended on the State Mine up to 31st July, 1910, specifying the amount spent on—
 - (a) Development works—(1st.) To 28th February, 1910. (2nd.) To 31st July, 1910.
 - (b) Machinery and plant—(1st.) To 28th February, 1910. (2nd.) To 31st July, 1910.
 - (c) Freight and cartage on all plant and material sent to the mine—(1st.) To 28th February, 1910. (2nd.) To 31st July, 1910.
 - (d) Drainage work and snagging river—(1st.) To 28th February, 1910. (2nd.) To 31st July, 1910.
 2. Quantity of coal sent to the Railway Department from State Mine up to 28th February, 1910, specifying the cost of handling, cartage, and freight to Melbourne, and price per ton paid by Railways Commissioners to Mines Department.
 3. Tonnage raised—
 - (a) To 28th February, 1910.
 - (b) To 31st July, 1910.
 4. What State officers were engaged (wholly or partially) in connexion with the State Mine ; stating names, time employed, and amounts paid to each.
 5. Amount expended to 31st July, 1910, on boring within the area reserved for State Mine.
 6. Total expenditure to 31st July, 1910, on Wonthaggi Township.
 7. Total expenditure to 31st July, 1910, on Nyora and Wonthaggi Railway, including cost of land acquired for same ; and alterations to sidings at Nyora.
 8. Total expenditure to 31st July, 1910, on Brickmaking works at Wonthaggi.
 9. The prices per ton paid by Victorian Railways Commissioners to Government for coal delivered at the mine between 28th February and 31st July, 1910.

Debate ensued.

Question—put and resolved in the affirmative.

7. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until Wednesday, 5th October next :—
Courts of Mines Bill—Second reading.
8. CONSOLIDATED REVENUE BILL (No. 3).—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
9. ELECTORAL LAW AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable J. D. Brown moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable Walter S. Manifold, That the debate be adjourned until Tuesday next.
10. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Fences Acts Amendment Bill—Second reading.
Forests Act 1907 further Amendment Bill—To be further considered in Committee.
Beulah Land Reserve Revocation Bill—Second reading.
Ballaarat Land Reserve Revocation Bill—Second reading.
St. Kilda Streets Closing Bill—Second reading.
11. ADJOURNMENT.—Ordered, That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at twenty minutes past ten o'clock, adjourned until Tuesday next.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 16.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 13TH SEPTEMBER, 1910.

1. The President took the Chair and read the Prayer.

2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 5.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to apply out of the Consolidated Revenue the sum of Nine hundred and seventy-six thousand eight hundred and forty-nine pounds to the service of the year One thousand nine hundred and ten and One thousand nine hundred and eleven.”

Government Offices,
Melbourne, 9th September, 1910.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled “*An Act to amend the Law relating to Mortgages of Stock,*” and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment, with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 8th September, 1910.

Ordered—That the foregoing Message be taken into consideration to-morrow.

4. PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.—On the motion of the Honorable W. L. Baillieu, a Bill to provide for the Better Regulation and Inspection of Private Hospitals was, by leave, read a first time, ordered to be printed, and read a second time on Tuesday next.

5. FORESTS ACT 1907 FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

6. **ELECTORAL LAW AMENDMENT BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
 Debate resumed.
 The Honorable D. Melville moved, That the debate be now adjourned.
 Debate ensued.
 Question—put and negatived.
 Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
 House in Committee.
 The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
 Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

7. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow:—

Fences Acts Amendment Bill—Second Reading.
Beulah Land Reserve Revocation Bill—Second reading.
Ballaarat Land Reserve Revocation Bill—Second reading.
St. Kilda Streets Closing Bill—Second reading.

And then the Council, at one minute past ten o'clock, adjourned until to-morrow.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 17.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 14TH SEPTEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation (other than fireman, boiler attendant, or engine-drivers) of mining for coal,” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,

Speaker.

Legislative Assembly,
Melbourne, 13th September, 1910.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

3. FORESTS ACT 1907 FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the following resolution :—

That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill :—

Clause 10, line 8, omit “ Five ” and insert “ Two,”
 ” ” after “ shillings ” insert “ and sixpence,”
 ” line 9, omit “ Two shillings ” and insert “ One shilling,”

and that he was directed to move, That the Council may have leave to sit again.

On the motion of the Honorable W. L. Baillieu, the Report was adopted.

Ordered—That the Bill be returned to the Assembly, with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, on Tuesday next, again resolve itself into a Committee of the whole.

4. POSTPONEMENT OF ORDERS OF THE DAY.—The Honorable W. L. Baillieu moved, That the consideration of the Electoral Law Amendment Bill, the Stock Mortgages Bill, and the Fences Acts Amendment Bill be postponed until after the consideration of the Beulah Land Reserve Revocation Bill, the Ballarat Land Reserve Revocation Bill, and the St. Kilda Streets Closing Bill.

Debate ensued.

Question—put.

The Council divided.

Ayes, 10.
The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
A. Hicks,
J. P. Jones,
A. McLellan,
J. Sternberg.

Tellers.
Walter S. Manifold,
E. Miller.

Noes, 13.
The Hon. W. A. Adamson,
A. A. Austin,
J. Balfour,
T. Beggs,
Dr. W. H. Embling,
T. C. Harwood,
T. Luxton,
D. E. McBryde,
J. McWhae,
D. Melville,
T. H. Payne.

Tellers.
R. H. S. Abbott,
A. O. Sachse.

And so it passed in the negative.

5. **ST. KILDA STREETS CLOSING BILL.**—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
6. **ELECTORAL LAW AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday, 27th September instant, again resolve itself into the said Committee.
7. **BEULAH LAND RESERVE REVOCATION BILL.**—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
8. **BALLAARAT LAND RESERVE REVOCATION BILL.**—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
9. **ADJOURNMENT.**—Ordered, after debate, That the Council, at its rising, adjourn until Tuesday, 27th September instant.

And then the Council, at forty-seven minutes past nine o'clock, adjourned until Tuesday, 27th September instant.

GEORGE H. JENKINS,
Clerk of the Legislative Council.

VICTORIA.

No. 18.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 27TH SEPTEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. REPLY OF SIR H. J. WRIXON TO ADDRESS OF COUNCIL.—The President announced to the Council that the Address adopted by the Council on the 17th ultimo had been presented to Sir H. J. Wrixon, and that Sir H. J. Wrixon had forwarded to him the following reply:—

"Raheen,"

Kew,

16th September, 1910.

MY DEAR MR. PRESIDENT,

I desire to offer to you, and to the Legislative Council, my deeply felt thanks for the too favorable resolution relating to the resignation of my office as President which the Council has passed.

I will always remember with pleasure my relations for so many years with you all, and I hope that you will both individually and as a Council have long careers of usefulness before you.

With the kindest regards,

I remain,

Dear Mr. President,

Yours faithfully,

H. J. WRIXON.

3. ADJOURNMENT.—The Honorable Walter S. Manifold moved, That the Council do now adjourn, and said that he proposed to speak on the subject of the appointment of the Clerk of the Legislative Council, and six members rose in their places and required the motion to be proposed.

Debate ensued.

The President said:—As this is a matter in which I took part I feel it to be my duty to inform the House of the exact circumstances. Under the Constitution Act Amendment Act, I duly nominated Mr. Pitts to the vacant office. I did that, because, in my opinion, he was the most eligible, and entitled to it by seniority and merit. An announcement was really made in the newspapers before the nomination was sent in that it would not be accepted. I received the following reply to my nomination:—

Chief Secretary's Office,
Melbourne, 23rd September, 1910.

SIR,

I have the honour to acknowledge the receipt of your letter of the 21st instant, forwarding your nomination of Mr. J. M. Pitts to the office of Clerk of the Legislative Council which has become vacant through the retirement of Sir George Jenkins.

In reply I have to bring under your notice the fact that such a nomination is not in accordance with the established usage in connexion with the Victorian Parliamentary Staff, inasmuch as, on the retirement of Mr. G. W. Rusden from the office of Clerk of the Parliaments and Clerk of the Legislative Council in 1882, the position was filled by the appointment of Mr. John Barker, who was at that time Clerk of the Legislative Assembly, and that similarly when Mr. Barker left the service, in 1889, he was succeeded by Mr. Jenkins, then Clerk of the Legislative Assembly. This practice seems to me in entire accord with the terms of section 351 of *The Constitution Act Amendment Act 1890* as to the nomination of the officer best qualified for the appointment and entitled thereto by seniority and merit combined. The fact of his holding the position of Clerk of the Legislative Assembly is proof of seniority, and the merit of the present occupant of that office has never been called in question.

I am at a loss to understand why a precedent so long honoured, and which has borne such excellent results should be set aside in favour of an officer who, however great his merit and experience may be, has passed the retiring age, and whose term of service will expire in less than three months.

Under these circumstances I shall be constrained to advise the Governor in Council not to approve of your nomination.

I have the honour to be, Sir,
Your obedient servant,

J. MURRAY,
Chief Secretary.

The Honorable J. M. Davies, M.L.C.,
President of the Legislative Council,

Honorable members will see that the chief stress in this letter is not on account of the age, but on account of usage, and on the ground that I have not chosen the best qualified officer and the one entitled to the position by seniority and merit. On the 24th inst. I sent the following letter in reply :—

Parliament House, Melbourne, 24th September, 1910.

SIR,

I have to acknowledge the receipt of your letter of the 23rd instant relative to my nomination of Mr. J. M. Pitts to the office of Clerk of the Legislative Council.

I have to point out that the appointment of two Clerks to that office who were at the time of appointment Clerks of the Legislative Assembly, cannot by any reason constitute an established usage in connexion with the Victorian Parliamentary Staff. Moreover, Mr. Barker, I am informed, had been Clerk of the old Legislative Council, and, had he so chosen, would have been appointed Clerk of the Legislative Council on the establishment of the New Constitution. I am also informed that Mr. Barker was 65 years of age when he was appointed, and he was retained until he was 74 years of age. Sir George Jenkins was not appointed in accordance with any usage, but was appointed because the then Clerk Assistant of the Council was not considered sufficiently suitable for the position.

Before the passing of the *Officers of Parliament Act* 1888, namely, on the 22nd December 1881, in a Memo. for His Excellency the Governor, signed by Sir Bryan O'Loughlen, the following passage occurs :—

“Ministers further desire to express their concurrence in the view that the wishes of the Legislative Council in the matter of the appointment of the Clerk of the Legislative Council should be respected, on the basis that no person should be nominated by the Council, or appointed by the Executive to that office, whose nomination or appointment may be distasteful to either the Council or the Executive respectively.”

“Distasteful to either the Council or the Executive,”—that was the only ground on which it was to be rejected.

Afterwards the Act of 1888 was passed, and by that Act officers of the Council are to be nominated by the President, and he has to nominate some person *who in his opinion* is best qualified and entitled thereto by seniority and merit combined, giving preference (other qualifications being equal) to Officers of the Parliament. I have nominated such a person, and although the Governor in Council may not approve of my nomination, I would respectfully point out that I am to nominate the person who in my opinion, not in your opinion, is best qualified. I consider that Mr. Pitts, with his experience in the Legislative Council, is better qualified than any other officer. Mr. Pitts held the position of Acting Clerk to the Legislative Council during the time Sir George Jenkins acted as Clerk in the Federal Parliament.

If the senior officer in either House is always the person to be promoted the Act would have said so, and how did it happen that Mr. Pitts was passed over when the promotions were made in the Legislative Assembly, or is it contended that the provisions of the Act are only to apply in favour of officers of the Legislative Assembly, and that the second officer in the Legislative Council can never be promoted.

I believe that the Clerk of the Legislative Assembly has been an excellent officer in that House, but in face of the late serious breakdown in his health on two occasions, and of the facts that he would be new to the practice of the Legislative Council, and that Mr. Pitts has been longer in the service and was fully qualified to discharge the duties required, I did not see my way to nominate the Clerk of the Legislative Assembly in preference to him.

I am aware that if the Governor in Council will not approve of my nomination the Government can eventually succeed in obtaining whatever appointment they desire, but I submit such an exercise of power by the Government would be contrary to the spirit of the Act, and would override the rights of the Legislative Council.

I have the honour to be, Sir,
Your most obedient servant,

JNO. M. DAVIES,
President.

The Honorable the Chief Secretary.

This morning I received the following reply :—

Chief Secretary of Victoria,
Melbourne, 26th September, 1910.

SIR,

I have to acknowledge the receipt of your letter of the 24th inst., in reply to mine of the 23rd inst., and to inform you that your nomination of Mr. J. M. Pitts as Clerk of the Legislative Council has not been approved by the Governor in Council. Further, it was in the same Order specified that the 4th proximo be the date within which some other person should be nominated.

I have the honour to be, Sir,
Your obedient servant,

J. MURRAY,
Chief Secretary.

The Honorable J. M. Davies, M.L.C.,
President of the Legislative Council,
State Parliament House.

There is no attempt to answer any of the points that I raised in my letter. The Government by persisting can succeed in getting any one it likes appointed Clerk of the Legislative Council, because it can refuse any nomination until the person whom it chooses is nominated, or, failing a nomination, it can appoint some one itself. That would be an effectual way of overriding absolutely the provisions of the Constitution Act Amendment Act relating to the appointment. When Mr. Barker was appointed he was, as has been pointed out, 65 years of age. At that time the compulsory retiring age was 60; now the compulsory retiring age is 65. Mr. Barker was, therefore, continued in the Legislative Assembly five years after he had passed the retiring age, and after that he remained in the service until he was 74 years of age. The Minister of Public Works has said that the Government is complying with the Act. I would like to point out that the Act contains two provisions—one that an officer shall compulsorily retire at the age of 65; the other that his services, if he be willing, can be retained so long as the Governor in Council thinks fit. The younger officers come into the service under the Act enabling the Governor in Council to retain any one as long as the Governor in Council thinks fit. The point at issue in this matter is not so much Mr. Pitts or the Clerk of the Legislative Assembly, but whether the Council is to be practically supreme in the appointment of its Clerk, or whether the Government is to override the wishes of the Council and be supreme. I may say that although the duty rested with me of nominating an officer for the position, I preferred—having my own mind pretty well fixed—to take the opinion of the Standing Orders Committee on the matter. With the exception of the Hon. Mr. Crooke, every member of the Committee was present at that meeting, which was unanimous. I do not know whether the Attorney-General will say that he was of the same opinion as the rest of the Committee, but he raised no dissent at the meeting, but said that the Government might raise an objection, but he, himself, did not raise any objection, and the Committee were unanimous in recommending me to nominate Mr. Pitts. As regards the claims of Mr. Pitts, I would point out that he is still in the service, and he will remain in the service for two or three months longer. I think it was in last November that he was retained in the service by the present Government for twelve months, and while he is in the service he is entitled to all the rights of an officer in the service. The Government say that, because Mr. Pitts will retire in three months' time, he should therefore be deprived of those rights. Even if the Government have determined that he shall be retired in that time they could have accepted the nomination, so that Mr. Pitts would have been Clerk of the Legislative Council for those three months. It is said that would make a difference to his pension. It might—a few pounds. The pension is based on the average salary for the last three years, so if Mr. Pitts held the position for three months he would only get 3-36ths of the extra amount, and I should imagine that it would not be in the contemplation of the Government to give the new Clerk £1,200 a year, which was the salary Sir George Jenkins received, but more likely £900 or £1,000. Mr. Pitts will remain here, I suppose, for the three months, but he will have an officer who ought to be his junior promoted over him. Mr. Pitts entered the Public Service in 1855, and Mr. Watson in 1875, so that if the latter is appointed Mr. Pitts will, for the three remaining months of his tenure, have a younger man in the service over him.

Debate continued.

Question—That the Council do now adjourn—put.

The Council divided.

Ayes, 17.

The Hon. R. H. S. Abbott,
J. G. Aikman,
J. Balfour,
T. Beggs,
Dr. W. H. Embling,
T. C. Harwood,
W. Little,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. Y. McDonald,
J. McWhae,
D. Melville,
E. Miller,
A. O. Sachse.

Tellers.

A. A. Austin,
T. H. Payne.

Noes, 12.

The Hon. W. L. Baillieu,
F. W. Brawn,
J. D. Brown,
E. J. Crooke,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
A. McLellan,
J. Sternberg,
E. J. White.

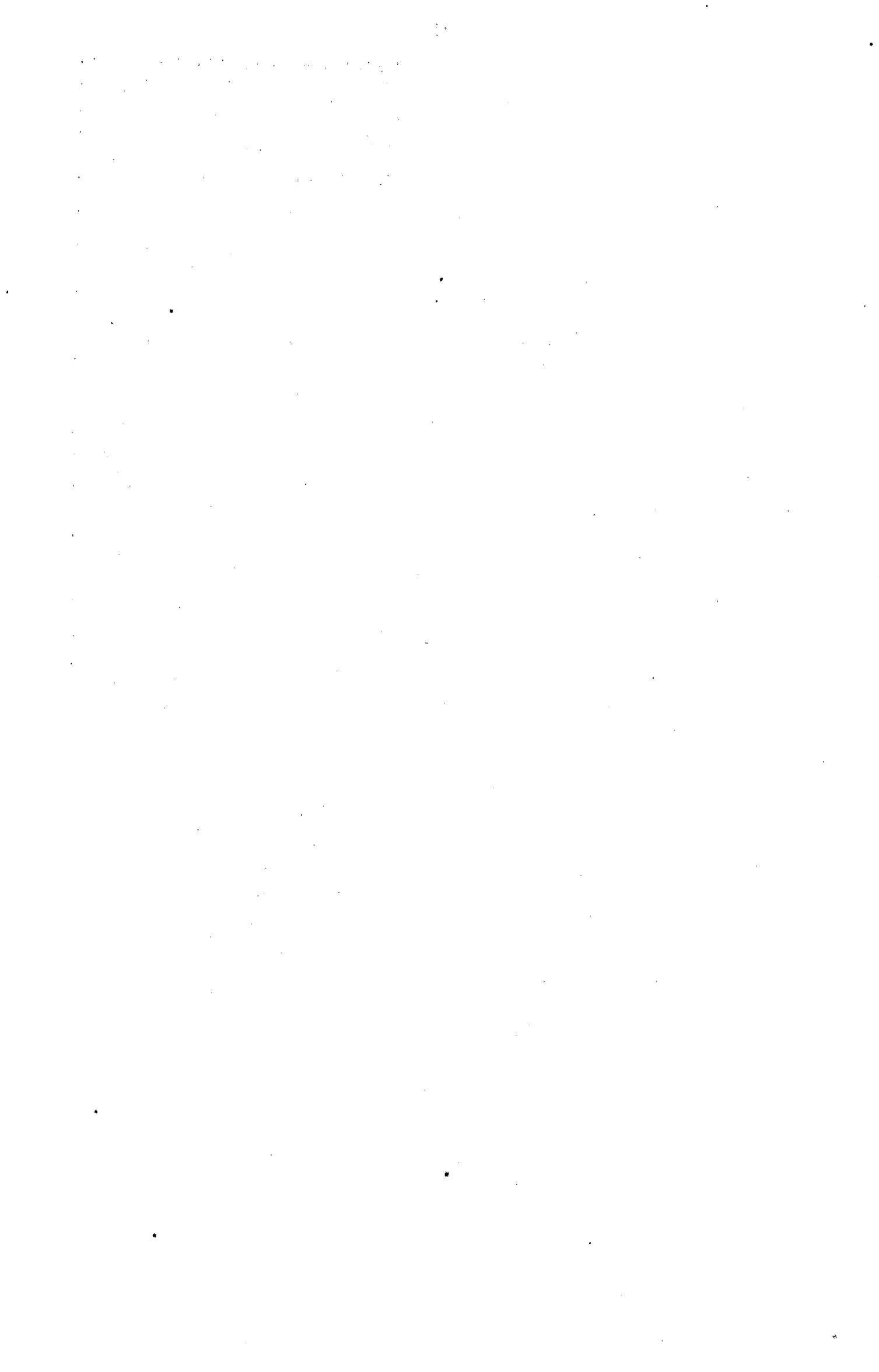
Tellers.

A. Hicks,
J. P. Jones.

And so it was resolved in the affirmative.

And then the Council, at six minutes past eight o'clock, adjourned until to-morrow.

JOHN M. PITTS,
Clerk Assistant of the Legislative Council.



VICTORIA.

No. 19.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 28TH SEPTEMBER, 1910.

1. The President took the Chair and read the Prayer.

2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "An Act for the Better Protection of Homing Pigeons," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 15th September, 1910.

3. HOMING PIGEONS PROTECTION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Wednesday, 12th October next.

4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business or occupation of a watch or clock maker, including repairers." with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th September, 1910.

Ordered—That the foregoing Message be taken into consideration on Wednesday next.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a lift attendant," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th September, 1910.

Ordered—That the foregoing Message be taken into consideration on Wednesday next.

6. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "An Act to further amend the Factories and Shops Acts with regard to Apprentices and Improvers," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 27th September, 1910.

7. **FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Wednesday next.
8. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—
MR. PRESIDENT,
 The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Melbourne and Metropolitan Board of Works Acts with respect to the Area of Water Supply,*" with which they desire the concurrence of the Legislative Council.
 Legislative Assembly,
 Melbourne, 27th September, 1910.
FRANK MADDEN,
 Speaker.
9. **MELBOURNE AND METROPOLITAN BOARD OF WORKS ACTS AMENDMENT BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.
10. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—
MR. PRESIDENT,
 The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Wrongs Act 1890'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.
 Legislative Assembly,
 Melbourne, 27th September, 1910.
FRANK MADDEN,
 Speaker.
11. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—
MR. PRESIDENT,
 The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Evidence Act 1890,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.
 Legislative Assembly,
 Melbourne, 27th September, 1910.
FRANK MADDEN,
 Speaker.
12. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—
MR. PRESIDENT,
 The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Law relating to Commissions of Inquiry issued by the Governor in Council,*" with which they desire the concurrence of the Legislative Council.
 Legislative Assembly,
 Melbourne, 27th September, 1910.
FRANK MADDEN,
 Speaker.
13. **COMMISSIONS OF INQUIRY BILL.**—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, after debate, read a second time this day.
14. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—
MR. PRESIDENT,
 The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to extend the powers of the Board for the Protection of the Aborigines,*" with which they desire the concurrence of the Legislative Council.
 Legislative Assembly,
 Melbourne, 27th September, 1910.
FRANK MADDEN,
 Speaker.
15. **ABORIGINES BOARD BILL.**—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.
16. **PAPERS.**—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
 Penal Establishments and Gaols.—Report and Statistical Tables for the Year 1909.
 Report of Board of Inquiry into the Richmond Railway Accident on July 18th, 1910.
 Reports by Sir John Coode, C.E., on Works of Improvement to the Port of Melbourne.
 Statistical Register of the State of Victoria for the year 1909.—Part VI.—Municipal Statistics.
 Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk Assistant:—

Coal Mines Regulation Act 1909.—Regulations.

Education Act 1890.—Clauses rescinded—Regulation made.

Public Service Acts.—Promotions under Section 17 of Act No. 1779.

Victorian Railways.—Report of the Victorian Railways Commissioners for the financial year ending 30th June, 1910.

17. ELECTORAL LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

18. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—“That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation (other than fireman, boiler attendant, or engine-drivers) of mining for coal,” having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

The Honorable R. H. S. Abbott moved, That the debate be adjourned until Wednesday next.

Debate continued.

Question—put and negatived.

Debate further continued.

Question—That the Council concur with the Assembly in agreeing to the foregoing resolution—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

19. COMMISSIONS OF INQUIRY BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

The Honorable W. L. Baillieu moved, by leave, That the Honorable Dr. W. H. Embling perform the duties of Chairman of Committees.

Question—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair; and the Honorable Dr. W. H. Embling having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

20. STATE COAL MINE.—The Honorable W. L. Baillieu moved, by leave, That the Return ordered by this House on the 7th September instant in relation to the State Coal Mine be read and amended by omitting “31st July” wherever occurring and inserting in place thereof “30th June.”

Question—put and resolved in the affirmative.

21. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next:—

Stock Mortgages Bill—Amendment of the Assembly—To be taken into consideration.

Fences Acts Amendment Bill.—Second reading.

Forests Act 1907 further Amendment Bill.—To be further considered in Committee.

Private Hospitals Regulation and Inspection Bill.—Second reading.

22. ADJOURNMENT.—Ordered, That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at forty-one minutes past nine o'clock, adjourned until Tuesday next.

JOHN M. PITTS,
Clerk Assistant of the Legislative Council.

VICTORIA.

No. 20.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 4TH OCTOBER, 1910.

- 1. The President took the Chair and read the Prayer.
- 2. SOUTHERN PROVINCE ELECTION.—The President announced that he had received a telegram from the Returning Officer of the Southern Province in which it was stated that William Lionel Russell Clarke, having received a majority of votes, will be declared elected, and that the Writ will be returned with Mr. Clarke's name indorsed thereon.

3. SWEARING-IN OF MEMBER.—The Honorable William Lionel Russell Clarke being introduced, took and subscribed the Oath required by law, and delivered to the Clerk-Assistant the Declaration required by the thirty-seventh section of the Act No. 1075, as hereunder set forth :—

“ In compliance with the provisions of the Constitution Act Amendment Acts, I, WILLIAM LIONEL RUSSELL CLARKE, do declare and testify that I am legally or equitably seised of or entitled to an estate of freehold for my own use and benefit in lands or tenements in the State of Victoria of the yearly value of Ninety-five pounds eighteen shillings above all charges and incumbrances affecting the same, other than any public or parliamentary tax or municipal or other rate or assessment ; and further, that such lands or tenements are situated in the municipal district of Ballarat, and are known as one hundred and thirty-seven acres two roods, part of Dowling Forest pre-emptive right A, No. 92 in the rate-book.

“ And I further declare that such of the said lands or tenements as are situate in the municipal district of Ballarat are rated in the rate-book of such district upon a yearly value of One hundred and nine pounds.

“ And I further declare that I have not collusively or colorably obtained a title to or become possessed of the said lands or tenements, or any part thereof, for the purpose of enabling me to be returned a Member of the Legislative Council.

“ W. L. RUSSELL CLARKE.”

- 4. FEDERAL STATUTES.—The President announced that he had received a copy circular from the Honorable the Premier which he read, and is as follows :—

(Copy.)

COMMONWEALTH OF AUSTRALIA.

Prime Minister,
Melbourne, 27th September, 1910.

Circular.
10/4207.

SIR,

With reference to previous correspondence relative to the supply of copies of Commonwealth Acts for the purposes of your Government, I now have the honour to inform you that this Government will be pleased to furnish such members of the Parliament of your State as may apply for them with copies of Federal Statutes when assented to, or in bound volumes when published after the close of each Session, as may be preferred.

2. Any such application by a member should be forwarded to the Secretary of the Commonwealth Department of External Affairs, through the Clerk of the House of the Legislature of which the applicant is a member, and should state which of the above courses is desired to be adopted in his case.

I have the honour, etc.,
(Sgd.) ANDREW FISHER.

The Honorable
The Premier of Victoria,
Melbourne.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Artificial Manures Acts,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 29th September, 1910.

FRANK MADDEN,
Speaker.

6. ARTIFICIAL MANURES ACTS FURTHER AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Inspection of Scaffolding and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 29th September, 1910.

FRANK MADDEN,
Speaker.

8. SCAFFOLDING INSPECTION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.

9. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the 'Forests Act 1907,'*" and acquaint the Legislative Council that the Legislative Assembly have considered the Message of the Legislative Council suggesting that the Legislative Assembly make certain amendments in such Bill, and that the Legislative Assembly have made the suggested amendments with an amendment with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 4th October, 1910.

FRANK MADDEN,
Speaker.

The said amendments suggested by the Council and agreed to by the Assembly with an amendment are as follow :—

Amendments suggested by the Legislative Council.

How dealt with by the Legislative Assembly

<p>1. Clause 10, line 8, omit "Five" and insert "Two." 2. " line 8, after "shillings" insert "and sixpence." 3. " line 9, omit "Two shillings" and insert "One shilling."</p>	}	<p>Amendments made with the following modification :—Clause 10, at the end of sub-section (2) add—"Provided that where a reserved forest or a plantation or any part thereof is closed to grazing by Order of the Governor in Council the trespass fees due and payable under this section shall be for a horse, mare, gelding, colt, filly, foal, bull, cow, ox, steer, heifer, calf, ass, or mule, Five shillings per head, and for a ram, ewe, sheep, lamb, goat, or pig, Two shillings and sixpence per head."</p>
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Ordered—That the foregoing Message be referred to the Committee of the whole on the Forests Act 1907 further Amendment Bill.

10. FORESTS ACT 1907 FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill as amended by the Legislative Assembly with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly, with a Message acquainting them that the Council have agreed to the same as amended by the Legislative Assembly with amendments and requesting their concurrence therein.

11. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
Report of Proceedings taken under the provisions of Part III., Land Act 1901, relating to Village Settlements, during the financial year ended 30th June, 1910.
Savings Banks.—Statements and Returns for the year ended 30th June, 1910.
Special Report on the Lady Talbot Milk Institute, with some general observations on Infantile Mortality : its Causes and Prevention, by A. S. Joske, M.D., Ch.B., and R. M. Weldon (Licensed Auditor, Sub-Accountant, State Treasury).

Severally ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk-Assistant :—

Department of State Forests.—Report for the year ended 30th June, 1910.

Fisheries Act 1890.—Notice of intention to issue a Proclamation *re* Closing of Streams at Daylesford.

Hospitals for the Insane.—Report of the Inspector-General of the Insane for the year ended 31st December, 1909.

Old-age Pensions.—Statement in accordance with Section 35, Old-age Pensions Act No. 1751.

Regulations for the Disposal of Lands acquired under the Closer Settlement Acts.

12. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the following Order of the Day be postponed until Tuesday next :—

Electoral Law Amendment Bill.—To be further considered in Committee.

13. **STOCK MORTGAGES BILL.**—The Order of the Day for the consideration of the amendment made in this Bill by the Assembly having been read, the said amendment was read and is as follows :—

Insert the following new clause to follow clause 3 :—

A. (1) Notwithstanding anything contained in this Act where any vendor sells to the same purchaser on the same day any stock and also any vehicles usually drawn by horses or bullocks or any agricultural implements such stock and vehicles and implements may be included in a mortgage of stock made by the purchaser in favour of the vendor.

(2) No such mortgage shall be operative or have any validity at law or in equity—

(a) if it includes any chattels other than such stock and any vehicles and agricultural implements so sold ; and

(b) if it does not (in addition to the matters required to be set forth in the Eleventh Schedule to the *Instruments Act* 1890) set forth a description of every such vehicle and agricultural implement and the date of the sale.

(3) In this section “ vendor ” includes an auctioneer licensed under the Auction Sales Acts.

On the motion of the Honorable J. D. Brown, and after debate, the Council agreed to the amendment made in this Bill by the Assembly, and ordered a Message to be sent to the Assembly acquainting them therewith.

14. **FENCES ACTS AMENDMENT BILL.**—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

15. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Melbourne and Metropolitan Board of Works Acts Amendment Bill—Second reading.

Aborigines Board Bill—Second reading.

16. **PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.**—The Order of the Day for the second reading of this Bill having been read, the Honorable W. L. Baillieu moved, That this Bill be now read a second time, and, debate arising thereupon, it was ordered, on the motion of the Honorable A. O. Sachse, That the debate be adjourned until Tuesday next.

17. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to further amend the Factories and Shops Acts with respect to Special Boards,* ” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 4th October, 1910.

FRANK MADDEN,
Speaker.

18. **FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (SPECIAL BOARDS) BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.

19. **ADJOURNMENT.**—Ordered—That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at twenty-four minutes past six o'clock, adjourned until Tuesday next.

JOHN M. PITTS,
Clerk-Assistant of the Legislative Council.



VICTORIA.

No. 21.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 11TH OCTOBER, 1910.

1. The President took the Chair and read the Prayer.
2. RETURN TO WRIT.—The President announced that there had been returned to him the Writ issued for the election of a Member to serve for the Southern Province in the place of the Honorable George Thomas Dickie, deceased, and by the indorsement on such writ it appeared that William Lionel Russell Clarke had been elected in pursuance thereof.
3. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 6.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to provide for the Closing of certain Streets in the City of St. Kilda and for other purposes.”

“An Act to revoke the Permanent Reservation of certain Land in the Township of Beulah reserved as a Site for Show Yards.”

“An Act to revoke the Permanent Reservation and Crown Grant of certain Land in the City of Ballaarat reserved as a Site for Public Gardens.”

“An Act to amend the Law relating to Commissions of Inquiry issued by the Governor in Council.”

Government Offices,
Melbourne, 6th October, 1910.

4. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 7.

The Governor informs the Legislative Council that he has, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“An Act to amend the ‘Wrongs Act 1890.’”

“An Act to amend the Fences Acts.”

“An Act to amend the ‘Evidence Act 1890.’”

“An Act to amend the Law relating to Mortgages of Stock.”

Government Offices,
Melbourne, 11th October, 1910.

5 MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to regulate the Sale of Seeds for Planting or Sowing*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 5th October, 1910.

FRANK MADDEN,
Speaker.

6 SEEDS BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Law relating to Arbitration*," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 6th October, 1910.

FRANK MADDEN,
Speaker.

8. ARBITRATION LAW AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time on Tuesday next.

9. PETITION.—The Honorable Walter S. Manifold presented a petition from the representatives of the Employers on the Boot Board, praying that the Council will pass the Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill.
Ordered to lie on the Table.

10. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Mines Act 1904.—Amendment of Regulations for granting Certificates to Mining Managers, &c.

The Melbourne and Metropolitan Board of Works.—Statements of Accounts and Balance-sheet together with Schedule of Contracts for year ended 30th June, 1910.

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“ That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business, or occupation of a watch or clock maker, including repairers.”—To be taken into consideration.

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“ That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a lift attendant.”—To be taken into consideration.

12. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.—The Order of the Day for the second reading of this Bill having been read—

The Petition, presented this day by the Honorable Walter S. Manifold, from the representatives of the Employers on the Boot Board, was read by the Clerk.

The Honorable W. L. Baillieu moved, That this Bill be now read a second time, and, debate arising thereupon, it was ordered, on the motion of the Honorable Walter S. Manifold, and after debate, That the debate be adjourned until Tuesday, 25th October instant.

13. PETITIONS.—The Honorable J. McWhae, by leave, presented the following Petitions, viz. :—

From the President, Vice-Presidents, and Executive Officers of the Victorian Employers' Federation, praying that the Council will not pass the Factories and Shops Acts further Amendment (Special Boards) Bill in its present form.

From Frederick T. Wimpney, styling himself Manager of the Jumbunna Coal Mine No Liability, and other representatives of Private Coal Companies of Victoria, praying that the Council will avail itself of the power conferred in section seven of Act No. 2241 to appoint one Board for the State Mine and another Board for Private Mines operating in other districts.

From the President and Executive Officer of the Chamber of Mines of Victoria (Incorporated), praying that the Council will not pass sub-sections (i.), (ii.), (iii.), (iv.), (v.), (vi.), and (vii.) of section two, nor section three in the Bill to amend the Factories and Shops Acts with respect to Special Boards.

Petitions read, and ordered to lie on the Table.

14. **FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (SPECIAL BOARDS) BILL.**—The Order of the Day for the second reading of this Bill having been read—

The Honorable W. L. Baillieu moved, That this Bill be now read a second time.

Debate ensued.

The Honorable R. H. S. Abbott moved, as an amendment, that the word "now" be omitted, and the words "this day six months" added after the word "time".

Debate continued.

Question—That the word "now" proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 10.

Noes, 14.

The Hon. W. L. Baillieu,
F. W. Brawn,
J. D. Brown,
W. J. Evans,
F. Hagelthorn,
A. Hicks,
J. P. Jones,
A. McLellan.

Tellers.
E. J. Crooke,
W. Little.

The Hon. R. H. S. Abbott,
J. Balfour,
T. C. Harwood,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. McWhae,
D. Melville,
E. Miller,
T. H. Payne,
A. O. Sachse,
E. J. White.

Tellers.
Dr. W. H. Embling,
R. B. Rees.

And so it passed in the negative.

Question—That the words "this day six months" be added after the word "time"—put and resolved in the affirmative.

Question—That this Bill be read a second time this day six months—put and resolved in the affirmative.

15. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz.:—"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation of an undertaker," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 11th October, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 25th instant.

16. **ORDER OF THE COUNCIL RESCINDED.**—The Honorable W. L. Baillieu moved, by leave, That the Order of the House appointing this day fortnight for the resumption of the debate on the second reading of the Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill be rescinded, and that the resumption of the debate on this Bill be made an Order of the Day for Wednesday, 19th October instant.

Question—put and, after debate, resolved in the affirmative.

17. **MELBOURNE AND METROPOLITAN BOARD OF WORKS ACTS AMENDMENT BILL.**—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

18. **ABORIGINES BOARD BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood, having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

19. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Artificial Manures Acts further Amendment Bill—Second reading.

Private Hospitals Regulation and Inspection Bill—Second reading—Resumption of Debate.

Scaffolding Inspection Bill—Second reading.

Electoral Law Amendment Bill—To be further considered in Committee.

Courts of Mines Bill—Second reading.

20. ADJOURNMENT.—Ordered, That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at fifty-four minutes past nine o'clock, adjourned until Tuesday next.

THOS. G. WATSON,

Clerk of the Legislative Council.

VICTORIA.

No. 22.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 18TH OCTOBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply out of the Consolidated Revenue the sum of Nine hundred and fifty-two thousand three hundred and eighty-six pounds to the service of the year One thousand nine hundred and ten and One thousand nine hundred and eleven,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 13th October, 1910.

FRANK MADDEN,
Speaker.

3. CONSOLIDATED REVENUE BILL (No. 4).—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.
4. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Marine Act 1890—

Amendment of the Regulations relating to the Examination of Masters and Mates.

Amendment of the Regulations relating to the Licensing of Sailing and Motor Boats, &c.

Public Service Acts—Regulations—

Alteration of Regulations.—Classification of General Division.—Department of Hospitals for the Insane.

Classification of General Division—

Department of Treasurer.

Department of State Forests.

Classification of Professional Division—Department of Chief Secretary.

Report of the Lands Purchase and Management Board for the year ended 30th June, 1910

5. PRINTING COMMITTEE.—The Honorable W. L. Baillieu moved, by leave, That the Honorable W. L. R. Clarke be a Member of the Printing Committee in place of the Honorable G. T. Dickie, deceased. Question—put and resolved in the affirmative.

6. FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, business, or occupation of a watch or clock maker, including repairers, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

7. **FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a lift attendant, having been read—
The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.
Debate ensued.
The Honorable Walter S. Manifold moved, That the debate be now adjourned.
Debate continued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.

8. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the following Order of the Day be postponed until Tuesday next :—
Artificial Manures Acts further Amendment Bill—Second reading.

9. **PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.

10. **ADJOURNMENT.**—The Honorable J. G. Aikman moved, That the Council do now adjourn, and said that he proposed to speak on the subject of the purchase by the Government of the Coffee Palace at Richmond for new settlers, and six members having risen in their places and required the motion to be proposed, the question was put and, after debate, negatived.

11. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the following Order of the Day be postponed until Tuesday next :—

Scaffolding Inspection Bill—Second reading.

12. **CONSOLIDATED REVENUE BILL (No. 4).**—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

13. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a seller of goods usually sold by ironmongers, including—

(a) Furnishing, household, plumbers', or builders' ironmongery.

(b) Gasfittings, stoves, or tools,”

with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 18th October, 1910.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 1st November next.

14. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Seeds Bill—Second reading.

Electoral Law Amendment Bill—To be further considered in Committee.

Courts of Mines Bill—Second reading.

Arbitration Law Amendment Bill—Second reading.

Homing Pigeons Protection Bill—Second reading.

15. **ADJOURNMENT.**—The Honorable W. L. Baillieu moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable W. L. Baillieu moved, That the Council do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past ten o'clock, adjourned until Tuesday next.

THOS. G. WATSON,
Clerk of the Legislative Council

VICTORIA.

No. 23.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 25TH OCTOBER, 1910.

1. The President took the Chair and read the Prayer.

2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable J. D. Brown, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 8.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Act of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ An Act to apply out of the Consolidated Revenue the sum of Nine hundred and fifty-two thousand three hundred and eighty-six pounds to the service of the year One thousand nine hundred and ten and One thousand nine hundred and eleven.”

Government Offices,
Melbourne, 19th October, 1910.

3. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable J. D. Brown, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 9.

The Governor informs the Legislative Council that he has, on this day, at the Government Offices, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ An Act to amend the Melbourne and Metropolitan Board of Works Acts with respect to the Area of Water Supply.”

“ An Act to extend the powers of the Board for the Protection of the Aborigines.”

The Government Offices,
Melbourne, 19th October, 1910.

4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to further amend the ‘ Forests Act 1907’* ” and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made by the Legislative Council in such Bill and have disagreed with the amendment to omit clause 7, but have made an amendment in the said clause, with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th October, 1910.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 8th November next.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to confer powers upon Geelong and District Trustees Company Limited,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 20th October, 1910.

FRANK MADDEN,
Speaker.

6. GEELONG AND DISTRICT TRUSTEES COMPANY LIMITED BILL.—The Honorable T. C. Harwood moved, That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee to which this Bill was referred.

Question—put and resolved in the affirmative.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Law relating to Dentistry,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 19th October, 1910.

FRANK MADDEN,
Speaker.

8. DENTISTS BILL.—On the motion of the Honorable W. H. Edgar, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday, 8th November next.

9. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—

Copies of papers in connexion with the promotion of Mr. T. E. Meek from the Second Class to the First Class.

Exhibition Trustees.—Report of Proceedings and Statement of Income and Expenditure for the year ended 30th June, 1910.

The Constitution Act Amendment Act 1890 Part IX.—Statement of Appointment in the Department of the Legislative Council.

10. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday, 8th November next :—

Factories and Shops Acts—Appointment of Special Wages Board.—The question is—That the Council concur with the Legislative Assembly in agreeing to the following resolution, viz. :—
"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a lift attendant."—Resumption of debate.

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation of an undertaker."—To be taken into consideration.

11. ARTIFICIAL MANURES ACTS FURTHER AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.

12. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council copies of the Report and Proceedings of the Select Committee of the Legislative Assembly on the Bill intituled "*An Act to confer Powers upon Geelong and District Trustees Company Limited,*" in accordance with the request of the Legislative Council.

Legislative Assembly,
Melbourne, 25th October, 1910.

FRANK MADDEN,
Speaker.

13. GEELONG AND DISTRICT TRUSTEES COMPANY LIMITED BILL.—The Honorable T. C. Harwood having produced a receipt that the sum of £20 had been paid into the hands of the Treasurer of the State, moved, That the Bill intituled "*An Act to confer Powers upon Geelong and District Trustees Company Limited*" be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time, ordered to be printed, and read a second time on Tuesday, 8th November next.

14. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient that the Governor in Council be authorized to extend the powers of the Carriage Board so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed either inside or outside a factory or work-room in the process, trade, or business connected with or incidental to the manufacturing, making, or repairing of tram cars or any part or parts thereof, such as the ironwork or bodies, cushions, springs, axles, wheels, tyres, rims, hubs, or spokes,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 25th October, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 8th November next.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday, 8th November next:—

Scaffolding Inspection Bill.—Second reading.

Private Hospitals Regulation and Inspection Bill.—To be further considered in Committee.

16. SEEDS BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.

The Honorable J. D. Brown moved, That the Report be taken into consideration on Tuesday, 8th November next.

The Honorable R. H. S. Abbott moved, as an amendment, That all the words after “ That ” be omitted, with a view to insert in place thereof the words “ the Bill be recommitted to a Committee of the whole in respect of clause 20 ”.

Debate ensued.

Motion, by leave, withdrawn.

Question—That the Bill be recommitted to a Committee of the whole in respect of clause 20—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with a further amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and requesting their concurrence therein.

17. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, after debate, That the consideration of the following Orders of the Day be postponed until Tuesday, 8th November next :—

Electoral Law Amendment Bill—To be further considered in Committee.

Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill—Second reading—Resumption of debate.

Courts of Mines Bill—Second reading.

Arbitration Law Amendment Bill—Second reading.

Homing Pigeons Protection Bill—Second reading.

18. ADJOURNMENT.—The Honorable J. D. Brown moved, That the Council, at its rising, adjourn until Wednesday, 2nd November next.

Debate ensued.

Motion, by leave, withdrawn.

Ordered—That the Council, at its rising, adjourn until Tuesday, 8th November next.

The Honorable J. D. Brown moved, That the Council do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at seventeen minutes past ten o'clock, adjourned until Tuesday, 8th November next.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 24.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

TUESDAY, 8TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PETITION.—The Honorable T. C. Harwood presented a petition from John Raymond Cornford, of Camperdown, praying that the Dentists Bill may be so amended as to enable the petitioner (a) to continue to act as Dental Assistant to one Mr. Nunn in his branch practice at Camperdown, and (b) to become registered as a Dentist in Victoria after a practical examination in manner similar to the course prescribed by section 13 of the said Bill.
Petition read, and ordered to lie on the Table.
3. CORONERS LAW CONSOLIDATION AND AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, a Bill to consolidate and amend the Law relating to Coroners was, by leave, read a first time, ordered to be printed, and read a second time to-morrow.
4. DUTIES COLLECTION BILL.—On the motion of the Honorable J. D. Brown, a Bill to amend the law relating to the Assessment Collection and Payment of Duties on the Estates of Deceased Persons, and of certain duties under the Stamps Acts was read a first time, ordered to be printed, and read a second time to-morrow.
5. CRIMES BILL.—On the motion of the Honorable J. D. Brown, a Bill to further amend the law relating to Crimes and Offences was read a first time, ordered to be printed, and read a second time to-morrow.
6. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
Indeterminate Sentences Act 1907.—Annual Report of the Indeterminate Sentences Board for the year ended 30th June, 1910.
Statistical Register of the State of Victoria for the year 1909—
Part VII.—Vital Statistics, &c.
Part VIII.—Social Condition.
Severally ordered to lie on the Table.
The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Copies of papers relating to the promotion of Mr. James Elliott Jenkins of the Department of Lands and Survey (Lands Purchase and Management Board).
Fisheries Act 1890—Notice of intention to issue proclamations—
Revoking the proclamation dated the fourteenth day of December, 1909, *re* restrictions on netting, &c., in Gippsland Lakes during thirty hours in each week, and also making a proclamation to the following effect, viz. :—
(1) Prohibiting the use of trammels, trawls, &c., within the Gippsland Lakes during certain hours.
(2) Restricting the length of nets to be used in the Gippsland Lakes and providing that only one fleet of net (of any class) shall be allowed for each licensed fisherman of 16 years and upwards.
Prohibiting until the first day of December, 1911, the taking of fish of any species of Murray Cod or Murray Perch, including those known as Murray Bream, from the Burnt Creek and the portion of the Wimmera River between the Dooen Weir and the Horsham Weir.

Marine Act 1890.—Amendment of the Regulations relating to the Adjustment of Compasses.
Registration of Teachers and Schools Act 1905 (No. 2013).—Teachers and Schools Registration Board—Regulations.

State Rivers and Water Supply Commission.—Fifth Annual Report 1909–10.

Summary of Statements for the year 1909 made by Companies transacting Life Assurance business in Victoria.

The Honorable W. L. Baillieu presented—

State Coal Mine.—Return to an Order of the Legislative Council, dated 7th September, 1910, as amended on the 28th September, 1910, for a return showing—

1. Total amount expended on the State Mine up to 30th June, 1910, specifying the amount spent on—
 - (a) Development works—(1st.) To 28th February, 1910. (2nd.) To 30th June, 1910.
 - (b) Machinery and plant—(1st.) To 28th February, 1910. (2nd.) To 30th June 1910.
 - (c) Freight and cartage on all plant and material sent to the mine—(1st.) To 28th February, 1910. (2nd.) To 30th June, 1910.
 - (d) Drainage work and snagging river—(1st.) To 28th February, 1910. (2nd.) To 30th June, 1910.
2. Quantity of coal sent to the Railway Department from State Mine up to 28th February, 1910, specifying the cost of handling, cartage and freight to Melbourne, and price per ton paid by Railways Commissioners to Mines Department.
3. Tonnage raised—
 - (a) To 28th February, 1910.
 - (b) To 30th June, 1910.
4. What State Officers were engaged (wholly or partially) in connexion with the State Mine, stating names, time employed, and amounts paid to each.
5. Amount expended to 30th June, 1910, on boring within the area reserved for State Mine.
6. Total expenditure to 30th June, 1910, on Wonthaggi township.
7. Total expenditure to 30th June, 1910, on Nyora and Wonthaggi Railway, including cost of land acquired for same; and alterations to sidings at Nyora.
8. Total expenditure to 30th June, 1910, on brickmaking works at Wonthaggi.
9. The prices per ton paid by Victorian Railways Commissioners to Government for coal delivered at the mine between 28th February and 30th June, 1910.

Ordered to lie on the Table.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Law relating to Education and to Officers and Teachers of the Education Department,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 25th October, 1910.

8. EDUCATION LAW FURTHER AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

9. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Exchange of certain Land at Mont Park, Parish of Keelbundora, for Asylum purposes,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 26th October, 1910.

10. MONT PARK LAND EXCHANGE BILL.—On the motion of the Honorable W. H. Edgar, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

11. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Melbourne Benevolent Asylum Act 1904,'*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 26th October, 1910.

12. MELBOURNE BENEVOLENT ASYLUM ACT 1904 AMENDMENT BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

13. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable the Council of the Town of Geelong to grant Building Leases of portion of the Land known as the General Market Site and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th October, 1910.

FRANK MADDEN,
Speaker.

14. GEELONG MARKET SITE LAND BILL.—On the motion of the Honorable W. H. Edgar, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

15. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Gold Buyers Act 1907' and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd November, 1910.

FRANK MADDEN,
Speaker.

16. GOLD BUYERS ACT 1907 AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

17. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to revoke the permanent reservation under Orders in Council of certain Crown Lands in the counties of Millewa, Croajingolong, and Dargo,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd November, 1910.

FRANK MADDEN,
Speaker.

18. MILLEWA, CROAJINGOLONG, AND DARGO LANDS RESERVE REVOCATION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

19. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Constitution and Incorporation of a College of Divinity under the name of the Melbourne College of Divinity,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd November, 1910.

FRANK MADDEN,
Speaker.

20. MELBOURNE COLLEGE OF DIVINITY BILL.—On the motion of the Honorable F. Hagelthorn, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

21. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the setting apart of a Site for the erection of a Memorial in honour of the late Marquis of Linlithgow,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd November, 1910.

FRANK MADDEN,
Speaker.

22. MARQUIS OF LINLITHGOW MEMORIAL SITE BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

23. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Railway Lands Acquisition Acts,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd November, 1910.

FRANK MADDEN,
Speaker.

24. RAILWAY LANDS ACQUISITION ACTS FURTHER AMENDMENT BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

25. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the resumption by the Crown of certain Land vested in the Melbourne Harbor Trust Commissioners,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd November, 1910.

FRANK MADDEN,
Speaker.

26. MELBOURNE HARBOR TRUST LAND RESUMPTION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

27. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz.:—"That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation (other than fireman, boiler attendant, or engine-drivers) of mining for gold," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 26th October, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 22nd November instant.

28. DENTISTS BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

29. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz.:—"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the determination of the Grocers Board) employed in the process, trade, or business of preparing tea, coffee, cocoa, or chocolate for trade or sale, including blending, weighing, filling packets, wrapping, packing, or labelling," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 8th November, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 22nd November instant.

30. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz.:—"That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than labourers) wheresoever employed in the process, trade, or business of a plasterer," with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 8th November, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 22nd November instant.

31. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until after the consideration of the Electoral Law Amendment Bill :—

Factories and Shops Acts—Appointment of Special Wages Board.—The question is—That the Council concur with the Legislative Assembly in agreeing to the following resolution, viz. :—
“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a lift attendant.”—Resumption of debate.

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation of an undertaker.”—To be taken into consideration.

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a seller of goods usually sold by ironmongers, including—

(a) *Furnishing, household, plumbers’, or builders’ ironmongery.*

(b) *Gas fittings, stoves, or tools.”—To be taken into consideration.*

Factories and Shops Acts—Extension of Powers of Carriage Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“That it is expedient that the Governor in Council be authorized to extend the powers of the Carriage Board so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed either inside or outside a factory or work-room in the process trade, or business connected with or incidental to the manufacturing, making, or repairing of tram cars or any part or parts thereof, such as the ironwork, or bodies, cushions, springs, axles, wheels, tyres, rims, hubs, or spokes.”—To be taken into consideration.

Scaffolding Inspection Bill—Second reading.

Private Hospitals Regulation and Inspection Bill—To be further considered in Committee.

Forests Act 1907 further Amendment Bill—Amendment of the Council disagreed with by the Assembly.—To be taken into consideration.

32. ELECTORAL LAW AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.

The Honorable J. D. Brown moved, by leave, that the Report be now adopted.

Debate ensued.

Motion by leave withdrawn.

On the motion of the Honorable R. H. S. Abbott, the Bill was recommitted to a Committee of the whole in respect of clause 87.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with further amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.

33. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill.—Second reading.—Resumption of debate.

Geelong and District Trustees Company Limited Bill—Second reading.

Courts of Mines Bill—Second reading.

Arbitration Law Amendment Bill—Second reading.

Homing Pigeons Protection Bill—Second reading.

And then the Council, at thirty-seven minutes past eleven o’clock, adjourned until to-morrow.

THOS. G. WATSON,
 Clerk of the Legislative Council.



VICTORIA.

No. 25.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.

2. DISTINGUISHED VISITOR.—The Honorable W. L. Baillieu moved, That a chair be provided on the floor of the Council Chamber for John Hodge, Esq., Member of the House of Commons for Gorton, Lancashire.

Question—put and resolved in the affirmative.

3. STATE COAL MINE.—The Honorable R. H. S. Abbott moved, pursuant to *amended* notice, That a Select Committee be appointed to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi, such Committee to consist of seven Members with power to send for persons, papers, and records, to move from place to place and to report the Minutes of Evidence from time to time, three to be the quorum.

Debate ensued.

The Honorable W. H. Edgar moved, as an amendment, That all the words after "That" be omitted with the view to insert in place thereof the words "the question of the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi be referred to the Parliamentary Standing Committee on Railways for consideration and report."

The President said—"I question whether there is any power to move the amendment. There is an Act bearing on the question—the *Railways Standing Committee Act 1893*—but the only section produced to me is section 11, which is as follows:—

When either House of Parliament by resolution refers for the consideration and report of the Committee any question relating to the construction of narrow gauge or other railways, the Committee shall consider and report thereon accordingly.

If the Government have any authority they can cite, authorizing this House to refer a question of this kind to the Railways Standing Committee, I should be very glad if they would call my attention to it."

And after debate—

The President said—"It is not a question of honorable members agreeing with the amendment. The question is whether this House has power to pass such an amendment. I stated that I believed in another place questions outside of railway construction had been referred to the Railways Standing Committee. It must be remembered that the number of members of this House who are on that Committee is only one-half of the number of members of another place. The members of the Committee may choose to take an instruction which they are not legally bound to take, but that does not justify this House nor justify me in allowing such a resolution to be submitted. It would be contrary to our Standing Orders, and not in accordance with the Act of Parliament. Therefore I must rule the proposed amendment out of order."

Debate on the main question continued.

The Honorable A. McLellan moved, That the debate be now adjourned.

Debate further continued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 9.

The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
J. P. Jones,
D. Melville.

Tellers.

Walter S. Manifold,
A. McLellan.

Noes, 13.

The Hon. R. H. S. Abbott,
J. G. Aikman,
J. Balfour,
T. Beggs,
W. L. R. Clarke,
Dr. W. H. Embling,
T. C. Harwood,
A. Hicks,
J. McWhae,
T. H. Payne,
R. B. Rees.

Tellers.

W. A. Adamson,
A. O. Sachse.

And so it passed in the negative.

Question—That a Select Committee be appointed to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi, such Committee to consist of seven Members with power to send for persons, papers, and records, to move from place to place, and to report the Minutes of Evidence from time to time, three to be the quorum—put and resolved in the affirmative.

4. STATE COAL MINE.—The Honorable R. H. S. Abbott moved, by leave, That the Select Committee appointed to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of lease-holders in the Government township of Wonthaggi, consist of the Honorables J. G. Aikman, A. Hicks, T. Luxton, D. E. McBryde, J. McWhae, R. B. Rees, and the Mover.

Question—put and resolved in the affirmative.

5. GEELONG AND DISTRICT TRUSTEES COMPANY LIMITED BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

The Honorable W. L. Baillieu moved, by leave, That the Honorable Dr. W. H. Embling perform the duties of Chairman of Committees.

Question—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair; and the Honorable Dr. W. H. Embling having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed as under :—

Courts of Mines Bill—Second reading; until to-morrow.

Arbitration Law Amendment Bill—Second reading; until Wednesday next.

7. HOMING PIGEONS PROTECTION BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

8. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the resumption of the debate on the question, That the Council concur with the Assembly in agreeing to the following resolution, viz.:—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a lift attendant, having been read—

Debate resumed.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

9. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation of an undertaker, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

10. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a seller of goods usually sold by ironmongers, including—

(a) Furnishing, household, plumbers', or builders' ironmongery.

(b) Gas fittings, stoves, or tools,

having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

11. FACTORIES AND SHOPS ACTS—EXTENSION OF POWERS OF CARRIAGE BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient that the Governor in Council be authorized to extend the powers of the Carriage Board so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed either inside or outside a factory or work-room in the process, trade, or business connected with or incidental to the manufacturing, making, or repairing of tram cars or any part or parts thereof, such as the ironwork or bodies, cushions, springs, axles, wheels, tyres, rims, hubs, or spokes, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

12. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until to-morrow:—

Forests Act 1907 further Amendment Bill—Amendment of the Council disagreed with by the Assembly—To be taken into consideration.

13. MONT PARK LAND EXCHANGE BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow:—

Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill.—Second reading—Resumption of debate.

Private Hospitals Regulation and Inspection Bill—To be further considered in Committee.

Education Law further Amendment Bill—Second reading.

Melbourne Benevolent Asylum Act 1904 Amendment Bill—Second reading.

Geelong Market Site Land Bill—Second reading.

Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—Second reading.

Gold Buyers Act 1907 Amendment Bill—Second reading.

Crimes Bill—Second reading.

Duties Collection Bill—Second reading.

Coroners Law Consolidation and Amendment Bill—Second reading.

Melbourne College of Divinity Bill—Second reading.

Marquis of Linlithgow Memorial Site Bill—Second reading.

Railway Lands Acquisition Acts further Amendment Bill—Second reading.

Melbourne Harbor Trust Land Resumption Bill—Second reading.

Scaffolding Inspection Bill—Second reading.

And then the Council, at fifty-four minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 26.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 10TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MELBOURNE BENEVOLENT ASYLUM ACT 1904 AMENDMENT BILL.—The Honorable W. L. Baillieu moved, That all the Standing Orders relating to Private Bills be suspended in relation to the Bill to amend the *Melbourne Benevolent Asylum Act 1904*, and that the Bill be treated as a Public Bill. Question—put and resolved in the affirmative.
3. GEELONG MARKET SITE LAND BILL.—The Honorable W. L. Baillieu moved, That all the Standing Orders relating to Private Bills be suspended in relation to the Bill to enable the Council of the town of Geelong to grant Building Leases of portion of the land known as the General Market Site and for other purposes, and that the Bill be treated as a Public Bill. Question—put and resolved in the affirmative.
4. MELBOURNE COLLEGE OF DIVINITY BILL.—The Honorable W. L. Baillieu moved, That all the Standing Orders relating to Private Bills, with the exception of those relating to the payment of fees, be suspended in relation to the Bill to provide for the Constitution and Incorporation of a College of Divinity under the name of the Melbourne College of Divinity, and that the Bill be treated as a Public Bill. Question—put and resolved in the affirmative.
5. FORESTS ACT 1907 FURTHER AMENDMENT BILL.—The Order of the Day for the consideration of the amendment made in this Bill by the Council, and disagreed with by the Assembly, having been read—the said amendment was read, and is as follows :—

Amendment made by the Council.

How dealt with by the Assembly.

Omit the following clause :—

7. Notwithstanding anything contained in section twenty-one of the Principal Act or in any Act the Governor in Council may without further or other authority than this Act purchase for the Crown any land which may at any time be required by the Department for the purposes of the Forests Acts, whether such land is alienated from the Crown or is land held under a licence or lease from the Crown with an inchoate right of purchase.

Disagreed with by the Assembly, but clause amended by the addition of the following words, viz. :—“Provided that not more than Two thousand pounds sterling shall be expended in any one financial year without the express sanction of Parliament.”

On the motion of the Honorable W. L. Baillieu, and after debate, the Council did not insist on their amendment to omit clause 7, and agreed to the amendment of the Assembly in the said clause, and ordered a Message to be sent to the Assembly acquainting them therewith,

6. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—The Honorable J. D. Brown moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable A. O. Sachse, that the debate be adjourned until Tuesday next.
7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill.—Second reading—Resumption of debate.

Private Hospitals Regulation and Inspection Bill.—To be further considered in Committee.

8. MELBOURNE BENEVOLENT ASYLUM ACT 1904 AMENDMENT BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
9. GEELONG MARKET SITE LAND BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
10. MILLEWA, CROAJINGOLONG, AND DARGO LANDS RESERVE REVOCATION BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
11. GOLD BUYERS ACT 1907 AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—The Honorable J. D. Brown moved, That this Bill be now read a second time, and debate arising thereupon, it was ordered, on the motion of the Honorable R. B. Rees, that the debate be adjourned until Tuesday next.
12. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Crimes Bill.—Second reading.
Duties Collection Bill.—Second reading.
Coroners Law Consolidation and Amendment Bill.—Second reading.
Melbourne College of Divinity Bill.—Second reading.
13. MARQUIS OF LINLITHGOW MEMORIAL SITE BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
14. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Railway Lands Acquisition Acts further Amendment Bill.—Second reading.
Melbourne Harbor Trust Land Resumption Bill.—Second reading.
Scaffolding Inspection Bill.—Second reading.
Courts of Mines Bill.—Second reading.
15. STATE COAL MINE COMMITTEE—MEMBER DISCHARGED.—The Honorable J. D. Brown moved, by leave, That the Honorable D. E. McBryde be discharged from attendance on the State Coal Mine Committee.
Question—put and resolved in the affirmative.

And then the Council, at forty-six minutes past nine o'clock, adjourned until Tuesday next.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 27.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 15TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.

2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 10.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

*An Act to further amend the Law relating to Dentistry.**An Act for the Better Protection of Homing Pigeons.**An Act to provide for the Exchange of certain Land at Mont Park, Parish of Keelbundora, for Asylum purposes.*

Government Offices,
Melbourne, 15th November, 1910.

3. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read, and, after further debate, the question, being put, was resolved in the affirmative.—Bill read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

4. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

*Private Hospitals Regulation and Inspection Bill—To be further considered in Committee.**Education Law further Amendment Bill—Second reading—Resumption of debate.**Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in Committee.**Duties Collection Bill—Second reading.**Gold Buyers Act 1907 Amendment Bill—Second reading—Resumption of debate.**Railway Lands Acquisition Acts further Amendment Bill—Second reading.**Melbourne Harbor Trust Land Resumption Bill—Second reading.**Melbourne College of Divinity Bill—Second reading.**Coroners Law Consolidation and Amendment Bill—Second reading.**Scaffolding Inspection Bill—Second reading.**Crimes Bill—Second reading.**Courts of Mines Bill—Second reading.*5. ADJOURNMENT.—The Honorable W. L. Baillieu moved, That the Council do now adjourn.
Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council



VICTORIA.

No. 28.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 16TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PETITION.—The Honorable Dr. W. H. Embling presented a petition from the Anglican Archbishop representing the Diocese of Melbourne praying that the Council will so amend the Education Law further Amendment Bill as to provide for a Referendum on the question of the admission of Scripture lessons into the State School course.
Petition read and ordered to lie on the table.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Marine Act 1890—Additional Regulation relating to the Equipment of Ships with Life-saving Appliances.
 - Public Service Acts—Copies of papers relating to the promotion of Matthew Henry Stevens, an officer of the third subdivision of the Third Class, Clerical Division, Department of Chief Secretary, to the first subdivision of the Second Class.
 - Public Service Act 1890, No. 1133, Section 133.—Regulations—Leave of Absence.
 - The Constitution Act Amendment Act 1890.—Part IX.—Statement showing the Names of all Persons temporarily employed in the Department of the Legislative Council.
4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to Duties payable under the Administration and Probate Acts,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 16th November, 1910.
5. ADMINISTRATION AND PROBATE DUTIES BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.
6. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Parliamentary Elections and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have disagreed with the amendments made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 16th November, 1910.

Ordered—That the foregoing message be taken into consideration on Tuesday next.

7. MELBOURNE COLLEGE OF DIVINITY BILL.—The Honorable W. L. Baillieu moved, by leave, That so much of the resolution passed on the 10th November instant as relates to the payment of fees in regard to the Melbourne College of Divinity Bill be rescinded, and that the Standing Orders as to the payment of fees in regard to Private Bills, be suspended, in relation to the Melbourne College of Divinity Bill.
Debate ensued.
Motion by leave withdrawn.
8. ARBITRATION LAW AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.
Ordered—That the Bill, as amended, be printed, and taken into consideration to-morrow.
9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered, That the consideration of the following Order of the Day be postponed until Wednesday next :—
Courts of Mines Bill—Second reading.
10. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.
On the motion of the Honorable Walter S. Manifold, the Bill was recommitted to a Committee of the whole in respect of clause 2.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with further amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and requesting their concurrence therein.
11. MELBOURNE COLLEGE OF DIVINITY BILL.—The Honorable W. L. Baillieu moved, by leave, That the Standing Orders relating to Private Bills with reference to the payment of fees be suspended in regard to the Melbourne College of Divinity Bill.
Question—put and resolved in the affirmative.
12. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
MR. PRESIDENT,
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Municipal Endowment Act 1907'*," with which they desire the concurrence of the Legislative Council.
FRANK MADDEN,
Speaker.
Legislative Assembly,
Melbourne, 16th November, 1910.
13. MUNICIPAL ENDOWMENT ACT 1907 AMENDMENT BILL.—On the motion of the Honorable W. L. Baillieu the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.
14. MELBOURNE COLLEGE OF DIVINITY BILL.—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.
On the motion of the Honorable Walter S. Manifold, the Bill was recommitted to a Committee of the whole in respect of clauses 3, 4, 5, 7, and 8.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without further amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.
15. PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

16. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to authorize the temporary application out of ‘The Public Account’ of certain moneys for the purpose of substituting heavy rails for light rails on certain lines of railway,*” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 16th November, 1910.

FRANK MADDEN,
Speaker.

17. RAILWAYS ADVANCES BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.

18. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Education Law further Amendment Bill—Second reading—Resumption of debate.

Millawa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in Committee.

Duties Collection Bill—Second reading.

Gold Buyers Act 1907 Amendment Bill—Second reading—Resumption of debate.

Railway Lands Acquisition Acts further Amendment Bill—Second reading.

Melbourne Harbor Trust Land Resumption Bill—Second reading.

Coroners Law Consolidation and Amendment Bill—Second reading.

Scaffolding Inspection Bill—Second reading.

Crimes Bill—Second reading.

19. ADJOURNMENT.—The Honorable W. L. Baillieu moved, That the Council do now adjourn.
Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at ten minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 29.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 17TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the erection of a Special Stock to be called 'Victorian Government Special Inscribed Stock' for sale to Friendly Societies only and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 17th November, 1910.

FRANK MADDEN,
Speaker.

3. VICTORIAN GOVERNMENT SPECIAL INSCRIBED STOCK BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Tuesday next.
4. PETITION.—The Honorable J. Balfour presented a petition from the President and Secretary of the Methodist Conference, praying that the Education Law further Amendment Bill may be so amended by the Council as to give the electors the right to express by means of a referendum their convictions on the question of the admission of Scripture lessons in the State School course. Petition read and ordered to lie on the Table.
5. PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next:—
 - Education Law further Amendment Bill—Second reading—Resumption of debate.*
 - Administration and Probate Duties Bill—Second reading.*
 - Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in Committee.*
 - Duties Collection Bill—Second reading.*
 - Gold Buyers Act 1907 Amendment Bill—Second reading—Resumption of debate.*
 - Railway Lands Acquisition Acts further Amendment Bill—Second reading.*
 - Melbourne Harbor Trust Land Resumption Bill—Second reading.*
 - Coroners Law Consolidation and Amendment Bill—Second reading.*
 - Scaffolding Inspection Bill—Second reading.*
 - Crimes Bill—Second reading.*

7. ARBITRATION LAW AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole having been read, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.

And then the Council, at one minute past ten o'clock, adjourned until Tuesday next.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 30.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

TUESDAY, 22ND NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. **ALTERATION IN DAYS OF BUSINESS.**—The Honorable W. L. Baillieu moved, That during the remainder of the Session the Council shall meet for the despatch of business on Thursdays and Fridays at half-past two o'clock.
 Debate ensued.
 The Honorable R. H. S. Abbott moved, as an amendment, That all the words after "Thursdays" be omitted, with a view to insert in place thereof the words "at eleven o'clock."
 Debate continued.
 Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative.
 Question—That during the remainder of the Session the Council shall meet for the despatch of business on Thursdays and Fridays at half-past two o'clock—put and resolved in the affirmative.
3. **PAPERS.**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Public Service and Lunacy Acts—Regulations—Classification of General Division.
 - Department of Chief Secretary (Factories).
 - Department of Hospitals for the Insane.
 - Department of Hospitals for the Insane.
 The Constitution Act Amendment Act 1890, Part IX.—Statement showing the names, remuneration, duties, &c., of all persons temporarily employed in the Department of the Legislative Assembly under the authority of Part IX. of the Constitution Act Amendment Act 1890 during the period from 22nd November, 1909, to 19th November, 1910.
4. **PETITIONS.**—The following Petitions praying that the Council will so amend the Education Law further Amendment Bill as to provide for a Referendum on the question of the admission of Scripture lessons into the State School course were presented :—
 - By the Honorable J. Balfour—
 From J. V. McNair, styling himself Moderator of the Presbyterian Church of Victoria.
 - By the Honorable J. Sternberg—
 From John D. Langley, styling himself Bishop of Bendigo.
 Severally ordered to lie on the Table.
 The following Petitions praying that the Council will not pass the resolution for the appointment of Wages Boards for Mine Employés were presented :—
 - By the Honorable J. McWhae—
 From the President and Executive Officer of the Chamber of Mines of Victoria (Incorporated).
 Petition read and ordered to lie on the Table.
 Similar Petitions were presented as follows :—
 - By the Honorable R. B. Rees—
 From the President and Executive Officer of the Bendigo Mine Owners' Association.
 - By the Honorable J. Y. McDonald—
 From the President and Executive Officer of the Ballarat Mine Owners' Association.
 Severally ordered to lie on the Table.

5. **FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation (other than fireman, boiler attendant, or engine-drivers) of mining for gold, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

The Honorable R. H. S. Abbott moved, as an amendment, That the words "or Boards" be inserted after the words "Special Board."

Debate continued.

The Honorable W. L. Baillieu moved, That the debate be now adjourned.

Question—put and resolved in the affirmative.

Ordered—That the debate be adjourned until to-morrow.

6. **FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the Determination of the Grocers Board) employed in the process, trade, or business of preparing tea, coffee, cocoa, or chocolate for trade or sale, including blending, weighing, filling packets, wrapping, packing, or labelling, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

7. **FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than labourers) wheresoever employed in the process, trade, or business of a plasterer, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

8. **PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.

Ordered—That the Bill, as amended, be printed, and taken into consideration on Thursday next.

9. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the Law relating to Arbitration*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd November, 1910.

10. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

- (a) Wholly or partly preparing or manufacturing by hand or machine envelopes, letter-pads, luggage labels, railway tickets, playing or other cards, including cutting, gumming, or gluing, folding, round cornering, gilding, sorting, banding, packing or boxing, but not including any process subject to a determination of the Printers Board.

- (b) Embossing or black-bordering envelopes, cards, or any description of paper,”

with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd November, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 6th December next.

11. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz :—“That it is expedient that the Governor in Council be authorized to extend the powers of the Agricultural Implements Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed in assembling or putting together any parts of machinery or implements of classes or kinds (whether the same have been made inside or outside the State) same or similar to those for which the said Board has power to fix prices or rates,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd November, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 6th December next.

12. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a fireman, boiler attendant, or engine-driver in connexion with the use of steam boilers or steam-engines other than steam boilers or steam-engines connected with mines”, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd November 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 6th December next.

13. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient that the Governor in Council be authorized to extend the powers of the Plate Glass Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of person (other than persons subject to the determination of the Woodworkers Board) employed in the process, trade, or business of—

- (a) Glazing or assisting in glazing any kind of glass (other than glazing stained glass in lead) ;
- (b) Fixing leadlights or glass signs or putting made-up glass into the window frames, window sashes, doors or door frames of buildings ;
- (c) Cutting sheet glass or brilliants ;
- (d) Packing plate or sheet glass ; including any labouring work in connexion with any operation subject to the determination of the Plate Glass Board,”

with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd November, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 6th December next.

14. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of a marine store dealer or a dealer in old metals or bottles,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd November, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday, 6th December next.

15. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than labourers) wheresoever employed in the process, trade, or business of a bricklayer,” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd November, 1910.

- Ordered—That the foregoing Message be taken into consideration on Tuesday, 6th December next.
16. ERROR IN DIVISION LIST.—The President informed the Council that, in a division which took place in Committee last Thursday, on clause 18 of the Private Hospitals Regulation and Inspection Bill, the Tellers for the “ Noes ” had recorded the name of the Honorable J. G. Aikman instead of that of the Honorable A. Hicks ; whereupon the President directed the Clerk to correct the Division List accordingly.
17. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time having been read—
Debate resumed.
The Honorable D. Melville moved, That the debate be now adjourned.
Debate continued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until to-morrow.

18. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled “ *An Act to consolidate and amend the Law relating to Trading Companies and for other purposes,* ” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd November, 1910.

19. TRADING COMPANIES LAW CONSOLIDATION AND AMENDMENT BILL.—On the motion of the Honorable Walter S. Manifold, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time on Wednesday, 30th November instant.
The Honorable Walter S. Manifold moved, That a Message be transmitted to the Legislative Assembly requesting that they will be pleased to communicate to the Council copies of the Report and Proceedings of the Select Committee to which this Bill was referred.
Question—put and resolved in the affirmative.
20. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—
Electoral Law Amendment Bill—Amendments of the Council disagreed with by the Assembly—To be taken into consideration.
Municipal Endowment Act 1907 Amendment Bill—Second reading.
Railways Advances Bill—Second reading.
Victorian Government Special Inscribed Stock Bill—Second reading.
Administration and Probate Duties Bill—Second reading.
Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in Committee.
Duties Collection Bill—Second reading.
Gold Buyers Act 1907 Amendment Bill—Second reading—Resumption of debate.
Railway Lands Acquisition Acts further Amendment Bill—Second reading.
Melbourne Harbor Trust Land Resumption Bill—Second reading.
Coroners Law Consolidation and Amendment Bill—Second reading.
Scaffolding Inspection Bill—Second reading.
Crimes Bill—Second reading.

And then the Council, at thirteen minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON.
Clerk of the Legislative Council.

VICTORIA.

No. 31.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL.

WEDNESDAY, 23RD NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council copies of the Report of the Select Committee of the Legislative Assembly upon the question of the consolidation and amendment of the Law relating to Trading Companies, in accordance with the request of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 23rd November, 1910.

3. COURTS OF MINES BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Wednesday next, again resolve itself into the said Committee.
4. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the resumption of the debate on the question, That the Council concur with the Assembly in agreeing to the following resolution, viz. :—That it is expedient to appoint a Special Board to consider and determine the lowest prices of rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation (other than fireman, boiler attendant, or engine-drivers) of mining for gold, and on the amendment to insert the words "or Boards" after the words "Special Board," having been read—
Debate resumed.
Question—That the words "or Boards" proposed to be inserted after the words "Special Board" be so inserted—put.
The Council divided.

Ayes, 20.

The Hon. W. A. Adamson,
W. L. Baillieu,
J. Balfour,
T. Beggs,
F. W. Brawn,
J. D. Brown,
W. L. R. Clarke,
W. H. Edgar,
Dr. W. H. Embling,
F. Hagelthorn,
T. C. Harwood,
A. Hicks,
Walter S. Manifold,
D. E. McBryde,
J. Y. McDonald,
J. McWhae,
D. Melville,
T. H. Payne.

Tellers.

R. B. Rees,
J. Sternberg.

Noes, 4.

The Hon. J. G. Aikman,
A. McLellan,

Tellers.

W. J. Evans,
J. P. Jones.

And so it was resolved in the affirmative.

Question—That the Council agree to the foregoing resolution as amended—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in the foregoing resolution, with an amendment, with which they desire the concurrence of the Assembly.

5. MELBOURNE HARBOR TRUST LAND RESUMPTION BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

6. RAILWAY LANDS ACQUISITION ACTS FURTHER AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill, with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and requesting their concurrence therein.

7. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time having been read—

Debate resumed.

The Honorable J. P. Jones moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until to-morrow.

8. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Electoral Law Amendment Bill—Amendments of the Council disagreed with by the Assembly—To be taken into consideration.

Administration and Probate Duties Bill—Second reading.

Municipal Endowment Act 1907 Amendment Bill—Second reading.

Railways Advances Bill—Second reading.

Victorian Government Special Inscribed Stock Bill—Second reading.

Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in Committee.

Duties Collection Bill—Second reading.

Gold Buyers Act 1907 Amendment Bill—Second reading—Resumption of debate.

Coroners Law Consolidation and Amendment Bill—Second reading.

Scaffolding Inspection Bill—Second reading.

Crimes Bill—Second reading.

And then the Council, at nineteen minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 32.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 24TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Public Service Act 1890, No. 1133.—Regulations—Classification of Professional Division—Department of Public Instruction (University Practising School).
3. MELBOURNE HARBOR TRUST LAND RESUMPTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
4. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read, and, after further debate, the question being put, was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Ordered—That the Council will, on Tuesday next, again resolve itself into the said Committee.
5. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—
Private Hospitals Regulation and Inspection Bill—Consideration of Report.
Duties Collection Bill—Second reading.
Electoral Law Amendment Bill—Amendments of the Council disagreed with by the Assembly.—
To be taken into consideration.
Administration and Probate Duties Bill—Second reading.
Municipal Endowment Act 1907 Amendment Bill—Second reading.
Railways Advances Bill—Second reading.
Victorian Government Special Inscribed Stock Bill—Second reading.
Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in
Committee.
Gold Buyers Act 1907 Amendment Bill—Second reading.—Resumption of Debate.
Coroners Law Consolidation and Amendment Bill—Second reading.
Scaffolding Inspection Bill—Second reading.
Crimes Bill—Second reading.
6. ADJOURNMENT.—Ordered—That the Council, at its rising, adjourn until Tuesday next.

And then the Council, at twenty-three minutes past ten o'clock, adjourned until Tuesday next.

THOS. G. WATSON,
Clerk of the Legislative Council.



VICTORIA.

No. 33.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 29TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PETITION.—The Honorable J. McWhae presented a petition from H. L. Melbourne, styling himself Chairman, and F. W. Fry, styling himself Secretary, on behalf of Members and Friends of the Scripture Instruction Campaign Council, in public meeting assembled, praying that the Council will so amend the Education Law further Amendment Bill as to provide for a referendum on the question of the admission of Scripture lessons into the State School course.
Ordered to lie on the Table.
3. PAPER.—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Report of the Proceedings of the University of Melbourne from 31st July, 1909, to 31st July, 1910 ; together with four Appendices, containing A.—List of Contributions to Literature and Science, published by Members of University Staff and Students working in the University Laboratories ; B.—List of Donations to the Libraries ; C.—Statement of Accounts for the year 1909 ; D.—Amendment of Statutes and Regulations and New Regulations made during the year.
4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
MR. PRESIDENT,
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to the Kerang and Koondrook Tramway*," with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 25th November, 1910.
FRANK MADDEN,
Speaker.
5. KERANG AND KOONDROOK TRAMWAY BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.
6. PETITION.—The Honorable A. O. Sachse presented a petition from T. H. Armstrong, D.D., styling himself Bishop of Wangaratta, praying that the Council will so amend the Education Law further Amendment Bill as to provide for a referendum on the question of the admission of Scripture lessons into the State School course.
Petition read, ordered to lie on the Table, and referred to the Committee of the whole on the Education Law further Amendment Bill.
7. MUNICIPAL ENDOWMENT ACT 1907 AMENDMENT BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

8. RAILWAYS ADVANCES BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

9. VICTORIAN GOVERNMENT SPECIAL INSCRIBED STOCK BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood reported that the Committee had agreed to the following resolution :—

That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill :—

Add the following new clause—

“ A. Notwithstanding anything contained in the *Victorian Loans Redemption Fund Act 1898* as amended by the *Victorian Loans Redemption Fund Act 1902* all moneys at any time standing to the credit of the Victorian Loans Redemption Fund in addition to the purposes for which they are legally available under section four of the *Victorian Loans Redemption Fund Act 1898* as amended by section two of the *Victorian Loans Redemption Fund Act 1902* shall also be legally available for the purchase re-purchase or redemption of any Victorian Government Special Inscribed Stock, and in paying any commission costs and expenses incurred in effecting such purchase re-purchase or redemption,”

and that he was directed to move, That the Committee may have leave to sit again.

On the motion of the Honorable W. L. Baillieu, the Report was adopted.

Ordered—That the Bill be returned to the Assembly, with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

10. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Electoral Law Amendment Bill—Amendments of the Council disagreed with by the Assembly.—To be taken into consideration.

Administration and Probate Duties Bill—Second reading.

Private Hospitals Regulation and Inspection Bill—Consideration of Report.

Duties Collection Bill—Second reading.

Millewa, Croajingolong, and Dargo Lands Reserve Revocation Bill—To be further considered in Committee.

Gold Buyers Act 1907 Amendment Bill—Second reading.—Resumption of debate.

Coroners Law Consolidation and Amendment Bill—Second reading.

Scaffolding Inspection Bill—Second reading.

Crimes Bill—Second reading.

And then the Council, at thirty-four minutes past ten o'clock, adjourned until to-morrow

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 34.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 30TH NOVEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President :—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 11.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz. :—

“ *An Act to confer Powers upon Geelong and District Trustees Company Limited.* ”

“ *An Act to further amend the ‘ Forests Act 1907.’* ”

“ *An Act to amend the ‘ Melbourne Benevolent Asylum Act 1904.’* ”

“ *An Act to enable the Council of the Town of Geelong to grant building leases of portion of the land known as the General Market Site and for other purposes.* ”

“ *An Act to provide for the setting apart of a Site for the erection of a Memorial in honour of the late Marquis of Linlithgow.* ”

Government Offices,
Melbourne, 30th November, 1910.

3. PETITION.—The Honorable E. J. Crooke presented a Petition from A. W. Gippsland, on behalf of the Church of England Synod in the Diocese of Gippsland, praying that the Council will so amend the Education Law further Amendment Bill as to provide for a referendum on the question of the admission of Scripture lessons into the State School course.

Ordered to lie on the Table.

4. TRADING COMPANIES LAW CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read—The Honorable Walter S. Manifold moved, That this Bill be now read a second time, and, debate arising thereupon, it was ordered, on the motion of the Honorable W. L. Baillieu, That the debate be adjourned until Wednesday next.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient that the Governor in Council be authorized to extend the powers of the Printers Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

(a) Stereotyping ;

(b) Preparing printed matter for sale or distribution, including preparing wrappers or labels, folding, inseting, stapling, counting, wrapping, tying, labelling, carrying, or despatching,”

with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 30th November, 1910.

Ordered—That the foregoing Message be taken into consideration on Wednesday, 14th December next.

6. **COURTS OF MINES BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
7. **DUTIES COLLECTION BILL.**—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.
8. **ADMINISTRATION AND PROBATE DUTIES BILL.**—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
9. **PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.**—The Order of the Day for the consideration of the Report from the Committee of the whole having been read—
Ordered—That the said Order be discharged.
On the motion of the Honorable W. L. Baillieu, the Bill was recommitted to a Committee of the whole in respect of clauses 1, 5, 9, and 18.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with further amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.
10. **EDUCATION LAW FURTHER AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.
On the motion of the Honorable J. D. Brown, the Bill was recommitted to a Committee of the whole in respect of clause 24 and a proposed new clause.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with further amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.
11. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—
Electoral Law Amendment Bill.—Amendments of the Council disagreed with by the Assembly.—To be taken into consideration.
Millewa, Croajingalong, and Dargo Lands Reserve Revocation Bill.—To be further considered in Committee.
Gold Buyers Act 1907 Amendment Bill.—Second reading.—Resumption of debate.
Coroners Law Consolidation and Amendment Bill.—Second reading.
Scaffolding Inspection Bill.—Second reading.
Crimes Bill.—Second reading.
Kerang and Koondrook Tramway Bill.—Second reading.
12. **ADJOURNMENT.**—The Honorable W. L. Baillieu moved, That the Council do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at fifty-nine minutes past nine o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 35.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 1ST DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MILLEWA, CROAJINGOLONG, AND DARGO LANDS RESERVE REVOCATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
3. KERANG AND KOONDROOK TRAMWAY BILL.—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
4. GOLD BUYERS ACT 1907 AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read, and, after further debate, the question being put, was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill with amendments.
Ordered—That the Bill as amended, be printed, and taken into consideration on Tuesday next.
5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the determination of any Special Board heretofore constituted) wheresoever employed in the process, trade, or business of a mechanical engineer including—

1. A pattern maker,
2. An iron and brass turner,
3. A fitter,
4. A blacksmith,
5. A coppersmith,
6. A planer,
7. A slotter,
8. A borer,
9. A milling machiner;” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 1st December, 1910.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

6. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz.:—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, or business of—

(a) Boilermaking.

(b) Plating or riveting, or caulking, or angle-iron-smithing in connexion with—

1. Iron and steel shipbuilding,

2. Bridge building,

3. Girder, tank, waggon, or truck making,

4. Wrought-iron or steel pipe making," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 1st December, 1910.

Ordered—After debate, That the foregoing Message be taken into consideration on Tuesday next.

7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until Tuesday next :—

*Electoral Law Amendment Bill.—Amendments of the Council disagreed with by the Assembly—
To be taken into consideration.*

Coroners Law Consolidation and Amendment Bill—Second reading.

Crimes Bill—Second reading.

Scaffolding Inspection Bill—Second reading.

8. ADJOURNMENT.—The Honorable J. D. Brown moved, That the Council, at its rising, adjourn until Tuesday next.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at five minutes past five o'clock, adjourned until Tuesday next.

THOS. G. WATSON.
Clerk of the Legislative Council

VICTORIA.

No. 36.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

TUESDAY, 6TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
Board of Inquiry on the Working Men's College, Melbourne.—Preliminary Report.
Charitable Institutions.—Report of Inspector for the year ended 30th June, 1910.
Severally ordered to lie on the Table.

The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—

Victorian Railways.—Report of the Victorian Railways Commissioners for the quarter ending 30th September, 1910.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return the Legislative Council the Bill intituled "*An Act to regulate the Sale of Seeds for Planting or Sowing*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 2nd December, 1910.

FRANK MADDEN,
Speaker.

4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Artificial Manures Acts*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 2nd December, 1910.

FRANK MADDEN,
Speaker.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for the Constitution and Incorporation of a College of Divinity, under the name of the Melbourne College of Divinity*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 2nd December, 1910.

FRANK MADDEN,
Speaker.

6. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Railway Lands Acquisition Acts*," and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1910.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to declare the Rates of Income Tax for the Year ending on the thirty-first day of December One thousand nine hundred and eleven and to continue the Income Tax Acts*," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1910.

8. INCOME TAX BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

9. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend Section Twenty-three of the 'Licensing Act 1890,'*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1910.

10. LICENSING ACT 1890 AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

11. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act relating to Diseases of Bees*," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1910.

12. BEE DISEASES BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

13. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the Law relating to Holders of Residence Areas under the Mines Acts who die Intestate*," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1910.

14. RESIDENCE AREAS HOLDERS BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

15. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Savings Banks Acts*," with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 2nd December, 1910.

16. SAVINGS BANKS ACTS FURTHER AMENDMENT BILL.—On the motion of the Honorable J. D. Brown the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

17. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for the erection of a special stock to be called 'Victorian Government Special Inscribed Stock' for sale to Friendly Societies only and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have considered the Message of the Legislative Council suggesting that this House make a certain amendment in such Bill, and have made the suggested amendment.

Legislative Assembly,
Melbourne, 2nd December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Victorian Government Special Inscribed Stock Bill.

18. VICTORIAN GOVERNMENT SPECIAL INSCRIBED STOCK BILL.—On the motion of the Honorable W. L. Baillieu, the President left the Chair; and the House again resolved itself into a Committee of the whole.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment (including the amendment made in the said Bill by the Assembly which was suggested by the Council), and requesting their concurrence therein.

19. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the temporary application out of 'The Public Account' of certain moneys to meet expenditure under certain Acts,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 2nd December, 1910.

FRANK MADDEN,
Speaker.

20. PUBLIC ACCOUNT ADVANCES BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

21. FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

(a) Wholly or partly preparing or manufacturing by hand or machine envelopes, letter-pads, luggage labels, railway tickets, playing or other cards, including cutting, gumming, or gluing, folding, round cornering, gilding, sorting, banding, packing or boxing, but not including any process subject to a determination of the Printers Board.

(b) Embossing or black-bordering envelopes, cards, or any description of paper, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

22. FACTORIES AND SHOPS ACTS.—EXTENSION OF POWERS OF AGRICULTURAL IMPLEMENTS BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient that the Governor in Council be authorized to extend the powers of the Agricultural Implements Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed in assembling or putting together any parts of machinery or implements of classes or kinds (whether the same have been made inside or outside the State) same or similar to those for which the said Board has power to fix prices or rates, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

23. **FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a fireman, boiler attendant, or engine-driver in connexion with the use of steam boilers or steam-engines other than steam boilers or steam-engines connected with mines, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

24. **FACTORIES AND SHOPS ACTS.—EXTENSION OF POWERS OF PLATE GLASS BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient that the Governor in Council be authorized to extend the powers of the Plate Glass Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the determination of the Woodworkers Board) employed in the process, trade, or business of—

- (a) Glazing or assisting in glazing any kind of glass (other than glazing stained glass in lead);
- (b) Fixing leadlights or glass signs or putting made-up glass into the window frames, window sashes, doors, or door frames of buildings;
- (c) Cutting sheet glass or brilliants;
- (d) Packing plate or sheet glass; including any labouring work in connexion with any operation subject to the determination of the Plate Glass Board, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

25. **FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of a marine store dealer or a dealer in old metals or bottles, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

26. **FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than labourers) wheresoever employed in the process, trade or business of a bricklayer, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

27. **ELECTORAL LAW AMENDMENT BILL.**—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly having been read, the said amendments were read, and are as follow :—

Amendments made by the Legislative Council,

How dealt with by the
Legislative Assembly.

1. Clause 3, line 12, after "Assembly" insert "other than rolls of ratepaying electors,"
2. „ line 12, before "electors' rights" insert "residential,"
3. Clause 5, line 34, after "persons" insert "other than those whose names are on any roll of ratepaying electors for the Assembly then in force for such district or districts respectively."
4. Clause 11, line 33, at the end of the clause add "Notwithstanding anything contained in this section any person of the full age of twenty-one years being a natural-born or naturalized subject of His Majesty and not subject to any disqualification or legal incapacity who has obtained a non-residential elector's right in respect of any lands or tenements or whose name is on any roll of ratepaying electors in respect of any rateable property shall (subject to the provisions hereinafter contained) be entitled to vote at any election for the Assembly for the division in which such lands or tenements or rateable property are or is situate."

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

- 5. Clause 12, line 34, after "disqualified from" insert "obtaining a non-residential elector's right or."
- 6. " line 35, after "Assembly" insert "whether on a general roll or a roll of ratepaying electors."
- 7. " line 38, after "enrolment" insert "or the date of his application for such elector's right or the date of the making out of the list of ratepaying electors."
- 8. Clause 13, line 28, after "Assembly" insert "other than electors whose names are on the roll of ratepaying electors for the Assembly in force for the division."
- 9. Clause 18, line 11, after "Assembly" insert "other than electors whose names are on the roll of ratepaying electors for the Assembly in force for the division."
- 10. Clause 19, line 16, omit "February" and insert "November."
- 11. " line 18, omit "February" and insert "November."
- 12. " line 25, omit "February" and insert "November."
- 13. " line 28, omit "February" and insert "November."
- 14. Clause 21, line 16, omit "April" and insert "January."
- 15. Clause 22, line 43, omit "twenty-third day of April" and insert "fifteenth day of January."
- 16. " page 11, line 6, omit "twenty-third day of April" and insert "fifteenth day of January."
- 17. Clause 23, line 24, omit "whose name is on any general list."
- 18. " line 25, omit "such general list" and insert "any general list or list of ratepaying electors."
- 19. " line 27, after "list" insert "or list of ratepaying electors."
- 20. " line 30, after "list" insert "and list of ratepaying electors."
- 21. Clause 24, line 8, after "list" insert "or list of ratepaying electors."
- 22. " lines 8-9, omit "twenty-third day of April" and insert "fifteenth day of January."
- 23. " line 12, omit "general."
- 24. Clause 25, line 17, omit "twenty-third day of April" and insert "fifteenth day of January."
- 25. Clause 26, line 34, after "list" insert "or list of ratepaying electors."
- 26. " line 36, omit "general."
- 27. Clause 27, line 39, after "list" insert "and list of ratepaying electors."
- 28. " page 13, line 3, after "list" insert "or list of ratepaying electors"; omit "May" and insert "February."
- 29. Clause 28, line 20, omit "general list" and insert "lists."
- 30. " line 28, before "including" insert "or list of ratepaying electors."
- 31. Clause 29, line 32, after "list" insert "or list of ratepaying electors."
- 32. " line 37, omit "general."
- 33. Clause 31, line 20, omit "general."
- 34. " line 32, omit "general."
- 35. " line 38, omit "general."
- 36. " page 15, line 2, omit "general."
- 37. Clause 32, line 2, omit "general."
- 38. Clause 33, line 16, omit "general."
- 39. Clause 34, line 23, omit "general."
- 40. Clause 37, line 11, before "(as the case may be)" insert "or the roll of ratepaying electors."
- 41. " line 14, after "list" insert "or list of ratepaying electors."
- 42. " line 16, omit "the roll" and insert "such rolls."
- 43. " line 17, after "roll" insert "or the roll of ratepaying electors."
- 44. " line 18, omit "July" and insert "April."
- 45. " line 20, omit "the said roll" and insert "each of the said rolls."
- 46. " line 30, omit "such roll" and insert "each of such rolls."
- 47. Clause 38, line 37, after "roll" insert "or roll of ratepaying electors."
- 48. " line 38, after "annual general roll" insert "or a roll of ratepaying electors (as the case may be)."
- 49. Clause 41, line 15, omit "general."
- 50. " line 17, after "enrolled" insert "on the general roll."
- 51. After clause 48 insert the following new clause:—

Disagreed with.

B. (1) Every person who under the provisions of Division 5 of Part IV. of the Principal Act has a qualification of which residence forms no part (in the said Act called a non-residential qualification) to vote in the election of members of the Assembly for any district and derives his qualification in the division of such district to which his application for an elector's right applies and is not disqualified under any Act shall (subject to the provisions of the Constitution Act Amendment Acts) be entitled to have an elector's right issued to him for such division and to have his name inserted and retained on any general list or general roll to be made as provided in this Act for such division.

Persons entitled to electors' rights by virtue of non-residential qualification.

(2) The registrar for any division when preparing any special general list for such division after an electoral canvass shall include in such list the names of all persons who hold non-residential electors' rights in force for the division.

Names of persons holding non-residential electors' rights to be inserted on special general lists.

(3) When any non-residential elector's right is issued to any person during the currency of any general roll, the registrar shall immediately on the issue of such right enter in such general roll the name of such person, with such other particulars as may be prescribed and shall write opposite such entry his initials and the date thereof.

Names to be inserted on general rolls.

(4) The following sections and Schedules of the Acts hereinafter mentioned shall apply and have effect so far only as they relate to electors' rights in virtue of a non-residential qualification; and any reference therein to the registrar or deputy-registrar shall be taken to refer only to the registrar, namely:—

Provisions applicable to non-residential electors' rights.

Sections one hundred and forty-one to one hundred and forty-five of the Principal Act; section one hundred and forty-six of the Principal Act as re-enacted by section twelve of the *Purification of Rolls Act* 1891; sections one hundred and forty-seven to one hundred and fifty-one of the Principal Act; sections one hundred and fifty-four to one hundred and fifty-eight of the Principal Act; sections one hundred and ninety to one hundred and ninety-two and section two hundred and fifty-six and the Eighteenth Schedule to the Principal Act as re-enacted by section thirteen of the *Purification of Rolls Act* 1891; sections eleven to thirteen of and the First Schedule to the *Purification of Rolls Act* 1891; sub-sections (a) and (c) of section four and section twelve and section twenty-five of and the Second Schedule to *The Constitution Act Amendment Act* 1898.

No. 1075 ss. 141-145, 146, 147-151, 154-158, 190-192, 256.

No. 1242 ss. 11-13.
No. 1601 ss. 4 (a), (c), 12, 25.

(5) In the Eighteenth Schedule to the Principal Act as re-enacted by section thirteen of the *Purification of Rolls Act* 1891 the words "It is to be observed that this elector's right is good only until the first day of December, 189" are hereby repealed.

Amendment of Eighteenth Schedule to Principal Act. No. 1242 s. 13.

52. Clause 54, line 15, after "roll" insert "or the roll of ratepaying electors."
53. Clause 56, line 14, omit "general."
54. " line 17, after "roll" insert "or the roll of ratepaying electors."
55. Clause 58, line 29, after "inspector" insert "town clerk, secretary."
56. Clause 59, line 35, after "registrar" insert "town clerk, secretary."
57. Clause 62, line 12, after "division" insert "including the roll of ratepaying electors for the division."
58. " lines 14-15, omit "and in no other division whatever of any district."
59. Clause 63, line 38, before "the general roll" insert "the roll of ratepaying electors and of."
60. " page 25, line 26, after "roll" insert "of ratepaying electors and general roll."
61. Clause 64, lines 37-38, omit "the electoral roll" and insert "deemed to be the general roll."
62. " line 38, at the end of the clause add "and together with the roll of ratepaying electors for the division shall form the electoral roll for the division."
63. Clause 66, page 27, line 3, after "and" insert "shall if he claims to vote as the holder of an elector's right, exhibit to the returning officer or deputy the elector's right which purports to entitle him to exercise the right of voting and."
64. Clause 67, line 8, at the end of the clause add "and if such person claims to vote as the holder of an elector's right the returning officer or deputy shall ascertain that the name given by such person is upon the elector's right exhibited by him and shall compare the elector's right with such name on the roll and the particulars stated against the same so as by inspection to satisfy himself of the identity of the person to whom the elector's right has been issued with the person so named on the roll."
65. Clause 68, line 20, omit "electoral roll" and insert "general roll (or as the case may require the roll of ratepaying electors)."
66. " line 22, before "Do" insert "(If the person claims for a residential qualification)."
67. " at the end of the clause add—
" (vi.) (If the person claims as the holder of an elector's right). Was the elector's right now exhibited by you issued to you, and have you now the qualifications in respect of which the same was issued? And is the signature (A.B.) appearing on the said elector's right your signature?"

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by the
Legislative Assembly.

68. Clause 70, page 28, line 9, after "vote" insert "or (f) does not answer absolutely in the affirmative the question numbered (vi.) so far as applies to his claim to vote."
69. Clause 71, at the end of the clause add "and if such person claims to vote as the holder of an elector's right the returning officer shall compare such signature with the signature purporting to be that of the holder of such elector's right and appearing thereon."
70. Clause 73, page 29, at the end of the clause add "and (d) mark such elector's right (if any) with his initials and with the date and return the same to such person."
71. Clause 87, line 21, after "place" insert "or (d) that such elector is a woman."
72. " line 24, omit "him," substitute "such elector."
73. " lines 25-6, omit "tender his."
74. Clause 88, line 38, omit "In the case of an election for the Council."
75. " line 41, after "marked" insert "in the case of an election for the Council."
76. " line 42, after "Act" insert "or in the case of an election for the Assembly as required by this Act."
77. Clause 93, line 43, before "post" insert "hand it at once to the authorized witness who shall."
78. First Schedule, page 42, lines 7-9, omit "section one hundred and twenty-one and sections one hundred and twenty-eight to two hundred and three" and insert "sections one hundred and twenty-eight and one hundred and twenty-nine, sections one hundred and thirty-six to one hundred and forty, section one hundred and fifty-three, sections one hundred and fifty-nine to one hundred and sixty-seven, sections one hundred and seventy-two to one hundred and eighty, sections one hundred and eighty-two to one hundred and eighty-nine, sections one hundred and ninety-three to one hundred and ninety-eight, and sections two hundred to two hundred and three."
79. " " page 42, last four lines on the page, omit "section two hundred and fifty-six shall be repealed so far only as regards matters relating to elections of members of the Assembly."
80. " " page 43, lines 3-4, omit "The Eighteenth to the Twenty-ninth Schedules (both inclusive)" and insert "The Nineteenth to the Twenty-third Schedules (inclusive) and the Twenty-sixth, Twenty-seventh, and Twenty-eighth Schedules."
81. " " page 43, lines 7-8, omit "The whole Act shall be repealed so far as not already repealed" and insert "So far as not already repealed the whole Act shall be repealed with the exception only of sections eleven to thirteen and the First Schedule."
82. " " page 43, lines 18-20, omit—

"No. 1524	<i>Melbourne and Geelong Parliamentary Elections Act 1897</i>	In section two the words 'or Legislative Assembly' shall be repealed"
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83. " " page 43, line 21, third column, opposite the words and figures No. 1601, after "repealed" insert "with the exception of sub-sections (a) and (c) of section four, and with the exception of section five and the First Schedule so far as they relate to the repeal of certain words in section one hundred and forty-six of *The Constitution Act Amendment Act 1890*, and also with the exception of sections seven, twelve, seventeen, twenty-one, and twenty-five, and of the Second and the Fourth Schedules."
84. " " page 43, lines 44-5, omit—

"No. 1893	<i>Local Government Act 1903</i>	In section seventy-seven the words 'or Legislative Assembly' shall be repealed"
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85. Third Schedule, page 45, line 26, before "post" insert "hand it at once to the authorized witness who shall."

Disagreed with.

The Honorable J. D. Brown moved, That the Council do not insist on their amendments.
 Debate ensued.
 Question—put.

The Council divided.

Ayes, 7.

The Hon. J. D. Brown,
W. H. Edgar,
A. Hicks,
J. P. Jones,
A. McLellan.

Tellers.

W. J. Evans,
J. Sternberg.

Noes, 11.

The Hon. R. H. S. Abbott,
J. Balfour,
T. Beggs,
Dr. W. H. Embling,
T. C. Harwood,
D. E. McBryde,
J. Y. McDonald,
D. Melville,
R. B. Rees.

Tellers.

The Hon. W. L. R. Clarke,
A. O. Sachse.

And so it passed in the negative.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council insist on their amendments disagreed with by the Assembly.

28. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in any business or occupation connected with the installation of electrical fittings, appliances, motors, and heaters, including the laying of wires,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 6th December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

29. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“ That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a fireman, boiler attendant, or engine-driver in connexion with a steam-engine or steam-boiler in or about mines of every kind,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 6th December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

30. CRIMES BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.

31. SCAFFOLDING INSPECTION BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

32. GOLD BUYERS ACT 1907 AMENDMENT BILL.—The Order of the Day for the consideration of the Report from the Committee of the whole having been read —

Ordered—That the said Order be discharged.

On the motion of the Honorable J. D. Brown, the Bill was recommitted to a Committee of the whole in respect of clauses 25, 33, and 40.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with further amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and requesting their concurrence therein.

33. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Coroners Law Consolidation and Amendment Bill—Second reading, Factories and Shops Acts.—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the determination of any Special Board heretofore constituted) wheresoever employed in the process, trade, or business of a mechanical engineer, including—

- 1. a pattern maker,
- 2. an iron and brass turner,
- 3. a fitter,
- 4. a blacksmith,
- 5. a coppersmith,
- 6. a planer,
- 7. a slotter,
- 8. a borer,
- 9. a milling machiner.—To be taken into consideration.

Factories and Shops Acts.—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, or business of—

- (a) Boilermaking.
- (b) *Plating or riveting, or caulking, or angle-iron-smithing in connexion with—*
 - 1. Iron and steel shipbuilding,
 - 2. Bridge building,
 - 3. Girder, tank, waggon, or truck making,
 - 4. Wrought-iron or steel pipe making.—To be taken into consideration.

And then the Council, at thirty-five minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.



VICTORIA.

No. 37.

MINUTES OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

WEDNESDAY, 7TH DECEMBER, 1910.

- 1. The President took the Chair and read the Prayer.
2. PAPERS.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor— Education.—Report (together with Appendices) of the Minister of Public Instruction for the Year 1909-10.
Forty-sixth Report of the Board for the Protection of the Aborigines.
Severally ordered to lie on the Table.
The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Twenty-fourth Annual Report on Trade Unions.—Report of the Government Statist for the Year 1909, with an Appendix.
3. TRADING COMPANIES LAW CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read, and the question being put was resolved in the affirmative.—Bill read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, on Tuesday next, again resolve itself into the said Committee.
4. METROPOLITAN RIVERS BILL.—On the motion of the Honorable W. L. Baillieu a Bill relating to certain Rivers, Creeks, Streams and Water-courses within the Metropolis was read a first time, ordered to be printed, and read a second time to-morrow.
5. SAVINGS BANKS ACTS FURTHER AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, this day, again resolve itself into the said Committee.
6. PUBLIC ACCOUNT ADVANCES BILL.—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

7. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered—That the consideration of the following Orders of the Day be postponed until this day :—

Residence Areas Holders Bill—Second reading.
Licensing Act 1890 Amendment Bill—Second reading.

8. **INCOME TAX BILL.**—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

9. **BEE DISEASES BILL.**—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

10. **FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the determination of any Special Board heretofore constituted) wheresoever employed in the process, trade, or business of a mechanical engineer, including—

1. a pattern maker,
2. an iron and brass turner,
3. a fitter,
4. a blacksmith,
5. a coppersmith,
6. a planer,
7. a slotter,
8. a borer,
9. a milling machiner, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

11. **FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, or business of—

- (a) Boilermaking.
- (b) Plating or riveting, or caulking, or angle-iron-smithing in connexion with—
 1. Iron and steel shipbuilding,
 2. Bridge building,
 3. Girder, tank, waggon, or truck making,
 4. Wrought-iron or steel pipe making, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

12. **SAVINGS BANKS ACTS FURTHER AMENDMENT BILL.**—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the report was adopted, and the Bill read a third time and passed.

Ordered that the Assembly be informed that the Council have agreed to the Bill without amendment.

13. **RESIDENCE AREAS HOLDERS BILL.**—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

14. LICENSING ACT 1890 AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair ; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Coroners Law Consolidation and Amendment Bill—Second reading.

Scaffolding Inspection Bill—To be further considered in Committee.

And then the Council, at thirty-four minutes past nine o'clock, adjourned until to-morrow

THOS. G. WATSON,
Clerk of the Legislative Council.



VICTORIA.

No. 38.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 8TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.

2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly returns to the Legislative Council the Bill intituled "*An Act to provide for the erection of a Special Stock to be called 'Victorian Government Special Inscribed Stock' for sale to Friendly Societies only and for other purposes,*" and acquaints the Legislative Council that the proposed amendment is a direct infringement of the rights of the Legislative Assembly as it is a proposal by the Legislative Council to make an alteration in a financial Bill, and the Legislative Assembly therefore declines to entertain such proposed amendment.

The Legislative Assembly, however, directs the attention of the Legislative Council to Section 30 of *The Constitution Act 1903*, under which the Legislative Council may suggest amendments in Bills of this nature, and reminds the Legislative Council that the Legislative Assembly has already made an amendment suggested by the Legislative Council in this Bill.

Legislative Assembly,
Melbourne, 7th December, 1910.

FRANK MADDEN,
Speaker.

On the motion of the Honorable W. L. Baillieu, the Council ordered, That the foregoing Message be taken into consideration this day.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they desire a Free Conference on the subject matter of the amendments, made and insisted on by the Legislative Council in the Bill intituled "*An Act to amend the Law relating to Parliamentary Elections and for other purposes*", and that they have appointed seven Members of the Legislative Assembly to be Managers of the said Conference.

Legislative Assembly,
Melbourne, 7th December, 1910.

FRANK MADDEN,
Speaker.

The Honorable W. L. Baillieu moved, That the desire of the Legislative Assembly for a Free Conference on the Bill intituled "*An Act to amend the Law relating to Parliamentary Elections and for other purposes*" be complied with.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable A. O. Sachse moved, That the following Members be appointed Managers of the Conference :—The Honorables R. H. S. Abbott, J. Balfour, Dr. W. H. Embling, D. E. McBryde, D. Melville, T. H. Payne, and the Mover.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable W. L. Baillieu moved, That the Conference meet immediately in the Conference Room.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Legislative Assembly informing them that the Legislative Council have appointed seven Members to confer with a like number of Members of the Legislative Assembly on the Bill intituled “*An Act to amend the Law relating to Parliamentary Elections and for other purposes*”, and have appointed the Conference Room as the place, and now as the time, of meeting of such Conference.

4. ELECTORAL LAW AMENDMENT BILL—CONFERENCE.—The Managers then went to the Conference, and being returned—

The Honorable A. O. Sachse reported on behalf of the Managers for the Legislative Council that they had met the Managers for the Legislative Assembly at the Free Conference on the Electoral Law Amendment Bill, and had adjourned until Tuesday next, at five o'clock, when the said Conference would be resumed.

5. METROPOLITAN RIVERS BILL.—The Order of the Day for the second reading of this Bill having been read—The Honorable W. L. Baillieu moved, That this Bill be now read a second time.

The Honorable Walter S. Manifold moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

6. SCAFFOLDING INSPECTION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

7. LICENSING ACT 1890 AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

8. CORONERS LAW CONSOLIDATION AND AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.

9. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until Tuesday next :—

Victorian Government Special Inscribed Stock Bill.—Message from the Assembly—To be taken into consideration.

10. ADJOURNMENT.—The Honorable J. D. Brown moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at fifty-six minutes past four o'clock, adjourned until Tuesday next.

THOS. G. WATSON,
Clerk of the Legislative Council,

VICTORIA.

No. 39.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 13TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
 - Bank Liabilities and Assets.—Summary of Sworn Returns for the quarter ended 30th September, 1910.
 - Fisheries Act 1890.—Notices of Intention to issue Proclamations—
 - Revoking the Proclamation dated 14th day of December, 1909, *re* restrictions on netting, &c., in Gippsland Lakes during thirty hours in each week, and to make a Proclamation—
 1. Prohibiting the use of trammels, trawls, &c., in the Gippsland Lakes during certain hours.
 2. Restricting the lengths of certain nets to be used in the Gippsland Lakes.
 - Prohibiting until the 1st day of December, 1911, the taking of certain fish from the Burnt Creek and portion of the Wimmera River.
3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to further amend the Factories and Shops Acts,*” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 8th December, 1910.
4. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.
5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled “*An Act to provide for a Tax on the Unimproved Value of Land and for the Assessment of Land and other purposes,*” with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 9th December, 1910.
6. LAND TAX BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

7. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to consolidate and amend the Prahran and Malvern Tramways Trust Acts and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 9th December, 1910.

FRANK MADDEN,
Speaker.

8. PRAHRAN AND MALVERN TRAMWAYS TRUST ACTS CONSOLIDATION AND AMENDMENT BILL.—On the motion of the Honorable W. H. Edgar, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

9. ELECTORAL LAW AMENDMENT BILL.—FREE CONFERENCE.—The Clerk read the names of the Honorable Members appointed as Managers for the Legislative Council, who thereupon proceeded to the place named for the meeting of the Conference.

Mr. President left the Chair, and resumed it at fifty-four minutes past nine o'clock.

The Honorable J. Balfour reported that the Conference had again met, and, after further discussion, had adjourned until Thursday next at three o'clock.

10. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, or business of a slater, roof tiler, ridger, shingler, or cement tiler other than a tiler laying verandah or flooring tiles,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 13th December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

11. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in a restaurant, coffee-palace, hotel, eating-house, fish shop, or oyster shop, or any premises for which a colonial wine licence or billiard-table licence is in force, or which are occupied as a club,” with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 13th December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

12. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the following resolution, viz. :—“That it is expedient to authorize the Governor in Council to extend the powers under the Factories and Shops Acts of the Jam Trade Board, so that such Board may fix the lowest prices or rates to be paid to any person or persons or classes of persons employed either inside or outside a factory or work-room in the process, trade, or business of—

(a) Preparing, canning, or preserving lemon or other peel, fruit or vegetables.

(b) Preparing or putting up any of such articles for sale,”

with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 13th December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration on Tuesday next.

13. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until to-morrow.

Victorian Government Special Inscribed Stock Bill.—Message from the Assembly.—To be taken into consideration.

14. METROPOLITAN RIVERS BILL.—The Order of the Day for the resumption of the debate on the question That this Bill be now read a second time having been read—
 Debate resumed.
 The Honorable J. G. Aikman moved, That the debate be now adjourned.
 Debate ensued.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until to-morrow.

15. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of the following Orders of the Day be postponed until Tuesday next :—

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“ That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in any business or occupation connected with the installation of electrical fittings, appliances, motors, and heaters, including the laying of wires.”—To be taken into consideration.

Factories and Shops Acts—Appointment of Special Wages Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“ That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a fireman, boiler attendant, or engine-driver in connexion with a steam-engine or steam-boiler in or about mines of every kind.”—To be taken into consideration.

16. POSTPONEMENT OF ORDER OF THE DAY.—Ordered—That the consideration of the following Order of the Day be postponed until to-morrow.

Trading Companies Law Consolidation and Amendment Bill—To be further considered in Committee.

And then the Council, at five minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
 Clerk of the Legislative Council.

VICTORIA.

No. 40.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 14TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PAPER.—The following paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk :—
Thirty-second Annual Report on Friendly Societies.—Report of the Government Statist for the year, 1909, to which are appended Valuations of Societies, Numerical and Financial Summaries of the Returns furnished by the Secretaries, &c.
3. TRADING COMPANIES LAW CONSOLIDATION AND AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood, having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which title is as follows :—
“ *An Act to consolidate and amend the Law relating to Companies and for other purposes.*”
the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and with an amended title, and desiring their concurrence therein.
4. PRAHRAN AND MALVERN TRAMWAYS TRUST ACTS CONSOLIDATION AND AMENDMENT BILL.—The Honorable W. H. Edgar moved, by leave, That all the Standing Orders relating to Private Bills be suspended in relation to the Bill to consolidate and amend the Prahran and Malvern Tramways Trust Acts and for other purposes.
Question—put and resolved in the affirmative.
The Honorable W. H. Edgar moved, That this Bill be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood, having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.
5. BOROUGH OF WONTHAGGI CONSTITUTION BILL.—On the motion of the Honorable W. L. Baillieu, a Bill to provide for the Constitution under the Local Government Acts of the Borough of Wonthaggi was read a first time, ordered to be printed, and read a second time to-morrow.
6. LAND TAX BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable W. L. Baillieu moved, That this Bill be now read a second time.
The Honorable Walter S. Manifold moved, That the debate be now adjourned.
Debate ensued.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until to-morrow.

7. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Factories and Shops Acts further Amendment Bill.—Second reading.

Factories and Shops Acts—Extension of Powers of Printers Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“That it is expedient that the Governor in Council be authorized to extend the powers of the Printers Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

(a) *Stereotyping.*

(b) *Preparing printed matter for sale or distribution, including preparing wrappers or labels, folding, inseting, stapling, counting, wrapping, tying, labelling, carrying, or despatching.”—To be taken into consideration.*

Victorian Government Special Inscribed Stock Bill—Message from the Assembly.—To be taken into consideration.

Metropolitan Rivers Bill.—Second reading.—Resumption of debate.

And then the Council, at nineteen minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

No. 41.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 15TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. ELECTORAL LAW AMENDMENT BILL.—FREE CONFERENCE.—The Clerk read the names of the Honorable Members appointed as Managers for the Legislative Council, who thereupon proceeded to the place named for the meeting of the Conference.

The President left the Chair, and resumed it at forty-three minutes past eight o'clock.

The Honorable J. Balfour reported, on behalf of the Managers for the Legislative Council, That the Managers of the Conference had arrived at an agreement to recommend to their respective Houses that the Electoral Law Amendment Bill as it left the Assembly should be passed with certain additions, which would provide that a person who is a freeholder and a ratepayer, or who is a leaseholder with a twelve months' lease and a ratepayer, shall be entitled, if he applies, to have his name entered on the roll of the electoral district where he resides and also on the roll of the Electoral District where his freehold or leasehold property, as the case may be, is situated, provided that his name shall not appear on more than two rolls.

The Honorable J. Balfour added, That the Parliamentary Draftsman would draft the necessary amendments to give effect to the agreement, and the Conference would meet at three o'clock to-morrow to deal with the same.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the amendment made by the Legislative Council to insert the words "or Boards" after the words "Special Board" in the following resolution, viz. :—

That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business or occupation (other than fireman, boiler attendant, or engine-drivers) of mining for gold.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 15th December, 1910.

4. LAND TAX BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
Debate resumed.
The Honorable D. Melville moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until to-morrow.
5. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable W. L. Baillieu moved, That this Bill be now read a second time.
The Honorable Walter S. Manifold moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.

6. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Factories and Shops Acts—Extension of Powers of Printers Board.—Message from the Legislative Assembly desiring concurrence in the following resolution, viz. :—“ That it is expedient that the Governor in Council be authorized to extend the powers of the Printers Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

(a) *Stereotyping,*

(b) *Preparing printed matter for sale or distribution, including preparing wrappers or labels, folding, inseting, stapling, counting, wrapping, tying, labelling, carrying, or despatching.”—To be taken into consideration.*

Victorian Government Special Inscribed Stock Bill.—Message from the Assembly.—To be taken into consideration.

Metropolitan Rivers Bill.—Second reading—Resumption of debate.

Borough of Wonthaggi Constitution Bill.—Second reading.

7. ADJOURNMENT.—The Honorable W. L. Baillieu moved, That the Council do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-four minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

FRIDAY, 16TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. PETITIONS.—The following Petitions praying that the Factories and Shops Acts be so amended as to bring under their provisions the adjoining shires of Warrnambool, Heytesbury, Hampden, Dundas, Belfast, Minhamite, Villiers, Normanby, &c., &c., were presented as under :—

By the Honorable Walter S. Manifold—
 From certain citizens of the Town of Warrnambool, being employers of labour.
 From certain citizens of the Town of Warrnambool, being employees.

Ordered to lie on the Table, and referred to the Committee of the Whole on the Factories and Shops Acts further Amendment Bill.
3. PAPER.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
 Statistical Register of the State of Victoria for the year 1909.—Part IX.—Production.
 Ordered to lie on the Table.
4. ELECTORAL LAW AMENDMENT BILL—FREE CONFERENCE.—The Clerk read the names of the Honorable Members appointed as Managers for the Legislative Council, who thereupon proceeded to the place named for the meeting of the Conference.
 The President left the Chair, and resumed it at thirty-three minutes past four o'clock.
 The Honorable J. Balfour reported, That the detailed amendments to carry out the recommendations of the Conference which were reported to the Council yesterday had been considered and agreed to by the Conference. The recommendations would be taken into consideration in the Legislative Assembly, where the Bill and the amendments made therein by the Legislative Council were at present, and that the Council would now await a Message from the Assembly when the matter had been dealt with there.
5. ALTERATION OF HOUR OF MEETING.—The Honorable W. L. Baillieu moved, That during the remainder of the Session the Council shall meet for the despatch of business on Tuesdays and Wednesdays at half-past two o'clock.
 Debate ensued.
 Question—put and resolved in the affirmative.
6. LAND TAX BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read, and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time, and committed to a Committee of the whole.
 House in Committee.
 The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the following resolution :—

That it be a suggestion to the Legislative Assembly that they make the following amendment in the Bill :—
 Clause 5, at end of clause, add—
 “and shall also in the discretion of the convicting Court be liable to imprisonment for a term not exceeding one year,”
 and that he was directed to move, That the Committee may have leave to sit again.
 On the motion of the Honorable W. L. Baillieu the Report was adopted.
 Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.
 Resolved—That the Council will, on Tuesday next, again resolve itself into a Committee of the whole.

7. **FACTORIES AND SHOPS ACTS.—EXTENSION OF POWERS OF PRINTERS BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz. :—That it is expedient that the Governor in Council be authorized to extend the powers of the Printers Board under the Factories and Shops Acts so that it may fix the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

(a) Stereotyping.

(b) Preparing printed matter for sale or distribution, including preparing wrappers or labels, folding, inseting, stapling, counting, wrapping, tying, labelling, carrying, or despatching, having been read—

The Honorable W. L. Baillieu moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

8. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the following Order of the Day be postponed until Tuesday next :—

Victorian Government Special Inscribed Stock Bill—Message from the Assembly—To be taken into consideration.

9. **METROPOLITAN RIVERS BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read and, the question being put, was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.

10. **BOROUGH OF WONTHAGGI CONSTITUTION BILL.**—This Bill was, according to Order, and after debate, read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable Dr. W. H. Embling having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.

And then the Council, at thirteen minutes past six o'clock, adjourned until Tuesday next.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 43.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

TUESDAY, 20TH DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.—The following Message from His Excellency the Governor was presented by the Honorable W. L. Baillieu, and the same was read by the Honorable the President:—

THOS. D. GIBSON CARMICHAEL,
Governor of Victoria.

Message No. 12.

The Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Acts of the present Session, presented to him by the Clerk of the Parliaments, viz.:—

- “ *An Act to amend the Law relating to Arbitration.* ”
 “ *An Act to authorize the resumption by the Crown of certain Land vested in the Melbourne Harbor Trust Commissioners.* ”
 “ *An Act to amend the ‘ Municipal Endowment Act 1907.’* ”
 “ *An Act to authorize the temporary application of ‘ The Public Account ’ of certain moneys for the purpose of substituting heavy rails for light rails on certain lines of railway.* ”
 “ *An Act to empower the Courts of Mines to deal with Special Cases stated by a Warden.* ”
 “ *An Act relating to Duties payable under the Administration and Probate Acts.* ”
 “ *An Act to revoke the permanent reservation under Orders in Council of certain Crown Lands in the Counties of Millewa, Croajingolong, and Dargo.* ”
 “ *An Act relating to the Kerang and Koondrook Tramway.* ”
 “ *An Act to regulate the Sale of Seeds for Planting or Sowing.* ”
 “ *An Act to further amend the Artificial Manures Acts.* ”
 “ *An Act to provide for the Constitution and Incorporation of a College of Divinity under the name of the Melbourne College of Divinity.* ”
 “ *An Act to further amend the Railway Lands Acquisition Acts.* ”
 “ *An Act to authorize the temporary application out of ‘ The Public Account ’ of certain moneys to meet expenditure under certain Acts.* ”
 “ *An Act to declare the Rates of Income Tax for the Year ending on the thirty-first day of December One thousand nine hundred and eleven and to continue the Income Tax Acts.* ”
 “ *An Act relating to Diseases of Bees.* ”
 “ *An Act to further amend the Savings Banks Acts.* ”
 “ *An Act to amend the Law relating to Holders of Residence Areas under the Mines Acts who die Intestate.* ”
 “ *An Act to amend Section Twenty-three of the ‘ Licensing Act 1890.’* ”

The Government Cottage,
Macedon, 17th December, 1910.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled “ *An Act to further amend the Factories and Shops Acts with regard to Apprentices and Improvers,* ” and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, have disagreed with the amendment to insert new clause A, and have agreed to one of the said amendments with an amendment, with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 19th December, 1910.

Ordered—That the foregoing Message be taken into consideration this day.

4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Water Supply in Country Districts and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 19th December, 1910.

FRANK MADDEN,
Speaker.

5. WATER SUPPLY LOANS APPLICATION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, and after debate, to be read a second time this day.
6. PAPER.—The Honorable W. L. Baillieu presented, by command of His Excellency the Governor—
Report of the Royal Commission appointed to inquire as to the Acquisition of certain Lands in the Cohuna and Dungee Districts, together with Minutes of Evidence.
Ordered to lie on the Table.
7. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in any business or occupation connected with the installation of electrical fittings, appliances, motors, and heaters, including the laying of wires, having been read—
The Honorable W. H. Edgar moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.
Question—put and resolved in the affirmative.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.
8. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a fireman, boiler attendant, or engine-driver in connexion with a steam-engine or steam-boiler in or about mines of every kind, having been read—
The Honorable W. H. Edgar moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.
The Honorable R. H. S. Abbott moved, as an amendment, That the words "or Boards" be inserted after the words "Special Board."
Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.
Question—That the Council agree to the foregoing resolution as amended—put and resolved in the affirmative.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution, with an amendment, with which they desire the concurrence of the Assembly.
9. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to appoint a Special Board to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the process, trade, or business of a slater, roof tiler, ridger, shingler, or cement tiler other than a tiler laying verandah or flooring tiles, having been read—
The Honorable W. H. Edgar moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.
Debate ensued.
Question—put and resolved in the affirmative.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.
10. FACTORIES AND SHOPS ACTS—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in a restaurant, coffee palace, hotel, eating-house, fish shop, or oyster shop, or any premises for which a Colonial wine licence or billiard-table licence is in force, or which are occupied as a club, having been read—
The Honorable W. H. Edgar moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.
Debate ensued.
The Honorable Dr. W. H. Embling moved, That the debate be now adjourned.
And after debate—
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until to-morrow.

11. **FACTORIES AND SHOPS ACTS—EXTENSION OF POWERS OF JAM TRADE BOARD.**—The Order of the Day for the consideration of the Message from the Assembly desiring concurrence in the following resolution, viz.:—That it is expedient to authorize the Governor in Council to extend the powers under the Factories and Shops Acts of the Jam Trade Board so that such Board may fix the lowest prices or rates to be paid to any person or persons or classes of persons employed either inside or outside a factory or workroom in the process, trade, or business of—

- (a) Preparing, canning, or preserving lemon or other peel, fruit, or vegetables.
(b) Preparing or putting up any of such articles for sale, having been read—

The Honorable W. H. Edgar moved, That the Council concur with the Assembly in agreeing to the foregoing resolution.

The Honorable R. H. S. Abbott moved, That the debate be adjourned until to-morrow.

Debate ensued.

Question—That the debate be adjourned until to-morrow—put and negatived.

Question—That the Council concur with the Assembly in agreeing to the foregoing resolution—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution.

12. **POSTPONEMENT OF ORDER OF THE DAY.**—Ordered—That the consideration of the following Order of the Day be postponed until later this day :—

Land Tax Bill.—To be further considered in Committee.

13. **FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read, and, after further debate, the question being put, was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.

Resolved—That the Council will, to-morrow, again resolve itself into the said Committee.

14. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the amendment made by the Legislative Council to insert the words "or Boards" after the words "Special Board" in the following resolution, viz.:—That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the occupation of a fireman, boiler attendant, or engine-driver in connexion with a steam-engine or steam-boiler in or about mines of every kind.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th December, 1910.

15. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the raising of Money for Railways Public Works and other purposes,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th December, 1910.

16. **VICTORIAN LOAN BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

17. **MESSAGE FROM THE ASSEMBLY.**—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Railways,*" with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th December, 1910.

18. **RAILWAY LOAN APPLICATION BILL.**—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

19. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for a Tax on the Unimproved Value of Land and for the Assessment of Land and other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have considered the Message of the Legislative Council suggesting that this House make a certain amendment in such Bill, and have made the suggested amendment.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th December, 1910.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Land Tax Bill.

20. LAND TAX BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.
House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill including the amendment made in the said Bill by the Assembly, which was suggested by the Council.

21. LOCAL GOVERNMENT BILL.—On the motion of the Honorable W. L. Baillieu, a Bill to extend the powers of Municipalities for making by-laws, and to amend section Three hundred and forty-seven of the *Local Government Act 1903* was, by leave, read a first time, ordered to be printed, and read a second time to-morrow.

22. WALPEUP SHIRE BILL.—On the motion of the Honorable W. L. Baillieu, a Bill to provide for the Constitution under the Local Government Acts of the Shire of Walpeup and for other purposes was, by leave, read a first time, ordered to be printed, and read a second time to-morrow.

23. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Victorian Government Special Inscribed Stock Bill—Message from the Assembly—To be taken into consideration.

Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill—Amendments made by the Council Disagreed with by the Assembly—To be taken into consideration.

Water Supply Loans Application Bill—Second reading.

And then the Council, at twenty-nine minutes past ten o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 44.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL

WEDNESDAY, 21ST DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Law relating to Education and to Officers and Teachers of the Education Department,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, and have disagreed with others of the said amendments with which they desire the concurrence of the Legislative Council, and inform the Legislative Council that as the amendment to add new sub-clause (a) to Clause 24 would involve an appropriation of public money the Legislative Assembly decline to entertain it.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 20th December, 1910.

Ordered—That the Message be taken into consideration this day.

3. PAPER.—The Honorable W. L. Baillieu presented by command of His Excellency the Governor—
Annual Report of the General Manager of State Coal Mines to the Honorable P. McBride, M.P., Minister of Mines and Forests for Victoria; including the State Coal Mines Balance-Sheet, and Statement of Accounts duly audited, &c., for the year 1910.

Ordered to lie on the Table.

4. POSTPONEMENT OF ORDER OF THE DAY.—Ordered that the consideration of the following Order of the Day be postponed until later this day :—

Factories and Shops Acts.—Appointment of Special Wages Board.—The question is—That the Council concur with the Legislative Assembly in agreeing to the following resolution, viz. :—
"That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in a restaurant, coffee-palace, hotel, eating-house, fish shop, or oyster shop, or any premises for which a Colonial wine licence or billiard-table licence is in force, or which are occupied as a club."
Resumption of debate.

5. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly, with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

6. LOCAL GOVERNMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be sent to the Assembly with a Message desiring their concurrence therein.

7. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council, and disagreed with by the Assembly, having been read—the said amendments were read, and are as follow :—

- | Amendments made by the Legislative Council. | How dealt with by
the Legislative
Assembly. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| 2. Clause 8, line 20, after "development" insert "and general administration." | Disagreed with. |
| 3. " after line 27 insert following new sub-clause :—
"To report on the terms and conditions upon which teachers from schools registered as secondary schools may under this Act be appointed as teachers in higher elementary schools or in district high schools." | |
| 5. Clause 20, line 30, after "school" add "and its efficient management." | Disagreed with. |
| 7. Clause 24, insert the following new sub-clause :—
(a) In each year scholarships to provide secondary education shall be awarded in accordance with regulations under section twenty-three of the Principal Act. Two hundred such scholarships shall be awarded each year unless the Governor in Council shall determine that a larger number is necessary. Such scholarships shall entitle the holder to free education at a District High School or Technical School, or to an allowance of not less than Twelve pounds per annum towards the payment of fees at an approved Secondary School; an additional allowance to cover board and lodging travelling or books and materials or laboratory charges may be made as prescribed by regulations. | |
| 10. Clause 28, omit paragraph (e). | Disagreed with. |
| 11. " line 31, omit "and." | |
| 12. " line 34, after "Council" add "and (h) the selection of pupils for admission to schools registered as secondary schools, the admission of pupils so selected." | |
| 19. Clause 44, page 16, line 3, before "fails" insert "wilfully." | Disagreed with. |
| 23. Insert the following new clauses and Schedule :— | |

PART .—SCRIPTURE LESSONS IN SCHOOLS.

A. In order to determine whether or not in administering the Education Acts unsectarian Scripture lessons shall be given in State schools during the school hours to those children whose parents do not object and by State school teachers who have no conscientious objections to so doing a general poll or referendum of the electors of the Legislative Assembly shall be taken and given effect to in manner hereinafter provided.

B. On the date of the General Election for members to serve in the Legislative Assembly of the State of Victoria next following the passing of this Act the returning officer of each and every electoral district of the Legislative Assembly (hereinafter called the returning officer) whether the election for such district is contested or not shall without further or other authority than this Act proceed by himself and his deputies and poll clerks to take at every booth at the polling places lawfully appointed in each division of the district for which he is the returning officer a poll of all persons on such day entitled to vote in such division at such General Election for such district and who desire to vote in favour of or against unsectarian Scripture lessons being given in State schools as aforesaid.

C. (1) No person shall either in one or more electoral districts vote or attempt to vote more than once on the question at such poll.

(2) Ballot-papers in the form of the Schedule to this Act or to the like effect shall be used and such papers shall be deemed to be ballot-papers within the meaning of any Act relating to the election of members of the Legislative Assembly.

(3) The returning officer and every deputy at such poll shall at the request of any person who is entitled to vote at the booth at which such officer or deputy presides and who on being asked by such returning officer or deputy answers that he has not already voted at such general poll or referendum in the same or any other district and desires to vote on the question deliver to such person one of such ballot-papers.

(4) Any person who at such general poll or referendum votes or attempts to vote more than once on the said question shall be guilty of an offence, and shall on conviction thereof be liable for every such offence to a penalty not exceeding Fifty pounds or at the option of the Court to imprisonment not exceeding six months.

Disagreed with.

Amendments made by the Legislative Council.

How dealt with by
the Legislative
Assembly.

D. Upon the submitting of the question to such general poll or referendum all proceedings shall be had and taken in each electoral district as nearly as may be as upon such election for the Legislative Assembly, and the various provisions as to persons places times and matters connected with voting contained in the Acts in force for the time being relating to the elections of members to serve in the Legislative Assembly shall so far as they are not inconsistent with this Act apply to such poll held hereunder; and all returning officers and substitute returning officers and likewise the deputy returning officers and poll clerks thereat shall respectively exercise all such powers and authorities and perform all such duties in connexion with the taking and conduct of such poll as in connexion with such election of members for the Legislative Assembly.

E. (1) Immediately after the closing of the poll at each polling booth in each electoral district the returning officer and every deputy at the polling booth at which each presides shall in the presence and subject to the inspection of the poll clerk (if any) proceed to ascertain the number of votes recorded at the general poll or referendum authorized by this Act, and each deputy shall immediately thereafter forward to the returning officer a list duly signed and verified of the number of votes recorded in favour of and against the question respectively at the booth at which he took the poll.

(2) Every returning officer shall make up from the list so made out by him and from such lists of the deputies the result of the poll or referendum in his district in favour of or against the question and publicly post up outside the principal polling place within the district a notice of such result duly signed by him, and shall as soon as conveniently may be on or after the day of the poll or referendum transmit by post or otherwise to the Minister of Public Instruction a return signed by him showing the number of votes recorded for and against the question.

(3) As soon as conveniently may be after the receipt by the Minister of Public Instruction of all of such returns from the returning officers the Minister shall certify the result of such poll on the question for the whole of Victoria and for each electoral district and a copy of such certificate shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within seven days of the next meeting thereof.

(4) If the result of such poll for the whole of Victoria is that there is a majority of votes in the affirmative then thereafter in the administration of the Education Acts unsectarian Scripture lessons shall be given in State Schools during the school hours to those children whose parents do not object and by State School teachers who have no conscientious objections to so doing.

F. So far as they are not inconsistent with this Part of this Act the penal provisions of all Acts in force relating to elections for the Legislative Assembly shall be deemed to be incorporated with and to be part of this Part of this Act, and the like offences to those mentioned in such provisions shall, when committed in relation to such poll, be deemed to be offences to be tried in the like jurisdictions with the like procedure limited to the like times and to be subject to the like penalties as are imposed by the said penal provisions.

G. (1) Any person who is entitled to vote through the post at an election of a member or members for the Legislative Assembly shall be entitled to vote through the post at the general poll or referendum authorized by this Part of this Act.

(2) So far as they are not inconsistent with this Part of this Act the provisions of any Act providing for voting through the post at elections for the Legislative Assembly so far as the same relates to voting by postal ballot-papers and to the counting of such votes and to electors to whom postal ballot-papers appear to have been sent and to questions to be put to persons tendering their votes shall with all necessary modifications apply to the voting through the post at the said general poll or referendum, and the forms provided in the said Act may be modified or altered accordingly.

I. (1) The Governor in Council may make regulations for the execution of all matters and things arising under this Part of this Act not herein expressly provided for, and for the more fully carrying out the objects and purposes of this Part of this Act.

(2) Such regulations when published in the *Government Gazette* shall have the full force of law, and every person who is guilty of a breach of any such regulations shall be liable on conviction to a penalty not exceeding Five pounds.

SCHEDULE.

Education Act 1910.

STATE SCHOOLS SCRIPTURE LESSONS REFERENDUM.

Are you in favour of unsectarian Scripture lessons being given in State Schools during the school hours to those children whose parents do not object, and by State School teachers who have no conscientious objections?

} YES.
} NO.

DIRECTIONS.

If you are in favour of these lessons being given strike out the above word "No."
If you are not in favour of these lessons being given strike out the above word "Yes."

Disagreed with,

The Honorable J. D. Brown moved, That the Council do not insist on their amendment to insert "and general administration" after "development" in amendment 2.

Debate ensued.

Question—put.

The Council divided.

Ayes, 11.

The Hon. W. L. Baillieu,
F. W. Brawn,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
A. Hicks,
J. P. Jones,
A. McLellan.

Tellers.

E. J. Crooke,
J. Sternberg.

Noes, 14

The Hon. R. H. S. Abbott,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
T. C. Harwood,
W. Little,
Walter S. Manifold,
J. Y. McDonald,
D. Melville,
T. H. Payne,
R. B. Rees.

Tellers.

J. McWhae,
A. O. Sachse.

And so it passed in the negative.

Amendments 3 and 5, after debate, insisted on.

Amendment No. 7—The President said—

In clause 24, this House inserted the following new sub-clause—

(a) In each year scholarships to provide secondary education shall be awarded in accordance with regulations under section 23 of the Principal Act. Two hundred such scholarships shall be awarded each year unless the Governor in Council shall determine that a larger number is necessary. Such scholarships shall entitle the holder to free education at a district high school or technical school, or to an allowance of not less than £12 per annum towards the payment of fees at an approved secondary school; an additional allowance to cover board and lodging, travelling, or books and materials, or laboratory charges, may be made as prescribed by regulations.

That clause was not dealt with by the Legislative Assembly. The message from the Legislative Assembly states that they inform the Legislative Council that "as the amendment to add new sub-clause (a) to clause 34 would involve an appropriation of public money, the Legislative Assembly decline to entertain it." With reference to appropriation, the only Bill which this House cannot amend is a Bill for appropriating the public revenue. It follows, as a matter of course, that this House could not initiate a Bill or insert a clause for appropriating the public revenue. But this particular Bill does not in any way appropriate the public revenue. Before these scholarships could be awarded, the money would have to be provided in an Appropriation Bill of some sort or other. The message from the Legislative Assembly says that this clause would involve an appropriation. It would involve an appropriation if Parliament chose to appropriate, but not otherwise. The House can either accept the message and do nothing in reference to it, or it may deal with the matter by sending a message, as the House may choose.

The Honorable J. D. Brown moved, That the Council do not insist on their amendment.

The Honorable Walter S. Manifold moved as an amendment, That all the words after "Council" be omitted with a view to insert in place thereof the words "insist on their amendment with the following explanatory addition, 'This sub-section is subject to the necessary provision being first made by Parliament.'"

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

Ayes, 9.

The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
F. Hagelthorn,
J. P. Jones,
A. McLellan,
J. Sternberg.

Tellers.

The Hon. F. W. Brawn,
A. Hicks.

Noes, 15.

The Hon. R. H. S. Abbott,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
E. J. Crooke,
T. C. Harwood,
W. Little,
Walter S. Manifold,
J. Y. McDonald,
J. McWhae,
W. Pearson,
A. O. Sasche.

Tellers.

The Hon. T. H. Payne,
R. B. Rees.

And so it passed in the negative.

Question—That the words proposed to be inserted in place of the words omitted be so inserted—put and resolved in the affirmative.

Question—That the Council insist on their amendment with the following explanatory addition "This sub-section is subject to the necessary provision being first made by Parliament"—put and resolved in the affirmative.

The Honorable Walter S. Manifold moved, That the Legislative Assembly be informed that the Legislative Council, while not admitting that the amendment was one which the Council could not make in a Bill which is not for appropriating part of the Revenue of Victoria, insist on their amendment with the following explanatory addition, namely :—This sub-section is subject to the necessary provision being first made by Parliament.”

Question—put and resolved in the affirmative.

Amendment 10 not insisted on.

Amendments 11 and 12, after debate, insisted on.

Amendments 19 and 23, not insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council do not insist on some of their amendments disagreed with by the Assembly, do insist on others of the said amendments, and insist on another of the said amendments with an explanatory addition and desiring their concurrence therein.

8. FACTORIES AND SHOPS ACTS.—APPOINTMENT OF SPECIAL WAGES BOARD.—The Order of the Day for the resumption of the debate on the question, That the Council concur with the Assembly in agreeing to the following resolution, viz. :—That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in a restaurant, coffee-palace, hotel, eating-house, fish shop, or oyster shop, or any premises for which a Colonial wine licence or billiard-table licence is in force, or which are occupied as a club, having been read—

Debate resumed.

The Honorable R. H. S. Abbott moved, as an amendment, That the words “or Boards” be inserted after the words “Special Board.”

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Council agree to the foregoing resolution as amended—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the foregoing resolution, with an amendment, with which they desire the concurrence of the Legislative Assembly.

9. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow :—

Railway Loan Application Bill.—Second reading.

Water Supply Loans Application Bill.—Second reading.

Victorian Loan Bill.—Second reading.

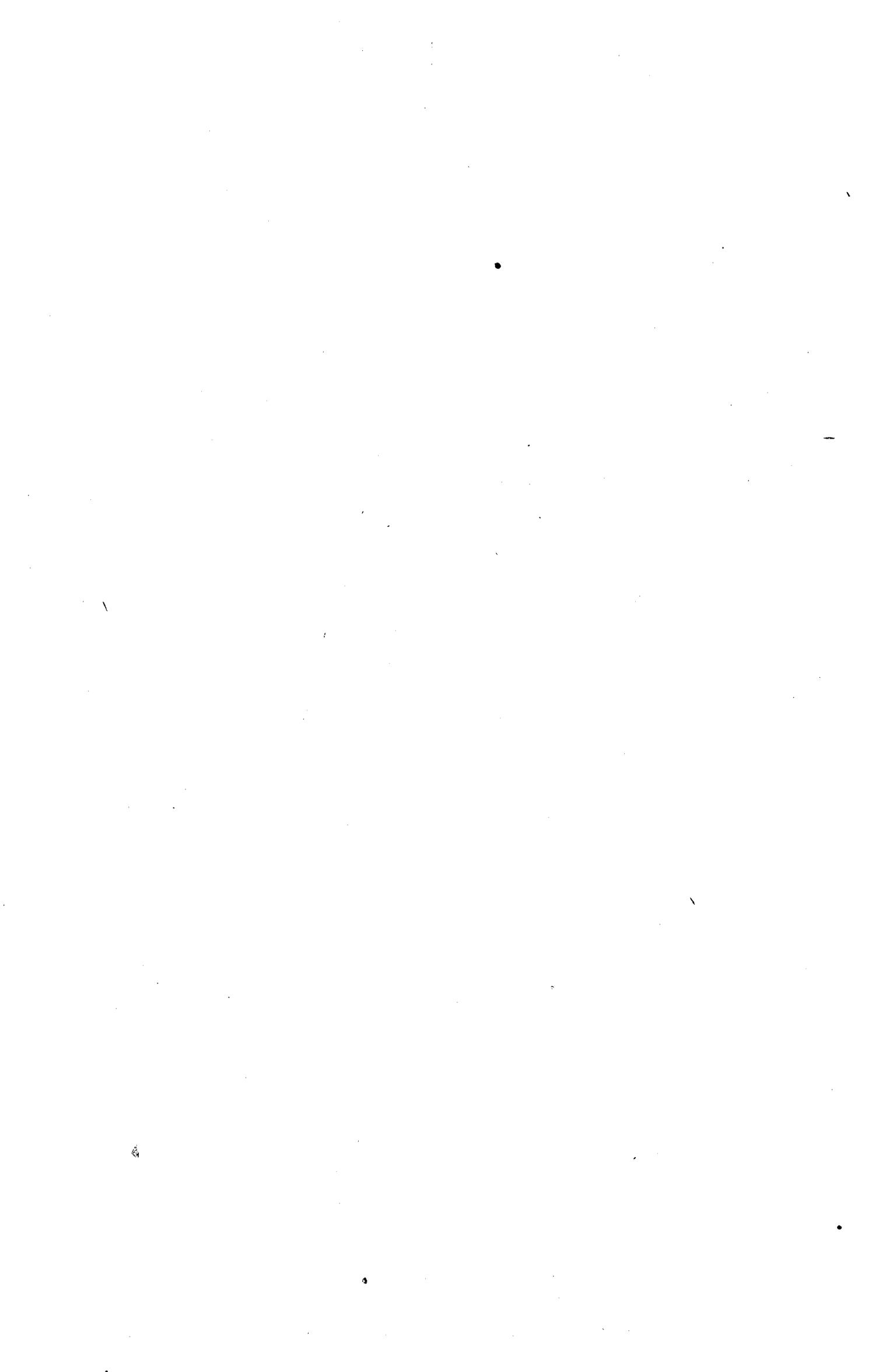
Factories and Shops Acts further Amendment (Apprentices and Improvers) Bill.—Amendments made by the Council disagreed with by the Assembly.—To be taken into consideration.

Walpeup Shire Bill.—Second reading.

Victorian Government Special Inscribed Stock Bill.—Message from the Assembly.—To be taken into consideration.

And then the Council, at sixteen minutes past eleven o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.



VICTORIA.

No. 45.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

THURSDAY, 22ND DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. STATE COAL MINE.—The Honorable R. H. S. Abbott brought up a Progress Report from the Select Committee on the State Coal Mine.
Ordered to lie on the Table, and to be printed.
3. PAPERS.—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk :—
Chaff and Stock Food Act 1909.—Regulations.
The Constitution Act Amendment Act 1890.—Part IX.—Statement of Appointments and alteration of classification in the Department of the Legislative Assembly.
4. RAILWAY LOAN APPLICATION BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
5. WATER SUPPLY LOANS APPLICATION BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had made progress in the Bill, and that he was directed to move, That the Committee may have leave to sit again.
Resolved—That the Council will, this day, again resolve itself into the said Committee.
6. VICTORIAN LOAN BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
7. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly having been read, the said amendments were read, and are as follow :—

Amendments made by the Legislative Council.

How dealt with by the Legislative Assembly.

4. Clause 2, page 2, after paragraph (c) insert the following new sub-clauses, viz.:—

“(3) In fixing the number or proportionate number of apprentices the Board shall not fix a less number or proportionate number than one apprentice for every three or fraction of three workers engaged in the particular process trade or business and receiving the minimum wage or piece-work rates.

(4) Provided that where prior to the commencement of this Act all the apprentices of any employer have been engaged so that all of their terms of apprenticeship would expire within eighteen months of one another such employer shall be exempt from the operation of this Act and from the determination of any Special Board so far as limitation of apprentices is concerned for a period not exceeding the term of apprenticeship in the particular trade from the commencement of this Act.

So that it shall be lawful during such period as each apprentice of such employer completed his first second third fourth fifth or sixth year for the employer to take another apprentice to supply his place so that a due and not disproportionate number of skilled workmen shall be secured. Provided that at the expiration of such period of exemption the number of apprentices is not in excess of the number such employer would be entitled to employ in proportion to the number of persons other than apprentices and improvers employed."

6. Insert the following new clause, viz.:—

"A. Where any indentures of apprenticeship are entered into with respect to any trade to which the Determination of a Special Board applies, and the wages to be paid to the apprentice are stated in such indentures, then notwithstanding anything contained in the Factories and Shops Acts, and notwithstanding any subsequent alteration of such determination by such Special Board, the wages to be paid to such apprentice during the currency of such indentures shall be the wages stated in the indentures."

Agreed to with the following amendment:—Omit the words "piece-work rates" at the end of subsection (3) and insert the following words:—"earning at piece-work rate not less than the minimum wage fixed for the time by such determination."

Disagreed with.

Amendment 4, amendment of the Assembly on the amendment of the Council, after debate, agreed to. Amendment 6, after debate, insisted on.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the amendment of the Assembly on one of the amendments of the Council, and insist on their amendment to insert new clause A.

8. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the law relating to the Assessment Collection and Payment of Duties on the Estates of Deceased Persons, and of certain duties under the Stamps Acts,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same without amendment.

Legislative Assembly,
Melbourne, 22nd December, 1910.

FRANK MADDEN,
Speaker.

9. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly return the Legislative Council the Bill intituled "*An Act to amend the Law relating to Parliamentary Elections and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the recommendations of the Free Conference on the subject-matter of the amendments, made and insisted on by the Legislative Council in this Bill, with which the Legislative Assembly desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1910,

FRANK MADDEN,
Speaker.

The Honorable J. D. Brown moved, That the Message be now taken into consideration.

Question—put and resolved in the affirmative.

The said recommendations are as follow :—

Amendments made by the Legislative Council.	How dealt with.	Recommendations of Free Conference.
<p>1. Clause 3, line 12, after "Assembly" insert "other than rolls of ratepaying electors."</p> <p>2. ,, line 12, before "electors' rights" insert "residential."</p> <p>3. Clause 5, line 34, after "persons" insert "other than those whose names are on any roll of ratepaying electors for the Assembly then in force for such district or districts respectively."</p>		<p>1. Disagreement to be insisted on by Assembly, and Council not to insist on their amendments in clause 3.</p> <p>2. {</p> <p>3. Disagreement to be insisted on by Assembly, and Council not to insist on their amendment in clause 5.</p>
<p>4. Clause 11, line 33, at the end of the clause add "Notwithstanding anything contained in this section any person of the full age of twenty-one years being a natural born or naturalized subject of His Majesty and not subject to any disqualification of legal incapacity who has obtained a non-residential elector's right in respect of any lands or tenements or whose name is on any roll of ratepaying electors in respect of any rateable property shall (subject to the provisions hereinafter contained) be entitled to vote at any election for the Assembly for the division in which such lands or tenements or rateable property are or is situate."</p>	<p>Disagreed with by Assembly.—Insisted on by Council.</p>	<p>The following amendments to be made in clause 5 :—</p> <p>Clause 5, page 3, line 23, after "roll" insert "other than persons whose names are on such general roll in respect of a property qualification."</p> <p>,, page 3, line 35, after "qualified" insert "in respect only of residence."</p> <p>,, page 3, line 40, after "to" omit "the" and insert "such."</p> <p>4. Disagreement to be insisted on by Assembly, and Council not to insist on their amendment in clause 11.</p> <p>The following amendment to be made in clause 11 :—</p> <p>Clause 11, line 15, after "entitled" insert "in respect of his residence in such district."</p> <p>The following consequential amendment to be made in the Bill:—</p> <p>After clause 11 insert new clause :—</p> <p>" 11A. (1) Notwithstanding anything hereinbefore contained any person whose name is enrolled in respect of residence as an elector for the Assembly on the general roll for the division of the district in which he resides and—</p> <p>(a) who has a freehold estate in possession of any lands or tenements situate in any district other than that in which he resides and whose name appears on the citizen roll or burgess roll or a separate list for the city of Melbourne or the city of Geelong or the municipal roll or a separate voters' list for any municipality in respect of such lands or tenements; or</p> <p>(b) who is the lessee under an unexpired lease originally created for any term of not less than one year of any lands or tenements so situate and whose name appears on any such citizen roll burgess roll or municipal roll or</p>

5. Clause 12, line 34, after "disqualified from" insert "obtaining a non-residential elector's right or."
6. " line 35, after "Assembly" insert "whether on a general roll or a roll of ratepaying electors."
7. " line 38, after "enrolment" insert "or the date of his application for such elector's right or the date of the making out of the list of ratepaying electors."
8. Clause 13, line 28, after "Assembly" insert "other than electors whose names are on the roll of ratepaying electors for the Assembly in force for the division."
9. Clause 18, line 11, after "Assembly" insert "other than electors whose names are on the roll of ratepaying electors for the Assembly in force for the division."

Disagreed with by Assembly.—Insisted on by Council.

separate list or separate voters' list in respect of such lands or tenements shall in addition to being enrolled as aforesaid as an elector for the Assembly—

(c) be entitled as hereinafter provided to be enrolled as an elector for the Assembly on the general roll for a division of any district in which such lands or tenements are situate; and

(d) subject to this Act be entitled (so long as he continues to be so enrolled) to vote at any election for the Assembly for the district in which such lands or tenements are situate.

Provided that no such person shall be entitled to be enrolled as an elector for the Assembly on more than two general rolls, namely:—

the general roll for the division of the district in which he resides, and

the general roll for a division of some other district in which such lands or tenements are situate.

(2) For the purposes of this section "lease" shall include a *bonâ fide* tenancy agreement in writing; and "lessee" shall include a tenant under any such agreement.

(3) In this Act the qualification for additional enrolment mentioned in this section is referred to as a "property qualification," and the said lands or tenements are referred to as the "qualifying property."

5. Disagreement to be insisted on by Assembly, and Council not to insist on their amendments in clause 12.
6. The following amendments to be made in clause 12:—
7. Clause 12, page 6, lines 37–38, after "or" omit "claim for enrolment" and insert "any claim for enrolment made by him."
8. Disagreement to be insisted on by Assembly, and Council not to insist on their amendment in clause 13.
- The following amendment to be made in clause 13:—
- Clause 13, line 27, after "of" insert "resident."
9. Disagreement to be insisted on by Assembly, and Council not to insist on their amendment in clause 18.

Amendments made by the Legislative Council.	How dealt with.	Recommendations of Free Conference.
44. Clause 37, line 16, omit "July" and insert "April."	44.	44.
45. " line 20, omit "the said roll" and insert "each of the said rolls."	45.	45.
46. " line 30, omit "such roll" and insert "each of such rolls."	46.	46.
47. Clause 38, line 37, after "roll" insert "or roll of ratepaying electors."	47.	47.
48. " line 36, after "annual general roll" insert "or a roll of ratepaying electors (as the case may be)."	48.	48.
49. Clause 41, line 15, omit "general."	49.	49. Disagreement to be insisted on by Assembly, and Council not to insist on their amendments in clause 41.

50. " line 17, after "enrolled" insert "on the general roll."

Disagreed with by Assembly.—Insisted on by Council.

50. The following amendment to be made in clause 41 :—

Clause 41—New sub-clause to follow sub-clause (b) :—

"(c) Any person—

whose name is enrolled on the general roll in force for the division of the district in which he resides, and

who under the provisions of this Act claims in respect of a property qualification to be entitled to be enrolled on the general roll for some division of a district other than that in which he resides

may for that purpose at any time within three months after the coming into operation of the general roll for the division of the district in which he resides, deliver or send by post to the registrar for the division in which his qualifying property is situate a notice of claim for enrolment and a declaration as hereinafter provided."

The following amendments to be made in clause 42 :—

Clause 42, page 18, line 38, after "residence" insert "or the situation and description of the qualifying property (as the case may be)."

" page 18, line 40, after "residence" insert "or qualifying property (as the case may be)."

The following amendment to be made in clause 44 :—

Clause 44, page 19, line 10, at the end of sub-clause (1) insert—

"Provided that in the case of a claim for enrolment in respect of a property qualification the registrar before forwarding to the inspector particulars of such claim shall obtain from the registrar for

51. After clause 48 insert the following new clause:—

B. (1) Every person who under the provisions of Division 5 of Part IV. of the Principal Act has a qualification of which residence forms no part (in the said Act called a non-residential qualification) to vote in the election of members of the Assembly for any district and derives his qualification in the division of such district to which his application for an elector's right applies and is not disqualified under any Act shall (subject to the provisions of the Constitution Act Amendment Acts) be entitled to have an elector's right issued to him for such division and to have his name inserted and retained on any general list or general roll to be made as provided in this Act for such division.

(2) The registrar for any division when preparing any special general list for such division after an electoral canvass shall include in such list the names of all persons who hold non-residential electors' rights in force for the division.

(3) When any non-residential elector's right is issued to any person during the currency of any general roll, the registrar shall immediately on the issue of such right enter in such general roll the name of such person, with such other particulars as may be prescribed, and shall write opposite such entry his initials and the date thereof.

(4) The following sections and Schedules of the Acts hereinafter mentioned shall apply and have effect so far only as they relate to electors' rights in virtue of a non-residential qualification; and any reference therein to the registrar or deputy-registrar shall be taken to refer only to the registrar, namely:—

Sections one hundred and forty-one to one hundred and forty-five of the Principal Act; section one hundred and forty-six of the Principal Act as re-enacted by section twelve of the *Purification of Rolls Act 1891*; sections one hundred and forty-seven to one hundred and fifty-one of the Principal Act; sections one hundred and fifty-four to one hundred and fifty-eight of the Principal Act; sections one hundred and ninety to one hundred and ninety-two and section two hundred and fifty-six and the Eighteenth Schedule to the Principal Act as re-enacted by section thirteen of the *Purification of Rolls Act 1891*; sections eleven to thirteen of and the

the division in which the claimant resides a certificate in the prescribed form to the effect that the claimant is enrolled as an elector for the Assembly on the general roll in force for the division in which he resides."

The following amendment to be made in clause 48:—

Clause 48, page 20, line 40, after "division" insert "in respect of his residence therein."

51. Disagreement to be insisted on by Assembly, and Council not to insist on new clause B.

Disagreed with by Assembly. — Insisted on by Council.

First Schedule to the *Purification of Rolls Act* 1891; sub-sections (a) and (c) of section four and section twelve and section twenty-five of and the Second Schedule to *The Constitution Act Amendment Act* 1898.

(5) In the Eighteenth Schedule to the Principal Act as re-enacted by section thirteen of the *Purification of Rolls Act* 1891 the words "It is to be observed that this elector's right is good only until the first day of December, 189" are hereby repealed.

52. Clause 54, line 15, after "roll" insert "or the roll of ratepaying electors."	52.	
53. Clause 56, line 14, omit "general."	53.	Disagreement to be insisted on by Assembly, and Council not to insist on their amendments in clauses 54, 56, 58, and 59.
54. " line 17, after "roll" insert "or the roll of ratepaying electors."	54.	
55. Clause 58, line 29, after "inspector" insert "town clerk, secretary."	55.	
56. Clause 59, line 35, after "registrar" insert "town clerk, secretary."	56.	
57. Clause 62, line 12, after "division" insert "including the roll of ratepaying electors for the division."	57.	
58. " lines 14-15, omit "and in no other division whatever of any district."	58.	Disagreed with by Assembly. —Insisted on by Council.
59. Clause 63, line 38, before "the general roll" insert "the roll of ratepaying electors and of."	59.	
60. " page 25, line 26, after "roll" insert "of ratepaying electors and general roll."	60.	
61. Clause 64, lines 37-38, omit "the electoral roll" and insert "deemed to be the general roll."	61.	
62. " line 38, at the end of the clause add "and together with the roll of ratepaying electors for the division shall form the electoral roll for the division."	62.	
63. Clause 66, page 27, line 3, after "and" insert "shall if he claims to vote as the holder of an elector's right, exhibit to the returning officer or deputy the elector's right which purports to entitle him to exercise the right of voting and."	63.	Disagreement to be insisted on by Assembly, and Council not to insist on their amendments in clauses 63, 64, 66, and 67.
64. Clause 67, line 8, at the end of the clause add "and if such person claims to vote as the holder of an elector's right the returning officer or deputy shall ascertain that the name given by such person is upon the elector's right exhibited by him, and shall compare the elector's right with such name on the roll and the particulars stated against the same so as by inspection to satisfy himself of the identity of the person to whom the elector's right has been issued with the person so named on the roll."	64.	

Amendments made by the Legislative Council. How dealt with. Recommendations of Free Conference.

- 65. Clause 68, line 20, omit "electoral roll" and insert "general roll (or as the case may require the roll of rate-paying electors)."
- 66. " line 22, before "Do" insert "(If the person claims for a residential qualification)."
- 67. " at the end of the clause add—
“(vi.) (If the person claims as the holder of an elector’s right). Was the elector’s right now exhibited by you issued to you, and have you now the qualifications in respect of which the same was issued? And is the signature (A.B.) appearing on the said elector’s right your signature?”
- 68. Clause 70, page 28, line 9, after "vote" insert "or (f) does not answer absolutely in the affirmative the question numbered (vi.) so far as applies to his claim to vote."
- 69. Clause 71, at the end of the clause add "and if such person claims to vote as the holder of an elector’s right the returning officer shall compare such signature with the signature purporting to be that of the holder of such elector’s right and appearing thereon."
- 70. Clause 73, page 29, at the end of the clause add "and (d) mark such elector’s right (if any) with his initials and with the date and return the same to such person."
- 71. Clause 87, line 21, after "place" insert "or (d) that such elector is a woman."
- 72. " line 24, omit "him," substitute "such elector."
- 73. " lines 25–26, omit "tender his."
- 74. Clause 88, line 38, omit "In the case of an election for the Council."
- 75. " line 41, after "marked" insert "in the case of an election for the Council."
- 76. " line 42, after "Act" insert "or in the case of an election for the Assembly as required by this Act."
- 77. Clause 93, line 43, before "post" insert "hand it at once to the authorized witness who shall."
- 78. First Schedule, page 42, lines 7–9, omit "section one hundred and twenty-one and sections one hundred and twenty-eight to two hundred and three" and insert "sections one hundred and twenty-eight and one hundred and twenty-nine, sections one hundred and thirty-six to one hundred and forty, section one hundred and fifty-three, sections

Disagreed with by Assembly. —Insisted on by Council.

- 65. Disagreement to be insisted on by Assembly, and Council not to insist on their amendment in clause 68 to "omit 'electoral roll' and insert 'general roll (or as the case may require the roll of rate-paying electors).'"
- 66. Council’s amendment in clause 68, line 22, "before 'Do' insert '(If the person claims for a residential qualification).'" to be agreed to.
- 67. Disagreement to be insisted on by Assembly, and Council not to insist on their amendment to add at the end of clause 68—
“(vi.) (If the person claims as the holder of an elector’s right). Was the elector’s right now exhibited by you issued to you, and have you now the qualifications in respect of which the same was issued? And is the signature (A.B.) appearing on the said elector’s right your signature?”
- 68.
- 69.
- 70. Disagreement to be insisted on by Assembly, and Council not to insist on their amendments in clauses 70, 71, 73, 87, 88, and 93.
- 71.
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	one hundred and fifty-nine to one hundred and sixty-seven, sections one hundred and seventy-two to one hundred and eighty, sections one hundred and eighty-two to one hundred and eighty-nine, sections one hundred and ninety-three to one hundred and ninety-eight, and sections two hundred to two hundred and three."		
79.	First Schedule, page 42, last four lines on the page, omit "section two hundred and fifty-six shall be repealed so far only as regards matters relating to elections of members of the Assembly."	79.	
80.	" " " page 43, lines 3-4, omit "The Eighteenth to the Twenty-ninth Schedules (both inclusive)" and insert "The Nineteenth to the Twenty-third Schedules (inclusive) and the Twenty-sixth, Twenty-seventh, and Twenty-eighth Schedules."	80.	
81	" " " page 43, lines 7-8, omit "The whole Act shall be repealed so far as not already repealed" and insert "So far as not already repealed the whole Act shall be repealed with the exception only of sections eleven to thirteen and the First Schedule."	81.	Disagreed to be insisted on by Assembly, and Council not to insist on their amendments in First Schedule.
			Disagreed with by Assembly.—Insisted on by Council.
82.	" " " page 43, lines 18-20, omit— "No. 1524" <i>Melbourne and Geelong Parliamentary Elections Act 1897</i>	82.	
			In section two the words 'or Legislative Assembly' shall be repealed."
83.	First Schedule, page 43, line 21, third column opposite the words and figures No. 1601, after "repealed" insert "with the exception of sub-sections (a) and (c) of section four, and with the exception of section five and the First Schedule so far as they relate to the repeal of certain words in section one hundred and forty-six of <i>The Constitution Act Amendment Act 1890</i> , and also with the exception of sections seven, twelve, seventeen, twenty-one, and twenty-five, and of the Second and the Fourth Schedules."	83.	
84.	" " " page 43, lines 44-5, omit— "No. 1893" <i>Local Government Act 1903</i>	84.	
			In section seventy-seven the words 'or Legislative Assembly' shall be repealed."
85.	Third Schedule, page 45, line 26, before "post" insert "hand it at once to the authorized witness who shall"	85.	Disagreement to be insisted on by Assembly, and Council not to insist on their amendment in Third Schedule.

The Honorable J. D. Brown moved, That this House concur with the Legislative Assembly in agreeing to the whole of the recommendations of the Free Conference in respect to the Bill to amend the Law relating to Parliamentary Elections and for other purposes.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have concurred with the Assembly in agreeing to the recommendations of the Free Conference on the said Bill.

10. WATER SUPPLY LOANS APPLICATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

11. ALTERATION OF HOUR OF MEETING.—The Honorable W. L. Baillieu moved, by leave, That the Council, at its rising, adjourn until to-morrow at eleven o'clock.

Question—put and resolved in the affirmative.

12. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to authorize the Construction by the State of a line of Railway from Kow Plains to Murrayville,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1910.

FRANK MADDEN,
Speaker.

13. KOW PLAINS TO MURRAYVILLE RAILWAY CONSTRUCTION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and by leave, to be read a second time this day.

14. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Law relating to Spirit Merchants' Licences; to further amend the Licensing Acts and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1910.

FRANK MADDEN,
Speaker.

15. SPIRIT MERCHANTS' LICENCES BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, and after debate, to be read a second time this day.

16. KOW PLAINS TO MURRAYVILLE RAILWAY CONSTRUCTION BILL.—This Bill was, according to Order read a second time, and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

17. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly:—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Public Works and other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 22nd December, 1910.

FRANK MADDEN,
Speaker.

18. PUBLIC WORKS LOAN APPLICATION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and read a second time to-morrow.

19. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Factories and Shops Acts with regard to Apprentices and Improvers,*" and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with the amendment of the Legislative Council to insert new clause "A."

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd December, 1910.

20. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Gold Buyers Act 1907' and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd December, 1910.

21. SPIRIT MERCHANTS' LICENCES BILL.—The Order of the Day for the second reading of this Bill having been read—the Honorable J. D. Brown moved, That this Bill be now read a second time. Debate ensued.

The Honorable A. Hicks moved, as an amendment, That the word "now" be omitted, and the words "this day month" added after the word "time."

Question—That the word "now" proposed to be omitted stand part of the question, put—and resolved in the affirmative.

Debate continued.

Question—That this Bill be now read a second time put—and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood, having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day; whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

22. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly acquaint the Legislative Council that they have agreed to the amendment made by the Legislative Council to insert the words "or Boards" after the words "Special Board" in the following resolution, viz. :—

"That it is expedient to appoint a Special Board to consider and determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in a restaurant, coffee-palace, hotel, eating-house, fish shop, or oyster shop, or any premises for which a Colonial wine licence or billiard-table licence is in force, or which are occupied as a club."

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd December, 1910.

23. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Factories and Shops Acts,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to some of the amendments made in such Bill by the Legislative Council, have disagreed with others, and have agreed to others of the said amendments with amendments with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd December, 1910.

Ordered—That the foregoing Message be taken into consideration to-morrow.

24. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of the following Orders of the Day be postponed until to-morrow.

Wulpeup Shire Bill.—Second reading.

Victorian Government Special Inscribed Stock Bill—Message from the Assembly.—To be taken into consideration.

And then the Council, at twenty-eight minutes past eleven o'clock, adjourned until to-morrow.

THOS. G. WATSON,
Clerk of the Legislative Council.

VICTORIA.

No. 46.

MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL.

FRIDAY, 23RD DECEMBER, 1910.

1. The President took the Chair and read the Prayer.
2. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Law relating to Education and to Officers and Teachers of the Education Department,*" and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with one of the amendments made in such Bill and insisted on by the Legislative Council, do insist on disagreeing with others of the said amendments, and do not insist on disagreeing with the amendment of the Legislative Council to insert a new sub-clause in clause 8, but have agreed to the same with amendments with which they desire the concurrence of the Legislative Council.

The Legislative Assembly inform the Legislative Council that they still decline to entertain the amendment of the Legislative Council to add new sub-clause (a) to clause 24.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 22nd December, 1910.

Ordered—That the foregoing Message be taken into consideration this day.

3. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to extend the powers of Municipalities for making by-laws and to amend Section Three hundred and forty-seven of the 'Local Government Act 1903,'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with an amendment with which they desire the concurrence of the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 23rd December, 1910.

Ordered—That the foregoing Message be taken into consideration this day.

4. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to consolidate and amend the Law relating to Trading Companies and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 23rd December, 1910.

5. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to consolidate and amend the Prahran and Malvern Tramways Trust Acts and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

6. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand nine hundred and eleven and to appropriate the Supplies granted in this Session of Parliament,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

7. APPROPRIATION BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

8. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Law relating to Crimes and Offences,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration this day.

9. PUBLIC WORKS LOAN APPLICATION BILL.—The Order of the Day for the second reading of this Bill having been read, the Honorable W. L. Baillieu moved, That this Bill be now read a second time. The Honorable Walter S. Manifold moved, as an amendment, That the word "now" be omitted, and the words "this day month" added after the word "time."

Debate ensued.

The Honorable R. H. S. Abbott moved, That the debate be now adjourned.

Debate continued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until this day.

10. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to enable the Footscray City Council to carry out certain Works with the surplus Moneys in hand from the No. 4 Loan,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

11. FOOTSCRAY LOAN BILL.—On the motion of the Honorable W. H. Edgar, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

12. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the sale of certain Land set apart as a site for a Mechanics' Institute and Free Library at Yarrowonga and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

13. YARRAWONGA MECHANICS' INSTITUTE LAND BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

14. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the transfer out of the Assurance Fund under the 'Transfer of Land Act 1890' of certain sums and for the establishment in the Treasury of certain Trust Funds and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

15. SPECIAL FUNDS BILL.—On the motion of the Honorable W. L. Baillieu, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

16. FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly, having been read, the said amendments were read and are as follow :—

Amendments made by the Legislative Council.	How dealt with by the Legislative Assembly.
1. Clause 7, omit this clause and insert the following new clause in place thereof :— C. In sub-section (2) of section seventy-six of the Principal Act as amended by section nine of the <i>Factories and Shops Act 1907</i> — (a) after the word "concerned" omit "and" and insert in place thereof "for at least six months." (b) and after the word "trade" where last occurring, omit "and" and insert in place thereof "for at least six months." (c) The words "provided that this restriction shall not apply to appointments made by the Minister" are hereby repealed.	Omission of Clause 7 agreed to, but insertion of New Clause C disagreed with.
2. Clause 15, sub-clause (1), paragraph (a), omit this paragraph.	Disagreed with.
3. Clause 22, line 30, omit "suction gas engine or any."	Disagreed with.
4. Clause 26, line 12, after "where" insert "steam electrically water or other power driven."	Agreed to with the following amendment, viz. —omit "electrically" and insert "electrical."
5. Clause 41, line 41, after "Wednesday" insert "or."	Disagreed with.
6. " line 41, after "Thursday" omit "or Friday" and insert "or before half-past seven o'clock in the morning nor after nine o'clock in the evening on Friday."	
7. " page 12, line 6, after "till" omit "half-past seven" and insert "nine."	

Insert the following new clauses :—

8. G. In section twenty-nine of the <i>Factories and Shops Act 1909</i> (No. 2) for the words "first Wednesday in February" there shall be substituted the words "third Wednesday in March."	Disagreed with.
9. H. Notwithstanding anything contained in the <i>Factories and Shops Acts</i> hairdressers' shops within the Metropolitan District may remain open till ten o'clock on Fridays and shall close at two o'clock on Saturdays.	
10. J. At the end of sub-section (2) of section one hundred and nineteen of the Principal Act there shall be added the words— "Provided that such person knowingly and wilfully committed each of such offences."	Disagreed with.

Amendments 1 and 2, after debate, insisted on.

Amendment 3 insisted on.

Amendment 4 not insisted on and amendment of Assembly agreed to.

Amendments 5 to 7—The Honorable W. L. Baillieu moved, That the Council do not insist on their amendments in clause 41.

The Honorable J. Balfour moved, as an amendment, That the following words be added to the amendment No. 6, viz., "so far only as cartage in the grocery trade is concerned."

Ordered—That the consideration of amendments 5 to 7 be postponed until this day.

Amendment 8—The Honorable W. L. Baillieu moved, That the Council do not insist on their amendment.

Question—put and negatived.

On the further motion of the Honorable J. Balfour, and after debate, the following words were added to the amendment :—"and after the words 'in each year' there shall be inserted the words 'commencing with the year One thousand nine hundred and twelve.'"

Amendment 9, after debate, not insisted on.

Amendment 10, after debate, insisted on.

Amendments 5 to 7—Debate resumed on the motion—That the Council do not insist on their amendments in clause 41 and on the proposed amendment, That the following words be added to the amendment No. 6, viz., “so far only as cartage in the grocery trade is concerned.”

Proposed amendment, by leave, withdrawn.

Question—That the Council do not insist on their amendments in clause 41—put and negatived.

Ordered—That a Message be sent to the Assembly acquainting them that the Council do not insist on some of their amendments, do insist on others, and have made an amendment in clause G with which they desire the concurrence of the Legislative Assembly.

17. LOCAL GOVERNMENT BILL.—The Order of the Day for the consideration of the amendment made in this Bill by the Assembly having been read, the said amendment was read, and is as follows:—

Insert the following new clause:—

A. At the end of sub-section (13) of section three hundred and forty-seven of the Principal Act there shall be inserted the words “or for quarrying or crushing stone for road making purposes for tarring or applying binding substances to the surface of roads or machines for making or rolling roads.”

On the motion of the Honorable W. L. Baillieu, the Council agreed to the amendment of the Assembly to insert new clause A.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the amendment of the Assembly to insert new clause A.

18. EDUCATION LAW FURTHER AMENDMENT BILL.—The Order of the Day for the consideration of the amendments made in this Bill disagreed with by the Assembly having been read, the said amendments were read, and are as follow:—

Amendments made by the Legislative Council.

How dealt with.

2. Clause 8, line 20, after “development” insert “and general administration.”

Disagreed with by Assembly
—Insisted on by Council.
—Disagreement insisted on by Assembly.

3. „ after line 27, insert following new sub-clause:—
“To report on the terms and conditions upon which teachers from schools registered as secondary schools may under this Act be appointed as teachers in higher elementary schools or in district high schools.”

Disagreed with by Assembly.
—Insisted on by Council.
—Disagreement not insisted on by Assembly, but the following amendments have been made in the new sub-clause, viz., omit “may under this Act” and insert in place thereof “should in its opinion,” and after “appointed” insert “under this Act”.

7. Clause 24, insert the following new sub-clause:—

(a) In each year scholarships to provide secondary education shall be awarded in accordance with regulations under section twenty-three of the Principal Act. Two hundred such scholarships shall be awarded each year unless the Governor in Council shall determine that a larger number is necessary. Such scholarships shall entitle the holder to free education at a District High School or Technical School, or to an allowance of not less than Twelve pounds per annum towards the payment of fees at an approved Secondary School; an additional allowance to cover board and lodging travelling or books and materials or laboratory charges may be made as prescribed by regulations.

Not entertained by Assembly.—Insisted on by Council with the following explanatory addition, viz.:—After paragraph (a) insert—“This sub-section is subject to the necessary provision being first made by Parliament.” — Still not entertained by Assembly.

11. Clause 28, line 31, omit “and.”

12. „ line 34, after “Council” add “and (h) the selection of pupils for admission to schools registered as secondary schools, the admission of pupils so selected.”

Disagreed with by Assembly.
—Insisted on by Council.
—Disagreement insisted on by Assembly.

Amendment 2, after debate, still insisted on.

Amendment 3, not insisted on and amendments of the Assembly agreed to.

Amendment 7, after debate, still insisted on.

Amendments 11 and 12, after debate, not now insisted on.

Ordered—That a Message be sent to the Assembly acquainting them that the Council still insist on some of their amendments with which the Assembly insist on disagreeing, do not insist on others, and have agreed to the amendments of the Assembly on the amendment of the Council in clause 8.

19. APPROPRIATION BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

20. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to extend the provisions of the 'Tramways Act 1890' to the Municipality of Kew and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

21. KEW BRANCH TRAMWAY BILL.—On the motion of the Honorable J. Balfour, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

22. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to extend the provisions of the 'Tramways Act 1890' to the Municipality of Hawthorn and for other purposes,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

23. HAWTHORN BRANCH TRAMWAY BILL.—On the motion of the Honorable J. Balfour, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

24. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Law relating to Spirit Merchants' Licences to further amend the Licensing Acts and for other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have disagreed with the amendments made in such Bill by the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

Ordered—That the foregoing Message be taken into consideration this day.

25. PUBLIC WORKS LOAN APPLICATION BILL.—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, and on the amendment to leave out the word "now," and at the end of the question to add "this day month," having been read—

And the amendment not being proceeded with—

Question—That this Bill be now read a second time, after further debate—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had gone through the Bill, and had agreed to the following resolution :—

That it be a suggestion to the Legislative Assembly that they make the following amendments in the Bill :—

Clause 2, line 10, omit "Two hundred and two," and insert "One hundred and twenty-two."

In the Schedule—

Omit Item 1—"For buildings, plant, purchase of land, &c., in connexion with cool storage at Melbourne and elsewhere, £80,000."

and that he was directed to move, That the Committee may have leave to sit again.

On the motion of the Honorable W. L. Baillieu, the Report was adopted.

Ordered—That the Bill be returned to the Assembly, with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, this day, again resolve itself into a Committee of the whole.

26. FOOTSCRAY LOAN BILL.—The Honorable W. H. Edgar moved, by leave, That all the Standing Orders relating to Private Bills be suspended in relation to the Bill to enable the Footscray City Council to carry out certain Works with the surplus Moneys in hand from the No. 4 Loan.

Question—put and resolved in the affirmative.

The Honorable W. H. Edgar moved, That this Bill be now read a second time.

Question—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

27. SPECIAL FUNDS BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
28. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
MR. PRESIDENT,
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to amend the 'Closer Settlement Act 1909 (No. 2)'*" with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 23rd December, 1910.
FRANK MADDEN,
Speaker.
29. CLOSER SETTLEMENT ACT 1909 (No. 2) AMENDMENT BILL.—On the motion of the Honorable F. Hagelthorn, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.
30. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
MR. PRESIDENT,
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the sale of certain Land set apart as a Site for a Temperance Hall at Kyneton and other purposes,*" with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 23rd December, 1910.
FRANK MADDEN,
Speaker.
31. KYNETON LAND SALE BILL.—On the motion of the Honorable F. Hagelthorn, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.
32. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
MR. PRESIDENT,
The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to provide for the Sale of certain Land set apart for Show Yards at Coleraine and for other purposes,*" with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 23rd December, 1910.
FRANK MADDEN,
Speaker.
33. COLERAINE SHOW YARDS LAND BILL.—On the motion of the Honorable F. Hagelthorn, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.
34. HAWTHORN BRANCH TRAMWAY BILL.—This Bill was, according to Order, read a second time, and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
35. KEW BRANCH TRAMWAY BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill read a third time and passed.
Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.
36. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—
MR. PRESIDENT,
The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to provide for the constitution under the Local Government Acts of the Borough of Wonthaggi,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the same with amendments including an amended Title, with which they desire the concurrence of the Legislative Council.
Legislative Assembly,
Melbourne, 23rd December, 1910.
FRANK MADDEN,
Speaker.

And the said amendments were read, and are as follow :—

In the Title, after "Wonthaggi" insert "and for other purposes."

Clause 3, page 2, line 46, at the end of sub-clause (5), insert "and such valuation shall be deemed to be the valuation for the purpose of making and levying any rate under Part VI. of the 'Water Act 1905' unless the Council have made a new valuation for the purpose of making a rate for the borough.

On the motion of the Honorable J. D. Brown, the Council agreed to the amendments made in this Bill by the Assembly, and ordered a Message to be sent to the Assembly acquainting them therewith.

37. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly ;—

MR. PRESIDENT,

The Legislative Assembly transmit to the Legislative Council a Bill intituled "*An Act to further amend the Law relating to the Victorian Railways,*" with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

38. RAILWAYS LAW FURTHER AMENDMENT BILL.—On the motion of the Honorable J. D. Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed, and, by leave, to be read a second time this day.

39. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Law relating to Education and to Officers and Teachers of the Education Department,*" and acquaint the Legislative Council that the Legislative Assembly do not now insist on disagreeing with one of the amendments made in such Bill and insisted on by the Legislative Council, and do now agree to the insertion of new sub-clause (a) in clause 24 with amendments, with which they desire the concurrence of the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

And the said amendments were read, and are as follow :—

Amendment made by the Council.

How dealt with.

7. Clause 24, insert the following new sub-clause :—

(a) In each year scholarships to provide secondary education shall be awarded in accordance with regulations under section twenty-three of the Principal Act. Two hundred such scholarships shall be awarded each year unless the Governor in Council shall determine that a larger number is necessary. Such scholarships shall entitle the holder to free education at a District High School or Technical School, or to an allowance of not less than Twelve pounds per annum towards the payment of fees at an approved Secondary School; an additional allowance to cover board and lodging travelling or books and materials or laboratory charges may be made as prescribed by regulations.

Not entertained by Assembly.—Insisted on by Council with the following explanatory addition, viz. :—After paragraph (a) insert—"This sub-section is subject to the necessary provision being first made by Parliament."—Still not entertained by Assembly.—Still insisted on by Council.—Agreed to by the Assembly with the following amendments, viz. :—At the beginning of the new sub-clause insert "Subject to the necessary provision being first made by Parliament there shall"; before the word "scholarships" in the first line of the new sub-clause insert "be awarded"; in the second line of the new sub-clause, omit the words "shall be awarded." Omit the explanatory addition to the new sub-clause.

On the motion of the Honorable J. D. Brown, and after debate, the Council did not insist on their amendment to add the explanatory addition to sub-clause (a) of clause 24, and agreed to the amendments of the Assembly on the said new sub-clause, and ordered a Message to be sent to the Assembly acquainting them therewith.

40. COLERAINE SHOW YARDS LAND BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

41. YARRAWONGA MECHANICS' INSTITUTE LAND BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

42. KYNETON LAND SALE BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill without amendment.

43. CLOSER SETTLEMENT ACT 1909 (No. 2) AMENDMENT BILL.—This Bill was, according to Order, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood reported that the Committee had agreed to the Bill without amendment.

The Honorable F. Hagelthorn moved, That the Report be now adopted.

Debate ensued.

Motion, by leave, withdrawn.

On the motion of the Honorable F. Hagelthorn, the Bill was recommitted to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment, and desiring their concurrence therein.

44. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Factories and Shops Acts,*" and acquaint the Legislative Council that the Legislative Assembly do not insist on disagreeing with the amendments made and insisted on by the Legislative Council.

Legislative Assembly,
Melbourne, 23rd December, 1910.

FRANK MADDEN,
Speaker.

45. CRIMES BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Assembly having been read, the said amendments were read, and are as follow :—

Clause 9, omit this clause and the headline.

Clause 10, omit this clause.

Clause 11, omit this clause.

Clause 12, omit this clause.

Clause 13, omit this clause.

On the motion of the Honorable J. D. Brown, the Council agreed to the amendments made in this Bill by the Assembly, and ordered a Message to be sent to the Assembly acquainting them therewith.

46. SPIRIT MERCHANTS' LICENCES BILL.—The Order of the Day for the consideration of the amendments made in this Bill by the Council and disagreed with by the Assembly having been read, the amendments were read, and are as follow :—

Clause 16, omit this clause.

Clause 17, omit this clause.

Clause 20, omit this clause.

Amendments, after debate, insisted on.

Ordered—That a Message be sent to the Assembly acquainting them that the Council insist on their amendments disagreed with by the Assembly.

47. RAILWAYS LAW FURTHER AMENDMENT BILL.—This Bill was, according to Order, and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable T. C. Harwood having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

48. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Public Works and other purposes,*" and acquaint the Legislative Council that the Legislative Assembly have considered the Message of the Legislative Council suggesting that this House make certain amendments in such Bill, and have made the suggested amendments.

FRANK MADDEN,

Legislative Assembly,
Melbourne, 23rd December, 1910.

Speaker.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Public Works Loan Application Bill.

49. PUBLIC WORKS LOAN APPLICATION BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read—the President left the Chair.

House in Committee.
The President resumed the Chair; and the Honorable Dr. W. H. Embling having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill read a third time and passed.

Ordered—That the Assembly be informed that the Council have agreed to the Bill, including the amendments made in the said Bill by the Assembly, which were suggested by the Council.

50. VICTORIAN GOVERNMENT SPECIAL INSCRIBED STOCK BILL.—The Order of the Day for the consideration of the amendment made by the Council and not entertained by the Assembly on the ground of privilege having been read, the said amendment was read and is as follows :—

Clause 25, line 44, before "may" insert "or its central body".

The Honorable J. D. Brown moved, That the Council do not insist on their amendment in the Bill to provide for the erection of a Special Stock to be called "Victorian Government Special Inscribed Stock" for sale to Friendly Societies only and for other purposes; but the Legislative Council maintain that if this is not a Bill which comes within the operation of the fifty-sixth section of the Constitution Act, and it has been so originated and passed in the Legislative Assembly, the Council have the undoubted right to amend the same, and this right has constantly been exercised without question.

The Honorable Walter S. Manifold moved, as an amendment, That all the words after "That" be omitted with a view to insert in place thereof the following words, viz. :—"the following Message be sent to the Legislative Assembly :—

'The Legislative Council, while not insisting upon their amendment because of its comparative unimportance, would point out that if this Bill be a Bill for appropriating revenue, it should have been originated with a Governor's Message, and should not have included "other purposes."

'The Council would also point out that in the "Closer Settlement Bill of 1904 (No. 2)" suggestions were made with reference to certain portions of it, and acted upon by the Legislative Assembly, and that subsequently the Legislative Council made many amendments in the Bill, some of which were assented to, some amended, and others rejected by the Legislative Assembly.

'The Legislative Council would also point out that the Legislative Assembly have reminded the Legislative Council of their power of suggestion (of which power the Council were fully aware) after the time had passed for making suggestions.

'The suggestion made by the Legislative Council related to the appropriation of money for the repayment of the Stock, and the amendment related to a clause having nothing to do with appropriation.'

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Question—That the words proposed to be inserted in place of the words omitted be so inserted—put, and, after debate, resolved in the affirmative.

Question—That the following Message be sent to the Legislative Assembly :—The Legislative Council, while not insisting upon their amendment because of its comparative unimportance, would point out that if this Bill be a Bill for appropriating revenue, it should have been originated with a Governor's Message, and should not have included "other purposes." The Council would also point out that in the "Closer Settlement Bill of 1904 (No. 2)," suggestions were made with reference to certain portions of it, and acted upon by the Legislative Assembly, and that subsequently the Legislative Council made many amendments in the Bill, some of which were assented to, some amended, and others rejected by the Legislative Assembly. The Legislative Council would also point out that the Legislative Assembly have reminded the Legislative Council of their power of suggestion (of which power the Council were fully aware) after the time had passed for making suggestions. The suggestion made by the Legislative Council related to the appropriation of money for the repayment of the Stock, and the amendment related to a clause having nothing to do with appropriation—put and resolved in the affirmative.

51. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to amend the 'Closer Settlement Act 1909 (No. 2)'*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendment made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 23rd December, 1910.

52. MESSAGE FROM THE ASSEMBLY.—The President announced the receipt of the following Message from the Assembly :—

MR. PRESIDENT,

The Legislative Assembly return to the Legislative Council the Bill intituled "*An Act to further amend the Law relating to the Victorian Railways,*" and acquaint the Legislative Council that the Legislative Assembly have agreed to the amendments made in such Bill by the Legislative Council.

FRANK MADDEN,
Speaker.

Legislative Assembly,
Melbourne, 23rd December, 1910.

53. STATE COAL MINE.—The Honorable J. D. Brown moved, by leave, That there be laid before this House the statement prepared by the Honorable Peter McBride, Minister of Mines, with reference to the Progress Report of the Select Committee of the Legislative Council on the State Coal Mine. Question—put and resolved in the affirmative.

54. PAPER.—The Honorable J. D. Brown presented—
State Coal Mine.—Return to the foregoing Order.
Ordered to lie on the Table and to be printed.

55. ADJOURNMENT.—The Honorable J. D. Brown moved, That the Council, at its rising, adjourn until Tuesday, 17th January next.
Question—put and resolved in the affirmative.

And then the Council, at fifty-five minutes past eight o'clock, adjourned until Tuesday, 17th January next.

THOS. G. WATSON,
Clerk of the Legislative Council.

ACTS ASSENTED TO AFTER THE ADJOURNMENT OF BOTH HOUSES OF PARLIAMENT
AND BEFORE THE DAY OF PROROGATION.

The following Acts were assented to by His Excellency the Governor, at the Government Offices, on the dates hereunder mentioned, viz. :—

On the 26th December, 1910—

“ An Act to apply a sum out of the Consolidated Revenue to the service of the year ending on the thirtieth day of June One thousand nine hundred and eleven and to appropriate the Supplies granted in this Session of Parliament.”

“ An Act to provide for a Tax on the Unimproved Value of Land and for the Assessment of Land and other purposes.”

On the 4th January, 1911—

“ An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Railways.”

“ An Act to authorize the raising of Money for Railways Public Works and other purposes.”

“ An Act to amend the Law relating to the Assessment Collection and Payment of Duties on the Estates of Deceased Persons and of certain Duties under the Stamps Acts.”

“ An Act to amend the Law relating to Parliamentary Elections and for other purposes.”

“ An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Water Supply in Country Districts and for other purposes.”

“ An Act to authorize the Construction by the State of a Line of Railway from Kow Plains to Murrayville.”

“ An Act to further amend the Factories and Shops Acts with regard to Apprentices and Improvers.”

“ An Act to amend the *Gold Buyers Act* 1907 and for other purposes.”

“ An Act to consolidate and amend the Law relating to Companies and for other purposes.”

“ An Act to consolidate and amend the Prahran and Malvern Tramways Trust Acts and for other purposes.”

“ An Act to extend the powers of Municipalities for making by-laws and to amend section Three hundred and forty-seven of the *Local Government Act* 1903.”

“ An Act to enable the Footscray City Council to carry out certain Works with the surplus Moneys in hand from the No. 4 Loan.”

“ An Act to provide for the transfer out of the Assurance Fund under the *Transfer of Land Act* 1890 of certain sums and for the establishment in the Treasury of certain Trust Funds and for other purposes.”

“ An Act to extend the provisions of the *Tramways Act* 1890 to the Municipality of Hawthorn and for other purposes.”

“ An Act to extend the provisions of the *Tramways Act* 1890 to the Municipality of Kew and for other purposes.”

“ An Act to provide for the constitution under the Local Government Acts of the Borough of Wonthaggi and for other purposes.”

“ An Act to further amend the Law relating to Education and to Officers and Teachers of the Education Department.”

“ An Act to provide for the sale of certain Land set apart for Show Yards at Coleraine and for other purposes.”

“ An Act to provide for the sale of certain Land set apart as a site for a Mechanics' Institute and Free Library at Yarrowonga and for other purposes.”

“ An Act to provide for the sale of certain Land set apart as a site for a Temperance Hall at Kyneton and other purposes.”

“ An Act to further amend the Factories and Shops Acts.”

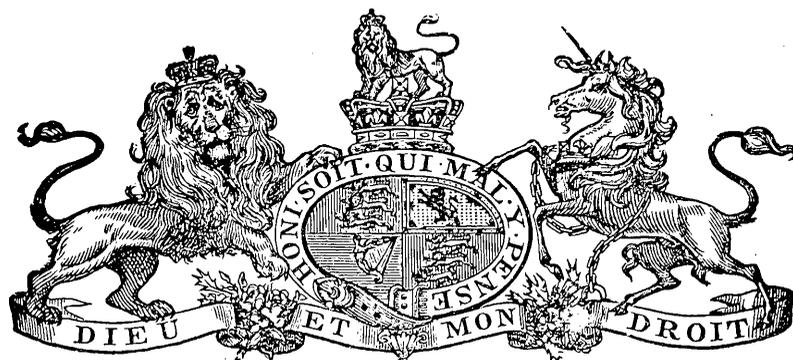
“ An Act to further amend the law relating to Crimes and Offences.”

“ An Act to sanction the issue and application of certain Sums of Money available under Loan Acts for Public Works and other purposes.”

“ An Act to provide for the erection of a Special Stock to be called ‘Victorian Government Special Inscribed Stock’ for sale to Friendly Societies and for other purposes.”

“ An Act to amend the *Closer Settlement Act* 1909 (No. 2).”

“ An Act to further amend the Law relating to the Victorian Railways.”



VICTORIA
GOVERNMENT GAZETTE

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No. 4.]

FRIDAY, JANUARY 13.

[1911.]

PROROGUING THE PARLIAMENT OF VICTORIA.

PROCLAMATION

By His Excellency Sir Thomas David Gibson Carmichael, Baronet, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

I, THE Governor of the State of Victoria in the Commonwealth of Australia, do by this my Proclamation, prorogue The Parliament of Victoria until Tuesday, the twenty-eighth day of February, 1911.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this thirteenth day of January, in the year of our Lord One thousand nine hundred and eleven, and in the first year of His Majesty's reign.

(L.S.)

THOS. D. GIBSON CARMICHAEL.

By His Excellency's Command,

J. MURRAY.

GOD SAVE THE KING!

SELECT COMMITTEES.

PARLIAMENTARY STANDING COMMITTEE ON RAILWAYS
(JOINT).

APPOINTED (SEE ACT No. 1899) 6TH JULY, 1910.

The Hon. Dr. W. H. Embling

|

The Hon. D. Melville.

APPOINTED DURING THE SESSION 1910.

No. 1.—ADDRESS IN REPLY TO THE OPENING SPEECH OF HIS EXCELLENCY
THE GOVERNOR.

Appointed 6th July, 1910.

The Hon. J. McWhae	The Hon. A. Hicks
W. A. Adamson	W. Little
T. Beggs	T. Luxton.
W. J. Evans	

No. 2.—ELECTIONS AND QUALIFICATIONS.

Appointed (by President's Warrant) 12th July, 1910.

The Hon. R. H. S. Abbott	The Hon. D. E. McBryde
J. D. Brown	J. Y. McDonald
W. J. Evans	E. Miller.
W. Little	

No. 3.—STANDING ORDERS.

Appointed 12th July, 1910.

The Hon. the President	The Hon. T. C. Harwood
J. Balfour	Walter S. Manifold
J. D. Brown	D. E. McBryde
E. J. Crooke	E. Miller
F. Hagelthorn	T. H. Payne.

No. 4.—PARLIAMENT BUILDINGS (JOINT).

Appointed 12th July, 1910.

The Hon. the President	The Hon. J. McWhae
J. G. Aikman	W. Pearson.
A. McLellan	

No. 5.—LIBRARY (JOINT).

Appointed 12th July, 1910.

The Hon. the President	The Hon. D. Melville
W. A. Adamson	A. O. Sachse.
Dr. W. H. Embling	

No. 6.—REFRESHMENT ROOMS (JOINT).

Appointed 12th July, 1910.

The Hon. W. J. Evans	The Hon. R. B. Rees
A. Hicks	E. J. White.
J. Y. McDonald	

No. 7.—PRINTING.

Appointed 12th July, 1910.

The Hon. the President	The Hon. W. H. Edgar
R. H. S. Abbott	J. P. Jones
T. Beggs	W. Little
F. W. Brawn	T. Luxton
W. L. R. Clarke*	J. Sternberg.
G. T. Dickie	

* Appointed 18th October, 1910, in place of Hon. G. T. Dickie (deceased).

No. 8.—STATE COAL MINE.

Appointed 9th November, 1910.

The Hon. R. H. S. Abbott	The Hon. D. E. McBryde*
J. G. Aikman	J. McWhae
A. Hicks	R. B. Rees.
T. Luxton	

* Discharged from attendance, 10th November, 1910.



VICTORIA.

LEGISLATIVE COUNCIL

SESSION 1910.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 1.

Extracted from the Minutes.

TUESDAY, 30TH AUGUST, 1910.

No. 1.—INDUSTRIAL ASSOCIATIONS BILL.—Clause 4 :—

An association which may be registered under this Act (herein called an industrial association) is an association for carrying on any industries, businesses, or trades specified in or authorized by its rules, whether wholesale or retail, and including dealings of any description with land. Provided that—

- (a) no member other than a registered association shall have or claim any interest in the shares of the association exceeding Five hundred pounds, and
 (b) no association whether registered before or after the commencement of this Act shall receive deposits of money or in any way carry on the business of banking.—(*Hon. J. D. Brown.*)

Amendment proposed—That the word “whether” in sub-clause (b) be omitted.—(*Hon. J. Balfour.*)

Question—That the word proposed to be omitted stand part of the clause—put.

The Committee divided.

Ayes, 13.

The Hon. R. H. S. Abbott,
 W. L. Baillieu,
 J. D. Brown,
 W. H. Edgar,
 F. Hagelthorn,
 A. Hicks,
 W. Little,
 J. Y. McDonald,
 A. McLellan,
 J. Sternberg,
 E. J. White.

Tellers.

F. W. Brawn,
 J. P. Jones.

Noes, 12.

The Hon. J. G. Aikman,
 J. Balfour,
 T. Beggs,
 W. J. Evans,
 Walter S. Manifold,
 J. McWhae,
 D. Melville,
 W. Pearson,
 R. B. Rees,
 A. O. Sachse.

Tellers.

T. Luxton,
 D. E. McBryde.

And so it was resolved in the affirmative.

No. 2.—FORESTS ACT 1907 FURTHER AMENDMENT BILL.—Clause 4 :—

The special written examination in forestry held by the examiners appointed under provisions of the Principal Act at Melbourne, Ballarat, and Bendigo on the seventeenth day of March in the year One thousand nine hundred and nine, and the oral examination in forestry held at Melbourne on the seventeenth day of April in the same year shall each be deemed to have been a special examination within the meaning of section nine of the said Act, and all persons who successfully passed the said examinations shall be eligible under the provisions of section ten of the said Act to be appointed to the Department to a position in the General Division of the Public Service.—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the following new sub-clause be added to the clause, viz. :—“All forest officers who were employed for three years previous to the passing of the Principal Act and who passed a special examination in Elementary Forestry in 1905 and who passed the Public Service Examination shall be eligible under the provision of section ten of the said Act to be appointed to the Department to a position in the General Division of the Public Service.”—(*Hon. A. Hicks.*)

Question—That the new sub-clause proposed to be added be so added—put.

Committee divided.

Ayes, 9.

The Hon. J. G. Aikman,
A. Hicks,
J. P. Jones,
T. Luxton,
Walter S. Manifold,
A. McLellan,
E. J. White.

Tellers.

W. J. Evans,
J. Sternberg.

Noes, 14.

The Hon. W. L. Baillieu,
T. Beggs,
F. W. Brawn,
J. D. Brown,
W. H. Edgar,
F. Hagelthorn,
W. Little,
J. Y. McDonald,
J. McWhae,
D. Melville,
W. Pearson,
A. O. Sachse.

Tellers.

R. H. S. Abbott,
R. B. Rees.

And so it passed in the negative.

No. 3.—FORESTS ACT 1907 FURTHER AMENDMENT BILL.—Clause 4 :—

The special written examination in forestry held by the examiners appointed under provisions of the Principal Act at Melbourne, Ballarat, and Bendigo on the seventeenth day of March in the year One thousand nine hundred and nine, and the oral examination in forestry held at Melbourne on the seventeenth day of April in the same year shall each be deemed to have been a special examination within the meaning of section nine of the said Act, and all persons who successfully passed the said examinations shall be eligible under the provisions of section ten of the said Act to be appointed to the Department to a position in the General Division of the Public Service.—(*Hon. W. L. Baillieu.*)

Motion made and question put—That clause 4 stand part of the Bill.

Ayes, 20.

The Hon. J. G. Aikman,
W. L. Baillieu,
T. Beggs,
F. W. Brawn,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
J. P. Jones,
W. Little,
T. Luxton,
Walter S. Manifold,
J. Y. McDonald,
D. Melville,
W. Pearson,
R. B. Rees,
A. O. Sachse,
E. J. White.

Tellers.

A. McLellan,
J. McWhae.

Noes, 3.

The Hon. R. H. S. Abbott

Tellers.

A. Hicks,
J. Sternberg.

And so it was resolved in the affirmative.

VICTORIA.
 —
 LEGISLATIVE COUNCIL.

—
 SESSION 1910.
 —

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL.

—
 No. 2.
 —

Extracted from the Minutes.

WEDNESDAY, 14TH SEPTEMBER, 1910.

No. 1.—FORESTS ACTS 1907 FURTHER AMENDMENT BILL—Clause 10:—

(1) The Governor in Council may appoint a pound within any reserved forest and may appoint any forest officer to be poundkeeper therefor, and the pound fees and (except where the land trespassed upon is held by any lessee or licensee) the trespass rates collected by him shall be paid into the Consolidated Revenue.

(2) A pound so appointed shall be deemed to be a pound not within a municipality, and the trespass rates to be received by the poundkeeper shall be fixed at not less than Five shillings for each head of great cattle or than Two shillings for each head of other cattle.

(3) So far as is consistent with this section the provisions of the *Pounds Act* 1890 shall apply to such pound and the poundkeeper thereof, and all persons whose cattle are impounded, and to such cattle.—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the word "not," in line 6, be omitted.—(*Hon. Walter S. Manifold.*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 9.

The Hon. R. H. S. Abbott,
 A. A. Austin,
 Dr. W. H. Embling,
 A. Hicks,
 J. McWhae,
 D. Melville,
 A. O. Sachse.

Tellers.

T. H. Payne,
 J. Sternberg.

Noes, 14.

The Hon. W. A. Adamson,
 W. L. Baillieu,
 J. Balfour,
 T. Beggs,
 J. D. Brown,
 W. H. Edgar,
 T. Luxton,
 Walter S. Manifold.
 D. E. McBryde,
 J. Y. McDonald,
 A. McLellan,
 E. Miller.

Tellers.

W. J. Evans,
 J. P. Jones.

And so it passed in the negative.

VICTORIA.
LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS
IN
COMMITTEE OF THE WHOLE COUNCIL.

No. 3.

Extracted from the Minutes

WEDNESDAY, 28TH SEPTEMBER, 1910.

No 1.—ELECTORAL LAW AMENDMENT BILL.—Clause 3:—

(1) On the day so notified by proclamation as the day on which the first special general rolls under this Act are to come into effect, the Acts mentioned in the First Schedule to the extent to which the same are in and by the said Schedule expressed to be amended or repealed shall be amended or repealed accordingly.

(2) On the day so notified by proclamation all rolls whatsoever theretofore in force of persons entitled to vote for members of the Assembly and all electors' rights and voters' certificates theretofore in force entitling persons to vote for members of the Assembly shall cease to have any further force or effect.

(3) For the purposes of elections for the Assembly after such day no rolls shall be used other than the electoral rolls provided for in this Act.

(4) Notwithstanding anything contained in this Act, the *Voting by Post Act* 1900 (except section twenty-four thereof) as amended by the *Voting by Post Amendment Act* 1900 shall continue in full force and effect from the thirty-first day of December One thousand nine hundred and ten until the day so notified by proclamation and no longer.—(Hon. J. D. Brown.)

Amendment proposed—That the words "other than rolls of ratepaying electors" be inserted after the word "Assembly," in line 6.—(Hon. J. Balfour.)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 13.

- The Hon. R. H. S. Abbott,
- J. Balfour,
- T. Beggs,
- Dr. W. H. Embling,
- T. Luxton,
- D. E. McBryde,
- J. Y. McDonald,
- J. McWhae,
- D. Melville,
- E. Miller,
- T. H. Payne.

Tellers.

- J. G. Aikman,
- A. O. Sachse.

Noes, 12.

- The Hon. W. L. Baillieu,
- F. W. Brawn,
- J. D. Brown,
- E. J. Crooke,
- W. H. Edgar,
- F. Hagelthorn,
- A. Hicks,
- J. P. Jones,
- A. McLellan,
- E. J. White.

Tellers.

- W. J. Evans,
- J. Sternberg.

And so it was resolved in the affirmative.

VICTORIA.
 —
 LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS
 IN
 COMMITTEE OF THE WHOLE COUNCIL

No. 4.

Extracted from the Minutes.

TUESDAY, 25TH OCTOBER, 1910.

No. 1.—ARTIFICIAL MANURES ACTS FURTHER AMENDMENT BILL—Clause 12:—

(1) Every such application shall be accompanied by the amount of the prescribed fee for registration not exceeding in the case of any one manufacturer or importer the sum of Five pounds and shall set forth—

- (a) the full name and place of business of the applicant ;
- (b) the name figure trade mark or other sign (in this Act referred to as the "brand") to be attached to or associated with the manure and intended for identifying it which the applicant desires to have registered ;
- (c) the name and address of the manufacturer or importer of the manure ;
- (d) the place of manufacture ;
- (e) the raw materials from which the manure is manufactured or prepared ;

* * * * *

—(Hon. W. H. Edgar.)

Amendment proposed—That the words "specified quantities of" be inserted before the word "raw" in paragraph (e).—(Hon. W. J. Evans.)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 3.

The Hon. R. H. S. Abbott.

Tellers.

W. J. Evans,
 J. P. Jones.

Noes, 18.

The Hon. W. A. Adamson,
 J. G. Aikman,
 J. Balfour,
 F. W. Brawn,
 J. D. Brown,
 W. H. Edgar,
 F. Hagelthorn,
 W. Little,
 Walter S. Manifold,
 D. E. McBryde,
 J. Y. McDonald,
 A. McLellan,
 T. H. Payne,
 A. O. Sachse,
 J. Sternberg,
 E. J. White.

Tellers.

Dr. W. H. Embling
 A. Hicks.

And so it passed in the negative.

No. 2.—ARTIFICIAL MANURES ACTS FURTHER AMENDMENT BILL.—New Clause A—

“In section five and in sub-section (1) of section seven and in the First Schedule of the Principal Act there shall be inserted at the end of the said section and sub-section and Schedule respectively the words “and the proportion per centum in which the manure contains silica.”
 Motion made and question put—That new clause A be added to the Bill.
 Committee divided.

Ayes, 4.

The Hon. W. J. Evans,
 J. P. Jones.

Tellers.

R. H. S. Abbott,
 W. Little.

Noes, 17.

The Hon. J. Balfour,
 F. W. Brawn,
 J. D. Brown,
 W. H. Edgar,
 Dr. W. H. Embling,
 F. Hagelthorn,
 A. Hicks,
 Walter S. Manifold,
 D. E. McBryde,
 J. Y. McDonald,
 A. McLellan,
 T. H. Payne,
 A. O. Sachse,
 J. Sternberg,
 E. J. White.

Tellers.

W. A. Adamson,
 J. G. Aikman.

And so it passed in the negative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 5.

Extracted from the Minutes.

TUESDAY, 8TH NOVEMBER, 1910.

No. 1.—DENTISTS BILL—Clause 13 :—

(1) Notwithstanding anything in this or any other Act any person who has attained the age of twenty-one years and who has practised dental surgery or dentistry in Victoria for a period of at least three years immediately prior to the commencement of this Act may on application within six months thereafter to the Dental Board and on proof that he has so practised and on paying the prescribed fee be entitled to have his name recorded by such Board.

(2) Thereupon such person shall continue to have the same rights and privileges which he possessed immediately before the commencement of this Act so far only as the practice of dental surgery or dentistry is concerned but he shall not take or use or have attached to or exhibited at his place of business or any premises the word "registered" (either alone or in combination with any other words or letters) or any other word or sign implying or tending to the belief that he is registered as a dentist other than the words "Recorded by the Dental Board of Victoria."

(3) Upon proof being made to the Dental Board within six months from the commencement of this Act that any person has served articles of apprenticeship for three years to the Australian College of Dentistry or to the trustees or to other representatives of such College and has apart from such service of articles practised in Victoria dental surgery or dentistry or performed dental operations or service for the public under the supervision of a registered dentist for at least three years in the aggregate preceding such commencement such person shall on passing a practical examination and paying the prescribed fee be registered as a dentist. Provided that candidates who fail to pass any practical examination shall have the right to present themselves at a supplementary practical examination on the same lines to be held within three months from the notification of the results of the examination in which such candidates have failed.—(*Hon. W. H. Edgar.*)

Amendment proposed—That the words "or any person who was apprenticed to a registered dentist or to a dental college for at least three years previous to the passing of the *Dentists Act* of 1898 and is eligible for the *sine curriculo* examination conducted by the Dental Board of Victoria" be inserted after the words "such College" in line 14.—(*Hon. R. H. S. Abbott.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 6.

The Hon. R. H. S. Abbott,
A. Hicks,
D. Melville,
R. B. Rees.

Tellers.

W. J. Evans,
J. Sternberg.

Noes, 22.

The Hon. W. A. Adamson,
J. G. Aikman,
W. L. Baillieu,
J. Balfour,
T. Beggs,
J. D. Brown,
W. L. R. Clarke,
E. J. Crooke,
W. H. Edgar,
Dr. W. H. Embling,
F. Hagelthorn,
J. P. Jones,
W. Little,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
A. McLellan,
J. McWhae,
E. Miller,
A. O. Sachse.

Tellers.

A. A. Austin,
T. H. Payne.

And so it passed in the negative.

No. 2.—ELECTORAL LAW AMENDMENT BILL.—Clause 11 :—

Subject to the disqualifications hereinafter mentioned every person of the full age of twenty-one years who—

- (a) is not subject to any legal incapacity; and
- (b) is a natural-born or naturalized subject of His Majesty; and
- (c) has resided in Victoria for the six months and in any district for one month immediately preceding the date of any electoral canvass or of his claim for enrolment as hereinafter provided for—

shall (subject to the provisions of this Act) be entitled—

- (d) to be enrolled as an elector for the Assembly on a general roll for the division in which he resides of such district and for no other division whatever of any district; and
- (e) When enrolled and so long as he continues to reside in the first-mentioned district to vote at any election for the Assembly for such district.

Provided that—

- (i.) an elector who has changed his residence to another place within the same division or to another division of the same district shall not be deemed by reason only of such change of residence to be dispossessed of the qualification in respect of which he is enrolled; and
- (ii.) an elector who has changed his residence to another district may until his name is transferred to a roll for some division of such other district vote for the district in which his name remains enrolled at any such election held therein within three months after his change of residence.—(*Hon. J. D. Brown.*)

Amendment proposed—That the following new paragraph be added to the clause, viz. :—

- “(iii.) An elector who is enrolled for the division in which he resides and whose name also appears on the citizen or burgess roll of the city of Melbourne or town of Geelong or the municipal roll of any municipality in respect of property in any division other than that in which he resides on making application in writing in the prescribed form on or before the day on which the special general list or the annual general list closes to the registrar for the division in which such property is situate shall have his name transferred from the general roll for the division in which he resides to the general roll for the division in which such property is situate. The registrar upon being satisfied of the facts stated in the application shall forthwith enter the name of such elector in such roll; and shall give notice of the transfer to the registrar for the division in which such elector resides; and the last-mentioned registrar shall forthwith upon receipt of such notice erase the name of such elector from the roll for the division in which such elector resides.”—(*Hon. J. G. Aikman.*)

Question put.
Committee divided.

Ayes, 9.

The Hon. J. G. Aikman,
W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
F. Hagelthorn,
A. Hicks,
W. Little.

Tellers.

E. J. Crooke,
J. Sternberg.

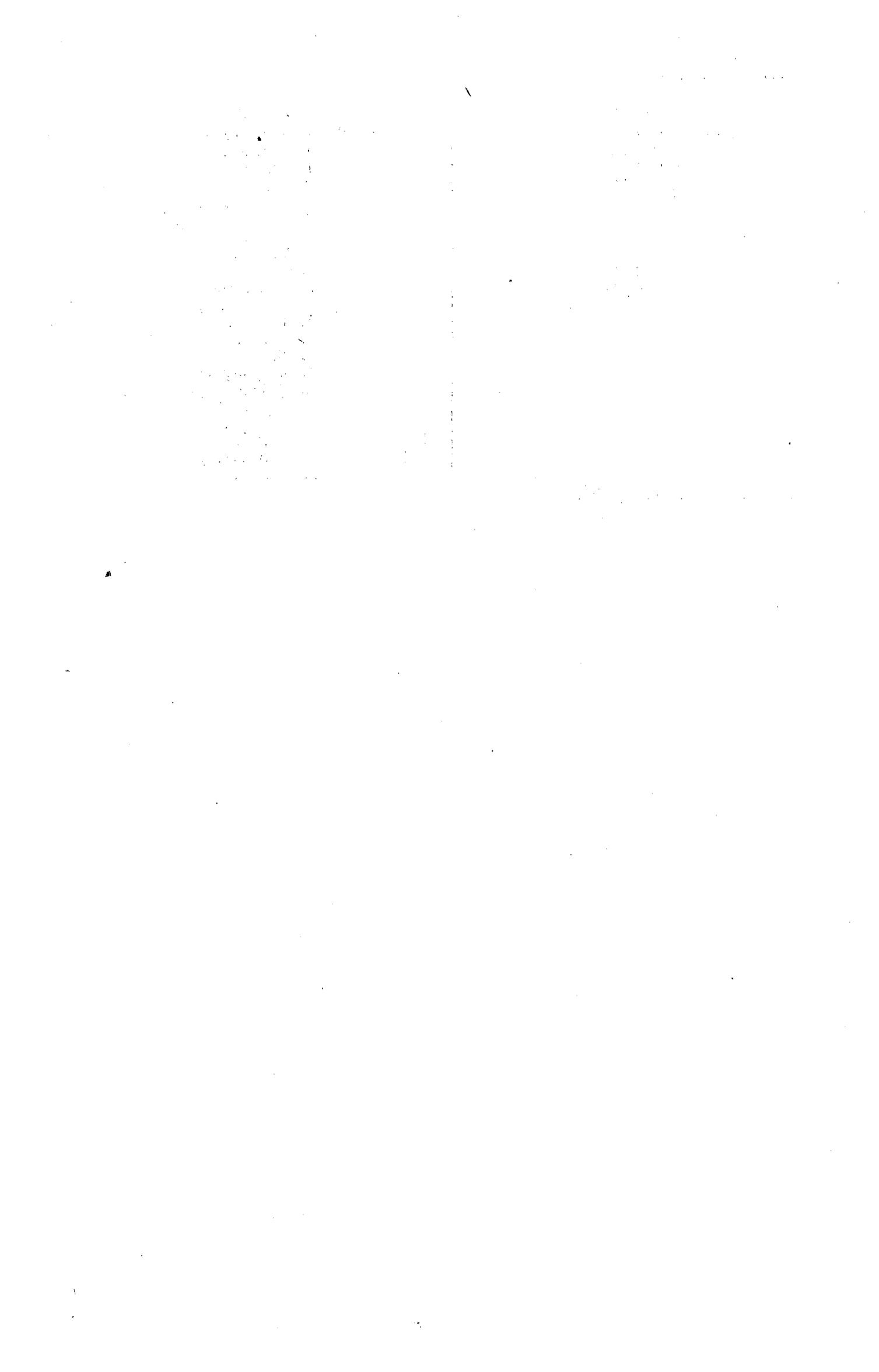
Noes, 19.

The Hon. R. H. S. Abbott,
A. A. Austin,
J. Balfour,
T. Beggs,
W. L. R. Clarke,
Dr. W. H. Embling,
W. J. Evans,
J. P. Jones,
T. Luxton,
D. E. McBryde,
J. Y. McDonald,
A. McLellan,
D. Melville,
E. Miller,
T. H. Payne,
R. B. Rees,
A. O. Sachse.

Tellers.

W. A. Adamson,
J. McWhae.

And so it passed in the negative.



VICTORIA.
 —
 LEGISLATIVE COUNCIL.

—
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WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL

—
 No. 6.
 —

Extracted from the Minutes.

—
 TUESDAY, 15TH NOVEMBER, 1910.

No. 1.—**FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.**—
 Clause 2 (*amended*)—

(1) For section ninety-one of the Principal Act as amended by section twelve of the *Factories and Shops Act 1907* there shall be substituted the following section:—

“91. (1) When determining any prices or rates of payment pursuant to this Part every Special Board shall also determine—

- (a) the number or proportionate number of apprentices and improvers who may be employed within any factory or workroom or shop or place or in any process trade business or occupation; and
- (b) the lowest prices or rates of pay payable to apprentices or improvers when wholly or partly preparing or manufacturing any articles as to which any Special Board has made or makes a determination or when engaged in any process trade business or occupation as to which any Special Board has made or makes a determination.

(2) The Board when so determining may—

- (a) take into consideration the age sex and experience of such apprentices or improvers;
- (b) fix a scale of prices or rates payable to such apprentices or improvers respectively according to their respective age sex and experience; and
- (c) fix a different number or proportionate number of male and female apprentices or improvers.”

(2) Section twelve of the *Factories and Shops Act 1907* is hereby repealed.

—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the following new sub-clause be inserted after paragraph (c), viz.:—

“(3) In fixing the number or proportionate number of apprentices the Board shall not fix a less number or proportionate number than one apprentice for every three or fraction of three journeymen engaged in the particular process trade or business.”—(*Hon. Walter S. Manifold.*)

Question—That the sub-clause proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 21.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
W. L. R. Clarke,
Dr. W. H. Embling,
A. Hicks,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
& J. Y. McDonald,
J. McWhae,
D. Melville,
T. H. Payne,
W. Pearson,
R. B. Rees,
A. O. Sachse,
J. Sternberg,

Tellers.

T. Beggs,
E. J. Crooke.

Noes, 8.

The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
F. Hagelthorn,
A. McLellan,
E. J. White.

Tellers.

W. J. Evans,
J. P. Jones.

And so it was resolved in the affirmative.

WEDNESDAY, 16TH NOVEMBER.

No. 2.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.—
Proposed New Clause A—

Where any indentures of apprenticeship are entered into with respect to any trade to which the Determination of a Special Board applies, and the wages to be paid to the apprentice are stated in such indentures, then, notwithstanding anything contained in the Factories and Shops Acts, and notwithstanding any subsequent alteration of such Determination by such Special Board, the wages to be paid to such apprentice during the currency of such indentures shall be the wages stated in the indentures.—(*Hon. Walter S. Manifold.*)

Motion made and question put—That new clause A be added to the Bill.

Committee divided.

Ayes, 19.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
T. Beggs,
W. L. R. Clarke,
Dr. W. H. Embling,
A. Hicks,
W. Little,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. McWhae,
D. Melville,
W. Pearson,
R. B. Rees,
A. O. Sachse,
E. J. White.

Tellers.

T. H. Payne,
J. Sternberg.

Noes, 8.

The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
A. McLellan.

Tellers.

J. Balfour,
J. P. Jones.

And so it was resolved in the affirmative.

No. 3.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT (APPRENTICES AND IMPROVERS) BILL.—
Proposed New Clause B—

This Act shall remain in force until the thirty-first day of December One thousand nine hundred and twelve and no longer.—(*Hon. Walter S. Manifold.*)

Motion made and question put—That new clause B be added to the Bill.

Committee divided.

Ayes, 17.
The Hon. W. A. Adamson,
J. Balfour,
T. Beggs,
W. L. R. Clarke,
Dr. W. H. Embling,
W. Little,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. McWhae,
D. Melville,
T. H. Payne,
W. Pearson,
R. B. Rees,
A. O. Sachse.

Tellers.
R. H. S. Abbott,
J. G. Aikman.

Noes, 10.
The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
J. P. Jones,
J. Sternberg,
E. J. White.

Tellers.
A. Hicks,
A. McLellan.

And so it was resolved in the affirmative.

No. 4.—MELBOURNE COLLEGE OF DIVINITY BILL.—Clause 4 (on recommital)—

(1) The first members of the College shall without further or other authority than this Act be deemed to have been duly appointed hereunder, and shall be—

(a) Representatives of the Church of England in Victoria: The Most Reverend Henry Lowther Clarke, Doctor of Divinity and Doctor of Civil Law; the Right Reverend Arthur Vincent Green, Master of Arts and Doctor of Laws; the Right Reverend John Douse Langley, Doctor of Divinity; the Right Reverend Thomas Henry Armstrong, Master of Arts and Doctor of Divinity; the Right Reverend Arthur Wellesley Pain, Doctor of Divinity; and the Venerable Archdeacon William George Hindley, Bachelor of Divinity.

—(*Hon. F. Hagelthorn.*)

Amendment proposed—That the word "clerical" be inserted before the word "members" in line 1.—
(*Hon. Walter S. Manifold.*)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 10.
The Hon. R. H. S. Abbott,
Dr. W. H. Embling,
W. J. Evans,
J. P. Jones,
W. Little,
Walter S. Manifold,
D. Melville,
T. H. Payne.

Tellers.
A. McLellan,
R. B. Rees.

Noes, 17.
The Hon. W. A. Adamson,
W. L. Baillieu,
J. Balfour,
T. Beggs,
J. D. Brown,
W. L. R. Clarke,
W. H. Edgar,
F. Hagelthorn,
A. Hicks,
T. Luxton,
D. E. McBryde,
W. Pearson,
A. O. Sachse,
J. Sternberg,
E. J. White.

Tellers.
J. G. Aikman,
J. McWhae.

And so it passed in the negative.

THURSDAY, 17TH NOVEMBER.

No. 5.—PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.—Clause 3—

3. In this Act if not inconsistent with the context or subject matter—

"Board" means the Board of Public Health.

"Licence" means a licence of a private hospital.

"Licensee" means a licensee of a private hospital.

"Manager" means the resident manager of a private hospital.

"Medical practitioner" means a legally qualified medical practitioner.

"Municipality" includes the city of Melbourne and the town of Geelong and any municipality under the Local Government Acts.

"Patient" means any person received or lodged in a private hospital.

"Prescribed" means prescribed by this Act or by regulations under this Act.

“Private hospital” means any house, building, tent, or place (other than those to which this Act does not apply as hereinafter expressly provided) in which medical surgical or lying-in cases are received or lodged, or in which it is intended that they shall be received or lodged for treatment, attendance, and care for which a charge is made.—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the following words be added to the clause, viz.:—

“Trained Nurse” means—

(a) Any person holding a certificate from any hospital recognised by the Board.

(b) Any person who is a member of any nursing association recognised by the Board.

—(*Hon. W. J. Evans.*)

Question—That the words proposed to be added be so added—put.

Committee divided.

Ayes, 4.

The Hon. W. J. Evans,
A. McLellan.

Tellers.

A. Hicks,
J. P. Jones.

Noes, 14.

The Hon. W. L. Baillieu
J. Balfour,
T. Beggs,
J. D. Brown,
Dr. W. H. Embling,
F. Hagelthorn,
Walter S. Manifold,
D. E. McBryde,
D. Melville,
E. Miller,
W. Pearson,
A. O. Sachse.

Tellers.

W. L. R. Clarke,
J. McWhae.

And so it passed in the negative.

No. 6.—PRIVATE HOSPITALS REGULATION AND INSPECTION BILL.—Clause 18 (*amended*)—

(4) (a) The licensee or manager shall produce to and permit any officer generally or specially authorized thereto by the Board to inspect every such register-book on demand and to make any extracts therefrom.

(b) The licensee shall also produce to and permit the Secretary of the Department for Neglected Children, or any officer generally or specially authorized thereto by the said Secretary, to inspect the “Register Book of Lying-in Cases” on demand and to make any extracts therefrom.

(5) Any person—

(a) whose duty it is to make any entry in any of such register books and who fails neglects or refuses to make the same or knowingly suppresses any material fact therein or enters any untrue particulars therein ; or

(b) who refuses to produce any such register book or refuses to permit the same to be inspected or any extracts to be made therefrom as provided in this section

shall be liable on conviction to a penalty not exceeding Fifty pounds.—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the words “medical practitioner” be inserted after the word “any” in line 1.—(*Hon. W. L. Baillieu.*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 11.

The Hon. W. L. Baillieu.
T. Beggs,
J. D. Brown,
W. L. R. Clarke,
W. J. Evans,
F. Hagelthorn,
J. P. Jones,
Walter S. Manifold,
D. E. McBryde.

Tellers.

Dr. W. H. Embling,
A. McLellan.

Noes, 5.

The Hon. J. Balfour,
D. Melville,
A. O. Sachse.

Tellers.

R. H. S. Abbott,
A. Hicks.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 7.

Extracted from the Minutes.

THURSDAY, 24TH NOVEMBER, 1910.

No. 1.—EDUCATION LAW FURTHER AMENDMENT BILL.—Clause 28—

The Governor in Council, pursuant to section twenty-three of the Principal Act, may make regulations for or relating to—

- (a) the course of study for pupils of higher elementary schools and district high schools ;
- (b) the qualifications for admission of pupils to higher elementary schools and district high schools and the fees (if any) to be paid by pupils of district high schools ;
- (c) the allotment of staffs in higher elementary schools and district high schools ; the fixing of the average attendance requisite for the appointment to or retention in any position of teachers in such schools ;
- (d) increasing the number of positions in the several classes of teachers set out in the First Schedule to the *Teachers Act* 1909, so as to provide for the appointment of any additional teachers required for higher elementary schools and district high schools, but so that in the case of higher elementary schools such increase shall be made only in respect of assistant teachers in such schools ;
- (e) the terms and conditions upon which teachers from schools registered as secondary schools may under this Act be appointed as teachers in higher elementary schools or in district high schools ;
- (f) the appointment, transfer, promotion, and classification of teachers in higher elementary schools and in district high schools other than teachers appointed from the staffs of registered schools as aforesaid and the sums (if any) to be paid to such teachers in addition to the salaries allotted to the positions of such teachers ; and
- (g) the appointment and tenure of office of an advisory council for each district agricultural high school and for the duties to be performed by such council.

—(Hon. J. D. Brown.)

Amendment proposed—That the words “on the advice of the Council” be inserted after the word “may” in line 1.—(*Hon. R. B. Rees.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 8.

The Hon. J. Balfour,
Dr. W. H. Embling,
Walter S. Manifold,
D. E. McBryde,
D. Melville,
A. O. Sachse.

Tellers.

T. Beggs,
R. B. Rees.

Noes, 12.

The Hon. W. A. Adamson,
W. L. Baillieu,
J. D. Brown,
W. L. R. Clarke,
W. H. Edgar,
F. Hagelthorn,
A. Hicks,
T. Luxton,
A. McLellan,
T. H. Payne.

Tellers.

J. P. Jones,
J. McWhae.

And so it passed in the negative.

No. 2.—EDUCATION LAW FURTHER AMENDMENT BILL.—Clause 5—

PART I.—COUNCIL OF PUBLIC EDUCATION.

5. (1) The Governor in Council may appoint a Council of twenty members to be called “The Council of Public Education” (hereinafter referred to as “the Council”).

(2) No person shall be appointed a member of the Council for more than three years, but any person appointed a member of the Council shall on ceasing to be a member be eligible for re-appointment.

(3) The members of the Council shall be appointed as follows:—

four representatives of the Education Department one of whom shall be the Director;
four representatives of registered schools;
three representatives of the University of Melbourne;
three representatives of technical education;
one representative of education in music; and
five representatives of industrial interests of whom not less than two shall be representative of agriculture.

* * * * *

(7) The Governor in Council may at any time remove any member of the Council and fill up any vacancy however occurring in the office of any member of the Council.

(8) If any member of the Council is absent from four consecutive meetings of the Council without leave of absence granted by the Council his office as a member shall thereupon become vacant.

(9) During any vacancy in the office of any member of the Council the continuing members may act as if no vacancy existed—(*Hon. J. D. Brown.*)

Amendment proposed—That the words “remove any member of the Council and,” in sub-clause (7) be omitted—(*Hon. J. Balfour.*)

Question—That the words proposed to be omitted stand part of the clause—put.
Committee divided.

Ayes, 9.

The Hon. W. A. Adamson,
W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
F. Hagelthorn,
A. Hicks,
J. P. Jones.

Tellers.

R. B. Rees,
A. McLellan.

Noes, 7.

The Hon. J. Balfour,
T. Beggs,
Walter S. Manifold,
D. Melville,
A. O. Sachse.

Tellers.

W. L. R. Clarke,
T. H. Payne.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 8.

Extracted from the Minutes.

TUESDAY, 29TH NOVEMBER, 1910.

No. 1.—EDUCATION LAW FURTHER AMENDMENT BILL.—Clause 8—

In addition to the powers duties and functions hereinbefore vested in the Council it shall be the duty of the Council—

(1) to report to the Minister upon methods of or developments in public education in other countries which in its opinion it is desirable to introduce into Victoria ;

(2) to report to the Minister upon any matters in connexion with public education referred to it by the Minister ;

(3) on or before the thirtieth day of September in each year to prepare a report as to the operations of the Council up to the preceding thirtieth day of June and generally upon questions relating to the development of public education in Victoria and the due co-ordination of all branches of public education. Such annual report shall be laid before both Houses of Parliament in the month of October in each year if Parliament be then sitting, and if Parliament be not then sitting then within one month after the commencement of the next ensuing session thereof.—(*Hon. J. D. Brown.*)

Amendment proposed—That the words “and general administration” be inserted after the word “development” in line 9.—(*Hon. J. Balfour.*)

Question—That the words proposed to be inserted be so inserted—put.
Committee divided.

Ayes, 15.

The Hon. W. A. Adamson,
J. G. Aikman,
J. Balfour,
E. J. Crooke,
Dr. W. H. Embling,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. Y. McDonald,
D. Melville,
E. Miller,
T. H. Payne,
A. O. Sachse.

Tellers.

T. Beggs,
R. B. Rees.

Noes, 12.

The Hon. W. L. Baillieu,
F. W. Brawn,
J. D. Brown,
W. L. R. Clarke,
W. H. Edgar,
W. J. Evans,
A. Hicks,
J. P. Jones,
A. McLellan,
J. McWhae.

Tellers.

R. H. S. Abbott,
J. Sternberg.

And so it was resolved in the affirmative.

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(160 copies.)

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 9.

Extracted from the Minutes.

WEDNESDAY, 14TH DECEMBER, 1910.

No. 1.—TRADING COMPANIES LAW CONSOLIDATION AND AMENDMENT BILL.—Clause 2.—Motion made and question put—That the Chairman do leave the Chair—(*Hon. J. D. Brown*).

Committee divided.

Ayes, 11.

The Hon. W. L. Baillieu,
F. W. Brawn,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
A. Hicks,
J. P. Jones,
W. Little,
D. Melville.

Tellers.

E. J. Crooke,
A. McLellan.

Noes, 15.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
Dr. W. H. Embling,
Walter S. Manifold,
D. E. McBryde,
J. Y. McDonald,
J. McWhae,
W. Pearson,
A. O. Sachse.

Tellers.

T. H. Payne,
R. B. Rees.

And so it passed in the negative.

No. 2.—TRADING COMPANIES LAW CONSOLIDATION AND AMENDMENT BILL—Clause 3 :—

The provisions of this Act with respect to winding up shall not apply to any company of which the winding up has commenced before the commencement of this Act, but every such company shall be wound up in the same manner and with the same incidents as if this Act had not passed, and for the purposes of the winding up the Act or Acts under which the winding up commenced shall be deemed to remain in full force.—(*Hon. Walter S. Manifold.*)

Motion made and question put—That clause 3 stand part of the Bill.

Committee divided.

Ayes, 19.

The Hon. R. H. S. Abbott,
 W. A. Adamson,
 J. G. Aikman,
 A. A. Austin,
 J. Balfour,
 F. W. Brawn,
 E. J. Crooke,
 Dr. W. H. Embling,
 A. Hicks,
 W. Little,
 Walter S. Manifold,
 D. E. McBryde,
 J. Y. McDonald,
 T. H. Payne,
 W. Pearson,
 R. B. Rees,
 A. O. Sachse.

Tellers.

T. Beggs,
 J. McWhae.

Noes, 5.

The Hon. J. D. Brown,
 A. McLellan,
 D. Melville.

Tellers.

W. J. Evans,
 J. P. Jones.

And so it was resolved in the affirmative.

VICTORIA.

LEGISLATIVE COUNCIL.

SESSION 1910.

WEEKLY REPORT OF DIVISIONS

IN

COMMITTEE OF THE WHOLE COUNCIL.

No. 10.

Extracted from the Minutes.

TUESDAY, 20TH DECEMBER, 1910.

No. 1.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—Clause 7 :—

The restriction contained in sub-section (2) of section seventy-six of the Principal Act as amended by section nine of the *Factories and Shops Act 1907* shall not apply—

- (a) to representatives of employers who are secretaries managers or representatives of companies; or
- (b) to representatives of employes who are secretaries of Trade Unions and have been employes in the trade to be affected by the determination of the Board.—(*Hon. W. L. Baillieu.*)

Motion made and question put—That clause 7 stand part of the Bill.
Committee divided.

Ayes, 9.

The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
W. Little,
A. McLellan.

Tellers.

Dr. W. H. Embling,
J. P. Jones.

Noes, 20.

The Hon. W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
F. W. Brawn,
E. J. Crooke,
A. Hicks,
T. Luxton,
Walter S. Manifold,
J. Y. McDonald,
J. McWhae,
D. Melville,
E. Miller,
T. H. Payne,
W. Pearson,
A. O. Sachse,
J. Sternberg.

Tellers.

R. H. S. Abbott,
R. B. Rees.

And so it passed in the negative.

No. 2.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—Clause 15 :—

(1) Any Special Board appointed under the provisions of paragraph (c) or paragraph (f) of sub-section (1) of section six of the *Factories and Shops Act* 1909 (No. 2) is hereby given power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the occupation of—

- (a) engine-driver or assistant engine-driver generator attendant or greaser in connexion with the use of suction gas engines ;
- (b) assistant engine-driver greaser or trimmer in connexion with the use of steam engines or steam boilers.

(2) Such Special Board may exercise all the powers conferred on Special Boards under the *Factories and Shops Acts* so far as any person or persons or classes of persons mentioned in this section are concerned.—(*Hon. W. L. Baillieu.*)

Amendment proposed, That paragraph (a) be omitted.—(*Hon. Walter S. Manifold.*)

Question—That paragraph (a) proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 10.

The Hon. W. L. Baillieu,
F. W. Brawn,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
A. Hicks,
A. McLellan,
J. Sternberg.

Tellers.

F. Hagelthorn,
J. P. Jones.

Noes, 17.

The Hon. R. H. S. Abbott,
J. G. Aikman,
A. A. Austin,
J. Balfour,
E. J. Croke,
Dr. W. H. Embling,
W. Little,
Walter S. Manifold,
J. Y. McDonald,
J. McWhae,
D. Melville,
E. Miller,
W. Pearson,
R. B. Rees,
A. O. Sachse.

Tellers.

T. Beggs,
T. H. Payne.

And so it passed in the negative.

WEDNESDAY, 21ST DECEMBER.

No. 3.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—Clause 30 :—

(1) Notwithstanding anything contained in the *Factories and Shops Acts* no piece-work price or rate shall be made in pursuance of section ninety-eight of the *Factories and Shops Act* 1905 for any person or persons employed in wholly or partly preparing or manufacturing inside or outside a factory or work-room articles of clothing or wearing apparel.

(2) Upon the coming into operation of any piece-work price or rate prescribed as hereinafter provided any piece-work price or rate in operation upon the passing of this Act shall become void and of no effect.

(3) No piece-work price or rate other than the piece-work price or rate fixed by the Special Board shall be paid to any person or persons employed inside or outside a factory or work-room in wholly or partly preparing or manufacturing articles of clothing or wearing apparel.

(4) No person shall be employed outside a factory or work-room in wholly or partly preparing or manufacturing articles of clothing or wearing apparel excepting such as hereinafter provided has been granted a permit by the Chief Inspector of Factories.

The Chief Inspector of Factories shall issue a permit to any person who may apply for the same and whose circumstances merit such a permit to be employed outside a factory or work-room.—(*Hon. W. L. Baillieu.*)

Motion made and question put—That clause 30 stand part of the Bill.

Committee divided.

Ayes, 8.

The Hon. W. L. Baillieu,
J. D. Brown,
Dr. W. H. Embling,
F. Hagelthorn,
A. Hicks,
A. McLellan.

Tellers.

W. J. Evans,
J. P. Jones.

Noes, 18.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
F. W. Brawn,
W. L. R. Clarke,
W. Little,
Walter S. Manifold,
J. Y. McDonald,
J. McWhae,
D. Melville,
W. Pearson,
R. B. Rees,
A. O. Sachse.

Tellers.

E. J. Crooke,
T. H. Payne.

And so it passed in the negative.

No. 4.—**FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.**—Clause 41 :—

For sub-section (1) of section forty of the *Factories and Shops Act* 1907 as amended by section thirteen of the *Factories and Shops Act* 1909 there shall be substituted the following sub-section :—

“(1) (a) No person shall cart or deliver or permit any other person in his employment to cart or deliver any goods wares merchandise or materials whatsoever before half-past seven o'clock in the morning or after half-past seven o'clock in the evening on any Monday Tuesday Wednesday Thursday or Friday or before half-past seven o'clock in the morning or after half-past one o'clock in the afternoon on any Saturday.

* * * * *

—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the word “or” be inserted after the word “Wednesday” in sub-clause (1) (a).—(*Hon. J. Balfour.*)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided.

Ayes, 22.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
F. W. Brawn,
W. L. R. Clarke,
E. J. Crooke,
A. Hicks,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. Y. McDonald,
J. McWhae,
D. Melville,
E. Miller,
W. Pearson,
A. O. Sachse,
J. Sternberg.

Tellers.

Dr. W. H. Embling,
T. H. Payne.

Noes, 8.

The Hon. W. L. Baillieu,
J. D. Brown,
F. Hagelthorn,
W. Little,
A. McLellan,
R. B. Rees.

Tellers.

W. J. Evans,
J. P. Jones.

And so it was resolved in the affirmative.

No. 5.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—Clause 41 (*amended*):—

For sub-section (1) of section forty of the *Factories and Shops Act* 1907 as amended by section thirteen of the *Factories and Shops Act* 1909 there shall be substituted the following sub-section:—

“(1) (a) No person shall cart or deliver or permit any other person in his employment to cart or deliver any goods wares merchandise or materials whatsoever before half-past seven o'clock in the morning or after half-past seven o'clock in the evening on any Monday Tuesday Wednesday or Thursday or before half-past seven o'clock in the morning nor after nine o'clock in the evening on Friday or before half-past seven o'clock in the morning or after half-past one o'clock in the afternoon on any Saturday.

Provided that in cities and towns and also in all boroughs and parts of shires outside the metropolitan district to which the operation of this section is extended as provided by section two of the *Factories and Shops Act* 1907 such carting or delivering may be continued by any person up till half-past seven o'clock in the evening on Saturday but there shall in such case be no carting or delivery by such person after half-past one o'clock in the afternoon on the day on which the usual weekly half-holiday is observed in such city town borough or part of a shire.

* * * * *

—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the words “half-past seven”, in line 12, be omitted.—(*Hon. R. H. S. Abbott.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided.

Ayes, 6.

The Hon. W. L. Baillieu,
J. D. Brown,
W. J. Evans,
J. P. Jones.

Tellers.

F. Hagelthorn,
A. McLellan.

Noes, 24.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
F. W. Brawn,
W. L. R. Clarke,
E. J. Crooke,
Dr. W. H. Embling,
W. Little,
T. Luxton,
Walter S. Manifold,
J. Y. McDonald,
J. McWhae,
D. Melville,
E. Miller,
T. H. Payne,
W. Pearson,
R. B. Rees,
A. O. Sachse,
J. Sternberg.

Tellers.

A. Hicks,
D. E. McBryde.

And so it passed in the negative.

No. 6.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—Clause 41 (*amended*):—

For sub-section (1) of section forty of the *Factories and Shops Act* 1907 as amended by section thirteen of the *Factories and Shops Act* 1909 there shall be substituted the following sub-section:—

“(1) (a) No person shall cart or deliver or permit any other person in his employment to cart or deliver any goods wares merchandise or materials whatsoever before half-past seven o'clock in the morning or after half-past seven o'clock in the evening on any Monday Tuesday Wednesday or Thursday or before half-past seven o'clock in the morning nor after nine o'clock in the evening on Friday or before half-past seven o'clock in the morning or after half-past one o'clock in the afternoon on any Saturday.

Provided that in cities and towns and also in all boroughs and parts of shires outside the metropolitan district to which the operation of this section is extended as provided by section two of the *Factories and Shops Act* 1907 such carting or delivering may be continued by any person up till nine o'clock in the evening on Saturday but there shall in such case be no carting or delivery by such person after half-past one o'clock in the afternoon on the day on which the usual weekly half-holiday is observed in such city town borough or part of a shire.

(b) The restrictions contained in this sub-section shall not apply to cab-drivers or persons delivering parcels of laundry work or from the first day of November in any year to the thirty-first day of March next following to persons delivering aerated waters or cordials or ice.”—(*Hon. W. L. Baillieu.*)

Amendment proposed—That the following new sub-clause be added to the clause, viz. :—

“(c) No person shall cart or deliver or permit any other person in his employment to cart or deliver luggage on any Sunday. The restrictions contained in this paragraph shall not apply to cab-drivers taking luggage with passengers nor to carters taking such luggage to some place of custody.”—(*Hon. J. Balfour.*)

Question—That the new sub-clause proposed to be added be so added—put.

Con mittee divided.

Ayes, 13.

The Hon. W. A. Adamson,
J. G. Aikman,
J. Balfour,
W. J. Evans,
A. Hicks,
J. P. Jones,
D. E. McBryde,
J. Y. McDonald,
J. McWhae,
E. Miller,
A. O. Sachse.

Tellers.

A. McLellan,
R. B. Rees.

Noes, 16.

The Hon. R. H. S. Abbott,
W. L. Baillieu,
T. Beggs,
F. W. Brawn,
J. D. Brown,
W. L. R. Clarke,
Dr. W. H. Embling,
F. Hagelthorn,
W. Little,
T. Luxton,
Walter S. Manifold,
D. Melville,
T. H. Payne,
W. Pearson.

Tellers.

A. A. Austin,
E. J. Crooke.

And so it passed in the negative.

No. 7.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—Clause 51 :—

In sub-section (1) of section one hundred and forty-six of the Principal Act for the words “fifty-two” there shall be substituted the words “forty-eight.”—(*Hon. W. L. Baillieu.*)

Motion made and question put—That clause 51 stand part of the Bill.

Committee divided.

Ayes, 6.

The Hon. W. L. Baillieu,
J. D. Brown,
F. Hagelthorn,
J. P. Jones.

Tellers.

W. J. Evans,
A. McLellan.

Noes, 23.

The Hon. R. H. S. Abbott,
W. A. Adamson,
J. G. Aikman,
A. A. Austin,
J. Balfour,
T. Beggs,
F. W. Brawn,
E. J. Crooke,
Dr. W. H. Embling,
A. Hicks,
W. Little,
T. Luxton,
Walter S. Manifold,
D. E. McBryde,
J. Y. McDonald,
D. Melville,
E. Miller,
T. H. Payne,
W. Pearson,
A. O. Sachse,
J. Sternberg.

Tellers.

J. McWhae,
R. B. Rees.

And so it passed in the negative.

No. 8.—FACTORIES AND SHOPS ACTS FURTHER AMENDMENT BILL.—New clause A :—

(1) In sub-section (1) of section twenty-two of the *Factories and Shops Act 1905* (No. 2) for the words "Ten o'clock" where they first occur there shall be substituted the words "Nine o'clock."

(2) In sub-section (1) of section three of the *Metropolitan Saturday Half-holiday Act 1909* for the words "Ten o'clock" there shall be substituted the words "Nine o'clock."

(3) In sub-section (1) of section six of the *Metropolitan Saturday Half-holiday Act 1909* for the words "Ten o'clock" there shall be substituted the words "Nine o'clock."—(*Hon. J. P. Jones.*)

Motion made and question put—That new clause A be added to the Bill.

Committee divided.

Ayes 4.

The Hon. W. J. Evans,
J. P. Jones.

Tellers.

A. Hicks,
A. McLellan.

Noes, 20.

The Hon. R. H. S. Abbott,
A. A. Austin,
W. L. Baillieu,
J. Balfour,
J. D. Brown,
E. J. Crooke,
W. H. Edgar,
Dr. W. H. Embling,
F. Hagelthorn,
Walter S. Manifold,
J. McWhae,
D. Melville,
E. Miller,
T. H. Payne,
W. Pearson,
R. B. Rees,
A. O. Sachse,
J. Sternberg.

Tellers.

J. G. Aikman,
T. Beggs.

And so it passed in the negative.

1910.

VICTORIA.

STATE COAL MINE.

LAI'D ON THE TABLE OF THE LEGISLATIVE COUNCIL BY THE HONORABLE J. DRYSDALE BROWN,
AND ORDERED BY THE COUNCIL TO BE PRINTED, 23RD DECEMBER, 1910.

STATEMENT prepared by the Honorable Peter McBride, Minister of Mines, with reference to the Progress
Report of the Select Committee of the Legislative Council on the State Coal Mine.

STATE COAL MINE.

Re REPORT OF SELECT COMMITTEE.

Map.

The report of the speech made by the Minister of Mines introducing the Coal Mines Regulation Bill distinctly stated the seams of coal proved by boring were not all solid, and gave the dimensions of the coal in each seam—every detail of each bore was published in the Annual Departmental Report presented to Parliament (Minister's Speech reported *Hansard*, 27th October, 1909, pp. 1867-8).

No one could possibly be misled who desires to be fair and just.

Estimate of Coal.

When first giving evidence, Mr. Dunn and Mr. Broome dealt only with a specific area, which was regarded as fully proved—the estimate being 18,000,000 to 20,000,000 tons of workable coal.

In his first annual report to the Minister, Mr. Broome stated about 17 square miles comprised the Powlett area—5 square miles had been proved by boring to contain about 20,000,000 tons of good workable coal. The remainder has yet to be proved.

Since that report, further boring has proved the thick coal is not confined to the smaller area—the most westerly bore having disclosed 6 feet of solid coal, with a lower seam of 2 feet 6 inches.

The boring referred to, with other facts, has enabled calculations to be made, showing possibly 44,000,000 tons of coal within the 17 square miles (State Coal Mines Reserve).

This estimate is not an "extravagant" one. Mr. Dunn considers this quantity may well be contained in the whole Powlett area.

The Committee was written to and informed that Mr. Dunn was prepared to give evidence in regard to the latter boring, but he was not called.

On page 4 of the Committee's report, a quotation is given from Mr. Dunn's evidence. A subsequent correction thereof by Mr. Dunn is not given. The deliberate suppression of that evidence is scarcely calculated to inspire confidence in the report. This remark also applies to other evidence where half truths only are told.

The report of what is contained in the Departmental report is not even correctly copied. The figures are inaccurate and misleading—9 inches of coal being omitted in one instance. The questions, as put by the Chairman to Mr. Dunn, were asked in such a way that he was deceived by them.

Bore 23 shows a 4 feet 8 inch seam, showing 3 feet 8 inches of clean coal, as marked in the plan produced to Parliament. There was no inaccuracy whatever in this instance, but the Committee manufactured one.

At the last sitting only two of the members of the Committee—Messrs. Abbott and Rees—were present for the major portion of the time, and the evidence given during that sitting, which was the most important, is not yet transcribed from the shorthand notes.

The report suggests estimates were haphazard. This is not so. All calculations were carefully made, and are conservative. It is evident from the report there has been confusion on the part of the Committee respecting the terms "coal seams," "solid coal," and "clean coal."

They are so well understood by persons having an elementary knowledge of coal mining that it was not considered the Committee was unaware of such distinctions, otherwise preliminary explanations would have been given. The conclusions emanating from the Committee indicate they did not understand or appreciate the subject they had in hand. The tendency appears to have been to use only such evidence as supported the preconceived notions of, at least, some of the members of the Committee, and the absence of an unbiassed tone in the report is regrettable.

Page 5 of the Report.

Summary of Mr. Broome's Evidence.

1. Certain parts of area were unworkable.

The parts referred to are very limited and were not included in the estimates made.

2. Map and reports do not agree.

The map only purported to show briefly the workable coal. The Annual Report gives full details; the map and reports do not disagree; they coincide as a whole, with the exception of a few clerical errors, that made no difference in the calculated estimates.

3. Bores just payable.

Included in estimate.

4. Bad results.

Were not included.

5. Increased hewing rates.

Will have to be paid where seams unusually thin, unless

6. Electric coal cutters are used.

This, it is proposed, will be done.

7. Estimates on unbroken seams. (Presumably solid seams of coal are meant). Basis of calculation wrong.

The evidence of Mr. Broome on this point has been credited with a meaning which it did not contain nor convey. The evidence was:—(506) *By the Honorable John McWhae*.—Mr. Dunn said in his previous evidence (*reading from same*) that there was a large quantity of clean coal—Was it on that basis that you calculated it?—Yes. (507) *By the Honorable the Chairman*.—If the basis is wrong the conclusions must be that the estimate of coal is wrong?—Yes, undoubtedly.

It was never admitted the basis of calculation is or was wrong. On the contrary, it is considered to be accurate, and the estimate also on the conservative side.

Estimate of Quantity of Coal.

The theoretical estimate referred to in the report has been taken from the boring records.

As an almost invariable rule, a greater thickness of coal exists in the seam than is disclosed by the bore, because the drill penetrates the coal some distance before those in charge are certain that coal has been entered. The boring records only show thickness of seam after the drill foreman is satisfied coal has been entered. In actual working at the State mine it has been demonstrated that the coal is fully 1 foot thicker than the bore record show. This additional thickness is estimated to yield a further 4,000,000 tons.

Mr. A. G. Wallace, manager of the Jumbunna mine (who stated in his evidence that the success of the State mine meant the closing up of the Jumbunna and other coal mines), in estimating the coal in the State Coal mine area takes 1,000 tons per foot per acre as the basis, but in connexion with the Jumbunna Coal mine takes 1,200 tons per foot per acre when wishing to show the loss that has taken place in extracting the coal.

If, in the mine of over 500 acres, the average thickness was 3 feet 4 inches of coal, the small extraction of 960,000 tons requires considerable explanation to any one but the Committee.

It would appear that all evidence as to the estimated quantities of coal at the Powlett, except that of Mr. Wallace has been discarded, and even his evidence had been discounted by the Committee, who have formed their own estimate of the coal, and consider it to be even less than Mr. Wallace is prepared to allow.

Respecting his evidence *re* the Powlett coal-field, it appears from the figures that he has confused the faulting with the general inclination of the seam.

The difference of the levels of the coal, as shown by the bores, is partly accounted for by the gentle inclination of the seam and partly by faulting.

Mr. Wallace has evidently allowed his zeal to outrun his discretion in his anxiety to supply the Committee with the evidence they desire.

It may be mentioned Mr. Wallace was an applicant for the post of General Manager of the State Coal mine. His non-selection he should regard as a blessing in disguise, seeing the limited quantity of coal he is prepared to concede the State Coal mine—to say nothing of the difficulty he experiences in extracting coal from the mine which he is now managing.

The Committee are of the opinion the coal at 1,300 tons per day production will be worked out in twelve to thirteen years, and at 2,000 tons per day in eight to nine years. All the official estimates indicate, and the working of the mine goes to prove, that the known workable coal will last, at 1,000,000 tons per annum, for at least twenty years, and it is more than likely that the whole field will not be worked out in forty years; and up to the present, no attempt has been made to explore for lower seams.

Emergency Expenditure.

Under the circumstances of the Newcastle strike, its uncertain duration, and the necessities of the Railway Department, the Emergency Expenditure was justified. There will not be any loss, as the mine will repay whatever was regarded at the time as a probable deficiency.

The work compares more than favorably with private enterprise. For the mine, in about twelve months, to be capable of producing an output at the rate of 2,000 tons per day on a capital expenditure of about £50,000, is unparalleled in the history of coal mining. In New Zealand one mine recently developed at a cost of £180,000 only produced coal after three years' operations—the daily output at the end of four years being under 1,000 tons. Another mine, at a cost of over £200,000, produced coal after four years' work—the daily output at end of five years being about 500 tons. Mr. Broome gave evidence in regard to the shaft-sinking, &c., and furnished details proving the actual cost and value of the work charged to development £11,883 were other than excessive, were a fair charge, and a good return for the outlay.

To facilitate the work, all the matters pertaining to the mine, the township, the water supply, public buildings, &c., had necessarily to be under the control and direction of the Minister of Mines. The expenditure was properly charged to each Department, as the report itself states. What other course could have been adopted? The necessity for further alleged inquiry is not apparent, but any investigation will show all expenditure was properly incurred and charged. The suggestion that boring, emergency railway work, drainage, &c., should be charged to the mine, is too fallacious to call for comment other than the boring was paid from the Annual Vote for the purpose. The Railways received and are in receipt of large revenue from the railway, apart from the coal traffic. The drainage works were not for the coal mine, they are for the surface drainage of the town and residents of the district generally. No additional Departmental officers were appointed for the coal mine; nothing was charged the mine for the year ending 30th June last—a proportionate amount of the salaries of any such officers engaged at or for the mine work will be debited the mine this current financial year.

The suggestion that the Crown should charge the mine £1,000 a year lease rent and add to working costs, would be preposterous, if it were not ridiculous. It might as reasonably be contended that the Railway Department should debit itself with some £14,000 wharfage rates at 1s. per ton not paid by the Railway Department but charged to the public. The cost of land being used is debited, viz., £3,672 9s. 4d.

Lease-holders at Wonthaggi.

The Government proposals were under consideration and decided upon prior to the existence of the Committee being dreamt of.

When they visited Wonthaggi, the people there considered the Committee were not unbiassed, and the residents declined to give any evidence, and the Committee went mutton-birding, and they probably learnt more about the birds than they did about the coal mine.

Mine and Railways.

The Railways took very little unscreened coal. The Commissioners specified the coal should be passed over a $\frac{3}{4}$ -inch screen, and that was done. At present, a 1-inch screen is being used. As to the standard of quality said to be embodied in contracts with private suppliers, the Powlett coal is its own standard of quality, proved by the fact that express trains are being run by it.

One hundred and forty-five tons of slack coal taken by the Railways up to 31st October, is 13 per cent. of the total coal—110,629 tons—supplied the Department.

Laboratory tests and locomotive working tests and stationary boiler tests (in a large Melbourne manufactory) have been made by Mr. Bayly, of the Mines Department, the loco. tests being in conjunction with the Railway Department. The whole of these tests proved Powlett coal is only about 9 per cent. lower than best Maitland coal, not 15 per cent. as the Committee state. Under certain easily attainable conditions, Powlett slack coal shows higher evaporative value than average Newcastle coal. Evidence given of railway tests related to coal obtained near the surface early in the existence of the mine, and did not refer to coal obtained from the deeper portion of the seam.

The Select Committee was written to and asked to receive the evidence of Mr. Bayly in connexion with the exhaustive recent tests he had made, but no reply was received, and he was not called.

Difference in price of Powlett and Maitland coals stated at 2s. 5d. and 2s. 1d., is reduced on present advance price of coal (since 5th November last) to slightly over 1s. a ton.

Coal will soon be supplied to the Railways at a reduced rate. The opinion of the Committee on the legal question as to when the mine should be handed over to the Railways may be passed by with only one comment—that their legal knowledge is on a par with their coal mining knowledge.

The proposal that the mine should be so worked that it might be used in case of emergency, letting Newcastle and other coal come in to the Railways, is one that passes comprehension.

The known supplies at Powlett are sufficient for all purposes. There is no occasion to restrict the output or establish "a continuous insurance fund"—whatever that may mean.

During the Emergency period there was not any waste, nor was any excessive expenditure incurred. Particular care was taken by the Minister, whose only desire was to benefit the community by obtaining coal for its railways at the earliest moment, and so prevent the stoppage of the train service, and industrial paralysis. At this time the Railways had coal from the mine at 32s. per ton. The market price was 65s. per ton, and the whole product of the mine could easily have been disposed of at that price.

Admitting cost sheets were not kept in detail at the outset, the general manager, since July last, has put into operation a costs system far in advance of any that may be in use by a private company.

If Government business methods were not better than private business methods, neither the Government nor the coal mine could be carried on.

It is regrettable, as the Committee say, that they had not more time at their disposal. They might then have availed themselves of much information ready to be given and tendered to them, and which would have enabled them to realize the position more intelligently. It was common rumour in the lobbies that some Members refused to sign the report, and it was presented to the House unsigned.

It is understood the report, as prepared by the Chairman, was unacceptable to his colleagues, and there can be little doubt that in its emasculated condition it will be unacceptable to the public who foot the Bill.

It may be added one member of the Committee is a Director of the Jumbunna Coal Co., and two other members acted as intermediaries for other coal mining companies opposed to the State Coal Mine.

There can be no question that the State Coal Mine has been, and will continue to be, a success, giving employment to large numbers of our own people; the establishment of a permanent modern town, with all the attendant business ramifications, and be a lasting evidence of the untiring efforts against all opposition, active and passive, including that of the Committee, who have so ingloriously established themselves as patriots who might well be spared for their country's good, and will no doubt be remembered in that aspect when they appear before the electors at a later stage of their legislative existence.

23rd December, 1910.

(Signed)

PETER McBRIDE,

Minister of Mines.

1910.

VICTORIA.

PROGRESS REPORT

OF THE

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL

ON THE

STATE COAL MINE;

TOGETHER WITH THE

MINUTES OF EVIDENCE AND PLAN.

Ordered by the Legislative Council to be printed, 23rd December, 1910.

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

WEDNESDAY, 9TH NOVEMBER, 1910.

3. STATE COAL MINE.—The Honorable R. H. S. Abbott moved, pursuant to *amended* notice, That a Select Committee be appointed to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi, such Committee to consist of seven Members with power to send for persons, papers, and records, to move from place to place and to report the Minutes of Evidence from time to time, three to be the quorum.

Debate ensued.

The Honorable W. H. Edgar moved, as an amendment, That all the words after "That" be omitted with the view to insert in place thereof the words, "the question of the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi be referred to the Parliamentary Standing Committee on Railways for consideration and report."

The President said—"I question whether there is any power to move the amendment. There is an Act bearing on the question—the *Railways Standing Committee Act 1893*—but the only section produced to me is section 11, which is as follows :—

When either House of Parliament by resolution refers for the consideration and report of the Committee any question relating to the construction of narrow-gauge or other railways, the Committee shall consider and report thereon accordingly.

If the Government have any authority they can cite, authorizing this House to refer a question of this kind to the Railways Standing Committee, I should be very glad if they would call my attention to it."

And after debate—

The President said—"It is not a question of honorable members agreeing with the amendment. The question is whether this House has power to pass such an amendment. I stated that I believed in another place questions outside of railway construction had been referred to the Railways Standing Committee. It must be remembered that the number of members of this House who are on that Committee is only one-half of the number of members of another place. The members of the Committee may choose to take an instruction which they are not legally bound to take, but that does not justify this House nor justify me in allowing such a resolution to be submitted. It would be contrary to our Standing Orders, and not in accordance with the Act of Parliament. Therefore, I must rule the proposed amendment out of order."

Debate on the main question continued.

The Honorable A. McLellan moved—That the debate be now adjourned.

Debate further continued.

Question—That the debate be now adjourned—put.

The Council divided.

Ayes, 9.

The Hon. W. L. Baillieu,
J. D. Brown,
W. H. Edgar,
W. J. Evans,
F. Hagelthorn,
J. P. Jones,
D. Melville.

Tellers.

Walter S. Manifold,
A. McLellan.

Noes, 13.

The Hon. R. H. S. Abbott,
J. G. Aikman,
J. Balfour,
T. Beggs,
W. L. R. Clarke,
Dr. W. H. Embling,
T. C. Harwood,
A. Hicks,
J. McWhae,
T. H. Payne,
R. B. Rees.

Tellers.

W. A. Adamson,
A. O. Sachse.

And so it passed in the negative.

Question—That a Select Committee be appointed to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi, such Committee to consist of seven Members, with power to send for persons, papers, and records, to move from place to place, and to report the Minutes of Evidence from time to time, three to be the quorum—put and resolved in the affirmative.

4. STATE COAL MINE.—The Honorable R. H. S. Abbott moved, by leave, That the Select Committee appointed to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of leaseholders in the Government township of Wonthaggi, consist of the Honorables J. G. Aikman, A. Hicks, T. Luxton, D. E. McBryde, J. McWhae, R. B. Rees, and the mover.

Question—put and resolved in the affirmative.

THURSDAY, 10TH NOVEMBER, 1910.

15. STATE COAL MINE COMMITTEE—MEMBER DISCHARGED.—The Honorable J. D. Brown moved, by leave, That the Honorable D. E. McBryde be discharged from attendance on the State Coal Mine Committee.

Question—put and resolved in the affirmative.

PROGRESS REPORT.

THE SELECT COMMITTEE appointed by your Honorable House on the 9th November, 1910, to inquire into the working of the State Coal Mine, the expenditure already incurred and proposed, and the position of lease-holders in the Government township of Wonthaggi, have the honour to present to the House the following Progress Report :—

Your Committee held nine public meetings in Melbourne and one in the township of Wonthaggi, and examined ten witnesses. They also inspected the surface and underground workings of the mine.

When the Honorable the Minister of Mines introduced the Coal Mines Regulation Bill, which provided *inter alia* for the establishment of a State Coal Mine in what was known as the Powlett Coal Basin or Coal-field, he caused a large map of the area reserved for the State mine to be displayed in both Houses of Parliament. This map indicated the sites of the bores, and the various thicknesses of the coal deposits. The western line of bores were marked—Coal, 4 ft. 2 in., 6 ft. 5 in., 4 ft. 2 in., 6 ft. 1 in., 7 ft. 6 in., 5 ft. 10 in., 4 ft. 3 in., 5 ft. 2 in., 3 ft. 4 in., 2 ft. 4 in., and 3 ft.

The middle line of bores, also commencing at the north, indicated coal—9 ft. 3 in., 2 ft., 7 ft. 7 in., 9 ft. 1 in., 6 ft., 3 ft. 8 in., 9 ft. 11 in., and 5 ft. 5 in.

The eastern line of bores indicated coal—6 ft. 6 in., 7 ft. 7 in., 6 ft. 5 in., 6 ft., 5 ft. 8 in., and 2 ft. 6 in.

The impression likely to be conveyed to members by this map was—That solid seams of coal of the stated thicknesses had been proved by the borings. The Honorable the Minister said in reply to a question—“Further than that, the honorable member may be sure that I, as Minister of Mines, would not come to the House with a Bill of this kind without making the fullest inquiry from my officers, including Mr. Dunn—probably the most eminent geologist in Australia—Mr. Stanley Hunter, and others. I had a conference with those officers, and the very first question I put to them was, ‘Has sufficient been proved at Powlett Basin to justify me in recommending to the Cabinet the establishment of a State Coal Mine,’ and the answer in every case was ‘Yes.’” The Honorable the Minister of Mines further stated that the lowest estimate proved the existence of 25,000,000 tons of coal in the area.

In his evidence, Mr. Dunn admitted so advising the Honorable the Minister. He stated that Mr. Broome (the General Manager of the mine), upon assuming office, had questioned the possibility of working any seams of coal under 2 ft. 6 in. in thickness.

Mr. Dunn further said—“He had since had a more careful estimate made with the extra boring that had been done. A great many more bores are on the ground than are shown on the map, and we have divided the area up that has been bored, and it gives us a better guide for an estimate. It has been cut up into squares of 40-acre blocks, and each are estimated. It gives a yield of about 17,700,000 tons, practically 18,000,000 tons. That is exclusive of any coal under 2 ft. 6 in. in thickness.”

In reply to the question by the Chairman—“That estimate is practically coal that you reckon can be won profitably from that area?” Mr. Dunn said—“Yes; the feature of the coal-field is that we have not got any distinct batt or refuse material in the coal seam. In a seam 8 feet thick the thickest piece of dirt was not thicker than half-an-inch. There were no bands in it.”

Mr. Dunn's attention was specially drawn to the western line of bores, that show thicknesses varying from 6 ft. to 2 ft. 4 in., which he had previously said was clean coal, and he gave the following information:—"As far I know, these bores are simply bores. We put them down 150 or 200 feet, and brought the core up; but, where the coal is opened, in every case it is a clean seam of coal. I cannot say what a seam is underground, excepting from the bore, and as far as that goes it is clean coal that is marked on the plan."

"Does this boring disclose that the faults are as numerous there as in the other coal areas?"—"There are faults disclosed by the boring; but, so far, I do not think they should be materially adverse to mining."

"How do they compare with the other fields?"—"There are nothing like the faults there are at Korumburra."

"I suppose you consider the area has been more extensively bored than any area we have got in Victoria, consequently the estimates ought to be more accurate than in other cases?"—"Decidedly."

The Railways Standing Committee, when taking evidence at Inverloch in connexion with the question of establishing a port for the shipment of coal asked Mr. Dunn—"What quantity per square mile in tons has been disclosed by the boring," and he admitted informing them—"That the average of the bores worked out at about 4 ft. 6 in. of clean coal for this area of 2,600 acres, and his estimate was from twenty to thirty million tons." When asked by your Committee—"Is that all clean coal?" he replied—"Yes. There is no batt whatever in it."

The further questioning of Mr. Dunn led to an admission—as to the basis upon which his calculation had been made—as to cause doubts to arise as to the reliability of the conclusions he had come to. This is borne out by the following extracts from evidence:—

You say—in 2,600 acres, thoroughly tested, there are 18,000,000 tons of coal?—Yes, taking all the data we have.

Can you show on the plan (Exhibit "B") No. 23 bore?—Yes.

What coal is there?—3 ft. 8 in. at 102 feet.

How is that 3 ft. 8 in. made up? Is it pure coal?—I could not say.

What does the book (Annual Report of Secretary for Mines, 1909) say as to No. 23?—At page 161 of the Report, Foreman Francis reports as follows:—"Bore No. 23. Coal 3 ft. 8 in., between 102 ft. 1 in. and 106 ft. 9 in. Coal, 3 in.; Sandstone, 4 ft. 7 in.; Shale, 2 ft. 1 in.; Coal, 11 in.; Mudstone, carbonaceous, 6 in.; Coal, 5 in.; Mudstone, carbs., 1 in.; Coal, 1 ft. 7 in.; Mudstone, carbs., 1 ft. 10 in."

If you have taken 3 ft. 8 in. of coal, your estimate is valueless. There is 3 ft. 8 in. of coal, but it is shown in four seams?—That is a mistake altogether.

If there is one mistake like that, there might be many more. How do you account for that?—I cannot account for it.

You have estimated these amounts, and you are responsible for your estimates?—Yes, but I am not down at that bore all the time. The figures come before me, and I have to take them. I admit, in that case, it is not accurate, and I do not know how it crept in.

Mr. Stanley Hunter, engineer in charge of boring operations previous to the opening up of the State coal mine, was examined as to the results of the borings. He disclaimed any responsibility for the map previously referred to, and displayed for the information of members, and said—" . . . I did not actually make that plan (map), and I do not recollect that I even supervised it."

Mr. Hunter admitted that he told the Railways Standing Committee that 30,000,000 tons of coal had been proved by boring, but he qualified the statement by saying—" . . . They may have inferred that I was speaking of one limited area; but I was speaking of the whole district."

When asked, "How did you arrive at that estimate?" he stated that it was "A general estimate, based on my prospecting work of eighteen years ago, in addition to the recent borings; and also the boring that has been done during the last twenty years in that part of South Gippsland."

Further, in reply to the question—"Do you know what additional area the boring has embraced since you gave that evidence?" he said—"It is only guesswork. I might say 15 to 20 square miles, with the bores dotted at wide intervals. That includes the whole of the Kirrak work."

"With what result?"—"Not too good." And in reply to a question he admitted that "a great deal of this was bored in a great hurry," and added—"Yes, we rushed it. We were working day and night."

When further asked what does the map show (Bore No. 24) at 158 ft., he replied—"6 ft. 1 in. of coal."

The following extracts from Mr. Hunter's evidence bear particularly on this phase of the question:—

Witness read the following particulars relating to Bore No. 24 from page 162 of the Secretary for Mines' Report for 1909:—"Coal, inferior, 6 in.; Mudstone, with coal band, 39 ft. 1 in.; Sandstone, 110 ft. 7 in.; Coal, 1 ft.; Mudstone, carbonaceous, 2 in.; Coal, 2 ft. 6 in.; Mudstone, 3 ft. 1 in.; Coal, 2 ft. 1 in.; Mudstone, 9 in.; Coal, 9 in."

Would that pay as well as 6 ft. 1 in. of solid coal?—No, I would prefer the 6 ft. 5 in.; but, as a matter of fact, about 6 ft. of the coal is workable.

What does Bore No. 29 show?—Coal, 3 ft. 2 in.; Mudstone, 4 in.; and then Coal, 1 ft. This is quite payable.

By how much would that mudstone detract from the value of the coal?—"I think it would put a little on. A considerable amount of that mudstone would get into the coal and add to the tonnage.

Bores Nos. 32, 34, 35, and 39 shown on the map as 6 ft. 1 in. coal, 7 ft. 7 in. coal, 5 ft. 10 in. coal, and 5 ft. 4 in. coal respectively were compared with the foremen's records and found to be seams divided by bands varying from 3 inches to 4 ft. 4 in.

Sufficient instances have, the Committee think, been given to prove that the estimates of coal in the area made by these officers were haphazard, and cannot be deemed to be altogether reliable, and further, the map produced to Parliament was not reliable.

As the Committee felt that the future of the mine, and the expenditure proposed to be incurred in equipping and developing it, depended so greatly on the amount of coal in the area, special efforts were made to estimate accurately from the bores the coal that could be profitably worked.

Mr. Broome, General Manager of the State Coal Mine, was specially examined with this view, and his attention drawn to a statement in the Secretary for Mines' Report for 1908 which states, page 7—"A splendid and extensive field of coal was discovered at Powlett River district by the Department through boring operations. A seam of good, clean, hard coal, so far as proved, extends over an area of 3 miles by 2 miles, and averages 6 feet in thickness."

Upon examination of the map, and the bores marked on the map, Mr. Broome was of the opinion that there was not 6 square miles of coal proved at 6 feet thickness; but, from careful estimates made, he put it down at 5 square miles. Dividing the 5 square miles up into areas, he was of opinion that 20,000,000 tons of coal would be a fair estimate. After going carefully into a number of important bores, and comparing the foremen's detailed descriptions of the strata, showing, in many cases, split seams, banded seams, and intrusions of shale and mudstone, Mr. Broome declared—

That certain parts of the area were unworkable.

That the map or plan published by the Mines Department and the reports of the foremen of the boring parties do not agree.

That some bores are just payable.

That others showed bad results.

That an increased hewing rate may have to be paid to work others.

That electric coal cutters would be necessary to make some seams pay.

Finally, that his estimates were based on unbroken seams, and the close examination of the borings having proved the basis of calculation to be wrong, that his estimate of coal would also be inaccurate.

Subsequently Mr. Broome, on the strength of a new bore about half-a-mile north-west of the bored area which showed 6 feet of coal, desired to increase his estimate of coal in the area by 20,000,000 tons, and on the assertion that boring failed to disclose the true amount of coal in a seam which he stated had been proved by the present workings in regard to two bores he increased his estimate over the whole 2,861 acres previously under consideration by 4,000,000 tons, thus making his estimate of coal in the area reserved for the Government mine 44,000,000 tons.

This your Committee could only regard as an extravagant estimate. It may be stated in this connexion that Mr. Broome, when marking a Plan (Exhibit "N") to show the area he referred to when first giving evidence, included a large portion of Daly's lease, to the north of the State Coal Mine area.

Mr. McKenzie produced a plan of the bored coal area divided into seven special areas, and, taking the specific gravity of the coal at 1.28, it would give 129.6 tons per inch of coal per acre, or about 1,555 tons per foot per acre.

On this basis the amount of coal in the areas would be—

Area.	Acres.	Coal.	Total Tons.
No. 1	294	72 in.	2,738,000
No. 2	216	66 in.	1,837,000
No. 3	360	48 in.	2,235,000
No. 4	30	60 in.	233,000
No. 5	80	36 in.	372,000
No. 6	162	54 in.	1,132,000
No. 7	1,719	54 in.	12,006,000
	2,861		20,553,000

This is the theoretical quantity of coal; but both Mr. Broome and Mr. Wallace estimate the winnable coal at 1,000 tons per foot per acre, and this total would have to be reduced by one-third or to 13,702,000 tons to represent the actual extractable coal.

The large area—No. 7—situated to the north of the area well proved by bores, is estimated at 54 inches on very insufficient data. The bores which have been put down show it to be a very disturbed area, with a few good bores, and some very bad ones. The estimate of coal, in the opinion of your Committee, cannot be admitted to be anything but a very sanguine approximation. The proved areas of thick coal at present being worked, Nos. 1, 2, 4, and 6, totalling 702 acres—according to Mr. McKenzie's theoretical calculation—contain 5,940,000 tons which, on Messrs. Broome and Wallace's estimate of winnable coal, would represent 3,960,000 tons—say, roughly, 4,000,000 tons of coal. This will be found to compare with Mr. Wallace's estimate which will be referred to later as the amount of coal that the State Mine can rely on working under the present favorable conditions.

Mr. A. C. Wallace, manager of the Jumbunna mine, gave as the actual experience of their work, during sixteen years, on 500 acres of a coal area proved, by twenty-five or twenty-six bores, to be of an average thickness of 3 ft. 4 in., and containing, theoretically, over 2,000,000 tons, that they had only been able to extract 960,000 tons, and the difference between theoretical and winnable coal was about double; in other words, that the loss was 50 per cent. instead of 33½ per cent.

He stated that he had examined the Powlett field carefully, and produced a plan, showing the depths of the deposits of coal on two north and south lines, and also two cross sections right through the field. His conclusions were that—"There does not seem to be a definite lay about the Powlett field. It is up and down in every direction. The level of the coal is considerably higher in No. 24 than in No. 14. It jumps up again in No. 29. There are three bores—Nos. 29, 32, and 94, which have apparently struck the coal at about the same level. The section shows bores Nos. 24, 29, and 32 approximately on the same level. Due east of them, Nos. 59, 60, and 25 show a rapid fall in the same direction. Between Nos. 94 and 34 there is a fall of about 100 feet. From No. 34 to No. 35 the coal rises again about 55 feet. From No. 35 to No. 38 it continues to rise to another 50 feet, and there is still a further rise from No. 38 to No. 39. Nos. 39 and 41 are about on a level, and from No. 41 down to No. 45 there is apparently another fall of 100 feet."

"From No. 14 to No. 24 is half-a-mile, No. 24 to No. 29 a quarter of a mile."

" On the next section—parallel—the bores are directly opposite. The significant feature is the fact of the parallel lines not showing the smallest similarity. In a uniform field of coal you would expect—although the bores starting at one end might dip to the other—with a parallel line, they should show something of a similar lay. In this case they are entirely dissimilar. The bores from No. 34 to No. 39 are apparently fairly regular in dip, but that is entirely contradicted by the lay of the coal in the parallel line further over. The cross sections are the same, except that they are taken from east to west. The first one is from No. 24 to No. 42, and then from No. 34 to No. 89. The same condition obtains here—they are dissimilar. Lines joining the various levels would be utterly dissimilar."

• Mr. Wallace says the conclusion he would draw from this is—that the coal seams are exceedingly faulty ; that they will have north, south, east, and west faults as they have had at Jumbunna. He estimates that the thick area of coal that can be profitably worked as at present comprises an area of from 500 to 800 acres containing from 3,000,000 to 6,000,000 tons of coal. The thickness of the coal in this area as disclosed in the bores is from 5 feet or 6 feet to 8 feet, and is a very profitable area, one that the private companies will be unable to compete against. Outside this area the State Mine will be no better off, if as well off, compared with the private mines at present at work.

Mr. McKenzie and Mr. Wallace, it will be seen—allowing for the slight difference in area included—arrive at practically the same conclusion, and your Committee are of opinion that 5,000,000 tons would probably be a liberal estimate of the quantity of easily winnable coal in this specially favorable area.

If the output of the mine is maintained, as at present, at 1,300 tons per day—with 298 working days in the year—the deposit will be worked out in between twelve and thirteen years, but if the output is increased, as proposed, to 2,000 tons per day it will last only from eight to nine years.

EMERGENCY EXPENDITURE.

Mr. Stanley Hunter informed the Committee that he assumed office as Acting General Manager about the 15th November, and retained that position until the 27th March, when Mr. Broome took charge as General Manager. Mr. McKenzie acted as Mining Manager from the initiation of the mine, and is still acting in that capacity.

On the 2nd December, when the Railways Standing Committee visited the mine, Mr. McKenzie candidly informed them that “No sane man would call this mining. . . . The Government wanted the coal rapidly, and it is getting it—at a cost.” This, Mr. McKenzie stated, referred to the use of small baskets in which the coal was being brought from the drives and raised to the surface. Both these gentlemen deserve the greatest credit for the energy they put into the operations at that time, and the resourceful manner in which they overcame great difficulties. When, however, the great strike in the New South Wales coal trade ceased in February, the railway to the mine was completed, and 15,000 tons of coal was at grass, this wasteful and expensive method was still continued although it was found that the railways did not then urgently require coal.

The mine at this period, from the numerous shallow shafts that had been sunk, was in a position to turn out 350 to 400 tons daily. Previous to the mine being connected with the railway system, 3,526 tons of coal had been sent to Melbourne by boat *viâ* Inverloch, having been hauled to the port very expensively by bullock team and traction engine. This excessive expenditure on transit was, however, recouped to the mine by the Railways Department, which paid 32s. per ton for the coal, and, consequently, cannot properly be said to have been the cause of any great loss in emergency expenditure.

A large portion of the developmental work consisted of drives which, being all in coal, should have paid for themselves. Mr. McKenzie stated that these drives totalled 7,000 feet, and produced coal, valued at 8s. per ton, amounting to £8,575 in value. Further, that up to 30th June, eight shafts had been sunk, aggregating 629 feet, at a cost, including timber, of about £5 2s. per foot, or, roughly, £3,200.

The amount, therefore, charged to Capital Account, shaft-sinking and development, £11,883, seems to be greatly in excess of the actual cost or the value of the work, especially as an item, £8,021 is also charged to Capital Account, being cost of machinery, rails, &c.

No costs-sheets, nor details of expenditure classified under any heads were obtainable for this period, and when the balance-sheet to 30th June was required, an officer from the Closer Settlement Branch, Mr. McIver, had to be requisitioned to try to unravel the tangle of an expenditure of upwards of £82,601. The result of these investigations being the balance-sheet to which the Auditor-General gave a qualified certificate as follows :—

Audited and found correct, with the exception that the records of the earlier work were not sufficient to prove the accuracy of the Emergency Account, which has consequently to be accepted on the certificate of the General Manager.

The Departmental methods of this period can be gauged from the replies furnished by Mr. Hunter :—

You would make the pay-sheets up?—No ; I certified to the pay-sheets ; but I did not make them up. I fixed the rates of pay, with the exception of the miners, and generally certified to the whole of the accounts ; but the accountancy work was done by the Melbourne office.

What means would they have of checking it and verifying anything. How would you make it up. Would you take any figures put before you?—No. I knew personally almost every man on the field, and I knew whether that man was at work or not.

How many men did you have?—It varied. Sometimes I had 300 men at work.

Mr. John Shea, Accountant in the Mines Department, confirmed this, and in answer to the question, “ Then during that period, were there any proper costs-sheets kept as to work,” replied—“ Not by us. They never had been attempted. No costs-sheets were kept by the Head Office.”

All he (Mr. Hunter) did was to initial accounts and send them on to you, and you kept all the accounts and he kept none?—“ We kept a record of the expenditure, and entered all accounts as they went through.”

During this period all the Government Departments capable of rendering assistance were requisitioned, and expenditure was incurred by the Mines Department on behalf of the Water Supply Department, the Forestry Department, the Public Works Department, and the Lands Department, and subsequently debited to the various Departments. This expenditure does not appear in the balance-sheet, and your Committee had not sufficient time at its disposal to investigate this matter which, they think, calls for further inquiry.

Mr. Shea informed the Committee that the Emergency Account, showing a loss of £21,833, had been closed, and no instructions had ever been issued to take this as a debit to a Suspense Account. It is looked on as having been wiped out.

Items of boring charged to the Boring Vote—£5,805 ; £10,000 Emergency Work by the Railways Department ; £976 for drainage, should all be added to this total, which would then stand at £38,614.

In addition, the salaries of several officers of the Mines Department and of Mr. McIver, of the Lands Department, who were wholly or partially engaged in the business of the mine, should also be added to the amount ; also interest accrued on the 3½ per cent. debentures, £36,000, from which Capital Account was provided.

CONTEMPLATED EXPENDITURE.

Mr. Broome informed the Committee that his estimate of expenditure on Capital Account during the ensuing year on electrical equipment and other developmental work was £75,000. Adding to this £27,906, which is the balance already charged to Capital Account less £8,000, cost of miners' cottages—which it is proposed to transfer to the Lands Department—the total Capital Account of the mine at the end of the present financial year would stand at £102,906.

If the mine is to be worked on commercial principles the £21,833—written off as a loss on Emergency Account—should be debited to the Capital Account, and in addition the cost of all the railway sidings, at present being borne by the Railway Department, but which every private company has to provide at its own cost, amounting to, perhaps, £10,000. This, with boring and debits to other Departments, totalling probably another £10,000, would make a total of £145,739, upon which interest should be charged against working costs.

The lease-rent of £1,000 per annum, chargeable to private companies, is also an additional fair charge to working costs.

POSITION OF THE LEASEHOLDERS AT WONTHAGGI.

The attempt of the Government to establish at Wonthaggi all the public works of a town of an advanced type, and give the occupiers of the business and residential areas leaseholds at a fixed rental with certain compulsory covenants as to improvements, and allocating the said leaseholds by auction, led—owing to the alleged possibilities of a rapidly-growing population of 6,000 to 10,000 people—to very high rentals being obtained for business sites, and a great and growing disappointment with the results is now apparent.

The Government have, since your Committee began to investigate and make public the true condition of affairs in connexion with this area, proposed to allow the miners occupying the cottages built by the Government to purchase them with the freehold on long terms, and to permit the holders of residential sites to also make them freehold.

The position of those holding business sites should be considered, and your Committee is of opinion that the disabilities under which these people suffer should receive favorable and sympathetic consideration.

THE STATE MINE AND THE RAILWAYS.

Up to the present, the most sympathetic relations have existed between the management of the State Mine and the Railways Commissioners, and without this sympathetic co-operation the operations of the mine must have come to a standstill long ere this.

The Railways have taken the major part of the mine's output, accepting run-of-mine coal and screened coal, containing a high percentage of slack, such as they would accept from no public contractor. Mr. Sutton informed the Committee that there was no standard of quality such as was embodied in contracts with private suppliers; and Mr. Shannon said that the screened coal supplied from the State Mine, when tested, contained 32 to 33 per cent. of slack, and the run-of-mine coal 66 per cent. of slack.

The Railways require only the very best screened coal; yet to such an extent was its complacency carried that the Department accepted 145 tons of slack coal, consigned from the mine to their sidings by mistake, and mixed it with screened coal.

Up to the 31st October, the Railways had accepted from the mine—Screened coal, 46,076 tons; run-of-mine coal, 64,408 tons; and slack coal, 145 tons, or a total of 110,629 tons.

Elaborate and careful tests by the Department show the Powlett coal to be 15 per cent. inferior in value to best Maitland coal. Mr. Bayley, of the Mines Department, asserts that the difference is only 10 per cent.; but he has not yet been able to thoroughly establish that position.

Delivered at the different important coal stages at Melbourne, Powlett coal is 2s. 5⁴d. and 2s. 1⁵d. per ton dearer than the present contract price for Maitland coal.

Mr. Fitzpatrick told the Committee that, on the present consumption, the subsidy to the mine in this way would total £45,000 per annum; but he understood from the manager, Mr. Broome, that when the mine was properly equipped and opened up the price would be reduced, and this difference would disappear. Further, that steps had been taken to see that the coal accepted was up to a proper standard of quality.

The Coal Mines Regulation Bill, as passed by the Legislative Assembly, provided that within six months of the mine being opened up and established its management was to be handed over by the Mines Department to the Railway Department. The mine was opened on the 15th November, and when Mr. Broome took charge on the 27th March it was capable of turning out 500 tons per day, and was evidently thoroughly established by that date, and should have been so handed over on or before the 29th September.

The retention of the mine up to the present time by the Mines Department is in defiance of the law and the intentions of Parliament.

In conclusion, your Committee is of opinion that there is a very valuable deposit of coal proved in the area reserved for the State Coal Mine, probably the most extensive and valuable yet discovered in this State; but the coal in Victoria, as regards price and profitable working, must always be subject to the competition from New South Wales.

The area proved by boring, possible of being worked under the present very advantageous conditions, we think, contains about 5,000,000 tons of coal, and, until further boring or development makes it certain that a much greater quantity can be safely reckoned upon, the present statutory conditions of having the mine controlled and worked for the Railways and other Government Departments, and held in reserve for Naval purposes should Westernport be created a Naval base for the Commonwealth, selling the slack coal only to the public should not be departed from. The mine should be equipped thoroughly and opened so extensively, without regard to immediate profits, as would permit of it, on emergency—viz., during a strike period—being able to double or treble its normal output, which should be so arranged that it would act as a regulator of the price of Newcastle coal to the Railways, and be a continuous insurance fund for the next twenty-five or thirty years.

The transfer of the mine and management to the Railways Commissioners should at once take place.

Sufficient details have been given in the Report, and are to be found in the evidence, to suggest the advisability of searching inquiry into the administration of the Mines Department.

The control and supervision of expenditure during the emergency period showed an almost complete disregard of commercial methods, with a corresponding waste of public funds. The mine should be conducted strictly on commercial lines, and its accounts should be kept in the methods adopted by private companies, so that the fullest information as to costs, output, development and equipment, could be easily ascertainable.

Finally, your Committee regret that the very short time at their disposal did not enable them to make their inquiry as exhaustive and complete as they would have desired, but they think sufficient has been disclosed to show that further investigation may be desirable when Parliament again re-assembles.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

WEDNESDAY, 16TH NOVEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the Chair;
 The Hon. J. G. Aikman,
 The Hon. A. Hicks,
 The Hon. T. Luxton,
 The Hon. J. McWhae,
 The Hon. R. B. Rees.

Edward John Dunn, called, examined by the
 Chairman.

1. You are the Director of the Geological Survey of Victoria?—Yes.

2. Regarding the Powlett Coal-field district, you have examined it pretty thoroughly?—I have examined it carefully.

3. What area has been reserved for the State Coal Mine?—About 18 square miles.

4. What is the area of the Powlett Coal-field proper?—That is unknown at present.

5. Have you tested the whole area for coal by boring?—We have tested a considerable portion of the Wonthaggi area, and we are now engaged in boring in the Kirrak parish. It is a very large area, extending over to the Buffalo Railway Station, and it would take many years before it can be tested as regards its capacity for coal; the work is proceeding now in the Kirrak parish.

6. How many bores have been put down with reference to the area marked on the plan as reserved for the Government State Mine?—I cannot say.—*[Witness pointed out the area on the map.]*

7. This plan was prepared by your Department?—Yes, especially for the House.

8. The references on that plan as to the quantities of coal compare with the plan in the report of 1909?—Yes; the bores there do not represent anything like all the bores that are now put down. That plan is exactly as it was when it was presented to the House, but there are a great many bores put down since that are not on that plan.

9. *By the Hon. R. B. Rees.*—What is the date of that plan?—October, 1909.

10. *By the Hon. the Chairman.*—When the Minister presented the plan to the House and introduced the Bill, he said:—"Further than that, the honorable member may be sure that I, as Minister of Mines, would not come to this House with a Bill of this kind without making the fullest inquiry from my officers, including Mr. Dunn, probably the most eminent geologist in Australia, Mr. Stanley Hunter, and others. I had a conference with those officers, and the very first question I put to them was: 'Has sufficient been proved at Powlett basin to justify me in recommending to the Cabinet the establishment of a State Coal Mine?' and the answer in every case was 'Yes.'" A conference did take place between yourself and the Minister?—Yes, Mr. Merrin, Mr. Hunter and myself, and the Minister.

11. The Minister's statement that you said the Government were justified is correct?—Absolutely.

12. I think you furnished him with an estimate as to the amount of coal you anticipated was in the area reserved for the Government?—Yes.

13. What was that estimate?—I took the natural coal area. In estimating the coal area of the Wonthaggi field I reckoned that there would be some 20,000,000 to 30,000,000 tons in that area.

14. *By the Hon. R. B. Rees.*—In the basin?—In that area south of the Powlett River and down to the sea coast.

15. It is not a basin formation?—I do not know anything about the basin, but there is a coal seam which we have been boring, and we have touched that in different bores; there is one seam so far as I know, and that is what we are estimating the coal in.

16. *By the Hon. A. Hicks.*—In the 20,000,000 to 30,000,000 tons you include slack?—Everything that is in the seam of coal that is workable.

17. *By the Hon. the Chairman.*—You said that you estimated from 20,000,000 to 30,000,000 tons of coal in the area—not inside that red line you have marked on the plan, but outside as well?—Partly outside; in the coal-field.—*[Plan marked Exhibit "A."]*

18. The Minister stated that the lowest estimate proved the existence of 25,000,000 tons of workable coal, which could be got out; do you agree with that?—Yes.

19. That is based on the borings represented on that plan?—Yes, estimating from these bores as far as we could.

20. Will you look at the plan and see the different sizes of the seams of coal mentioned there?—As to that estimate of 25,000,000, my own statement was from 20,000,000 to 30,000,000 tons—I gave it a wide margin. As to the thicknesses of coal running down the line of bores, commencing at the western line, the top bore is 4 ft. 2 in.; then they run 6 ft. 5 in., 4 ft. 2 in., 6 ft. 1 in., 7 ft. 6 in., 5 ft. 10 in., 4 ft. 3 in., 5 ft. 2 in., 3 ft. 4 in., 2 ft. 4 in., 3 ft. In the middle line of bores commencing at the north, the thicknesses are 9 ft. 3 in., 2 ft., 7 ft. 7 in., 9 ft. 1 in., 6 ft., 3 ft. 8 in., 9 ft. 11 in., 5 ft. 5 in. On the eastern line from the north end they run 6 ft. 6 in., 7 ft. 7 in., 6 ft. 5 in., 6 ft., 5 ft. 8 in., 2 ft. 6 in.

21. Did you consider it was all coal that could be got out at a reasonable cost?—I should say most of it could be got out. It can be worked on the long-wall system and taken out clean. With a 2-foot seam you can take out most of it, there is very little waste; they take out some of the floor or the roof, but the coal all comes out.

22. *By the Hon. R. B. Rees.*—You could not work a 2-foot seam at a profit?—They have been working a 2-foot seam at Korumburra.

23. *By the Hon. T. Luxton.*—You would take the drive at 3 ft. 6 in.?—Yes.

24. *By the Hon. the Chairman.*—Did you make any definite calculation to arrive at this 20,000,000 to 30,000,000 tons?—Yes, I took the averages of those bores, and from that I took the average of the thickness, and estimated it. Taking a case in which 4 ft. 3 in. of coal is found in a bore, I do not estimate it is in that bore only; but as there is 5 ft. 10 in. in the next it is continuous right through, and, therefore, the average thickness of the seam is proved. If that coal extends that distance, and it is proved to be of workable thickness, I do not cut the line off at that line of bores, and say that is the thickness of that line, but I estimate that if it is bored in this direction a quarter of a mile away, it is a fair thing to estimate a quarter of a mile on the other side also. If you do not take a certain amount of risk you cannot have anything at all in the way of an estimate, but it is a fair thing; you do not suppose the coal stops exactly where the bore is put down.

25. *By the Hon. J. McWhae.*—Could you estimate it would be a mile to the left?—I estimated it to be 2 miles wide and 6 miles long; this map is 10 chains to the inch.

26. *By the Hon. T. Luxton.*—That is all good coal?—Coal such as we have been testing; we have tried it in locomotives and households. It is workable coal and consumable coal. Since then we have had a more careful estimate made with the extra boring that has been done; we now have it worked out much more carefully. A great many more bores are on the ground than are shown here, and we have divided the area up that has been bored, and it gives us a better guide for an estimate. It has been cut up into squares of 40-acre blocks, and each one estimated, and the result of that comes out that in the area on this plan there are 18,000,000 tons.

27. What width have you taken?—It is a very narrow width. The red pencil area on Plan "A" that I have marked has been carefully worked out in 40-acre blocks, and it gives a yield of about 17,700,000 tons, practically 18,000,000 tons. That is exclusive of any coal under 2 ft. 6 in. in thickness—or where the seam is above 2 ft. 6 in.

28. *By the Hon. J. McWhae.*—Why do you exclude 2 ft. 6 in.?—It is the estimate made by Mr. Broome, and he would have that excluded.

29. Will not 2 ft. 6 in. pay?—2 feet has been worked at Korumburra for years.

30. Mr. Broome excludes 2 ft. 6 in.?—Yes. I consider there should be added to this estimate as workable later on, perhaps, 2,000,000 tons for the coal that is under 2 ft. 6 in.

31. There is no good having coal that is not payable?—They have worked it in Gippsland.

32. And they have not paid yet?—I cannot say.

33. *By the Hon. the Chairman.*—That estimate is practically coal that you reckon can be won profitably from that area?—Yes; the feature of the coal-field so far opened is that we have not got any distinct batt or refuse material in the coal seam; in a seam 8 feet thick the thickest piece of dirt was not thicker than $\frac{1}{2}$ inch; there were no bands in it.

34. The western line of bores that show varying thicknesses from 6 feet to 2 ft. 4 in. is also clean coal?—As far as I know bores are put down 150 feet or 200 feet and the core brought up, but where the coal is opened in every case it is a clean seam of coal. I cannot say what a seam is underground, excepting from the bore, and as far as that goes it is clean coal. That is marked on the plan.

35. From that map members would be justified in coming to the conclusion that the coal mentioned there was winnable at a reasonable expenditure?—

Yes; I cannot go into the question of winning, that is out of my branch.

36. There are certain seams of coal, and you are of opinion that that coal is winnable at a reasonable cost?—Yes. It is favorably situated for economical mining.

37. *By the Hon. R. B. Rees.*—What is the area included in that red line?—About 2,600 acres.

38. What is the locality of that area?—It is adjacent to the west side of the township.

39. *By the Hon. The Chairman.*—That practically embraces the whole of the line of bores on the plan?—Yes.

40. Does this boring disclose that the faults are as numerous there as in the other coal areas?—There are faults disclosed by the boring, but, so far, I do not think they should be materially adverse to mining.

41. *By the Hon. J. McWhae.*—How do they compare with the other fields?—There are nothing like the faults there are at Korumburra. If you compare it with English fields, it is not anything like so seriously faulted as at Newcastle.

42. *By the Hon. the Chairman.*—I suppose you consider this area has been more extensively bored than any area we have got in Victoria?—Decidedly.

43. Consequently, the estimates ought to be more accurate than in other cases?—Decidedly. This is a plan showing the borings up to date—[producing the plan marked Exhibit "B"].

44. *By the Hon. R. B. Rees.*—Are you still boring within this area?—Yes, the object will be to extend the boring down in the direction of Cape Paterson, where we know there is more coal; and the borings will, no doubt, be extended westward, and probably in that direction also there will be more coal. This estimate I have given you just now tends to confirm my original estimate of 20,000,000 to 30,000,000 tons.

45. *By the Hon. J. McWhae.*—We can say 2 ft. 6 in. and upwards, will pay the country?—Yes.

46. You would not recommend us to work coal that is not payable?—Certainly not.

47. You would not work anything under 2 ft. 6 in.?—I think 2 ft. is payable, but that is a matter of detail.

48. *By the Hon. R. B. Rees.*—What is the depth of the bores?—It ranges from the surface down to 282 feet and 300 feet. It is deeper to the north, 480 feet and 670 feet.

49. Is 250 or 300 feet the greatest depth you have gone within this area producing the 18,000,000 tons?—The greatest depth there was about 270 feet, say, within 300 feet.

50. How much deeper have you gone in your bores?—We have not gone much deeper; when we have cut that seam we have stopped, because the object was to prove that seam, as far as possible.

51. *By the Hon. J. McWhae.*—You have bores much deeper?—Yes, a seam has been cut below this seam of 2 ft. 6 in.

52. *By the Hon. R. B. Rees.*—In your opinion, is there workable coal below the 300-ft. seam that you have proved?—I am not able to say. It is purely a matter to be proved. The intention is to put bores down; there has been a bore put down, and a seam proved of about 2 feet below this seam—I cannot give the exact depth. The field has not been tested yet for any seams below this main seam.

53. *By the Hon. A. Hicks.*—There may be other seams?—I think it will be absolutely necessary to bore to test this matter.

54. *By the Hon. J. McWhae.*—Have any bores been put down 1,000 feet?—None within that area.

55. *By the Hon. A. Hicks.*—If you could find coal at 600 feet, would it be of better quality?—I would expect it to be more compact, freer of water, less altered, and better coal. When the seams are within reach of the atmospheric action, at 200 feet or 300 feet, the gaseous part of the coal escapes; it oxidizes slowly, and the result is in the analysis of the coal there is more ash than there should be, and more water—oxidation deteriorates the coal.

56. *By the Hon. J. McWhae.*—Have they ever got a seam at a low depth in Victoria?—In some of the Korumburra mines they have got perfectly clean coal, I cannot say at what depth; a great deal depends upon the cover. If it is a good clay, or firm sandstone, and is 200 feet deep, the coal is quite unaltered, nothing has escaped from it.

57. There is nothing in the Department to show that coal has been discovered in Victoria at a greater depth?—Not at the Powlett.

58. It is only surface?—In the case of the northern bore at the side of the Powlett River, we have two seams proved there; the first is at 467 feet, and another seam at 620 feet. That second seam has not been bored for in this area elsewhere.

59. *By the Hon. the Chairman.*—Nothing has transpired since that has caused you to alter your estimate that 20,000,000 to 30,000,000 tons can be won from this area?—The additional boring that has been done, and the more careful estimate that has now been made, confirms that.

60. You told the Railways Standing Committee that you thought the cost of hewing and bringing this coal to the surface would be 5s. to 6s. a ton?—Yes, that is, in a general way, taking the ordinary conditions of the coal; but I cannot place that against Mr. Broome's actual experience.

61. There have been accurate tests made as to the calorific value of this coal, compared with New South Wales coal?—Yes, I will supply you with those.

62. The Committee asked you what quantity per square mile, in tons, has been disclosed by the boring?—Yes. The average comes out at about 4 ft. 6 in. of clean coal for this area of 2,600 acres.

63. *By the Hon. T. Luxton.*—Is that all clean coal?—Yes; there is no batt whatever in it.

64. *By the Hon. the Chairman.*—You consider that is all workable, payable coal?—Yes.

65. *By the Hon. J. McWhae.*—What does that come to per acre?—It comes out at about 1,500 tons to the acre per foot.

66. *By the Hon. the Chairman.*—Would not there be some loss in winning that?—There should be very little loss, if they work it systematically. It is one of the points I have desired to impress, that that coal should not be lost; they can take it all out. In New South Wales, where the coal is very abundant, they are extremely wasteful in using it. In some cases out of a 6-ft. seam they take 3 feet or 4 feet out, and abandon the rest; but we cannot afford to do that.

67. *By the Hon. J. McWhae.*—Do the private firms take it out in Gippsland?—Yes, it is a firm roof, and there is nothing to prevent the whole of the coal coming out. It is only when it is a bad roof, and they have to leave pillars, and so forth, that there is a big waste; but there is no necessity for that at the Powlett.

68. *By the Hon. R. B. Rees.*—Is the roof at Powlett a strong roof. In actual experience, what is the area worked by each party of men, as compared with Newcastle or the English mines—that is, the depth of face worked?—I could not say that. In working the coal, I do not for one moment say that you can get every scrap of coal out. All sorts of things occur in the mine; some-

times a fire occurs, and some of that coal may be consumed by the fire, and other accidents occur which prevent the whole of the coal being extracted; but I give you the whole amount of coal there; there is no allowance for batt or material that is not useful as fuel in the seam, as they are excluded.

69. *By the Hon. A. Hicks.*—Nothing that has been revealed has caused you in any way to alter your opinion about the quantity of coal?—No, the last calculation made, based on these extra bores, has confirmed my opinion.

70. *By the Hon. R. B. Rees.*—You say this area is free of faults?—No.

71. That it is freer of faults than most of the other large coal-fields?—Yes.

72. Will you give me the area free of faults that is commandable to-day from the main shaft?—I can only say as far as I know the coal to be opened, I cannot say what is ahead.

73. At the main shaft there is a certain area commandable, and when that area is worked out the main shaft will have to be shifted?—Yes.

74. What is that area?—I cannot say.

75. There is a throw in the seam there?—Yes.

76. Apparently, rather a big throw—you do not know what area is on a certain level before you come to the throw in each of these shafts?—We cannot tell you that until the works show where the faults are. Taking the bores on Wonthaggi, I do not think the faults can be very serious. There are faults, but that they are serious, or equal to faults in Newcastle, in England, I think is not the case.

77. You know the main shaft?—I do.

78. Adjoining it are two shafts?—Yes.

79. Do you know the depth of the coal at the main shaft?—I think it is 60 feet.

80. Do you know the shaft close to it that is working at 120 feet?—Yes.

81. Is it the same seam that is being worked at 60 and 120 feet?—Yes.

82. Therefore, there is a throw of 60 feet?—Yes.

83. Is there a reasonable area of coal available at 60 feet before you have to come to another shaft at 120 feet?—I cannot say; there is a very large area opened out from the shaft.

84. *By the Hon. A. Hicks.*—You know the fault?—Yes.

85. *By the Hon. R. B. Rees.*—You have done the geological survey of this country?—No, I have conducted the boring of it; the geological survey was done previously by another officer.

86. Is not the object of the boring really to determine the amount of coal available in each compact area?—Yes; but boring will not tell us where the faults run; they will tell us there are faults, but not where they run.

87. It makes a wonderful difference as to the area of coal available from each shaft?—Yes, I am aware of that.

88. If you have to sink a shaft with expensive gearing, and you have only twelve months' coal, it makes a marvellous difference in the working of a field?—Yes, but you must remember, instead of having 1,000 feet of shaft, you have only 200 feet.

89. You cannot tell me approximately the amount of coal at each level?—No, Mr. Broome has the plans. I do not know what the workings are at present.

90. Have you been there lately?—Not for some months. My business is to point out where the bores are to be placed, record the coal, and put them on our plans; as to the working, I have nothing to do with that.

91. What is the width of the fault?—There is no width in it. There is no coal lost to speak of. It is simply a line.

92. In some places you find a width of half a mile?—Yes; that is where dikes come through. We have not met any dikes here yet.

93. Have you any proof no coal is lost?—Yes. In the case you are speaking of, you have a shaft at 60 feet, and just on the other side you have one at 120 feet, but all the coal is there.

94. Have you put down a bore where you have failed to find coal?—We have put bores down, and in one or two cases we have not got the seam that is there. The bore has gone down in a fault, that is the reason you have not got the coal. If you put down a bore 2 feet on either side of that you will very likely get the coal.

95. You have really not proved, and we have no direct evidence yet, that the fields are, as you say, free of faults, except that it is proved in two mines?—Yes, we have not cut dikes in our bores.

96. Are there any dikes in the rest of the Gippsland coal-fields?—Yes, I think one dike has been bored into close to the field, but not in the bores on the mines. I do not know of any instance of any dike cutting through that coal so far.

97. Your estimate here is 18,000,000 tons of coal in 2,600 acres of country; but you are not quite sure that there are no severe dikes in that country, but there are numerous faults?—I do not agree with that—the seam is at an angle, and, therefore, you get your different depths. We cannot make out whether the extra depth is due to a fault, or to an undulation; but where we find there is a seam 50 feet from the surface, and another 150 feet close by, we know there is a fault, because it is too steep to be due to the slope of the seam.

98. Is it an undulation, or a sudden fault, or a drop in the seam, that separates the coal in the main shaft from the coal in the shaft at the back of the Government tents?—I cannot tell you. I have not the working plans.

99. *By the Hon. the Chairman.*—In making your estimate, you were aware that some of these bores showed bands of clay in the boring?—There were some; but in those cases we did not estimate that as coal.

100. The western line shown on the map as coal is winnable, clean coal?—So far as I am aware. When we get out to the edges we get out, in some cases, to thin seams going out to westward; in these cases we get batt, and so on, but I am not estimating that.

101. The officer in charge of the boring previous to the opening of the mine was Mr. Stanley Hunter?—Yes.

102. *By the Hon. T. Luxton.*—You say your estimate is between 20,000,000 and 30,000,000 tons, and on an area of 2,600 acres there is 18,000,000 tons proved beyond doubt?—We have taken all the bores put down in that area showing coal over 2 ft. 6 in. in thickness, and taking it in blocks of 40 acres for greater accuracy, it gives the figures I have given you, 18,000,000 tons.

103. You say in 2,600 acres, thoroughly tested, there are 18,000,000 tons of coal?—Yes, taking all the data we have.

104. But you do not allow for any faults?—No.

105. You must know there is a very serious fault that Mr. Rees mentioned—that fault was known when the mine was first opened?—Yes, I know the fault very well.

106. You have allowed nothing for that?—No; the coal is there.

107. It was seen when the mine was opened there was a serious fault there, and no coal?—The fault goes down, and the one portion of the seam is on a lower level.

108. It is very much thinner for some distance?—It is not much thinner; but, in any case, we are taking the figures from the bores.

109. Can you show on the plan "B" No. 23 bore?—*[The witness did so.]*

110. What coal is there?—3 ft. 8 in. at 102 feet.

111. How is that 3 ft. 8 in. made up—is it pure coal?—I could not say.

112. What does the book say as to No. 23?—

113. *The Hon. the Chairman.*—Foreman Francis reports as to bore No. 23: "Coal 3 ft. 8 in. between 102 ft. 1 in., and 106 ft. 9 in."; then he gives the borings as follows:—Sand, white and brown, 6 feet; clay, sandy, white, 34 feet; mudstone, decomposed, 13 ft. 4 in.; sandstone, 41 ft. 10 in.; coal, 3 inches; sandstone, 4 ft. 7 in.; shale, 2 ft. 1 in.; coal, 11 inches; mudstone, carbonaceous, 6 inches; coal, 5 inches; mudstone carbs., 5 inches; coal 9 inches; mudstone carbs. 1 in.; coal, 1 ft. 7 in.; mudstone carbs., 1 ft. 10 in.; mudstone, 4 ft. 4 in.; sandstone, 9 ft. 6 in.; mudstone, 7 ft. 8 in.

114. *By the Hon. T. Luxton.*—If you have taken 3 ft. 8 in. of coal, your estimate is valueless; there are 3 ft. 8 in. of coal, but it is shown in four seams?—That is a mistake altogether.

115. If there is one mistake like that, there might be many more. How do you account for that?—I cannot account for it.

116. *By the Hon. R. B. Rees.*—You have estimated these amounts, and you are responsible for your estimates?—Yes, but I am not down at that bore all the time; the figures come before me, and I have to take them. I admit, in that case, it is not accurate, and I do not know how it has crept in.

The witness withdrew.

Stanley Hunter, sworn and examined.

117. *By the Hon. the Chairman.*—What are you?—At present I am Coals Sales Manager.

118. Previously to that, what were you doing?—I was engineer for boring; and just prior to that, I was one of the geological surveyors on the staff.

119. During the opening up of this field, what position did you occupy?—I was Acting General Manager. That was the work I was doing; but I had no title of any description.

120. For what time were you Acting General Manager?—From about the 15th or 16th of November, 1909.

121. When did Mr. Broome take charge?—I am not quite certain; but I think it was the 27th March, 1910.

122. During that emergency period, you directed the whole of the operations at Powlett?—Yes.

123. What other experience have you had in coal-mining?—I have worked as a coal hewer, and as a coal mine manager.

124. Have you any qualifications as an engineer—have you been to any university?—No; I am a self-taught man. I am master of one trade; and I know a good many others indifferently.

125. Where were you managing a coal mine?—At Wharekawa, in New Zealand.

126. Previously to assuming the position of Acting Manager, you were in charge of the boring operations—for some considerable time you were engineer-in-charge?—Yes; especially as far as the mechanical work was concerned. I still have charge of the mechanical portion of the work that relates to machinery only.

127. *By the Hon. R. B. Rees.*—During that period, did you have charge of the cores, and of reporting the result?—Yes; I had to take the responsibility of the records of the whole of the borings in Victoria; I have been relieved of that recently.

128. During this period, you were in charge of the boring?—Yes.

129. *By the Hon. the Chairman.*—When the bores that are marked on the map were put down, you were in charge of the boring?—Yes; but I was not in Melbourne at the time. So far as I recollect, I was down at the mine. I disclaim any responsibility for that plan. I may have advised, and done my best to assist, as I naturally would do; but I did not actually make that plan, and I do not recollect that I even supervised it. I was working pretty long hours down at the mine about that time. I am now referring to the map on the wall.

130. On that map, there are statements of there being certain depths of coal at each of those bores?—Yes.

131. Were you asked for an estimate of the amount of coal there. The Minister said that, in consultation with Mr. Dunn and Mr. Hunter, he arrived at a certain conclusion as to the amount of coal that was there. You agreed with Mr. Dunn that there were from 20,000,000 to 30,000,000 tons there?—From what I remember, I am inclined to correct that estimate of Mr. Dunn's. I still think there is more coal there than Mr. Dunn has estimated—that is, outside the area immediately referred to by Mr. Dunn; taking the district generally. I am referring now to the Wonthaggi area. If you take the area west of the red line on the map, I still think there is a larger amount of coal than Mr. Dunn has estimated. My reason for saying so is, that some eighteen years ago, I was prospecting for coal down there; and I have seen outcrops that other men have not seen. I am quite satisfied that I have got the main Powlett seam on the coast-line. I cannot be positive that it extends as a solid seam right through; but there is a good solid seam observable there at low tide. I am speaking of Bourne Creek, which is 4 miles further west than the Powlett River; and I am of opinion that the outcrop which exists at the mouth of the Bourne Creek is an extension westerly of the Powlett seam. The rocks are similar, as far as we can tell from the outcrops, which are rather limited; but looking at it from a geological aspect, I am inclined to think that Mr. Dunn has underestimated the quantity.

132. *By the Hon. J. McWhae.*—Would not you think that the Korumburra coal is connected with the same seam?—Many years ago, the probability is it was a continuation of the large seam; but a large fault occurred in those hills dividing all that country. That fault ran out 400 or 500 feet displacement. The Outtrim and Jumbunna seam is the one seam, and the probabilities are that the seam known as the Outtrim and Jumbunna seam, was at one time a continuation to the north-east of the Powlett seam.

133. The whole of South Gippsland is practically coal bearing?—I would not like to say that. The whole of South Gippsland belong to the Jurassic coal measures; but that does not necessarily mean that you will have coal throughout that area, because there are only certain zones within that area that contain coal.

134. *By the Hon. the Chairman.*—Did you give evidence before the Railways Standing Committee in 1909, at Inverloch?—Yes.

135. Did you not then inform the Committee that 30,000,000 tons of coal had been proved by the bores at the Powlett?—Not necessarily at the Powlett. They may have inferred that I was speaking of one limited area; but I was speaking of the whole district.

136. Do you know how many bores were put down at the time you gave that evidence?—I forget now; but I think we put down about 50 bores in the whole district.

137. How did you arrive at that quantity—was it from reference to bores, or a general estimate?—A general estimate, based on my prospecting work of eighteen years ago, in addition to the recent borings, and also the boring that has been done during the last twenty years in that part of South Gippsland.

138. *By the Hon. J. McWhae.*—Did you include the Korumburra basin?—No; I am speaking of this portion of the plains.

139. *By the Hon. the Chairman.*—Has boring been continued since that period?—Yes.

140. How many bores have been put down since then?—I think altogether there are 140 now; but recently I have had nothing to do with the boring, except advising as far as the machinery is concerned.

141. Do you know what additional area the boring has embraced since you gave that evidence?—It is only guess-work. I might say 15 to 20 square miles, with the bores dotted at wide intervals. That includes the whole of the Kirrak work.

142. *By the Hon. T. Luxton.*—With what result?—Not too good.

143. Did you expect to get good coal there?—We did get good coal there in one or two places; but we have not got nearly as satisfactory results as we were hoping for; though we have got sufficient coal to warrant further boring.

144. Do you think it payable coal?—Some of it is payable, but it is limited at present.

145. *By the Hon. J. G. Aikman.*—What do you mean by that?—I speak now of 500 acres in one place that contains payable coal. When the Outtrim mine was started, it was started on one outcrop and two bores. That was the whole of the available data for starting it. I was camped on the outcrop at the time. I had my tent actually over the coal.

146. *By the Hon. A. Hicks.*—Is the ground where those bores have been put down outside where you estimated there are between 20,000,000 and 30,000,000 tons?—Yes.

147. *By the Hon. the Chairman.*—Is the information on that map, as to the position of the bores and the thickness of the seams, reliable?—Mr. Boyd some time ago pointed out this bore—No. 23—to me. I have not had time to go into the question how 3 ft. 8 in. was recorded. There is apparently an error somewhere. Many of the bores I know personally. The 9 ft. 11 in. I know, and that can be guaranteed. Most of the bores surrounding it I know personally; and I am satisfied that the results are correct.

148. *By the Hon. T. Luxton.*—There are quite a number that you do not know personally?—Yes.

149. There may be similar mistakes in those cases?—I do not think there are many mistakes. The foremen down there have been very reliable.

150. *By the Hon. the Chairman.*—What is the distance north and south between Bore 24 and Bore 39?—According to this map, it is a mile and a half.

151. Taking the western line of bores, at 186 feet there is a 6 ft. 5 in. seam; the next is at 134 feet, with a 4 ft. 2 in. seam?—That bore was put down about last April. I was there; but I was not there when they got the coal.

152. *By the Hon. J. G. Aikman.*—Does that refer to all those bores?—Practically, it would be just as fair to make me responsible for what the

foreman says he cuts, as to make Mr. Tait responsible for the Richmond disaster. I believe the men to be reliable, and I watch them. I have gone out on the night shift, and have sacked men occasionally for not doing their work properly; but, as far as the work is concerned, we have to trust the men. They forward their weekly diaries of what they have passed through, and we have samples of what they pass through every 10 feet. That is forwarded every week. We do our best to check the men in every possible way; and they have been trained under us, but there have been a number of bores in Victoria and other parts of the world where entirely unreliable data have been forwarded. Twice in Victoria there have been inquiries. One was by the late Dr. Howitt over some borings in the Allendale district, where large amounts of money were involved. It was proved there that the foreman had given erroneous data.

153. You take all the care you can to have them checked?—Yes; but, at the same time, I have to rely on the diaries of the foremen as to the thickness of the coal they have cut.

154. A great deal of this was bored in a great hurry?—Yes, we rushed it. We were working day and night.

155. When rushing, did you have to rely upon people who were not otherwise as accurate as you would have liked—that is, you would not have trusted them in an ordinary way?—In this particular bore something occurred—not connected with the record, but connected with the work; and I reduced the first foreman to the position of second foreman. It was for being careless with the machinery.

156. Were there any other cases in which you reduced men, or sent them away during the boring operations?—I changed the hands once or twice. I reduced a man on No. 22 bore from first foreman to labourer for getting drunk. Those are the only two instances in that group where I had any trouble with the foremen.

157. During all that time of rush, the men were the best men available?—Yes; they were our best foremen.

158. But some of them were men whom, if you had not been in such a hurry, you would not have sent?—No; we have been weeding men out for years. A man does not get a position as first foreman of a drill until he has been proved to be reliable.

159. You have not been training them in coal?—Not all of them.

160. Did you find the men who had been trained in coal had their bores correct?—Yes.

161. Were any of them reduced?—Yes; one man was reduced, but that was for carelessness in the mechanical portion of the drill. He had an accident with the machine which cost us a good few pounds; and that, in addition to the low average of work, made me reduce him.

162. If anybody came forward here and said there was great carelessness displayed in taking down those bores, and they were unreliable in many cases, would that be incorrect?—As far as I know, it would be absolutely incorrect.

163. You cannot say it did not happen?—I cannot say that in regard to anything; but, as far as I know, the records we have from those bores are correct.

164. Would you pin your reputation to those bores?—I cannot pin my reputation to another man's work. I cannot check a bore. After a man has gone through a seam of coal the work is done.

165. *By the Hon. the Chairman.*—What does the map show at 158 feet?—6 ft. 1 in. of coal.

166. At 277 feet?—7 ft. 6 in.

167. At 187 feet?—5 ft. 10 in.

168. At 62 feet?—5 ft. 2 in.

169. Looking at the Minister's report, what are the details given as to Bore No. 24?—Coal, inferior, 6 inches; mudstone, with coal band, 39 ft. 1 in.; sandstone, 110 ft. 7 in.; coal, 1 foot; mudstone, carbonaceous, 2 inches; coal, 2 ft. 6 in.; mudstone, 3 ft. 1 in.; coal, 2 ft. 1 in.; mudstone, 9 inches; coal, 9 inches.

170. *By the Hon. T. Luxton.*—Only one portion of that—the 2 ft. 6 in. seam—is payable?—More than that is payable. The 2-inch band between the 1 foot and the 2 ft. 6 in. seams is nothing. There is practically 3 ft. 6 in. in one seam. Then you have 3 feet of mudstone, and 2 ft. 1 in. of coal underneath—that is payable.

171. *By the Hon. J. McWhae.*—Would that pay as well as 6 ft. 1 in. of solid coal?—No; I would prefer the 6 ft. 5 in.; but, as a matter of fact, about 6 feet of the coal is workable.

172. *By the Hon. the Chairman.*—What does Bore No. 29 show?—Coal, 3 ft. 2 in.; mudstone, 4 inches; and then coal, 1 foot. That is quite payable.

173. *By the Hon. J. McWhae.*—By how much would that mudstone detract from the value of the coal?—I think it would put a little on. A considerable amount of that mudstone would get into the coal and add to the tonnage. The mudstone is not so valuable to the purchaser, but it is just as valuable to the seller. As a matter of fact, for years past I have been burning Newcastle coal, and I find a lot of this carbonaceous mudstone in it, which has been sold to me as Newcastle coal.

174. *By the Hon. R. B. Rees.*—Have you an analysis of this mudstone coal?—Yes.

175. *By the Hon. the Chairman.*—Now look at Bore No. 32, which gives 6 ft. 1 in. of coal, what does that disclose?—Coal, 4 inches; stiff pug, 2 inches; coal, 2 ft. 5 in.; carbonaceous shale, 2 inches; coal, 2 ft. 4 in.; stiff pug, 8 inches; coal, 1 foot.

176. *By the Hon. R. B. Rees.*—Is the carbonaceous shale hard stuff?—No; it is a little tender. There is a good deal of carbon in it. A lot of it will go 40 to 50 per cent. of carbon. It is called "culm" in the Old Country; and occasionally it is mixed with coal and sold.

177. *By the Hon. the Chairman.*—The next is Bore No. 34—coal, 7 ft. 7 in.—what does the record say as to that?—There is coal, 6 inches; then there are several bands—mudstone—12 ft. 9 in.; sandstone, 104 feet; coal, 4 ft. 9 in.; carbonaceous mudstone, 3 inches; coal chips, 9 inches. The word chips comes in there—the better the coal, the more it gets chipped up in boring operations. We have mechanical machinery on the boring rods to preserve the coal, and the word "chips" is put in the foreman's diary to show that he did not get a good core; but it is good coal. Then we have mudstone, 4 inches; and coal, 2 ft. 1 in. There is 6 ft. 10 in. of payable coal.

178. Now take Bore No. 35—coal, 5 ft. 10 in.—what is that record?—Coal, 4 ft. 7 in.; mudstone, puggy, 11 inches; shale, 9 inches; and coal, 1 ft. 3 in.

179. *By the Hon. R. B. Rees.*—There are two bands of mullock in between that?—It is the one band, but there is a slight difference in the composition; but it is payable.

180. *By the Hon. the Chairman.*—The next is No. 39—5 ft. 4 in. of coal?—Coal, 2 ft. 9 in.; mudstone, 4 ft. 4 in.; and coal, 2 ft. 7 in. Where we have a band 4 ft. 4 in. of mudstone in a mine like that, in many cases it is an advantage. There is a good deal of mullock wanted in a mine;

and if the stuff is sufficiently hard, we pack the gobs with it. In all this boring work the bit plunges down into the coal before the indicator at the surface records that the bit has entered the coal, and we have invariably found in South Gippsland that the boring records are under-estimated, as far as the thickness of the coal is concerned. Sometimes, especially in the deeper bores, the foreman—although he is supposed to keep his eye pretty closely on the indicator on top—may miss it for a little while; and it is not until he sees black water returning from the bore hole that he knows that he is into coal; and then he does not know at what particular footage from the surface he pierced that coal.

181. *By the Hon. J. McWhae.*—The boring is not too reliable?—No boring is absolutely reliable.

182. Would not that also apply to the mudstone?—No; once they are on coal, they are all attention, and are watching it very carefully—boring only a few inches at a time. Their attention is riveted on the work; but it has happened many times where we have gone through coal that in our actual mining operations, when we have come to the bore holes, the coal has proved thicker than was shown by the boring.

183. *By the Hon. R. B. Rees.*—Has it ever been proved that the bands of mudstone and other things were thicker?—We have not come to those yet. I am speaking now of Jumbunna and Morwell, and places that have been worked subsequently to the boring operations.

184. You have proved bands in all this large estimated area, but the coal that is now being worked has no bands in it?—Only what we call penny bands—that is from one-sixteenth to one-eighth of an inch in thickness running through the coal—"partings" is the proper term.

185. The coal that is now being worked at Powlett has no bands in it; but the coal that is proved by boring, upon which this estimate is made, has frequent bands in it—that is, the 18,000,000 tons?—No; that estimate includes, I think, the coal that is now being mined, but I am not quite certain of that.

186. The coal that we are at present working has no bands in it; whereas the coal that has been proved by boring has bands in it?—I cannot answer that question, because I do not know. I am not the mine manager.

187. You know the coal that is now being worked?—No; I have not been down for a long time—not for months. When Mr. Broome took charge of that mine, I think I have only been down in the workings once since.

188. You have no knowledge of the coal that is being worked at Powlett at present?—None whatever.

189. Have you any knowledge up to last March?—Yes.

190. Were there any bands in the coal worked from the time you took charge, in November, until last March?—Only what we call penny bands.

191. You consider them of no importance?—No.

192. Is it the case that the coal mined by you up to last March was free of bands, while the coal that you are now dealing with in your evidence contains numerous bands?—It contains some bands.

193. Would it be a fair deduction to make from your knowledge that we are working the best coal at present?—Not altogether, because I am pretty certain, from conversations that I have had with Mr. Broome, that he has other parts of the field equally good to operate upon as I commenced on;

he knows that by actual mining operations. My inference is that he is well satisfied with other parts of the field.

194. *By the Hon. J. G. Aikman.*—You naturally started on the best part of the ground?—Not with any intention of doing so. As a matter of fact, had the leases owned by Mr. Daly not been alive at that time, I would have started at the north end of the field; but we had to start where we could get coal, and I was on coal ten days after I started.

195. *By the Hon. the Chairman.*—These bores cover a distance of a mile and a half from No. 24 to No. 39?—Yes.

196. In view of the information you have given us, do you consider that the plan conveys an accurate impression to members as to what coal was available on the field?—Generally, yes.

197. *By the Hon. A. Hicks.*—Ought it not to be stated that there were 4 feet or 6 feet of coal in 20 feet?—That is on the records; I cannot be responsible for the map.

198. That map is produced to Parliament, showing that there is a certain deposit of coal at all those bores; there is no mention made by anybody as to there being alternating bands, and the natural inference is that these are solid seams of coal proved by the bores. Members of Parliament are not experts, they are not cognisant of the field, and they would be misled by a plan produced in that way?—One or two of those bores are misleading, I admit; but the majority of them are fairly correct.

199. According to the return furnished to the Legislative Council, there were 14,171 tons of coal raised before the railway reached the mine. Can you furnish us with the total amount of your pay-sheets up to the 28th of February, before the rail-make the pay-sheet up?—No; I certified to the matters which were handled by the Melbourne office, that is, the Mines Department here.

200. *By the Hon. J. G. Aikman.*—You would make the pay-sheet up?—No; I certified to the pay-sheets, but I did not make them up. I fixed the rates of pay, with the exception of the miners, and generally certified to the whole of the accounts; but the accountancy work was done by the Melbourne Office.

201. What means would they have of checking it and verifying anything—how would you make it up—would you take any figures put before you?—No; I knew personally almost every man on the field, and I knew whether that man was at work or not.

202. How many men did you have?—It varied—sometimes I had 300 men at work.

203. You knew what every one of the 300 men was doing?—No; I knew what they were doing, generally speaking, because I got my reports daily from the overseers; and I was continually riding or walking about. Perhaps I would take two or three gangs one morning, and two or three next morning, to see the men were actually at work, and that the overseer was carrying out his work properly.

204. You made up your pay-sheet from the overseer's time-books?—Yes; that was all I could do.

205. *By the Hon. the Chairman.*—In your evidence before the Railways Standing Committee, you said you reckoned the coal could be put in the trucks at the mine at 8s. 6d. a ton, after making ample allowance for all charges; on what did you base your statement?—I am pretty certain I said 9s. 6d. That was the general rate, knowing, by experience, what other coal-mining was costing of a somewhat similar character. At Coal Creek, in the early days, working a 4-ft. seam, the mining cost ran on an average about 7s. 6d. You must

add administrative cost, and a reasonable amount for depreciation, to that. That was estimating on a slightly thicker seam; and I thought we could put it into the trucks for 9s. 6d. I worked a 9-ft. seam in New Zealand, and the cost came to a somewhat similar amount.

206. *By the Hon. J. G. Aikman.*—What is the difference in the wage?—The Coal Creek men had a hewing rate; the men were making fairly good wages in those days—that is 1894 and 1895.

207. Were they making as good wages as at Powlett?—I think, if anything, a shade better. We were paying a daily wage at Powlett of 10s. a day. The miners in those days were doing fairly well in the Coal Creek mines.

208. *By the Hon. R. B. Rees.*—You based your calculation on a 9-ft. seam?—No; that assisted me to form a general idea of what this coal should cost, having worked a 9-ft. seam, and knowing the cost of other mines.

209. If Mr. Dunn says it is a 4 ft. 6 in. seam, would that affect your calculations?—Of course it would; but once a man has done some coal-mining, it is a big assistance to him in forming a general estimate. It is more or less guess-work, but not too wide of the mark.

210. *By the Hon. A. Hicks.*—We may infer it will cost more in the future to work the mine than it is doing now, when you get out to those places where there are so many faults?—It may be a little more expensive; but the faults on the Powlett Coal Field are not going to give the trouble that is anticipated. If your fault is vertical, you lose practically no coal whatever; you may lose 6 inches; it depends upon what underlay the fault has; the thickness of the coal does not alter.

211. I understand you are working almost a solid seam at 4 ft. 6 in.; by-and-by you will get out where you have four or five seams, and you will have to take out 20 to 30 feet?—They will not work that.

212. Where you are going to get 2 feet and then 8 feet or 9 feet, and then another 2 feet—would you not work that?—They might take out one seam first, and then brushing and getting the other seam; that would be more costly.

213. *By the Hon. J. McWhae.*—Mr. Broome seems to think that nothing below 2 ft. 6 in. will give much profit in Gippsland?—I have seen a dividend paid out of 20 inches of coal in Victoria; that was the old Morwell Company; they had to tunnel for it. She paid two ½d. dividends out of 20 inches of coal. Outtrim to-day is working coal—

214. At a loss?—There are no calls being made, and there have not been for years; and they have been working narrow bands of 20 inches and 24 inches.

215. *By the Hon. the Chairman.*—You estimate the cost of winning this coal would be 9s. 6d. a ton—you base that upon your experience in other places, not upon actual experience in winning coal down at Powlett?—That is so; that evidence was given before the mine was opened at all, or when we were in the early development stage.

216. This early coal was actually sold to the Railway Department at 9s.?—32s. a ton is what we got for it.

217. The coal that was stacked on the surface when the parliamentary visit took place was put in at 9s. a ton?—I forget whether it was or not. I know that during the strike we were charging 32s. a ton for it.

218. *By the Hon. J. G. Aikman.*—That 32s. was made up by the bullock drays and carting?—

Everything; we paid 15s. a ton for cartage, and it was costing about 1s. a ton for handling, and there was 6s. for boat transport.

219. *By the Hon. the Chairman.*—Then your experience is that coal ought to be raised at 9s. 6d.—is the mine justified in raising the price to the railways to 11s. a ton?—I cannot say. Personally, I would like to see slack raised to 8s. a ton. I could sell it just as easily.

220. *By the Hon. A. Hicks.*—Had you any contract to supply at 6s.?—Yes.

221. And you put it up to 7s. to other people?—Yes.

222. *By the Hon. J. G. Aikman.*—In fixing the price, did not the Minister get an estimate from you?—No.

223. He simply went haphazard, and said, "We will sell it for 6s."?—I cannot say how he arrived at it.

224. *By the Hon. the Chairman.*—That was done after Mr. Broome took charge of the mine?—Yes.

225. You did not advise it to be sold for 6s. a ton?—No, I had nothing to do with that.

226. *By the Hon. J. G. Aikman.*—The people who got in early and took the big contract at 6s. a ton made a good thing out of it?—Yes.

227. *By the Hon. the Chairman.*—You can give us a return of the contracts and prices?—This is the business side of a mining concern, and personally I would be very loath to give customers' names away.

228. *By the Hon. A. Hicks.*—Are you still taking large contracts at 7s. a ton?—No, we are just letting small contracts go at 7s.

229. *By the Hon. J. G. Aikman.*—You have dismissed your salesman or canvasser?—Yes.

230. Why?—There was not work for him. I found I could sell the coal by correspondence cheaper. I did the travelling myself for a week or ten days, just to get the strength of the work. I found I could sell the coal easily.

231. *By the Hon. A. Hicks.*—Is the slack coal giving satisfaction?—Absolutely; there is no complaint about the quality of that slack coal from anybody. I have unsolicited testimonials from various parts of Victoria that we have sent that coal to, speaking in the highest terms of it, from all classes except the gas companies, and I have never encouraged the gas companies to buy it, although when I took charge as coal sales manager I wrote to every gas manager in Victoria to see if they cared about taking a small quantity as a trial. Some few took a few truck loads; I subsequently wrote and asked for their opinion, and it was adverse in nearly all cases. I knew before that the coal was not a good gas coal, but at the same time I pointed out to the gas companies that possibly they might be able to make use of this slack for heating their retorts, or for some other work in gas-making that I had no knowledge of.

232. *By the Hon. the Chairman.*—Do you know anything of a large line of coal that was tendered for the first time the Minister advertised by a firm in Melbourne at 8s. a ton—something like 6,000 tons—and when the coal was reduced to 6s. it was reduced to 6s. to that firm, although they had tendered at 8s.?—Yes; I know of that instance.

233. That is a fact?—Not altogether. Your information is not quite accurate. The man tendered at 8s., but before his tender was accepted it had been decided to invite tenders at 6s., and it would have been extremely unfair to have saddled him with one order, which was considerably under 6,000 tons, at 8s., when it was known in the inner circle that the price would be 6s. to every one else.

234. What do you mean by the inner circle?—The Minister of Mines and those who may have been connected with him in fixing the price; personally, I do not know who that was; I had nothing to do with fixing the price.

The witness withdrew.

Adjourned to Tuesday next, at 12 o'clock.

TUESDAY, 22ND NOVEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the Chair;
The Hon. J. G. Aikman,
The Hon. J. McWhae,
The Hon. T. Luxton,
The Hon. R. B. Rees,
The Hon. A. Hicks.

George Herbert Broome, examined by the Chairman.

235. What are you?—General manager of the Victorian State Coal Mine.

236. When did you take charge of the mine?—On the 24th of March of this year.

237. Previous to taking charge of this mine, what were you doing; what experience have you had?—Immediately previous to taking charge of this mine, I had opened up the Westport Stockton Coal Mine, in New Zealand. I was there about four years. Before that I had been about eighteen months in Canada, where I was managing The American coal and coke collieries at Frank, Southern Alberta. I received my early training in South Staffordshire, Cannock Chase district, and I subsequently had experience in the collieries of the Rothervale Company, in Yorkshire, and the Hills' Plymouth Works collieries, in South Wales. I first came out to the Colonies about twenty years ago, and I opened up the Westport Cardiff mine, in the Westport district, New Zealand, which is now one of the State mines there, and, after that, I went to the Kitangata collieries in New Zealand for three years. I went from Kitangata to the Old Country, then out to Canada, and from there back to New Zealand, as before stated. I worked backwards from New Zealand, you see, and went back to the Old Country to the start again. I have had nearly a quarter of a century's experience in coal mining altogether.

238. When you first arrived at the mine, how many shafts were working?—There were four shafts sunk to coal. They were winding coal when I arrived from two of them. Of 1, 2, 3, and 4, I think two were winding coal—either two or three. They were winding the coal up in baskets. I am not quite sure of the number.

239. Since you took charge, have you sunk any other shafts?—I have sunk four other shafts.

240. What thickness is the coal in those shafts that you disclosed?—From the new shafts, about 7 feet. That is, in Nos. 5, 7, and 8. Throughout the workings the coal averages from 5 feet to 8 feet.

241. *By the Hon. A. Hicks.*—What depth is that?—From 30 feet to 160 feet.

242. *By the Hon. R. B. Rees.*—In Nos. 5, 7, and 8 the thickness is about 7 feet?—Yes.

243. *By the Hon. A. Hicks.*—Is the coal clean, or has it any bands in it?—Most of it is clean. In No. 8 shaft there is a band from $\frac{1}{2}$ inch up to 2 inches in thickness, which runs about 1 foot from the top of the seam.

244. *By the Chairman.*—Do you let that go into the coal?—It is cleaned by the men in the

mine, as far as practicable. It is also picked on the surface before it goes into the trucks; but most of it is separated by the men in the mine.

245. It was suggested to us that the band, instead of being a detriment, would add to the amount of coal?—I do not quite understand that.

246. It would make the tonnage a bit heavier, make the coal seem heavier—an advantage to the seller, but not to the buyer. That is not the usual thing in coal mining—to judge coal that way?—No. The buyer generally objects to it. It would be all right from the seller's point of view, as long as the buyer was content.

247. *By the Hon. A. Hicks.*—It would not add to its quality?—No; though it would to the quantity. I would not call a band an advantage, certainly.

248. *By the Chairman.*—Can you take out all the coal you are working now?—In most cases.

249. How is the roof?—It is fairly good. It is a sandstone roof, and except in the shallowest of the workings we take out the whole of the coal. In some parts of the mine, where the roof is soft and the coal only 30 feet deep, we leave about a foot of coal up; but in most of the working places we take out the whole of it.

250. In what proportion do you have to leave a foot of coal to keep the roof up?—A very small proportion at the present time. I should think, roughly, under 10 per cent. of the whole of the present working places.

251. Was there much coal left in the preliminary working of the mine, before you took charge?—There would be a bigger portion left in the preliminary working; but that coal is not necessarily lost. It may be possible to get a good deal of it when working in-stroke. When we come back and take out the pillars we will take out the top coal, and let the roof collapse behind the workings. In working out-stroke, where you have to keep the road, you must keep the top good.

252. Is not that coal dangerous working—have you had any accidents?—We have had one or two accidents, but not owing to a bad roof. The accidents have chiefly been due to carelessness.

253. *By the Hon. J. McWhae.*—How many accidents have you had?—Two fatal ones.

254. How many others?—I do not know the number of small accidents, but, with the exception of those two men killed, we have had very few serious accidents.

255. Was not there a man the other day with a fractured limb brought down to the Melbourne Hospital?—Yes; that is so.

256. Would you not call that serious?—Yes.

257. *By the Hon. R. B. Rees.*—With regard to the main shaft. You say there were four shafts working when you took charge—1, 2, 3, and 4—which would you call the main shaft?—Of that group, No. 3 is the main shaft. That is the drawing shaft now. We are only winding from the No. 3 in that group. They were four shallow shafts sunk together.

258. And the coal is exposed definitely in that shallowing by means of those four shafts?—I do not quite understand.

259. In our examination of Mr. Hunter, we found that the records were not quite accurate. It may be a mistake owing to a slip in the bore getting into soft country. But here there should be no mistake. You have sunk a shaft, and that has cut through the coal and exposed the face?—Yes.

260. Now the coal is exposed in four shafts, and you know the thickness and the character of the coal?—Yes.

261. You are hauling coal from No. 3 shaft?—Yes.

262. Can you get all the coal through No. 3 shaft that is exposed in those other shafts?—No. It would be practicable to put in haulage to connect with No. 7 and No. 8 shaft. The coal there could be brought out at No. 3, but not practicably from No. 5 and No. 6 to No. 3.

263. The impracticability of getting it to No. 3 is owing to the varying depths of the seams and shafts?—Yes.

264. What is the depth of the levels in No. 3 shaft?—The coal is about 50 feet in depth. We are raising all the coal there from that depth.

265. The depth in No. 7 and No. 8 is what?—In No. 7 it is about 50 feet, and No. 8 about 80 feet.

266. In No. 5?—No. 5 is about 130 feet, and No. 6 about 160 feet.

267. No. 3, the main shaft, is 50 feet?—No. 3 is the main shaft in that group of shafts.

268. No. 7 is what?—50 feet; No. 8 is 80 feet.

269. It is possible to work the coal through No. 3 shaft in Nos. 7 and 8 with those depths, but you say it is not possible in Nos. 5 and 6?—That is so. It would be possible, but not profitable. It pays better to sink another shaft. With Nos. 7 and 8 it could be done by putting in mechanical haulage.

270. It would be more expensive to bore with the water there. You would have to work from the low levels?—That is so. We have not met with very great quantities of water so far in any of the shafts.

271. What area of coal can you work from No. 3 shaft. First of all, can you tell us the expense—the amount of money already expended on No. 3 shaft—the main shaft?—I could not give that off-hand.

272. I mean that there is a tremendous expenditure being incurred in top gear on No. 3 shaft?—Not tremendous. I should say enough to work a fairly large area of coal.

273. You cannot give the expenditure?—I am not prepared with that straight off. I can get it.

274. What area of coal do you estimate can be worked profitably from No. 3 shaft?—I cannot give that either. That can only be estimated. In any case it would depend on what coal we can get practically level free to the shaft. The coal is opening out fairly well to the west of that shaft now.

275. At the 50-foot level?—Yes. Suppose this sheet of paper represents No. 5 shaft, working the seam of coal here—[pointing]. No. 5 is away to the north-east of this shaft, and will be on the other side of the fault. These faults do not run in straight lines. We are not sure how the fault is going to turn—this way or that way, west or north, or it may thin out altogether. The two seams may run together like this—[pointing]—coming up in an undulation. The fault as we go west between No. 3 and No. 5 shafts is getting less; it is thinning out. The area we can work from this shaft can only be approximated. It will depend on the way this fault runs. There is a fault again to the south of this shaft, and we shall work all the coal that lies between those two faults.

276. *By the Hon. J. McWhae.*—About how much would it be?—I could not tell that.

277. Within a few acres?—I could not give it within a few acres. I can get you that information. We know the coal east of No. 3 runs for about 40 or 50 chains.

278. *By the Hon. R. B. Rees.*—What thickness is that?—6 feet or 7 feet of clean coal.

278A. I want to find out how much coal you estimate to get, because we are told that this country has been proved by bores around that No. 3 shaft, and

I want to find out what coal there is there now that can be worked at No. 3 shaft before you shift to another shaft. No. 3 shaft, you say, can take the coal exposed in Nos. 7 and 8, 50 feet and 80 feet—although you would not say the coal at 80 feet can be worked profitably from the 50-foot level?—Oh, yes, it can with mechanical haulage. There is no fault between.

279. *By the Hon. J. McWhae.*—Does that mean a stone drive?—Oh, no. It means that from No. 3 to No. 8 is simply a dip like that—[indicating]—very slight.

280. What is the distance between those two shafts?—About a quarter of a mile.

281. *By the Hon. R. B. Rees.*—Between Nos. 3 and 8 shafts?—Yes.

282. What is the distance between Nos. 7 and 8?—Only 3 or 4 chains. They are close together, and are put on the opposite sides of the fault purposely, one to work the upper bench and the other the lower.

283. So that in this area commanded by No. 3 shaft it is bounded by a fault, and then it is intersected by a fault between Nos. 7 and 8, which are within a distance of 7 or 8 chains of each other?—There is a fault running immediately to the south of No. 3 shaft which faults the coal up to within about 30 feet of the surface. Mr. Rees will remember when there that there was a staple put for lowering the coal from the upper to the lower level. That is the same fault that runs between No. 7 and No. 8 shafts.

284. Those faults are running on?—East and west, approximately.

285. Is there another fault or other faults crossing this area commanded by No. 3 shaft between those two faults, or are there three faults?—No, only the two I mentioned.

286. Is there any fault running north and south?—No; they run parallel, east and west. We have not struck a fault north and south yet. There is another parallel fault south again of No. 7 workings.

287.—That would limit the area of No. 7 at 60 feet?—Yes.

288. And you cannot give the area of either of those?—Not off-hand.

289. *By the Chairman.*—Can you produce a copy of your working plan, area, and underground workings of the fault lines?—Yes; it would help you very much to understand the position.

290. *By the Hon. R. B. Rees.*—What is the amount of coal now in sight, proved, that can be worked by the present plant—on which a large amount of expenditure has been incurred. I want to know, because we find that from No. 3 you can work Nos. 7 and 8, but not Nos. 5 and 6; you would have to shift your gear?—In my opinion, the most economical way to work the area is by putting down a number of shafts. The coal is not deep, and it does not cost much to sink a shaft. It costs less than long drives to cut the faults. It all depends on the depth. If the coal, instead of being at 50 or 100 feet, were 1,000 feet, then we should not be able to sink so many shafts. We should have to cut the faults below ground.

291. *By the Hon. J. McWhae.*—Suppose it was 300 feet deep, would you favour shafts every quarter of a mile?—I should not care about putting them so close then. The deeper the shafts the more they cost. It is a question whether it is going to cost more to put down the shaft and erect the gear than to cut through the fault below ground with an inclined drive and put up the haulage machinery below ground.

292. Have you ever before worked country with so many faults as this?—The Seddonville, in New Zealand, was quite as faulty. We had no shafts there. We drove in from the hillside.

293. Was that much less expensive—tunnelling in—than sinking shafts?—No; I do not know that it was.

294. *By the Hon. J. G. Aikman.*—Is it not cheaper to work on the level?—Yes; I was thinking of the cost of putting in the drive.

295. *By the Hon. J. McWhae.*—Which do you favour—tunnelling or sinking shafts?—I would rather put in a tunnel.

296. Then the Powlett mines ought to be worked cheaper with tunnels?—I do not say that.

297. In this faulty country, conditions being the same?—You mean the coal being at 50 feet or 150 feet depth?

298. From 50 feet to 300 feet, up and down, varying every quarter of a mile. If you were opening a new mine which would you recommend, shafts or tunnels?—Shafts, under the circumstances. Every property requires to be considered on its own merits. You cannot generalize. It is wrong to say that shafts are invariably the proper things, or tunnels the proper things.

299. If you were opening up that New Zealand mine again you would work it with shafts?—Impossible. The formation of the ground would not allow it. We had to work it with tunnels. It was up at the top of a hill, 500 feet above sea-level.

300. *By the Hon. A. Hicks.*—How much per foot would it cost to sink these shafts—it is soft ground?—Yes, it is.

301. Two pounds a foot?—They cost more than that; it depends on the size of them. I do not know what the first shafts cost. I do not suppose they cost more than £2 a foot. The bigger shafts would cost, perhaps, £4 a foot, not counting timber.

302. *By the Chairman.*—Have you considered the estimate that should be made of the amount of coal that is in this area. Have you gone into the matter of the bores?—Yes.

303. In the *Victorian Mines Report* for 1908, it states (page 7):—"A splendid and extensive field of coal was discovered at Powlett River district by the Department through boring operations. A seam of good, clean, hard coal, so far as proved, extends over an area of 3 miles by 2 miles, and averages 6 feet in thickness." Is that a correct description, do you think, of the Powlett field?—Yes, I think so. I think that would be a fair way of putting it.

304. Will you mark on that plan the area that you think would be bounded by that 3 by 2 miles?—*[The witness did so.]*—You would call the area actually proved definitely about 5 square miles.

305. *By the Hon. J. McWhae.*—The report says 2 miles by 3?—That makes about 6 square miles.

306. Is that a correct statement?—Approximately. I put it at about 5 square miles.

307. That 3 by 2 miles gives it a little more?—I go by the bores.

308. And a thickness of how much—6 feet?—No; that is on the high side. There are not 6 square miles of coal proved at 6-ft. thickness.

309. What would you say?—Judging from our present bores, I would not put the average at 6 feet.

310. *By the Hon. R. B. Rees.*—That is, the average of workable coal.

311. *By the Hon. J. McWhae.*—You say 2 ft. 6 in. and above is payable coal?—Yes.

312. Nothing under that is worth taking out?—I would not say that. I may say I have had the quantity of coal over 2 ft. 6 in. in thickness taken

out from the latest bores that we now have, by dividing the whole area into small squares, and taking the average coal in each square—eliminating the squares altogether that, apparently, from the boring, were under 2 ft. 6 in.—that gave about 20,000,000 tons.

313. What about this 6 feet. What average does that give?—I have not taken it out in that way; but can easily do so by taking the 20,000,000 tons and spreading it over the whole of the 5 miles—it is simply a matter of arithmetic to arrive at how much it gives you per acre.

314. There is a statement in the Government report, saying 6 feet. Is that correct, or not?—I think the average thickness goes over the whole area. I have not worked that out. It may prove to be less now; but I presume that thickness was from the bores that they had at the time this report was printed. We have a lot more bores now.

315. Which makes it a little less—do I understand that?—Possibly.

316. These are the records of bores from which this was evidently taken?—Yes.

317. Suppose we go over them now, and see whether we can get the 6 feet. We went over these bores with Mr. Hunter 1½ miles, and I do not think there was any 6 feet there?—6 ft. 5 in.; 9ft. 1 in.—*[looking at map]*.

318. Take the 6 ft. 5 in. bore. No. 24, 1 foot of coal. Then there is a band of 2 inches of mudstone; then 2 ft. 6 in. of coal; then 3 feet of mudstone; then 2 feet of coal; then 9 inches of mudstone; then 9 inches of coal?—Where is that report from?

319. From the printed report of the Secretary of Mines, 1909. In making up this estimate, did you take this 6 ft. 5 in., as stated there, as a solid block of coal?—Yes; I think so.

320. *By the Chairman.*—To everybody, it would appear, that is No. 24 bore—*[page 161 of Report]*?—Well, that would be called a 3 ft. 6 in. seam.

321. *By the Hon. J. McWhae.*—So the 6 ft. 5 in. seam comes down to 3 ft. 6 in.?—Wait a minute. That is the top seam. That would be called a 6 ft. 4 in. seam. All that coal would be worked as one seam.

322. Would you work that as inexpensively as a solid seam of 6 ft. 5 in. coal?—No; I would rather have the solid seam. This 9 inches of mudstone near the bottom, if soft, would make good holing.

323. Would you take out that 9 inches of coal?—Yes. The holing would be done in the 9 inches of mudstone which would be got away with pick or machine, and the whole thickness of coal would be taken out.

324. Would that be equal to a 3 ft. 6 in. solid seam for profit?—It is hard to estimate it in that way.

325. What would that seam broken up in bands be equal to of clean coal for profit-making?—I could not answer that.

326. Would it be as high as a 3ft. 6 in. seam?—It would be better.

327. And the 5 ft. 4 in. broken up better than a 3 ft. 6 in. solid seam?—I think so. It is really hard to give a definite reply.

328. Coming to this bore—*[pointing to map]*. You take it down here—*[indicating]*. That takes in the 3 by 2 miles?—Yes.

329. Take bore No. 44. It says on the plan 3 ft. 7 in. of coal. Give us the details of it?—*(Page 166)*—Coal 1 ft. 6 in. at 43 feet, and 2 inches at 67 feet; 3 inches at 69 feet; 10 inches at 71 feet; 1 foot at 88 feet.

330. That is called a 3 ft. 7 in. seam?—Yes.
331. Would it be a workable proposition?—No; not split up like that.

332. Therefore, that 3 ft. seam is not workable, though, in the face of making a calculation, you would think it would be?—That is so. It would not pay split up like that.

333. *By the Chairman.*—That is the area (as shown by Mr. Dunne)?—That is equivalent to the area of 3 by 2 miles worked out there.

334. *By the Hon. J. McWhae.*—You said there was no fault line north and south?—There will probably be north and south lines.

335. Look at that plan—that shows a very extensive fault line, north and south?—I said in our present workings that we had not struck it so far.

336. You said it was on the strength of these bores that appear there on this plan and that plan—[*showing*]*]*—that you made your calculations, and we have gone into one bore, 6 ft. 4 in. of coal—and shown that it is doubtful whether it is equal to a 3 ft. 6 in. or 4 ft. seam. Now, take the next bore, No. 29 (page 163 of the Secretary of Mines' Report). Will you say if that is correct—4 inches of mudstone in the 4 ft. 2 in. of coal? The next bore is No. 32—7 feet is the coal on the plan, at 158 feet—

The Chairman.—That does not correspond with the report. There it says 6 ft. 1 in.

337. *By the Hon. J. McWhae.*—That also is not a solid seam of coal—it says 7 ft. 1 in. of coal?—[*Reading the printed report.*] It is 6 ft. 1 in. on the report.

338. Even that is not a solid seam. There are three different intrusions—stiff pug, 2 inches; shale, 2 inches; stiff pug, 8 inches?—Still it is a workable seam. You would hole in the pug.

339. The next is bore No. 34, and it says there are 7 ft. 6 in. of coal. I see there is 4 ft. 9 in. of coal, 3 inches of mudstone, 9 inches of coal, 4 inches of mudstone, then 4 ft. 1 in. of coal. That is also intersected by bands?—Yes, the total thickness is right there.

340. It gives it as solid coal, but it is not. The next is No. 35. Is that supposed to be 5 ft. 10 in. of coal?—The report has 4 ft. 7 in. of coal, 11 inches of mudstone, puggy, 9 inches of brown shale, and 1 ft. 3 in. of coal, and 20 inches—the bands run the same—

341. *By the Hon. A. Hicks.*—That would be workable?—Yes. It is quite a common thing to have bands in coal seams. It is an exception to get a seam of coal absolutely free from bands from top to bottom.

342. The mudstone and shale would go so far up, it would not be a loss?—It should make less slack, because you would hole in the mudstone.

343. What would you do with the mudstone?—Throw it back.

344. To fill up?—It would depend on how you were working.

345. *By the Hon. J. McWhae.*—Take No. 31, south of where you are working. There is no coal there 2 inches?—That No. 31 is omitted from the area.

346. Take the lower one, No. 40?—That is in the area—2 ft. 6 in. of coal is shown there, faulty.

347. Read what it says—“The strata throughout the bore shows evidence of faulting.” There are 2 ft. 6 in. of coal there. That would be just about payable, and that is all?—Yes.

348. Take bore No. 44, below. It shows on the plan two seams, 1 ft. 6 in., and 3 ft. 7 in. (page 166)?—The report says 1 ft. 6 in. That stands by itself; 21 ft. 11 in. of mudstone.

349. It also says, “1 foot coal—inferior.” That would not be payable?—No.

350. Take the next below it, No. 48?—No coal obtained.

351. And then below that, No. 52?—No coal.

352. There is a large area with no coal there?—That is outside the area.

353. Now, going above this, where you are working. Take bore No. 33 (page 164)—13 inches and 3 feet of coal, and there is a lot of stuff between. That would be a 3 ft. 2 in. seam?—Yes.

354. Take the one to the right of that, No. 37—what does that disclose?—“Coal very broken—3 ft. 6 in.”

355. Then take No. 42—that is very much banded, &c., practically no coal, and practically none at No. 46, the next to it?—Very much mixed up with mudstone.

356. Look up north again. Take all the bores you have in that area, No. 14 is the only one in that area that shows 1 ft. 9 in. and 4 ft. 2 in. of coal?—There is no No. 14 in this report.

357. Four inches of coal, 10 inches mudstone, 3 ft. 10 in. coal, 6 ft. 8 in. mudstone, 9 inches coal. That would be practically a 3 ft. 10 in. seam, and not a 4 ft. 2 in., as stated in this bore record?—That top 4 inches might be worked, or it might not.

358. There has been no boring done for miles, although you included it in the area. Take No. 11. There is a whole mile there you have not proved, and yet you include it in the area of calculation of 7 ft. 5 in. of coal. According to my plan here, there is 4 ft. 1 in. of coal, 9 inches of mudstone, and then 1 ft. 9 in. of coal, 2 inches of mudstone, 1 ft. 4 in. of shale, and 1 ft. 9 in. of coal. That is a long way north there, practically a 4 ft. 1 in. seam. Take No. 12, a long way north, at the border line, taken into calculation. It says total 3 ft. 2 in. of coal. The details are—1 ft. 6 in., 1 ft. 4 in. mudstone, 1 ft. 2 in. mudstone, and 8 inches of coal?—How is that shown on the plan?

359. Practically 6 ft. 2 in.—[*showing the plan.*] Do you think that payable coal?—It would depend on the nature of the mudstone whether it was payable.

360. You calculate a huge area on the strength of that bore. Is that worked as a 3 ft. 2 in. seam?—Yes, 3 ft. 2 in.

361. Practically a 6 ft. 2 in. seam of coal?—Only a 3 ft. 2 in. seam would be taken in the calculations.

362. Take No. 13, away to the north. What does that show on the plan, 3 feet and 1 ft. 8 in. of coal?—That is a payable seam.

363. Take No. 23?—3 ft. 8 in. of coal.

364. Eleven inches of coal, 6 inches mudstone, 5 inches of coal, 5 inches mudstone, 9 inches coal, 1 inch mudstone, 1 ft. 7 in. of coal—1 foot of intrusive matter in 3 ft. 8 in.

365. *By the Hon. R. B. Rees.*—That is not workable at all?—It would take a lot of picking.

366. That practically is not workable?—I would not say that it is not workable under certain conditions.

367. *By the Hon. J. McWhae.*—No. 39. That is given as 5 ft. 4 in. of coal—just south of that last bore, just above “Dudley” on the plan—5 ft. 4 in. There is 2 ft. 9 in. of coal, then 4 ft. 4 in. mudstone, and 2 ft. 7 in. of coal?—That is outside the area.

368. No, that is in it?—Just at the edge.

369. *By the Hon. R. B. Rees.*—That is rather an interesting seam—2 ft. 9 in. of coal, 4 ft. 4 in. of mudstone, and 2 ft. 7 in. of coal—two seams that you say are workable independently. May

I ask would it pay to work that seam; that is, taking over 9 feet of stuff out altogether—5 ft. 4 in. of coal, and 4 ft. 4 in. of mudstone. Would it pay to work that seam, selling slack at 7s. a ton, and paying the present rate of wages?—You want to know if it will pay to take it out altogether?

370. I say would it pay to work that seam, selling the slack at 7s. a ton, and paying the present rate of wages?—Yes, I think it would pay at the present hewing rate—if you can get it done for that.

371. Would the hewing rate have to be altered in order to mine that coal?—Yes, it would have to be increased to mine that coal.

372. With that increase of the hewing rate, would it pay to work that seam with the present prices of selling?—I think it would. Not possibly if you work three shifts, as we do at the present time. We shall work very much cheaper than we are doing now when we can reduce the shifts to two or one. We are working three shifts now. We could get our coal out now working two shifts if the railways could provide trucks to take it away on the two shifts, and we should immediately effect a saving if we could do that. We would effect a saving of 3d. a ton in the hewing rate. We give the extra 3d. a ton for the three shifts; and then we should be able to dispense with one shift of underground officials, one shift of the engine-drivers and banksmen.

373. *By the Hon. J. McWhae.*—It is cheaper to work one shift than three?—Yes.

374. A big saving?—The more you can handle per shift, the greater the saving is.

375. *By the Hon. R. B. Rees.*—With that apparently favorable seam as compared with a good many we have examined, your answer seems a doubtful one. It is contingent on a lot of things?—I consider that seam is payable.

376. *By the Hon. A. Hicks.*—If you were to work one shift, could you get as much coal from your one shift as from the three shifts?—At the present time, no. We are not opened up at present to get the coal out in one shift, but we could manage to get the 1,300 tons we get now in two shifts; but the object is to get it in one shift ultimately.

377. *By the Hon. J. McWhae.*—What will be the most favorable output with the one shift?—It will depend on our requirements.

378. To make out the most profitable proposition, to work it under proper conditions and one shift, what can you turn out with one shift—1,000 tons a day?—We can develop to turn out three times that. It is only a question of putting down sufficient shafts and equipping them. I anticipate that we shall get up to an output next year of 2,500 tons in one shift.

379. How many shafts will you have to sink to bring that about?—Only two additional shafts.

380. Can you work that on one shift under proper economical conditions?—Yes.

381. *By the Hon. R. B. Rees.*—Coming back to this bore again. You have just said that it would pay under certain contingencies working the seam of 5 ft. 4 in. coal, removing 4 ft. 4 in. of mudstone?—I am not quite sure how we should deal with that mudstone.

382. You would have to remove that mudstone in order to get the coal, either from the top or the bottom?—I was thinking whether we could get it in twice. I am afraid the strata between the seams is hardly sufficient for that.

383. What is the lowest height that you can work the seam profitably on, assuming the coal is 2 ft.

6 in. in thickness; what amount of sandstone, or whatever material it is, have you to take out in order to work that seam, the 2 ft. 6 in.?—You must make trucking roads into the face, and you want a height of 5 feet or 6 feet for that.

384. If it will barely pay you to take out this 4 feet here of mudstone in order to work 5 ft. 4 in. of coal, how is it possible for it to pay you to take out 3 or 4 feet of mudstone or sandstone in order to get out 2 ft. 6 in. of coal; do you follow my point?—You mean if you have a 2 ft. 6 in. seam; but you only brush your roads. You do not make the height all over your mine, not along the working faces. You only brush your roads that height.

385. What width of face can you work on in that country—the greatest width?—If you have a good roof, a thin seam—

386. I speak of the conditions that prevail here; what width can you work?—We can work the bords about 12 to 15 feet.

387. Are you working 12 feet?—We are working 15 feet.

388. What is the width of the road generally?—About 9 feet, usually.

389. You see you are only taking out 3 feet more of sandstone. To take the whole lot out in this 4 ft. 4 in., to have the level width of bore—so if it barely pays you to take out this 4 ft. 4 in. of mudstone, I cannot see how it would pay to take out 4 feet of mudstone in order to work the 2 ft. 6 in. seam?—I think I see your point, but the more economical way to work the thin seam, if your roof is good enough and will permit, is to work it long wall. Then you can have your face in long wall, perhaps a quarter of a mile in length—one long face, and in that case you only rip your roads, which may be a chain or more apart. If your bords were a chain in length you would only take about 6 feet of that stone down in every chain, and probably this seam that we are discussing now could be worked by long wall, and the stone simply dropped in the wastes, and the upper seam worked over the packs.

390. Would your miners in Powlett submit to work at a reasonable hewing rate, driving the coal from the face, working long wall?—We are not doing it at present.

391. You are supposing that in your answer. Would your miners submit to drive the coal nearly a chain from the face to the road for trucking purposes because they could not take their trucks in?—There would be only half-a-chain on each side of the road.

392. That is 33 feet. Would your miners submit to drive that distance from the face at a reasonable hewing rate driving to the road. We are trying to deal with the conditions that prevail here, not elsewhere?—Just so. I suppose that a fair hewing rate could be arranged with them. Of course, they would want all they could get.

393. My point is: We have certain seams of coal here, and I want to see if they could be payably worked instead of at a loss?—I see.

394. I am still on this bore, No. 39. My point is: If these two seams can be only worked doubtfully, I want to know how is it possible to work the 2 ft. 6 in. seams profitably?—With coal-cutting machinery, providing the roof is good enough.

395. *By the Hon. J. McWhae.*—You would require electric coal-cutters to make it pay?—I think it would be more profitable working by electric coal-cutters, if it did not actually require them. I am expecting to put in electric coal-cutters. The men will have to submit to working with electric coal-cutters. I do not see why they should not.

396. It will require it to make it pay and produce cheap coal in those thin seams?—Electrical coal-cutters will certainly be helpful.

397. *The Hon. R. B. Rees.*—That introduces another contingency we have not yet discussed in Victoria.

398. *By the Hon. J. McWhae.*—Is not that the way you work abnormally thick seams compared with what there are in this district?—Yes.

399. You do not know any other part of the district where you will find so small a seam. What we want to know is—is this part abnormally thick. Here is one, No. 3, Inverloch, 4 ft. 8 in.—1 ft. 6 in. coal, &c., 9 inches of mudstone, 6 inches of coal, 13 inches of mudstone, and 1 ft. 8 in. of coal; is that a payable proposition?—No.

400. This is the plan given to Parliament on which they started this coal-mine. Looking at the bore 4 ft. 8 in. in the middle of new country, one would think there were acres of that size of payable coal, but we find it is not so?—What was the thickest coal there?

401. 1 ft. 6 in. on the top and 1 ft. 8 in. on the bottom. I am taking the whole of the country. The amount of coal has been judged by the thick seams, and now we find it will require electrical cutters to cut them. (Page 169 of the Report)?—[No answer.]

402. *By the Chairman.*—Have you ever heard of a condition existing in some coal-fields, where, owing to differential movements of the beds, parts of the seam have been stripped off one area and packed in two or more layers in another area, thus giving an abnormally thick seam in one part, and thin seams, or no coal, in adjacent parts?—I have known of very great variations in the thickness.

403. This is a book referring to the geology of coal—*Practical Coal Mining by Boulton*. Do you know that book?—Yes.

404. It says (page 36, vol. 1) *Practical Coal Mining*. W. S. Boulton, B.Sc., F.G.S., 1907—“Sometimes in close proximity to dead ground the coal seam presents an abnormal thickness, consisting of layer on layer of coal, piled one above the other. Such areas of thick coal are sometimes extensive, and it is not uncommon in some collieries for a seam 2 feet thick to suddenly attain 5 feet or 6 feet in thickness. For instance, at Braysdown Colliery, the Great Vein (which is the thickest seam in the Radstock series, having an average thickness of 28 inches) has been observed suddenly to reach a thickness of 6 ft. 10 in., and 15 feet, continuing so occasionally for a considerable distance, and then quite suddenly reverting to its original thickness, or more often disappearing entirely, dead ground taking its place. It is a general rule that thick coal is nearly always preceded or followed, sooner or later, by either unusually thin coal or dead ground”?

405. Is this area of thick coal at Powlett caused by the accumulation of two beds of coal that have been shifted, taking the bores and the variations we have been showing?—I do not think that is the reason for it. These swellings in the coal and thinnings out that are mentioned there are, I think, more local than the thick and thin seams that we get here. Possibly, the thickness may be due to the coal being squeezed when it was in a plastic condition. In some parts it would be thickened, and in other parts squeezed, before the coal was properly formed. It may be due to that.

406. And in these bores, Nos. 24 and 42, does not the variation in the seam there seem rather extraordinary?—No. 42 is about 2 miles east of No. 24. I think that is due to possible packing of the coal, making these thick seams, and it having been

shed from the early portion, which was very thin. There is no doubt there has been a good deal of movement in the coal there, as evidenced by the faulting, and where you get considerable movement you get very often great variation in thickness.

407. You do not think the condition of these bores would justify the comparison between what Mr. Boulton says about the coal being workable. It looks as if it did justify it?—Possibly. I am not clear in my own mind as to the origin of this coal-field yet, whether the coal has grown *in situ*, or whether it is a drifted deposit. Mr. Dunn would be the better one to ask about that. It is purely a geological question.

408. Supposing you had a good 6 feet of coal, what would you expect to extract per acre from that 6-ft. seam?—In South Wales, working long wall, we used to take the whole out. We used to get there about 1,300 tons to the foot-acre.

409. *By the Hon. R. B. Rees.*—That would be six times that per acre?—Yes.

410. Seventy-eight thousand tons?—Yes. Working long wall we have got practically the whole of the coal out.

411. *By the Hon. J. McWhae.*—Working as you are, what would you get out of the 6-ft. seam?—About 80 per cent.

412. How much would a 6-ft. seam come to per acre?—Working pillar and stall in a 6-ft. seam, and with a roof not too good, as it is part of the ground where we have only 30 feet of cover, we shall get about 75 to 80 per cent.

413. That would come to per acre?—About 6,000 tons per acre, about 1,000 tons per foot acre.

414. Do you know the Newcastle coal?—Not much about it. I have visited the field. I know it by repute.

415. It has not anything like the faults the Korumburra seam has?—No; nothing like it.

416. Professor David estimates in the Newcastle seam you have to allow 33 per cent. of the total existing coal for losses in working?—Yes.

417. Allowing for the difference in the seam, what should we allow in the State coal seam here to be deducted for losses?—I do not know on what Professor David bases his calculation. They work usually by bord and pillar there.

418. No doubt they work to the best advantage there with the magnificent seam that they have?—They would get more coal out by working long wall than they will by bord and pillar.

419. He makes that statement in the press today?—In South Wales, in the Old Country, we used to get what I say per acre. We got the whole of the seam out.

420. Would you think Professor David was making a mistake in saying that?—I would not say that. Professor David, no doubt, knows what he is talking about, and quotes from actual figures.

421. If that is so, what should be the losses on the actual working of those coal seams?—He is probably allowing loss for dykes, and so on.

422. They tell me there is only one break there. It is extraordinary how level it runs there?—There should not be a loss of 33 per cent. without a lot of coal is ruined by dykes in the Newcastle seam.

423. You question if that statement is correct?—It is a very big loss in a 6-ft. seam. It is a larger loss than I have ever had in working a 6-ft. seam.

424. In Newcastle it is an 18 ft. seam?—You cannot compare it then with this. It is a very different thing working that from a 6-ft. seam. You lose more in proportion working a thick seam than a thin one.

425. What proportion do you reckon you will lose in working with those allowances?—My calculation is from 20 to 25 per cent. If we work long wall, I think we shall eventually get a smaller percentage of loss. At present, in the working of bord and pillar, I estimate the loss from 20 to 25 per cent.; working long wall we shall probably reduce that a little.

426. How much?—We might reduce it to half of that, by working long wall—12 or 15 per cent.

427. Do you think you could do that?—I do. The whole of the coal can be taken out by long wall.

428. Have you known a working mine with only 15 per cent. for taking out?—I say in working seams in South Wales, 5 and 6 feet thick, we had no loss. We took the whole of the coal out absolutely. We got a yield of over 1,300 tons per acre.

429. *By the Hon. R. B. Rees.*—That is where you have a strong roof?—Yes, and take the coal out clean, and the coal itself is clean.

430. *By the Hon. J. McWhae.*—This is not a 6-ft. seam?—No. It is a 7-ft. and 8-ft. seam in places.

431. You say the bigger the seam the more the loss?—That is so, but then we go down to 2 ft. 6 in. With a strong roof at that, we should lose nothing at all. The 2 ft. 6 in. seam should pay well with coal cutting machinery.

432. What is your present loss, taking the mine under present conditions?—I can only estimate the loss at the present time, because we have taken no pillars out, and I say I estimate the loss at present from 20 to 25 per cent. In the shallow ground it would be fully that; but we are not touching the pillars yet, and one does not know how the ground is going to act until you take out the pillars. We may get it out fairly clean.

433. *By the Hon. R. B. Rees.*—From the appearance of the roof now can you take out many pillars in No. 3 shaft?—Yes, where it is 50 feet from the top we can take them all out.

434. Could you take 50 per cent. of the pillars out?—I think more than that. I am not talking of where we have only 30 feet of cover.

435. I speak generally of No. 3 shaft?—It is only in about 10 per cent. of the present workings where we have only 30 feet of cover. We shall not be able to take out all the pillars there.

436. *By the Chairman.*—Suppose it was decided to supply the public with screened coal for household use, what percentage of screened coal and slack would you expect out of what is at present being worked?—At present we make 60 per cent. of screened and 40 per cent. of slack. The proportion of slack varies, some fortnights it has been below 40 per cent., and up as high as 45 per cent. We are making, I should say, perhaps, from 40 to 45 per cent. of slack and from 55 to 60 per cent. of screened.

437. Have you any reason to suppose that the thinner seam disclosed by bores will yield a larger percentage of screened coal than seams you are working?—Yes. The coal appears to be harder in the smaller seams and the deeper seams.

438. How would you define a payable coal seam—what is the percentage of slack and the value per ton of slack; what percentage of screened and value per ton of screened at Powlett?—That is rather a big question. I think that is already partially answered. I think the coal will be payable down to the 2 ft. 6 in. thickness.

439. *By the Hon. T. Luxton.*—Not below that?—No.

440. Seams of 2 feet thickness would not be payable?—I am afraid not. Although near another

seam, with a small parting between, the two would be worked together. Of course, on present conditions, even a 2 ft. 6 in. seam worked by coal-cutting machinery should be payable, I think, at present prices, and with a big output.

441. *By the Chairman.*—We have your estimate of screened and slack—now, what price per ton do you reckon you can mine at—what is the coal going to cost you?—I estimated for the Treasurer that the coal would cost this year 8s. per ton.

442. For screened?—Eight shillings for run-of-mine coal. That was estimated on the big output.

443. *By the Hon. T. Luxton.*—Ten shillings for clean coal, and 6s. for slack?—It works out at a little more than that.

444. Say 11s. for one and 6s. 6d. for the other?—No, you were approximately correct, about 10s. and 6s., but that is allowing for no profit, just the getting prices.

445. *By the Hon. J. McWhae.*—That is what it is costing you now?—I prefer not to say what it is costing me now.

446. It is no good giving an estimate if it is not correct?—I am giving the estimate I gave for this year, but we have worked the coal for the last three months of this financial year at a profit. Since the 30th of June we have made a small profit on the coal, after allowing for interest and depreciation. We anticipate doing better for the next nine months than we have done for the first three, and the Minister has decided to put the coal up 1s. a ton to enable us to make a little more profit, although I tell you that we have made a slight profit on the first three months working at the prices we have been selling the coal at.

447. What prices have you sold at?—We have charged the Railways 8s. 9d. a ton for unscreened.

448. Is that what you are charging them now?—No.

449. We want to know what you are charging them now for unscreened?—We are charging them now for unscreened, from about the fifth of this month, when the alteration was made, 9s. 6d. We are charging 7s. for slack.

450. *By the Hon. T. Luxton.*—You were selling at 6s.?—We have contracts at 6s. which run till the end of next year. We shall not do a great deal of good out of that surplus, except the small coal. We have practically sold our output of small coal for next year; all we shall be able to get out till the end of March, at all events. After March, when the Railways are taking more coal, or when we may possibly be selling screened coal to the public, we shall have additional slack to dispose of. We have practically sold all we shall be likely to produce up to the end of March. Our present prices are 9s. 6d. for unscreened, 7s. for slack, and 11s. 6d. for screened coal.

451. *By the Hon. R. B. Rees.*—In trucks at the mine?—Yes.

452. *By the Hon. T. Luxton.*—It will give you a profit?—Yes; we have made a small profit on the first three months' working, at the rates of 10s. 6d. screened; 8s. 9d. unscreened; and 6s. slack. We have made a small profit after allowing for depreciation and other charges; and we hope to do better with increased prices; and we are decreasing the cost of production as we get the mine opened up. We are getting better results from the men than formerly; and our costs are not so high as they were at the start. At that time we had to use baskets to get the coal out, but the working equipment is now better; and we consequently get the coal out cheaper.

453. *By the Hon. A. Hicks.*—Have you any large contracts let at 6s.?—About 148,000 tons

were sold at 6s. Mr. Hunter has the list of the contracts—they amount to about 148,000 tons.

454. *By the Hon. the Chairman.*—What wages do you reckon in your estimate for the miners?—They get nearly 15s. a day.

455. *By the Hon. T. Luxton.*—On contract work?—It is all contract work; but they are very much more skilful than formerly. We are getting very much better results than we were formerly. They have been making a little over 14s. a day; but last pay it was nearly 15s.

456. They are working six days a week, are they not?—No; the mine is; but we have too many miners. They are producing much more than formerly, but less men are employed.

457. They are earning 15s. per shift?—Only for the shifts they work. I think they are doing about nine shifts a fortnight now.

458. And previously they were averaging twelve shifts—before the nine shifts?—Yes; the last pay is the biggest daily average.

459. The men were novices at first?—There were a lot of gold miners; but now the gold miners are doing better than the coal miners.

460. *By the Hon. the Chairman.*—It has been stated that a 1,300-ton output will not pay—do you agree with that?—We are making it pay on 1,300 tons. and we can work it up to 1,800 tons. Some few weeks ago, when there was a break-down on the line, it made a big difference. We were reduced to one shift; our output went down to 300 or 400 tons; and our costs went up 2s. 6d a ton more; so we lost considerably. We had the same offices and staff, and the same number of on-setters and winders, and practically the same men on the surface, to deal with the 400 or 500 tons less than at present.

461. Can you give us the items of cost of working the mine in detail as to the cost per ton—as to the hewing, timbering, preparing of rails, engine-drivers, water, screening, loading, surface work, and management?—I am not prepared with that; and I think it is hardly fair to ask for that information. Would Mr. McWhae care about giving that information in regard to the Outtrim mine?

The Hon. J. McWhae.—I would not mind if I could get it. It would be of interest to compare it. I think we might do that.

The Hon. the Chairman.—I have no objection.

The Witness.—It is information that never is given to the public by any company I have been with.

462. *By the Hon. the Chairman.*—Do you get the materials by tender—blasting material, and so on?—Practically everything is purchased by tender. We get as much as possible through the Tender Board. Material we cannot get there, we usually call tenders for. For some machinery that we are getting now, we are either calling tenders publicly, or if it is a small job, plans and specifications are sent to two or three, or four or five, good firms, and we get independent prices. In the early stages that did not obtain, and could not have well obtained, in the rushed conditions.

463. As to blasting material—do you tender for the dynamite used?—No; we have competitive prices from two firms for explosives; and we are now conducting tests to tell which is the more suitable. But I may tell you the miners buy their own blasting material. We are simply storekeepers in that respect. They now pay for it; and we charge just sufficient to pay for the handling. We do not lose on it.

464. With reference to the costs, I think it will be necessary to have your estimates to show how you make up your cost. We have to get this

accurately, and endeavour to test it?—Is not the best information you can possibly have, my statement, which I can swear to—that we have made a small profit for the first three months; and that our expenses are being gradually reduced; and that, in order to show a still better profit, we are putting up the price of coal 1s. a ton.

465. *By the Hon. R. B. Rees.*—Do you say you have made a profit on the working expenses and capital cost, seeing that moneys, to the extent of £46,000, have been written off?—There are not £46,000 written off.

466. Oh, yes?—Oh, no.

467. Will you read the statement submitted to the Legislative Council, as set out on page 40 of the Supplementary Estimates—[*Handing same to the witness*]—It is only putting it from one pocket into another, is it not? I consider it was quite a fair thing not to overburden the mine with the capital cost for emergency work. The emergency work cost more than it would have done had the mine been opened up leisurely, and in a normal manner; and it is hardly fair to the mine to charge the whole of that as a capital charge. That was the Treasurer's view of the matter.

468. This statement was submitted to Parliament—will you read it?—Well, the £46,000 was put on the emergency vote. It was not written off.

469. Off the liability?—Not at all; in an ordinary trading concern it would not have been done. This year I have asked for a certain amount for expenditure which will cover the whole of my wages. I expected to spend about £100,000 on capital charges for the year; and I have asked for a great deal more for wages. In a trading concern I should have told my directors I wanted £100,000 for capital expenditure. I should not have told them to provide £200,000 for wages, because my receipts would cover that. I would only reckon the capital. We had receipts, over £24,000, against this £46,000, and in an ordinary commercial concern under £22,000 would either have been charged to capital or written off.

470. Can you account for the definite statement that the money was written off?—There is an asset of £24,000 against that.

471. *By the Hon. J. McWhae.*—You have debited £11,600 for drives in addition to that?—For shaft sinking and development.

472. That included 1,000 feet of drives?—I cannot tell you at present.

473. All those drives went in coal, did they not?—Yes.

474. And you must produce a large amount of coal for that?—Yes.

475. What was the value of that—it was an additional amount?—That work is a charge against capital. The drives were to develop the mine.

476. That coal was sold to the Railways and included in the £22,000?—That came as an off-set against this £46,000 emergency vote.

477. In addition to which you charge £11,000 odd for sinking shafts and drives, although a proportion of that was remunerative?—Yes; but that shaft sinking and development is all dead work. It did not pay expenses.

478. The drives were driven in coal?—Yes.

479. You would be producing coal?—Yes; but that work was a fair charge against capital, and is shown as such.

480. Should not the coal more than pay for timbering and driving?—Under normal conditions, yes.

481. They were normal conditions?—No; they were taking the coal out in little baskets.

482. *By the Hon. R. B. Rees.*—What was the necessity for that?—The necessity was the New South Wales strike. The Railways wanted coal.

483. *By the Hon. J. McWhae.*—You got 30s. a ton for that coal—you got good money?—Not the full market value. We should have got more than that in a trading concern.

484. But there should have been a good profit?—The coal had to be all hauled to Inverloch by bullock teams. Whether there should have been or not—there was not.

485. *By the Hon. the Chairman.*—With reference to that writing off, I understand that No. 3 shaft has been expensively equipped as regards its top gear?—I would not say that.

486. When you were writing off, have you written anything down for excessive expenditure?—Yes.

487. What amount?—I could not tell you the exact amount; but in making up the capital expenditure on buildings, machinery, and erection, it was all estimated on what I thought was a fair valuation, and the rest was shown under the emergency account, and that is where the £21,833 deficiency shows.

488. Can you give us a detailed statement as to what the different works cost, and particulars of the items which were to be written off?—Such a statement was made by me.

489. I suppose the Secretary for Mines can produce that?—No, I do not think the Secretary could. I fixed that myself.

490. A copy showing how the emergency work was made up, and what you wrote off as being unnecessary?—I do not know that we can show every item written off on the emergency account. It is rather a big thing. We went through hundreds of accounts, and charged part to emergency and part to capital. Still, I can give you an idea of that.

491. Do you know anything of an interim account of money spent by the management of the coal mine and afterwards debited to the Mines, Forests, Public Works, and Water Supply Departments?—No, I do not know anything about that account.

492. Since you have been managing the mine have you directed any of the other operations which properly belonged to the other Departments?—I have had a little to do with the township since I have been managing the mine, and I am also directing operations of the brick works.

493. To go back to the bores—you told us at first that the estimate of coal which came out at 20,000,000 tons for the particular area referred to was based on a 6-ft. average thickness of coal?—I do not think I said that exactly. You asked me, in the first place, if I thought that was a fair estimate.

494. *By the Hon. J. McWhae.*—The mining report referred to it as 6 feet, and you said you did not think it was?—I explained that I had cut up the whole area into a number of small squares, and had taken the average thickness from the bores.

495. You said you took it from them as on the basis of 6 ft. 5 in., 4 ft. 2 in., 7 ft. 6 in., and so on; and now you have gone over the bores you find they are not on correct data, and you find that instead of 5 feet and so on there would not be more than perhaps 2 ft. 9 in.?—That is so in some cases.

496. You said the thick coal was limited to the area shown on the plan—[*indicating*]—As far as we know at present the thick coal is in the central area.

497. You said the best coal was limited to the thick seams within that area, and, in one case, it has been shown that the thickness should be 3 ft. 6 in. instead of 6 ft. 5 in. That being so, what

would you calculate now as to the area of coal being available?—When there is only a few inches of mudstone, the seam would make the same quantity of coal, but it would necessitate more picking.

498. The extract from the leader—[*producing same*]—shows that even in your thickest part of the area there is “no coal”—would that be so?—There is a denuded area. In this last estimate that was made of the coal all such areas have been excluded.

499. What area is that over—how many chains?—It is possibly 12 or 15 chains by 2 or 3 chains.—[*Newspaper extract put in—marked Exhibit “C.”*]

500. That area does not appear on the plan?—It was not known when the first plan was prepared. These bores are a quarter of a mile apart. We have found that out since.

501. *By the Hon. the Chairman.*—In view of all the facts, do you see any reason for altering your estimate of the coal that is winnable out of this area, making a rough calculation, to bring out the 20,000,000 tons?—As to the 20,000,000 tons, I am not quite sure—possibly Mr. Dunn knows—whether the last estimate was made from the figures on the plan or not. It certainly was my impression, in the first place, that the figures given here represented unbroken seams.

502. *By the Hon. R. B. Rees.*—You throw the onus of making the estimate on some one else—it is not yours?—I made a rough estimate of 20,000,000 tons—roughly, on the figures. But then I had it checked carefully by having it cut up into squares, and as it came out somewhat near my own I felt satisfied.

503. But did the officer in your charge check figures which were, according to your present showing, wrong?—Those are the figures that I took for my rough estimate. I discussed the question of taking out quantities with Mr. Dunn, and decided on the fairest and most accurate way to arrive at the figures within this actually known area; and, after deciding on the principle, Mr. Dunn gave it into the hands of one of his officers, who had been down there in charge of the boring, to take out the actual quantities on the principle laid down by us—taking the average quantity in each square. Those results were given to me; and I may say I checked them over, taking the average thicknesses shown in each square; but whether those thicknesses were taken from this plan or from the records—[*marked in pink*]—I am not sure. If the thicknesses were taken from the plan, the 20,000,000 tons that I gave should be reduced.

504. Did the officer take the trouble of examining the statements of the boring inspectors, or merely take the map for his facts?—If Mr. Dunn says those were the thicknesses taken, that is so.

505. And now you do not agree with Mr. Dunn?—In many of the cases we have considered to-day, where there are only thin bands, it does not affect the quantities.

506. *By the Hon. J. McWhae.*—Mr. Dunn said in his previous evidence—[*reading from same*]—that there was a large quantity of clean coal—was it on that basis that you calculated it?—Yes.

507. *By the Hon. the Chairman.*—If the basis is wrong, the conclusion must be that the estimate of coal is wrong?—Yes, undoubtedly.

The witness withdrew.

Edward John Dunn, further examined.

508. *The Witness.*—I would like, with your permission, to make a short explanation. I was asked a question, Mr. Chairman, by yourself, at the last meeting of the Committee, and I did not catch the

meaning correctly. I did not catch the thicknesses that you gave there; and, therefore, my replies were all wrong. There is 3 ft. 6 in. of coal in No. 23 bore, and, as far as my judgment goes, workable coal. And as regards the plan itself, what is represented on that plan is the thickness of workable coal, in my judgment. But as to the coal, it appears to me there is a great deal of confusion about it. Clean coal is what is represented on that plan. That is to say, that where there are partings, the partings are left out, and the coal itself is put in; but, so far as the thicknesses are given there, they are thicknesses of clean coal; and they are the thicknesses of the workable portion of the seam, speaking generally. The seam does not merely consist of coal, but of the partings and coal; and some distinction should be made between solid seams and those I have mentioned. As to the thickness of coal and partings, that was very clearly represented by the Minister; and in his speech it is distinctly stated that they were not all solid coal.

509. *By the Hon. R. B. Rees.*—Are you speaking on behalf of the Minister?—No, on behalf of myself; because the statement has been made in regard to the plan by myself. It is impossible to trace on a plan of that kind all the different partings of a seam so as to represent it clearly and distinctly in a general way. As regards the plan itself, there are, I admit, unfortunately, two or three clerical errors in it; but that does not in any way alter the general results that would be obtained by taking those measures and those thicknesses.

510. *By the Hon. J. McWhae.*—You stated, in 1909, that the 30,000,000 tons had been proved by bores?—20,000,000 to 30,000,000 tons.

511. Are you aware that an estimate for Korumburra and Jumburra has been given as 35,757,511 tons?—I have no knowledge about that.

512. That estimate takes in the different amounts in relation to the different companies, including Coal Creek Proprietary, Korumburra, and Jeetho, Silkstone, Black Diamond, Jumburra, and so on. Now, is there not a little weakness in geologists to give a rough-and-ready calculation rather than go in for economic values?—In this particular case, we put down bores to find the accurate estimate; and I think they are put down in a systematic manner, so as to arrive at a basis for the calculations which we formed.

513. Mr. Broome says he does not value the 2 ft. 6 in. You estimate all seams under 2 ft. 6 in.?—Not all coal in the seam, but where I considered it would be workable, I allowed for no coal under 2 feet. But, of course, it is a wide and general estimate which may come out, and which I consider now is thoroughly justified, and will come out correctly. Down on the coast-line, where boring has not been extended, and for 6 miles from the Powlett River southward, there have been seams seen 3 feet thick, and also the coal which extends westward. That has all to be taken in.

514. After twenty years' trial, Mr. Stirling's estimate has not come out?—I have nothing to say about that; but I still adhere to mine, and consider that the borings so far made warrant me in saying that it will be from 20,000,000 tons upwards.

515. You think Mr. Broome is making a mistake in saying he would revise it?—He says nothing under 2 ft. 6 in. is workable, but such seams have been worked here.

516. Where?—At Korumburra.

517. At a loss?—They have been working them. I cannot imagine their being worked at a loss; and I maintain that the parted seams will be worked.

I consider that Mr. Broome, in his mind, is considering the State mine worked as a State mine; but that, if individual miners are at work, and small companies, they will work such parted seams to advantage.

518. *By the Hon. J. McWhae.*—The first reserve for a State coal mine was 20 square miles?—Yes.

519. Subsequently it was extended to Inverloch, and embraced another 100 square miles?—It is not wholly for a State mine.

520. When was that second reservation made?—On the 15th February, 1909.

521. Would that be correct?—Yes.

522. On whose suggestion was it reserved?—Mine.

523. What was the object in recommending that this additional area should be reserved—was not the first area sufficiently extensive for the State mine purposes?—It was sufficient. Yes.

524. You say it will take years to test this area?—Yes.

525. Would not the value of it have been more quickly determined had leases been granted to private companies?—That was reserved to prevent the indiscriminate pegging and retarding of the borings—because the Government could not have bored on those leases if they had been pegged.

526. Would not the private companies do that?—They might have locked it up.

527. You said your estimate of 30,000,000 tons was calculated upon the area south of the Powlett down to the sea?—Yes.

528. As so many of the bores put down in that area failed to cut coal or proved seams to be divided by intrusions of foreign matter, do you now consider you were justified in assuming that so wide an area contained seams of a certain thickness free from bands and impurities?—Free from bands and impurities—no. That has never entered into the matter. It is a seam of coal bored in many places. It is 5 feet to 6 feet thick of coal in many places, but in other places split and divided, but still workable coal.

529. You say your estimate of 30,000,000 tons included everything that is in the seam?—Everything that is workable.

530. Are we to assume that your reduced estimate of 18,000,000 tons also includes everything in the seam?—Of this smaller area, yes; everything that is workable.

531. It has been officially declared by the Minister that 45 per cent. of the coal produced is slack?—I could not say.

532. *By the Hon. T. Luxton.*—You reckoned all that was good?—What I have reckoned is clean coal—where I think it was workable and useable.

533. Say you reckon a disjointed seam—2 feet apart in each case—did you reckon that 4 feet?—Yes.

534. It would be no good—2 feet cannot be worked?—I maintain it can be worked. You may take the mine manager's word before mine; but I maintain that a 2-foot seam is workable in Gippsland, though, perhaps, not worked as a State mine.

535. *By the Hon. J. McWhae.*—You said that it was reasonable to assume that the thickness of seam disclosed in a bore represented the thickness on either side of such bore for a distance of at least a quarter of a mile?—That is quite correct.

536. Would it be also reasonable to assume that defects shown in a seam extended a similar distance?—In taking that area, for instance, the way we have to estimate it is the average of the coals that we get. Where the workable coals shown by the bores are equi-distant, we take the thickness in each bore, and take the average of that for each area.

Stanley Hunter,
23rd November, 1910.

537. If the bore showed it is to be defective for a quarter of a mile it would be no good?—No.

538. Would you say the same as to the good bore?—I would. The fact is that there are faults there. Where a bore hits 5 feet of coal, say, and at a quarter of a mile on either side that 5 feet of coal is absent, there is no doubt that that bore is into a fault.

539. *By the Chairman.*—About the faulty condition of the coal, right across the east and west line from No. 24 to 39 bore, there appears to be very strong evidence of that?—I know the position you are referring to.

540. Do you think that this condition is practically an evidence of that kind of formation?—No; I do not. But I will tell you what I do think—and that is pretty evident from the borings done. I think that a portion of the field which has been bored contains the thickest part of the seam. It must be that that coal is the result of drift material—not material that grew on the spot—and it has accumulated there to a greater depth than in the rest of the field so far as bored. But it is possible that, when we bore further, we may find other places where accumulations of a similar character occur.

541. In which direction—east or west?—Eastwards, principally.

542. Does not the boring towards Inverloch prove the contrary?—We have done very little. In Kirrak it is very slight, and we do not know much about it. Every foot in Kirrak is an addition to that 20,000,000 tons.

543. Could some one give us an estimate as to the cost of winning the coal?—Yes; an account could be got accurately from Mr. Broome. I consider this coal-field is a magnificent asset for the country, at any rate.

*The witness withdrew.
Adjourned.*

WEDNESDAY, 23RD NOVEMBER, 1910.

Members present:

- The Hon. R. H. S. ABBOTT in the chair;
- The Hon. J. McWhae,
- The Hon. J. G. Aikman,
- The Hon. R. B. Rees,
- The Hon. T. Luxton,
- The Hon. A. Hicks.

Stanley Hunter, recalled, and further examined.

544. *By the Chairman.*—As to the quantity of coal—you said you were not responsible for the thicknesses of coal shown on that plan—who was responsible?—I do not know.

545. You did not tell the draftsman, or cause him to be informed what thicknesses should be placed on the different plans?—I do not remember telling the draftsman. I was away when that plan was made. As far as I remember, I was nearly all my time at the mine. I remember seeing that plan in progress. In reference to this plan, I would like to make this explanation: That when Mr. Dunn brought up the question of a plan, which was shown in Parliament when the Minister brought forward the Bill, I was asked who made it, and I could not tell; because I did not know. That will indicate to you how little I had to do with that plan. I suggested the name of one draftsman, whom I believed at that time did make it; but it appeared on inquiry that he had nothing whatever to do with it.

546. *By the Hon. J. McWhae.*—You do not know who gave the draftsman the details?—No. As a matter of fact, my boring journals are written

largely by myself from the foreman's weekly diaries, and I have an assistant, who opens out the boxes of samples, which are sent down weekly from each drill. Then I go through the weekly diary and have those samples laid out on the table, with a label attached to each sample, showing the depth at which it was cut. Then I compare that with the foreman's diary, where he may record from 200 feet to 205 feet shale; and occasionally the core I pick up at that particular depth is not shale, it is mudstone. I then make in the weekly diary a note that it is shale, and that is initialed by myself or my assistant. Then when the journal is made up for the Government Printer, it is made up on that corrected diary. After having made up that journal, the whole bundle of papers—it is a very thick file—is handed on to the draftsman to plot the core seams on the sections for the annual report. Occasionally, the draftsman may ask me some question. If I am not there, he goes and does it himself, because, as a matter of fact, there has been one draftsman doing that for a number of years. He has been among the mines, and he understands, through having been down the mines generally, the character of the work that he should show on the plan. That was the man who I believed made this plan; but it appears he did not. It was in the hands of two other men. I believe their names are on the plan.

547. *By the Chairman.*—Then they practically took off the man who understood the work, and put on some one who did not?—I would not like to say that.

548. *By the Hon. J. McWhae.*—Did not the results show that?—That is hardly a question—it is a statement by the Chairman.

549. Do you consider that an accurate plan, giving a truthful account of the position?—I consider that that plan is accurate enough for the purpose for which it was drawn.

550. Right enough to deceive members of Parliament?—If the word "seam" were used—at those large figures that plan would be a misrepresentation. There is not even the word "coal" used.

551. What does "6 ft. 5 in." convey to any ordinary man—that you get 6 ft. 5 in. below 186 feet?—You cannot get it at 186 feet.

552. That is what the plan says?—I am not responsible for what the plan says.

553. Then, is that an accurate statement on that plan?—No; not from your point of view, but from my point of view, yes, it is. You cannot have a certain thickness of coal at a certain depth.

554. *By the Hon. A. Hicks.*—In placing that information before ordinary members of Parliament, ordinary laymen, it was a little misleading?—I admit that—that it was a little misleading using the word "little" fairly—but very little.

555. If you were an ordinary member of Parliament, you would take it to mean just the same as we did—that there was 6 ft. 5 in. in one seam at a certain depth?—I have never had the pleasure of being a member of Parliament.

556. *The Hon. J. McWhae.*—It says 6 ft. 5 in. at 186 feet.

557. *The Hon. J. G. Aikman.*—I take that as a block of 6 ft. 5 in. at that depth.

558. *The Witness.*—As a matter of fact, in some of the leading text-books on mining, they refer to seams of coal having partings or bands between, and they refer to the whole lot as the seam. You will understand that I decline all responsibility for the plan.

559. *By the Hon. J. G. Aikman.*—Can we place the responsibility on any one for that plan?—My portion of the Mines Department is fairly well run; but I cannot answer for the rest.

560. Anything that would be likely to gull the public concerning the mine would be let go forth and not contradicted?—I cannot answer that.

561. You have seen things that you would not yourself have given as correct, published?—In reference to what?

562. In reference to coal mines?—Not as far as my own plan is concerned. I accept all responsibility for that. My name is attached to it, as a fact. As to the Boring Journal shown on those Blue Books, and whether they were accurate, I can only speak as far as my own work is concerned. I cannot criticise another man's work.

563. *By the Chairman.*—You still assert that that plan is an accurate transcript of what you had in your journal?—I do not. I have answered that question. I agreed that it was a "little" misleading, using that term in a fair way.

564. *By the Hon. J. G. Aikman.*—If you were a shareholder, and had put your money on a plan like that, would you be satisfied when you came to find out the facts?—I would rather not answer that. I would be very glad to get into it as a shareholder if it was a private company.

565. At a fair price?—Yes.

566. *By the Chairman.*—You said you thought the seams at Powlett would extend back to Outtrim?—No. I said I believed that originally there was a connexion, or that they may have been connected. In reference to the whole geological question of the Powlett field, I would like to make this statement: That last year I submitted an original research memoir of the coal-fields of Victoria for the Syme prize, wherein I treated of the geological conditions, not only of the Wonthaggi-Powlett field, but all the other coal-fields in Victoria. I was unfortunate enough not to get the prize; it was given, I believe, to the medicine side. I would be very happy to answer any geological questions relating to the possibility of the Outtrim seam having been originally joined to Powlett.

567. Have you not done some boring on the plains below Outtrim and near the race-course, and also between Outtrim and Inverloch?—Yes.

568. What depth did those bores go, and what thickness of coal did they cut?—The one near Outtrim was in faulted country practically the whole depth; the one to the south-east of Outtrim, I think about 4 or 5 miles, we cut 2 ft. 2 in. of coal. Then, almost due south of Outtrim, about 7 miles—I am giving the approximate distances—we cut nothing in that, as far as I remember.

569. Do you know, roughly, to what depth those bores went?—Just from memory, I cannot say. I think it was over 1,000 feet; the other one went to 1,300 feet.

570. Was there not another bore put down on plains south-west of Outtrim, and in a line with the Powlett, on block 15B, Kongwak. Is that the one you refer to?—No. The Outtrim Company put a bore down there, 500 feet. I think they got small seams of coal. I was told so. I have not seen the boring journals.

571. From the information you have at present, would it be safe to say those areas contained workable coal seams?—The bores, which are miles distances apart, indicate that they have got no coal; but that does not necessarily say there are no payable areas of coal between them.

572. *By the Hon. J. McWhae.*—That would apply to any part of the world?—No, only to any part of the coal measures.

573. *By the Chairman.*—As to some of those bores. There is bore No. 47, on the boundary of Daly's lease—[*Exhibit "A"*]—bore 47, 114 feet. It says you cut 3 ft. 4 in. of coal. (Page 167, 1909

Report.) That bore, which it says 3 ft. 4 in. of coal, representing 2 inches of coal, 2 ft. 4 in. of coal, and 1 foot of coal, practically the 2 ft. 4 in. of coal there is the only coal there that would be workable?—No; that is a 3 ft. 4 in. seam with a 4-in. parting in it.

574. Then bore 43—what do you think about that?—Just what I stated in the journal.

575. 4 ft. 6 in.?—No, I do not say 4 ft. 6 in. in the journal. I say 2 ft. 6 in.

576. There is a foot and a bit shown. The partings there are very thick; 5 feet and 3 feet. The next bore is 36. That is, practically, 1 ft. 3 in. of coal. The 9 inches is not of any value?—Yes; I have not gone through that journal yet.

577-8. Bore 33?—Yes; that reads "3 ft. 2 in. of coal."

The Hon. J. McWhae.—That limits this area of thick coal very considerably to the north.

579. *By the Chairman.*—Do you consider that those seams are desirable ones, that could be worked at anything like your estimate of 8s. 6d.?—9s. 6d. was my estimate, not 8s. 6d. I have looked it up—which seams do you refer to?

580. The ones we have been referring to?—Any measuring over 2 feet should pay.

581. *By the Hon. J. McWhae.*—Do you mean you could make those seams pay at 9s. 6d.?—Yes; anything over 2 feet of coal.

582. There is one over 2 ft. 6 in., and four bores. They describe a large amount of country in this area, in which it is said there is an average of 6 feet—that is in one statement?—It is not my statement.

583. There is an area of nearly a mile. There is 3 ft. 2 in. in one bore, 1 ft. 3 in., and 2 ft. 6 in., and 3 ft. 4 in. in the other bores. Could you make that coal pay at 9s. 6d. a ton, averaging it?—This Exhibit A, showing a certain area of coal, is that which is referred to as 6 feet?

584. Yes?—I think two of those are shown outside of that area. I refer to the plan put in evidence. Two of those bores are distinctly out of that.

585-6. Mr. Broome has marked it in. He is a practical miner, of high standing. He ought to know. We are checking Mr. Broome's figures now by your knowledge of the bores?—Yes.

587. That is Mr. Dunn's red pencil mark, and this is Mr. Broome's—[*showing maps*]—This is the plan I have had given to me, but showing that average of 6 feet of coal. I want to be clear what the question is, or I may make a wrong statement.

588. *By the Chairman.*—Mr. Dunn's plan is not accurate, if we take the statement 3 miles by 2 miles; it is not anything like 2 miles wide?—Do I understand that the question is whether these four bores would pay at 9s. 6d. a ton?

589. Yes?—Not altogether. A portion of that ground will pay.

590. *By the Hon. J. McWhae.*—You must average them, because they are all included in the area?—Yes. I would like to be certain of that question. I do not know what area you are referring to.

591. Look on your plan—1, 2, 3, and 4—how long is that—a mile?—A mile in a straight line is not an area.

592. Allow half-a-mile on each side. That is the way the calculation has been made as to the 18,000,000 tons of coal in this block?—If you will indicate what area you are asking me about as to those four bores, I can give a plain answer.

593. Take the area of a quarter-of-a-mile on each side with that thickness of coal?—A quarter-of-a-mile on each side of those four bores—[*measuring on the plan*]—that is east and west of those bores—

it will be half-a-mile by, roughly, 70 chains. That comes to about 300 acres, roughly, and averaging that 300 acres, I say it will pay.

594. What do you make the average seam there? The quarter-of-a-mile at the north-west includes 7 ft. 7 in. of coal. The quarter-of-a-mile to the south-west includes 6 ft. 6 in. of coal. On the other side it is thin. There is 3 ft. 6 in. on the east at the south end. In the south-east corner of the area you have described there is 3 ft. 6 in. of coal. I would like to make certain of this bore by first looking at the journal in the book. [*Looking at book*]—3 ft. 6 in. We are on the fault line there. I remember it now. There is 3 ft. 6 in. on the south-east corner; 3 ft. 2 in. in the middle, and 7 ft. 7 in. in the south-west corner. That portion of that area of 300 acres will undoubtedly pay.

595. What will be the average of that?—A little over 4 feet.

596. The next bore is 1 ft. 3 in.?—Yes.

597. You add to that the 4 feet. There is nothing on either side to vary that?—No; no bores.

598. You go then further north again, 2 ft. 6 in., and no bores on either side?—Yes.

599. Then we may take that at 2 ft. 6 in.?—No; you cannot take it that thickness across. I go by geological knowledge. I say that 1 ft. 3 in. will cut out probably very quickly on the west. The 7 ft. 7 in. will meet it, and there will be a fault line between the two.

600. Take the 2 ft. 6 in.?—That will pay.

601. Then add that to the average, and say what it is on the basis of all those thicknesses?—Yes; nearly 3 ft. 8 in.—the average from the bores within the area described.

602. *By the Chairman.*—Take a line east and west—bore 37, 3 ft. 6 in.—it says there is a fault there?—Yes; I know that fault.

603. Then we come to No. 42?—I would like to draw your attention to the fact that those notes in those boring journals were written by myself, showing the desire on my part to give only reliable evidence to the public. For instance, when I write: "The bore is evidently close to a fault, and too much reliance must not be placed on these records."

604. That was a very proper thing to do. Now take bore 42—that one that is cut up?—You will notice again one remark on the top that I have had printed—Coal 1 ft. 10 in. between 149 ft. 6 in. and 152 feet.

605. *By the Hon. J. McWhae.*—On the plan it says 1 ft. 10 in. at 152 feet?—I was away when this plan was made which is included with this, I admit, but the draftsman simply had my boring journals to work from, and I am not certain, but I believe it was the same draftsman who made this that made the one hanging on the wall here.

606. Even 1 ft. 10 in. would not be payable?—No. I say 2 feet is payable. I am prepared to prove that later on. This particular bore is not payable. As a matter of fact, we are right along the east and west fault line at this particular line of bore.

607. Now, coming to No. 46?—"No coal" is recorded.

608. There are about 60 chains along that line that we have been going along?—From the outside edge of that area, which I say is payable, it is exactly 40 chains, half-a-mile, the 3 ft. 6 in. area.

609. This bore has not disclosed anything of much account?—No.

610. Take a look at bore 31 (page 163)?—That is, practically, "no coal."

611. Take bore No. 40?—"Coal crushed, 2 ft. 6 in." Underneath you will find a note by me:

"The strata throughout this bore showed evidence of faulting." The mere fact of the coal being crushed does not show that you may not get good coal 10 feet away.

612. Bore 44—1 ft. 6 in. of coal; 21 feet of mudstone?—I think that can be disregarded; it is no good.

613. Take 48?—No coal there.

614. No. 52?—No coal there. I presume those are all shown on the plan. I have not had time to check that.

615. *By the Hon. J. McWhae.*—Mr. Broome said that north of this line, "No coal," that there was an area here right between the shaft where they have put down a number of bores since this plan was issued, and they got no coal—a large area here of 15 chains—[*showing on map*]?—I do not know anything about that.

616. [*Looking at plan*]—It says, "no coal," "no coal," "no coal"?—Is not that south of where Mr. Broome was speaking of?

617. No; he says it is close to No. 8 shaft. Where is that area—[*looking at large plan on the wall*]?—I will be able to pick it up in a minute—[*looking at plan*].

618. This is very important?—That is indicated by the red line on this plan—[*showing*]—by that tongue-shaped area.

619. Where will it be here on this other plan?—[*showing*]—Just south of this boundary line. It comes in like this—[*drawing line on map*]. There is the area. That part is blank.

620. And, practically, this other is blank?—There is a little coal there, I think. There is "2 ft. 6 in." and "3 ft. 7 in." on the map.

621. No; 3 ft. 7 in. is not there. No. 44?—Oh, no; that is the one you refer to. That is no good.

622. You have to take a line from here—[*showing on the map*]—north, of payable coal, up to this bend here—[*showing*]—3 ft. 8 in., so we limit the thick coal to this area here—[*showing*]. How many acres will there be in this area—[*pointing to map*]?—Three-quarters of a mile.

623. How many acres in that other area?—480 acres.

624. That is, as far as I can see, that you can limit your thick seams of coal. Look at 11?—There are partings in that seam.

625. The 7 ft. 5 in. seam of coal, it says: "That is included in Mr. Broome's area"?—That is in the previous year's report, 1908.

626. Take No. 11—6 inches at 188 feet. [*Reading details of boring results (page 179, Report, 1908)*]. I suppose you reckon those small seams of coal would be one seam—would it be payable?—Unless I looked at the journal, I would not like to give an opinion. [*Looking at Report*]—Yes; that is payable.

627. How much of it is payable?—Those three seams are payable. There is 4 ft. 1 in. of coal, and then there is coal with 2 inches of mudstone, 9 inches carbonaceous, and then 1 ft. 9 in. of coal underneath, 16 inches away. That is 7 ft. 7 in. of coal that can be taken out there. Oh, yes, that is payable.

628. Now take No. 12?—Yes.

629. Mr. Broome seems to have included Daly's claim in his area?—Perhaps he is hoping to get it. The one I am looking at is Mr. Dunn's report.

630. No. 13?—On the plan it is recorded as 3 feet. I do not know what it is in the journal.

631. Three feet?—I suppose that is about correct.

632. *By the Chairman.*—What does it say there?—"2 ft. 1 in. and 11 inches of coal, with a

3-in. parting between them." That will be taken out.

633. No. 14?—"Coal, good quality, 1 ft. 9 in." That is rather too far away from the rest. "Coal, 3 ft. 10 in., and coal 9 inches, with 6 ft. 8 in. of mudstone between them." That is a 3 ft. 10 in. seam.

634. Considering all the nature of those seams, and the bores we have gone through, and the absence of coal on the south side, and the further inaccuracies in the outline bores, how do you arrive at your estimate of 30,000,000 tons?—I answered that question the other day by pointing out that I got seams along the coast, and with the figure boring that was done when I made that estimate, I associated those outcrops, some of which are 3 feet thick on the coast, with the boring that was done inland, and made my estimate in that way.

635. Was not bore 24 finished on the 30th April, 1909?—[*Looking at Report*]—"Completed 30th April, 1909."

636. Bore 39 was not completed in July, 1909?—Yes; 29th of July, 1909.

637. You told us that, owing to rush of work at the opening of the mine, you were prevented giving proper attention to the matter. Now, those bores were all done before you had anything to do with the mine?—Some of those bores were; but, for all that, I believe at that time, and for some years past, I have been one of the hardest worked civil servants in the Department. In addition to my boring work, until recently, I have dealt with over 3,000 land applications, putting them under certain sections, and investigating with a certain amount of research work, in a great many of those claims. Many of those I could deal with off-hand, because I know the country personally, and it is through my having a knowledge of Victoria that that work was put on me. It has averaged that number of land occupations, in addition to various reporting work.

638. You have been a busy man, and your estimate was haphazard as to the quantity of coal?—It was an honest estimate, based on the available knowledge obtainable then.

639. *By the Hon. J. McWhae.*—You must admit that the foundation you built the calculation on was not a very sound one?—No, I do not admit that; it is far sounder, I believe, than has ever been used before in any coal mine in Victoria by any company.

640. We have only had Mr. Stirling to go on?—There are the prospectuses of the various private coal companies issued by the directors.

641. We have gone over all those bores—are we correct in assuming that the thick coal is limited to this square here—[*Pointing to the area marked on map*]?—No; you are not correct in believing that.

642. Will you show us later on, by reference to the bores, where there are other extensive areas. As far as I can see by the bores, so far it is limited to this area?—There has been a considerable amount of boring done, since that plan was issued, with which I have had practically nothing to do, indicating that the thick coal does extend to the west—5 ft. 6 in. of coal, and 5 feet of coal, and so on, has been cut out to the west.

643. Nothing to the north, south, and east, so far?—Not immediately to the east. There is payable ground in the Kirrak basin.

644. *By the Chairman.*—You told us, as to this drilling, that your supervision related more to the mechanical portion of boring plants than to the actual boring results?—Only recently, relatively recently. When I started at the Powlett, I had an assistant who devoted the whole of his time to

the boring work, and I, on my part, had very little to do with it. I was looking after the township, and mining, and draining, and the general supervision of the camp—and practically the development work generally.

645. A lot of this boring was started before you assumed the duty of acting manager of the mine, and before the town was thought of?—Yes.

646. Is there not a superintendent of drills who had charge of the drill parts?—No. The superintendent of drills had charge of the stores at the drill depôt.

647. What does he do—look after the mechanical parts of the drills?—Looks after all repairs I may order, the purchase of all material which is ordered, the consignment of all material required at the drills, and the receiving back of any portion of the plant which may need repairing. He is in charge of the drill store in Melbourne.

648. Is that Mr. Williams?—Yes. He also has charge, in a similar manner, of the whole of the battery material. His title is slightly misleading—Superintendent of Drills. He is really a sort of chief storekeeper, and he has a small staff under him.

649. Then you only say that the boring operations that were not under your supervision, were, since you assumed the position of acting manager?—Practically, from last November.

650. I suppose you have noticed in the press, when any announcement was made as to seams struck, you were always announced as being "Engineer in Charge of the boring operations"?—So far as the title is concerned, I am still classified by the Public Service Commissioner as "Engineer in Charge of Boring."

651. I think you said that there were 500 acres of payable coal in the Kirrak district?—I said, approximately, only.

652. Can you show where that is?—Yes. I will mark it, approximately, on this plan. [*The witness did so—Blue cross hatched—Exhibit A.*]—You understand that is only an approximation. I say this is more or less guess-work.

653. I think you admitted that some of the figures on this plan—[*Plan printed in Annual Report*]—were not in accordance with what is shown on these bore certificates?—Yes.

654. And I think you also said you were not responsible for that?—I am in a peculiar position there. I feel I am not responsible, because, in this particular instance, I was not able to supervise the plan when it was being made. In previous years, I have supervised the plan work to a very great extent. To some extent, I am responsible; but not wholly. Had I had the time to devote to this plan, as I had done in previous years, I am convinced that those clerical errors would not have occurred. I see, in one place on that plan, there is 10 inches less coal set down than is recorded in the journal; in other cases there is more.

655. Now, getting on to some of the details in reference to the emergency work there. Of course, you practically broke the surface there, and did everything that was done till Mr. Broome took charge?—Yes.

656. Have you got any figures or any estimate that you could show us how this £22,000 was lost when you were practically driving in coal and getting a remunerative price for the coal all the while?—No; I have no figures ready for that, because the whole of those figures were handled by the Accountancy Branch of the Mines Department; but every order for material which was given while I had charge, I have collected these in alphabetical order, so if there are any particular firms, or any

particular material that you desire to know about, I think I can show you how the order was given—*[Producing order forms]*.

657. Take the item of machinery; how did you obtain it when you wanted anything down there?—I bought very little machinery myself, in fact, practically none. The purchasing of the machinery was done in Melbourne here by the Head-Office. I telegraphed up what I wanted. As far as machinery was concerned, I would wire or write, and the purchases were made by the Head-Office.

658. Who would be the office?—I believe Mr. Merrin bought most of it—a great deal of it. I want to be accurate in my statement. I want to think for a moment. I gave orders for one small engine; and I also ordered practically the whole of the material. So far as timber and iron work was concerned, and all tools, and all stores, I used to wire up those orders direct myself, using the contract-book if the stuff was on contract. I would get as much as possible through the contractors. In some cases, the contractors were unable to supply under weeks. Then I had to go to firms that would supply practically within 24 hours. We went out of the contract under those conditions.

659. What class of material was that?—It largely referred to timber.

660. There was a question asked in the Assembly. I dare say you noted it, that people said that there was only one firm of machinery merchants that could get any order for anything done there—do you know anything about that?—No.

661. If that happened, it was in connexion with some one else in the office in town?—Yes; if it happened; but, personally, I do not think it did happen.

662. Have you an extract of the accounts of the different purchases of machinery?—No; I have the original orders, or requisitions, we call them. These—*[Exhibiting same]*—represent the whole of the requisitions for all the material, from the time I had charge up to June, 1910; and they are all in alphabetical order, with the name of the firm. As a matter of fact, I have a fairly good memory for this sort of stuff. Although I cannot guarantee it, I think you can open these at any place, and I will remember the stuff that was ordered.

663. Let me see—"M"?—*[Handing same to the Chairman.]*

664. *By the Hon. A. Hicks.*—Do I understand from this that all your supplies passed through the store-room here?—Yes; absolutely. Mind you, I want you to be clear on this point—that a great many of those stores were ordered and obtained within, say, from two to three days. Then the requisition form went through subsequently; but it all passed through, and was properly certified to by the auditors and the men checking the material. That material was all checked.

665. By all those do you mean that we can tell from whom the things were bought?—Yes; by reading on the top. The history of each order is on the order sheet.

666. It is not said who made them?—It would be difficult to say, as to who made it. Are you referring to "Australian-made" or "imported," because I could answer a great deal of that?

667. *By the Chairman.*—Do you know anything of some winches made in Bendigo and sent down to the field?—Steam winches. I believe they were bought second-hand. Nearly all our stuff used in the commencement of that field, with the exception of one small engine, was second-hand. So far as machinery was concerned, there was no time to make new stuff.

668. There is an item of £286 for two Jackass boilers?—You will see "Miller & Co." at the top. I remember those boilers. They were the only boilers available suitable in Melbourne at that time. Mr. Merrin and myself went around to every firm in Melbourne that had boilers for sale. We would have bought one boiler from Messrs. Cameron and Sutherland, and we got that boiler under firm offer to us provided that another firm who had the boilers offered to them previously did not reply to their wire within twelve hours. They replied, and closed the deal which they had tentatively with Messrs. Cameron and Sutherland. Then we had to take the other two boilers.

669. You do not know anything of those winches that were said to have been supplied by Horwood's Foundry Company, Bendigo, that were sent down to the mine, and the payment for which was delayed for five or six months?—No; but the probabilities are that we will find them under "Horwood—*[looking at accounts]*—Have you any idea what date they were bought on?

670. It must have been at the very commencement. I think they supplied four or five winches?—No; I put no winches in at all at the commencement. Those winches were bought, I am almost certain, subsequent to Mr. Broome taking charge of the field. I am not positive on that point.

671. I think that is quite likely?—But I bought no winches prior to Mr. Broome taking charge. Mr. Merrin bought the Robey engine and another small engine from Tasmania, second hand, both, but in very good order. So far as I recollect, those were bought from Miller and Company. That is practically the only machinery that was purchased while I had charge.

672. That engine of Robeys on the main shaft?—Yes; that is one of the engines I have just referred to.

673. Was that bought through Miller and Company?—Both of those engines were bought, I am almost certain, through Miller and Company. Mr. Merrin purchased those, I am certain, and the Robey engine, and I am almost certain that the others were bought through Miller and Company also. I bought a small engine, also, to drive the blower.

674. Mr. Broome took charge in March?—I think he made it the 24th of March.

675. I see there was a lot of machinery bought from Miller and Company in May?—Yes.

676. *By the Hon. A. Hicks.*—Do you think the mine required any large expenditure in machinery for its necessary working—have you enough there?—I think so. I would not like to answer that, because I do not know. It is so long since I have been there. As far as I know, they have enough.

677. *By the Chairman.*—As to the requirements of the No. 3 shaft, and Mr. Broome writing off a lot of the cost of it. Was all that done during your management?—The bulk of it was done during my management.

678. Have you any idea what the top gear for that shaft cost?—Only approximately. I forget what the timber cost. I should assume that the whole of that top-gear, and all the plant connected with it, must have cost about from £3,000 to £4,000—say a little over £3,000.

679. That was in your time?—Yes.

680. Was not all this extensive screen business put up since?—I believe there has been a lot of screen business done, but I did not see it.

681. *By the Hon. R. B. Rees.*—And a lot of coal bins?—I started those.

682. What was your estimate of the cost of those?—I reckoned I could put up the lot complete for £3,000.

683. *By the Chairman.*—If it only cost that, there could not have been a great deal to be written off?—I believe that Mr. Broome has done a great deal of work since then; but I have no knowledge of that.

684. *By the Hon. R. B. Rees.*—The £3,000 does not include the winding gear, and all the machinery?—No.

685. This is only what is on top of the shaft?—Just so. The probabilities are that it would have been nearer £4,000 than £3,000—between £3,000 and £4,000.

686. *By the Chairman.*—Can you give us any details, or any way by which we can see why that amount should have been written off in connexion with this mine in the emergency working. You said you got a fair price for all that early coal—32s. a ton from the railway people?—But of that 32s. there was 6s. and 15s.—that is, 21s., about 23s.—cost, that we paid out ourselves again. As a fact, we only got about 9s. a ton for that coal.

687. If you were practically on coal in ten days, and you were driving in coal, it could not have cost such a great deal more than you were getting for the coal?—Oh, yes. Although I admit I stole some of my timber, still it costs a good lot, even then. When you are working men like that, of course, at a maximum rate of wages, you do not get the same quantity of coal per man as you do when they are on piece-work.

688. Did you get a good class of men when working there first, or not?—Yes. I am bound to say that we got an excellent class of men, take them all round. I am afraid the worst men we had were supplied by some of the members of Parliament, and also some very good men. The worst man I ever had on that field was supplied by a very well-known member of Parliament, and he lasted a shift and a half, and in that shift and a half he did about £50 worth of damage.

689. *By the Hon. A. Hicks.*—You mean recommended by a member of Parliament?—No. He was sent down to me, and I had to put him on; and before I had time to sack him he had smashed a jinker, partly wrecked an ambulance waggon, and foundered a valuable draught horse I had paid £45 for.

690. Do you mean to say that a member of Parliament sent a man to you, and that you were compelled to put him on?—I was not compelled to put any man on; but the man had a recommendation which was quite good enough for me to put him on.

691. *By the Hon. R. B. Rees.*—And you recognised that it would be awkward for you if you did not put him on?—No, I did not say that, because I have never been afraid to do my duty as long as I have been in the Department. Heaps of times I have spoken out, feeling that, perhaps, it was not policy to speak out; but I have spoken out on many occasions; and if I had thought that this man was no good, I would not have put him on, notwithstanding the recommendation. As a matter of fact, I have had men come down to me and pull letters out of their pockets, and I have seen the Legislative Assembly crest on a letter, and I have said, "I will not read that letter; put it back in your pocket."

692. You do not get many from the Legislative Council?—I forget how many I have got.

693. *By the Chairman.*—Was there much of this going on—those recommendations by members of Parliament in connexion with men there?—I could not give you the ratio, but there was a fair number.

694. *By the Hon. R. B. Rees.*—Do you mean that it was considered a good place for members to send their unfortunate constituents to?—Of course, I do not know what view they take of it, but, in justice to the men, I will say this, that the big majority of men that came down like that were good men; a few were no use whatever, and they were sacked.

The Hon. A. Hicks.—Quite right.

695-6. *By the Hon. R. B. Rees.*—Is it not a fact that about that period the unfortunate unemployed of Melbourne suddenly disappeared from our streets?—I do not know that. I was not in Melbourne at the time.

697. It is a fact that the big agitators were in Powlett while I was there. I saw them?—I passed out six agitators in one group, I know. I recognised that they were agitators, because they were making trouble, and talking of raising strife among the other men.

698. Can you say how many were recommended to you from St. Arnaud?—Seven in one batch, and they were all good men. Two's and three's came down afterwards; but without any recommendation.

699. Recommended by the Minister of Mines?—No; those came down with no recommendation. The first batch of men I got down, I sent Mr. Brown up to Rutherglen for. Two days prior to sending him up, I telegraphed to collect 40 or 50 of the best alluvial miners in Rutherglen; because, just prior to this, the Prentice mine had shut down.

700. *By the Hon. A. Hicks.*—Do you think that is one reason why the mine should be passed over to the Railways Commissioners?—No; I think I have pointed out that that had no weight with me; and I am perfectly certain it has no weight with Mr. Broome. If a man cannot do his work he is sacked.

701. You said just now it had weight in putting them on?—I spoke of one particular instance.

702. *By the Chairman.*—I suppose you would hardly say that politics and hewing coal work together very well?—I do not see why not. You have a Railway Department.

703. *By the Hon. R. B. Rees.*—I tried a little while since to get some information with regard to No. 3 shaft—you heard of it?—Yes.

704. You determined the position of No. 3 shaft, I believe?—Yes; Nos. 1, 2, 3, and 4. No. 1 was sunk by me a year previously; and it was not a shaft in the usual mining term. It was a prospecting hole.

705. What did you find in No. 1?—Eight feet of coal, with two little partings, which, unless you looked very closely for them, you would not notice.

706. Practically 8 feet of clean coal—how far from the surface?—Forty-nine feet; as far as I recollect.

707. Did you make any calculations as to the area of payable coal that could be worked from No. 3 when you determined the position, and so on?—No; I do not think I did.

708. What made you determine to make the principal hauling shaft on that spot?—I did not determine to put the principal hauling shaft there—not when I sunk the four shafts.

709. Who determined that it should be the principal hauling shaft?—The fact that it became the principal hauling shaft was the result of circumstances. When I was told to get coal rapidly there, I simply went to a spot where I knew I could get on to coal within, relatively, a few days; and I did not even buy machinery for hauling. It was the result of circumstances. We found good coal there; and we saw that there was a fair amount of coal to be obtained from there.

710. When you determined that, you did not know the area of coal that was commanded from No. 3?—No; not the absolute area.

711. Do you know it now?—Personally, I could not say now; because a great deal of boring has been done since I left, and the area has been properly defined. I could not say what area is commanded from No. 3.

712. You cannot tell me, then, the reason that induced you to have this large expenditure of money. You put between £2,000 and £3,000 worth of top gear on No. 3—what induced you to spend that money there, when you did not know the amount of coal available?—I had from 7 to 8 feet of coal north and south of that shaft to work on; and I had a boring to the north of No. 3, showing a considerable distance of coal.

713. What distance?—I think it was a quarter of a mile then.

714. You had a bore a quarter of a mile north of No. 3 showing a considerable thickness; and is the coal shown in this bore workable through No. 3 shaft?—Yes.

715. *By the Chairman.*—Will that be bore No. 25?—[*Looking at plan*]—Yes; bore No. 25 was down prior to the sinking of that shaft.

716. *By the Hon. R. B. Rees.*—What is the depth at bore No. 25?—Eighty-three feet from the surface.

717. And what is the level of coal at No. 3 shaft?—As far as I remember, 60 feet or 61 feet. I am not quite sure as to a foot.

718. Mr. Broome says it is 50 feet?—Yes.

719. Do you consider you can work that coal from that bore, which is down 80 feet, from a level of 50 feet profitably?—Oh, yes.

720. You could bring the coal and water from 83 feet down to the 50-ft. level profitably?—Yes.

721. *By the Chairman.*—The next bore immediately north of No. 60—(bore No. 21)—shows "no coal"?—It says 6 feet of coal at 69 feet.

722. That is bore No. 59?—No; No. 26.

723. As to bore No. 21, that is not very far from the shaft?—I am not quite certain about that bore. There was one bore we had in which we got no coal; and, after we had made a section—I believe this is the bore—I came to the conclusion that I had bored some 20 feet too little; and I sent the machine back there and got the coal.

724. *By the Hon. R. B. Rees.*—Is that bore No. 21?—I am not positive. I have got a bore about 50 feet from No. 21. I forget the number of that. I have one about 50 feet away from No. 21, in which I got no coal. In making my section, I saw that I should get coal there. I sent the drill back to that bore a short distance away from No. 21, and got the coal. No. 21 bore is in a fault; and there is coal probably on both sides of it. It simply went down in the fault.

725. You say you got coal to the north of No. 3—you say at bore No. 24, you had good coal?—A bore close to No. 21.

726. You said you had it to the north of No. 23?—In bore 25.

727. In between bore No. 25 and No. 3 shaft, is it all good coal—workable coal?—Yes.

728. And is that proved?—Yes; they are working it now.

729. In No. 3 shaft; but not a quarter of a mile away?—I think they are.

730. Are they working up to bore No. 25?—I think so; but I am not certain.

731. *By the Chairman.*—Mr. Broome said they had not got bands of any importance, and there was 3 feet of mudstone in bore No. 25—that

is one we drew particular attention to?—They must be near to it. They are working up north there.

732. *By the Hon. R. B. Rees.*—Your answer is that you were justified in putting this large expenditure on No. 3 shaft because you had coal a quarter of a mile away in bore No. 25?—It guided me, to a very great extent, in going ahead at No. 3 shaft, and in putting up that plant—the fact that we had thick coal to the north. That bore—No. 21—you are referring to, I remember now. I was at the bore at the time. I was fairly constantly there. It was such a peculiar thing—it was down in a fault.

733. Is there a fault running north and south?—It is running north-west and south-east, I think. I judge it is running somewhat in that direction. Mr. Broome might not have known it. Of course, those faults die out very quickly sometimes.

734. You say No. 21 was in a fault—is it not curious that there should be good coal at three different depths in a fault. If I understand a "fault" rightly, it is really a breaking up of country and altogether irregular?—Not necessarily. I must assert most positively that No. 21 bore went down in a fault plane. There is no question of doubt about it. That is a fact.

735. Therefore, boring in a "fault" means boring in regular country—minus coal?—Boring in a "fault" means in the simplest type of fault. As a matter of fact, we have, in geology, anything up to 50 distinct types of fault which are classified. The simplest type is something similar to what we have at No. 21; and, in that case, you would bore in solid country, you would then pass through the fault plane, and bore into solid country again; having passed through the fault plane. If you will allow me, I can show you very easily. I am positive of my assertions.

736. *By the Chairman.*—As far as the boring went, it was dipping as you went north?—This is due to faulting, not dipping. Dipping shows when the coal is on a gradient—[*indicating*]. But you may have plateaus going down in steps—just like a series of steps; and, as we go north on the Powlett field, the lowering of the level of the coal is more due to faulting than dipping. There are slight undulations in the coal, but the great factor in the lowering of the coal level as we go north is due to step faults, or "down-throw faults" to the north.

737. Would it not have been better to have had the main shaft further north, and so get into the coal?—When giving evidence on the first day I stated that if Daly's lease had not been alive, and I had power to go in, I would have started at the north end of the Powlett coal-field.

738. With reference to the contracts and the sale of coal; have you a list of the contracts?—Yes. This—[*producing document marked Exhibit "D"*]—shows practically the whole of the contracts made by myself as coal sales manager; and the total is given.

739. This is practically all the contracts that would have been made?—There are some little contracts—for instance, just recently I sold 100 tons—little contracts that do not appear there, they are individual lots of 10-ton trucks; but those on list are contracts on which we have to give delivery at stated and regular intervals—practically, I should say, 99 per cent. of the coal sold.

740. This list shows 147,920 tons, and the delivery terminates December, 1911—[*reading list*]?—Yes.

741. Are all at 6s.?—Yes; there might be one—I think there is one—at 7s.; but only a small one.

742. *By the Hon. R. B. Rees.*—All those go to 1911?—Some of them terminate in a few months;

on the largest ones we have to give the last delivery in December, 1911. That wipes them out.

743. *By the Chairman.*—The large contracts will run up to the end of 1911?—Yes.

744. As to those very large contracts; do they go to consumers or dealers?—There are only two contracts there of any size that go into the hands of dealers. The total amount is 6,000 tons. The whole of that 6,000 tons has been placed at an advance on our price of 2s. 10½d. a ton. That includes delivery, wastage, handling, and the incidental expenses of delivery that the coal-dealer has to put up with—such as weighbridge charges. The price they are delivering at is altogether too low.

745. *By the Hon. R. B. Rees.*—The 6s. is really at the mine?—Yes.

746. And has nothing to do with the delivery?—I go to no end of trouble myself to try and get deliveries arranged as these people want it. I write and interview the Railway Department constantly.

747. *By the Hon. the Chairman.*—There was a good deal said about the mine selling other than slack coal; do you know of any large quantity of run-of-mine coal, or screened coal, that was sold to the public?—Since I have had charge, there have been altogether three trucks of run-of-mine coal sold; and they were three cases of emergency. An extra charge was made for those. They were not bought directly from me, but from the Railway Department. I understand that Department has power to sell coal.

748. Those sales of 3,000 tons to the Metropolitan Board of Works, and other large quantities which have been mentioned, were all made by, or inaugurated with, the Railway Department?—I do not know of those contracts. The only one I know of is the Bendigo Electric Supply Company. I think there were some hundreds of tons sold to the Electric Supply Company. That is the only one I know positively about; and I do not know the quantity.

749. That would be run-of-mine coal?—Yes; un-screened.

750. That may have been the reason for run-of-mine coal being sent up?—Yes; I am inclined to think it was the origin of the report.

751. As a matter of fact, this Powlett coal has been proved to be very good coal for different purposes?—Yes; steam and engineering work. It has just occurred to me—I did not state fully in reply to your previous question—that the Metropolitan Gas Company, I believe, got some large coal from the Railway Department—I think it was 50 tons—for experimental purposes. I do not want to hide anything.

752. *By the Hon. A. Hicks.*—That is outside your Department?—I know of this—they voted it no good. I have never encouraged the idea that it was good for gas making.

753. *By the Chairman.*—Perhaps you can tell us—Mr. Dunn said that the coal from the deeper areas should be better in quality than the coal in the shallower areas—as a matter of fact, does not the analysis prove the opposite?—I do not know. Some of the analyses to the north are not as good as we get to the south.

754. The best coal in Gippsland has been the shallowest coal?—The analyses to the north are made from bore cores only; and the analyses at the southern end are not. I have had a wide experience in boring work, and I am inclined to think that a bore core in coal will not give a good analysis. We have, when boring, from 50 to 100 lbs. pressure of water on the core, and that drives the microscopical silt—mostly silica—into the coal; and you get that in your analysis; and it lowers the value. There is no question of doubt about it.

755. What do you think about selling coal to the public, considering the apparent limitation or uncertainty about the quantity of coal that is there. Do you think it advisable to rush the coal out, and get rid of it at a low price?—It is better out of the ground than in; if we can get it out in quantities.

756. Having reference to the coal in other coal areas, would it not be better to use the coal as a stand-by, and take it a little bit quieter—supplying the railways and keeping down the contract prices of Sydney and other mines if required; rather than rush it out in seven or eight years, and have none left?—It is a difficult question to answer. Supposing the Railway Department could get their coal cheaper than what we could supply it for—and, as a matter of fact, the Railway Department only value our coal at about 85 to 90 per cent. as compared with Newcastle. I think I would sooner fire, myself, on our coal than Newcastle if driving an engine; but, if the Railway Department only value it at from 85 to 90 per cent., and can get Newcastle cheaper, then it is a good argument that we should sell it to the public, and not supply the Railway Department at all. Let them get their own coal, and let the public have the benefit.

757. *By the Hon. R. B. Rees.*—Do they get it cheaper. If the Railway Department can get it cheaper, cannot the public do likewise?—I have not got it cheaper. I have got it at double the price; and I pay 30s. a ton for Maitland coal in my coal-yard to-day. I do not burn the other, because I cannot get Victorian cheaper. There is Maitland coal in my wood-house to-day bought at 30s. a ton. I would sooner pay 20s. or 21s. for Powlett. If the Railway Department can get New South Wales cheaper, let the public have the benefit.

758. *By the Hon. A. Hicks.*—You say you have 20,000,000 tons; but you have no reason to think there is another 20,000,000 tons in the district?—It will take a lot of boring to prove whether there is or not.

759. *By the Hon. R. B. Rees.*—Have you proved by boring that there is 20,000,000 tons?—I am satisfied.

760. Are you still satisfied that there is 20,000,000 tons to be got?—Yes.

761. *By the Hon. A. Hicks.*—And perhaps more?—I am inclined to think more, though you have shaken my faith somewhat; but I am going to stick to that 20,000,000 tons.

762. To prove that is another matter?—There is the thickness over a certain area; and when you go there, you will find bores that have never been discussed proving 5 feet and 6 feet of coal.

763. *By the Chairman.*—From your knowledge of the expenses incurred in selling and distributing the coal, do you think there was foundation for the statement that the coal could be supplied at 14s. a ton?—That is the Minister's statement—the Minister of Mines. If I criticise his statement, what position am I in? It certainly could be supplied.

764. You can decline to answer the question?—I want to answer it as well as I am able. That is another man's statement; and he is my political chief.

765. From your knowledge, you tell us what it is being delivered at, practically on a philanthropic basis by somebody in town; and supposing you can even get people to deliver it philanthropically, it is going to cost something?—The slack is being delivered at 12s. 6d. to-day.

766. What price would the public have to pay for the other coal?—In my own opinion—it is more or less guess-work—I should say 16s. or 17s.; in the same district that slack is being delivered at 12s. 6d.

767. *By the Hon. A. Hicks.*—Do you think it would pay?—I would like to see more got for it. In view of the fact of other Victorian companies having to exist, personally, I do not see why we should charge anything less than the other companies; but I have not had anything to do with the fixing of prices.

768. *By the Chairman.*—Your view is that in place of selling the coal to the railways, for which reason it was opened up, they would buy where they like, and you should supply the public?—Provided the railways can get it cheaper than we can supply it, I think it is a good argument that we should sell to the public.

769. Would it not be much more difficult to get rid of your output to the public the way you propose, than in passing it on to the railways in large quantities?—No; if I had 250,000 tons of slack available now, I think I could sell it at 7s. or 8s. I would like to explain to the Committee that I made a mistake in regard to a locality the other day. I referred to two dividends having been paid out of coal under 2 feet, and I mentioned Morwell. It was not Morwell, it was Coalville. Three dividends of 3d. each were paid in 1892. It was the Coalville Colliery Company. Their coal averaged in thickness from 16 inches to 24 inches, and they paid dividends on it. That was at Coalville.

The witness withdrew.

Archibald Campbell Wallace, examined.

770. *By the Chairman.*—What are you?—Mine manager—Jumbunna Coal Mine.

771. You have had considerable experience of coal-mining districts in Victoria?—I have. I was for eleven years with the Jumbunna Company, and then I left them for two years and went to Tasmania, and opened a mine there. I returned to Jumbunna about three years ago.

772. You have examined the Powlett area, as marked in pink on the plan—[*indicating*]—Yes.

773. And you have noted that a great many of those seams are mixed with mudstone and other material that make it more expensive to mine than if it were all clean coal?—Yes.

774. I refer particularly to the west line of bores there—the coal there varies a great deal, does it not, as regards the seams?—Yes; in the structure of the seams, and also in the levels.

775. From a consideration of those bores, and from your experience in coal mining, are you able to form an estimate as to what amount of coal is winnable in the pink area of 3 miles by 2 miles?—Under the conditions that I believe they are working at Powlett—that is to say, where the miners get 14s. or 15s. a day, and getting 7s. a ton for slack, and 10s. 6d. for screened coal, I should say that a very much less area than this would have been found to be profitable.

776. *By the Hon. R. B. Rees.*—That is, the 2,700 acres within that area. There are 18,000,000 tons in that area estimated by Mr. Dunn; and Mr. Broome says 20,000,000 tons—about 5 square miles?—Yes.

777. Have you made an estimate at all as to what coal, judging from the bores, was winnable?—I made an estimate of what we have, as outside companies, regarded as a profitable coal that we can not well compete with. I have estimated 500 to 800 acres, including the 5 feet and 6 feet of clean coal, there is another area to the north that has been very little bored.

778. Do you think 500 to 800 acres could be profitably worked?—Yes.

779. *By the Chairman.*—What amount do you estimate is in that area?—I estimate from 3,000,000 to 6,000,000 tons.

780. Is this area particularly free from the faults that are troublesome in the other portions of East Gippsland?—I should not say it was particularly free from faults. I think there are a number of faults there; but the height of the coal—5 feet to 8 feet—and so few bands or impurities in it, would, to a great measure, compensate for the faults in that particular area—making it a profitable area.

781. You estimate the thickness at what?—Taking it from the bore, from 6 feet to 8 feet, or 5 feet to 8 feet.

782. *By the Hon. R. B. Rees.*—Is that winnable coal?—That is what the bores indicate.

783. You are judging really from the bore records?—Yes.

784. Do you agree with the estimate of 1,000 tons per foot acre; or what is your estimate of coal in this district per acre foot?—If you consider the area as being much cut up by faults—there are a great many areas in Jumbunna we have found which cannot be worked on account of the proximity of the faults to each other; and in Jumbunna, for sixteen years, we have found the actual amount of coal won; and we have worked practically over 600 acres. At present the coal we are now winning is outside that area; but there are about 100 acres which, possibly, we might work. We have exhausted 500 acres of coal-bearing land in Jumbunna. Out of that 500 acres I am informed we have won 960,000 tons.

785. What was the thickness of seam at Jumbunna in the 500 acres?—The average thickness, as disclosed by 25 or 26 bores, was 3 ft. 4 in. of coal in the completed bores.

786. And in the actual working?—The average bores turned out to be fairly correct.

787. You average this from 5 feet to 8 feet at Powlett—so you would say the coal at Powlett was double that at Jumbunna?—Yes, in the particular area we are considering. In the workings at Jumbunna, there were a number of small areas between faults close together, and we did not find it profitable to work them. I did not reckon those similar areas at Powlett.

788. You gave Powlett the benefit of the doubt?—Yes; and took it roughly at 6,000 tons per acre which could be extracted.

789. 1,000 tons per acre foot?—Yes, roughly speaking.

790. *By the Chairman.*—What is your percentage of loss in working coal at Jumbunna?—The theoretical quantity of coal that we should have got out of that 500 acres would amount to a little over 2,000,000 tons. So that, as a matter of fact, we have only got half the theoretical quantity of coal that should have been got, judging by the bores.

791. *By the Hon. R. B. Rees.*—In working a 3 ft. 4 in. seam right through, you have practically lost 50 per cent.?—We have been unable to extract it profitably, judging from the bore calculation.

792. Have you made your calculations as to Powlett from a map like that—[*indicating plan*]—or from the actual boring reports?—The estimate is made from the pink map and reports.

793. May I ask you do you base your estimates on the report of the bores as given by the blue book, or the thickness of the seams given on this map?—In making my calculations as to the profitable coal, I excluded the bores of coal which includes these larger seams of coal in certain parts.

794. Why?—Because of the variation of levels of the coal struck. I did not consider that they could be regarded as payable, taking into consideration the wages paid and the selling price of the coal.

795. *By the Hon. A. Hicks.*—That is the selling price at the present time?—Yes.

796. *By the Hon. R. B. Rees.*—You found this information in this report?—Yes.

797. You have consulted the report?—Yes.

798. I wanted to find out whether you based the information on the fictitious map or the report of the Mines Department?—I went right through the books.

799. *By the Hon. A. Hicks.*—Do you think that a 2 ft 6 in. seam is workable?—I do not think it is, where there are faults—not paying the wages that are paid at State mine, and at the present selling price.

800. *By the Chairman.*—There is a plan here of the Powlett field—what does that show?—[*Explaining on plan.*]—There are two north and south lines, and two cross sections right through the field. There does not seem to be a definite lay about the Powlett field—it is up and down in every direction. The level of the coal is considerably higher in No. 24 than in No. 14. It jumps up again in No. 29. There are three bores—Nos. 29, 32, and 94, which have apparently struck the coal at about the same level. The section shows bores Nos. 24, 29, and 32 approximately on the same level. Due east of them, Nos. 59, 60, and 25 show a rapid fall in the same direction. Between Nos. 94 and 34 there is a fall of about 100 feet. From No. 34 to No. 35 the coal rises again about 55 feet. From No. 35 to No. 38 it continues to rise to another 50 feet; and there is a still further rise from No. 38 to No. 39. Nos. 39 and 41 are about on a level; and from No. 41 down to No. 45 there is apparently another fall of 100 feet—[*Plan marked Exhibit "E"*].

801. *By the Hon. R. B. Rees.*—What distance are the bores apart?—From No. 14 to No. 24 is half-a-mile. No. 24 to No. 29 a quarter of a mile.

802. They (the sections 14 to 24) are, roughly, half-a-mile apart?—Yes; except that two or three further on are about 8 or 9 chains apart. These are generally 20 chains apart—Nos. 35, 38, 39, 41, 45, and 49. On the next section—parallel—the bores are directly opposite. The significant feature is the fact of the parallel lines not showing the smallest similarity. In a uniform field of coal you would expect—although the bores starting at one end might dip to the other—with a parallel line, they should show something of a similar lay. In this case you will see they are entirely dissimilar. The bores from No. 34 to No. 39 are apparently fairly regular in dip; but that is entirely contradicted by the lay of the coal in the parallel line further over. The cross sections are the same except that they are taken from east to west. The first one is from No. 24 to No. 42; and then from No. 34 to No. 89. The same condition obtains here—they are quite dissimilar. Lines joining the various levels would be utterly dissimilar.

803. *By the Chairman.*—What conclusion do you draw from those conditions at Powlett—is this particular deposit going to be more easily worked than the coal you have had experience of?—I should say it was exceedingly faulty. They will have north and south and east and west faults, as we have had at Jumbunna.

804. Mr. Broome told us that the bord and pillar method of extraction was that adopted for taking the coal out—is that thought cheaper than the long-

wall method?—I could hardly answer that. It depends on the conditions underground; and I am not sufficiently familiar with their underground workings to say.

805. We understood him to say that in longwall you could take all the coal, whereas, in bord and pillar, you probably lose some of the coal?—As a rule, there is a percentage of the pillar lost; but there are other savings made in bord and pillar work. For instance, in longwall work, "brushing" is necessary. That is, where you are taking out all the coal in front of you, you have to take down 2, 3, or 4 feet of solid stone, to make room for your roadways. In bord and pillar that is not necessary. If a seam is above 4 feet thick, I would be in favour of bord and pillar personally.

806. At present they are working this area, or a large lot of it, the way you have been working at Jumbunna?—So far as I can say they would have a large number of isolated areas in the Powlett to work; and I should think the shaft method would be, perhaps, as cheap as any other. The charge of sinking the shafts would be charged to sinking costs. In tunnelling and for drives, we have to charge those to working cost—they take the place of shafts. Instead of sinking a shaft for every fault, we put a drive through it; and regard that drive as part of the working expenses of the mine.

807. In writing up the cost of the work done there, do you think it would be fair to charge the whole of the cost of the shafts to the cost of opening up the mine—to the working expenses, or capital?—I should say, considering the areas—they must be comparatively small—it would be a fair thing to charge the shafts to working expenses; and to provide for the sinking and equipping the shafts out of working costs.

808. If they are going to sink a number of shallow shafts to work those isolated areas out, would it be a feasible thing to put an expensive top gear and plant on?—Of course, the nature of the top gear and plant, if put on, is laid down by the Mines Act. The requirements are set out, and when you require to sink a shaft the equipment should all be up to standard; and that is one of the advantages of tunnel work over shaft.

809. There must be a good deal of difference. What they call the main shaft appears to be equipped in a very expensive manner; and as far as we have been able to ascertain, it is not likely to command a very large area of coal—is that a good thing to do?—I could not speak as to that.

810. *By the Hon. J. McWhae.*—Have you particulars of bores of your own mines from which you got the 960,000 tons. Will you read the bores, and how much coal was shown; and whether faulty or good coal?—No. 1 bore struck 4 ft. 9 in. of coal—solid seam. No. 2 struck 3 ft. 2 in. in one part; and 2 ft. 9 in. in another; with 200 feet in between. No. 3 was stopped before it struck the seam for want of water. No. 4, 4 ft. 8 in.; No. 5, 1 ft. 3 in.; No. 6, 4 ft. 5 in.; No. 7, 3 ft. 6 in.; No. 8, 3 feet; No. 9, 3 ft. 3 in.; No. 10, 1 ft. 10 in.; No. 11, 1 ft. 6 in.; No. 12, 1 ft. 7 in.; No. 13, 4 ft. 6 in.; No. 14, 4 ft. 6 in.; No. 15, 4 ft. 10 in.; No. 16, 10 inches—it went down on a fault. No. 17, 4 feet; No. 18, 4 feet; No. 19, 4 ft. 3 in.; No. 20, 4 ft. 6 in.; No. 21, 3 ft. 3 in.; No. 22 was only bored to test the upper strata—we never completed it. No. 23, 3 feet; No. 24, 3 ft. 6 in.; No. 25—not completed; No. 26, 2 ft. 6 in.; No. 27—in coal fault; No. 28, 3 ft. 6 in.; No. 29, 4 ft. 9 in. The average thickness for twenty-six completed bores was 3 ft. 4 in. of clean coal.

811. How does that compare with the Powlett bores outside the thick area?—I should say that

they were rather better at Jumbunna than outside the thick area. The Jumbunna are better than the thin area at Powlett.

812. *By the Hon. R. B. Rees.*—To which area do you refer in speaking of the 500 to 800 acres?—The 500 acres I refer to are in this area here—the thick area. [*Indicating.*] There is another area of about 300 or 400 acres which contains three good bores; and that area I do not consider you could work to the same advantage; or that it could be classed with the thick area. It is a rather questionable area; as there is only thick coal in three bores; but I have not included that in the estimate of 500 acres.

813. In this thick area you say there are about 500 acres?—They have 500 acres fairly well proved by close boring; and the other 300 acres contain three good bores; but it has not been close bored.

814. Taking the area of 500 acres, what area will the No. 3 shaft work—roughly?—Except at the early stages, I have not been down the Powlett workings, and the plan which appeared in one of the daily papers is the only thing I have to guide me, and it is rather a difficult matter to say because of the faults.

815. I want to know how many shafts would be required to work those 500 acres—judging from the proved depths of coal there?—I would rather not estimate. They have other shafts; and I am not in a position to know what they sunk the shafts for.

816. Would it be profitable to work coal at Powlett, say, 80 feet deep from a shaft that is down 50 feet—taking the area of coal at 80 feet deep; and the workings delivering a fair amount of water—could it be worked from a 50-foot level?—I do not see why it should not. It would be a little bit of extra cost; but we have to do those sort of things.

817. Seeing that you have your No. 5 shaft close to the No. 3 in the thick area, and down 150 feet; and another—your No. 6 shaft—down 160 feet; you see if you have to work that coal from each of those shafts, and have a different set of men, engine-drivers, and the whole paraphernalia for the present shaft also, I want to know is it profitable to work it from that, and sell the coal at the present price. If you have a large field of coal approximately at the one level, could bring it to the one shaft, and have one set of platmen, drivers, screeners, and all the surface fittings, would it not lessen the cost as compared with having the equipment at each shaft?—If you multiply your shafts, it is only fair to charge the expenditure on shafts to working cost. It is a matter which would affect the wheeling cost.

818. *By the Chairman.*—Have you the working costs there for your mine?—Yes; the working costs. Prior to the opening up of the Powlett, we were putting out 3,653 tons at a working cost of about 8s. 3d.; and the size of the seams was 3 feet to 4 feet.

819. *By the Hon. J. McWhae.*—If those seams cost 8s. 3d. per ton to work, the main Powlett seam cannot be worked at anything like the amount stated?—The size of the seam has to be considered. Here is the sheet which has been prepared. In February, the output was 3,747 tons, at a cost of 8s. 7½d. On the same size seam, again in February, we had 3,281 tons at a cost of 9s. 2½d.

820. What did the men average per day?—About 10s. a day. Since, we have been obliged to reduce the output on account of not being able to dispose of the coal, because of the State mine competition. On the 8th October, for the fortnight ending, it fell to 2,361 tons, and the cost was 10s. 2½d. A

later output was 1,977 tons, and the cost 10s. 8d.; and a further output was 1,687 tons at 12s. 4d.

821. What were the other charges in addition to those for mining?—Freight, 3s. 2d.

822. *By the Chairman.*—Do they charge the same freight from the State mine as from your mine?—As far as I know.

823. There is a special rate, is there not?—We pay ½d.; I think it is the same.

824. *By the Hon. T. Luxton.*—Which is the greater distance?—I am not sure; I think Powlett is further than Jumbunna.

825. *By the Hon. J. McWhae.*—What are the other charges?—Depôt charges, 1s. 10d.—that is the average for a number of years.

826. What do they comprise?—The coal has to be unloaded from the waggons, and stacked up; and the carters have to be supervised. The depôt men have to see the carts weighed; and that costs 1s. 10d. a ton. Cartage to customers, 2s. 6d. Office charges include debenture interest and salaries at office, 3s. a ton.

827. What are the debenture charges?—I do not know. The 3s. per ton includes material and repairs to machinery, salaries, &c.

828. What else?—That is all. It costs 10s. 6d. after being loaded on trucks. That is the total cost.

829. *By the Hon. R. B. Rees.*—During your prosperous times, when you were putting out your maximum output, what was the cost per ton on trucks, roughly?—8s. 2d.

830. The mine charges on trucks at Powlett has been stated at 9s. 6d.—what is your experience?—I should think it would be more like 9s. at ordinary times.

831. You are putting it out really cheaper than Powlett?—You are speaking of the prosperous times. Our present cost was stated at 12s. 4d.

832. *By the Chairman.*—The opening up of this coal mine has distinctly affected the public companies in a very detrimental way?—Yes; it has been very disastrous.

833. If the State mine continues this disastrous competition, what will be the result to the public companies?—I should say we would have to close up.

834. If the public companies are closed up by the State mine, and the State mine has a much shorter life than anticipated, will that not be a disadvantage to the State railways?—I should think it would. I do not think they have anything better, if as good, round the thick coal area than we have.

835. *By the Hon. T. Luxton.*—You refer to the good Powlett coal?—Yes; once they get out of that, I do not consider the rest, so far as proved, is as good as we have in Jumbunna now.

836. *By the Chairman.*—As far as you know, the other companies working, the Outtrim and Koorumburra companies, are practically in the same boat as yourselves in this matter?—I do not know anything about them.

837. *By the Hon. R. B. Rees.*—It really amounts to this: That they are closing up one district in order to build up another district?—It will amount to that if they enter into undisputed possession of the trade. If the thick area was wiped out, we could compete with them outside of that.

838. Have you any method of knowing the amount of coal required for household and other purposes in Melbourne per annum, exclusive of the railways?—No; I cannot say that.

839. I have heard it stated at about 400,000 tons per annum?—I do not know.

840. Have you ever failed to supply the demands made upon you, or fulfil the contracts entered into under normal conditions?—We may have at one period of our existence; but not since I have had active management of the mine. As far as I am aware, we have been able to supply all the coal wanted—as far as between me and the town office.

841. As far as your knowledge of it is concerned, you have supplied the requirements of the State?—Yes.

842. *By the Hon. T. Luxton.*—I understand the Railway Department only bargained for a certain amount per year?—We did not think the price was sufficient to rush the coal out for the Railway Department.

843. *By the Hon. J. McWhae.*—What did you supply the Railway Department at last year?—It was something like 13s. a ton.

844. *By the Hon. R. B. Rees.*—That means that the Railway Department gave a preference to the Newcastle coal?—I could not say that that is so.

845. If you could supply all, or nearly all, the requirements of the Railway Department, and you are supplying at a slightly cheaper rate than Newcastle, the Department would have taken it from you?—Yes; if we tendered.

846. But they only took a small proportion?—I do not know much about the commercial part of the business.

847. Do you know anything of the quality of the coal—the analysis and the calorific value of the Jumbunna as compared with the Powlett?—I have the official estimates taken from the borings.

848. Is the boring a true test?—It is a test by Mr. Newbury, which appears in the departmental records. It is a very excellent test.

849. How does it pan out as compared with Powlett?—It is very much better. It is a test made by the late Mr. Newbury, and appears in the special reports of 1895. It is taken from the diamond drill coal. It shows:—water, 3.5; volatile matter, 32.7; carbon, 57.6; ash, 6.15. I have another test made by the Metropolitan Board of Works in August, 1903. It shows:—Water, 5.8; volatile matter, 34; carbon, 53.3; and ash, 7.8. The first test was made from the drill core, and the second from coal we supplied from bulk.

850. Can you tell me the Powlett analysis?—That is shown in the report.

851. Can you give me the analysis as regards the coal in No. 3 shaft?—That is shallow coal. Water, 5.94; volatile matter, 33.67; fixed carbon, 52.53; ash, 5.16. That is out of the windmill shaft.

852. It is slightly better than the bulk analysis of the Jumbunna?—That is the best analysis of the whole lot.

853. What about Kirrak?—Moisture, 7.02; volatile matter, 28.6; carbon, 53.41; ash, 10.97. There are several more bores referred to in the report.

The witness withdrew.

Adjourned.

TUESDAY, 28TH NOVEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the chair;
The Hon. J. McWhae,
The Hon. R. B. Rees.

John Shea, examined.

854. *By the Chairman.*—What are you?—Accountant to the Mines and Forest Departments.

855. In connexion with the emergency work at the Powlett coal mine, Mr. Hunter informed us that he kept no accounts at the mine, but that all the accounts were kept in the office here. Is that correct?—Yes, that is so; the accounts were all charged by us, because the advances were made by the head office.

856. Then during that period were there any proper costs-sheets kept as to the work?—Not by us. They never had been attempted—no costs-sheets were kept by the head office.

857. *By the Hon. J. McWhae.*—Any documents like that [*showing cost-sheet*]?—No; that is done down at the mine, and kept there.

858. They are not available?—Not by me.

859. *By the Chairman.*—During that period of emergency, apparently, there were no documents at all kept like that. Mr. Hunter informed us he kept nothing?—No; there was nothing of that nature.

860. All he did was to initial accounts and send them on to you, and you kept all the accounts and he kept none?—We kept a record of the expenditure, and entered all accounts as they went through.

861. And in connexion with the sales of coal for that period, did you keep any account of that?—Yes; I did.

862. There was a balance-sheet published as up to the 30th June, 1910. Did you receive any instructions as to how it was to be prepared?—No. As a matter of fact, I did not prepare that balance-sheet.

863. You cannot say whether it is correct or not?—Yes, I am quite satisfied as to the main heads; as to the details of the allocation I could not say.

864. When this expenditure was undertaken, was not there an interim account kept by the Mines Department of expenditure that belonged to three or four other Departments?—I do not quite follow the question.

865. We understood that when the Mines Department set out to open up that mine that all the Departments of the Government Service that could assist were called on to assist. There was the Mines Department, the Forestry Department, the Water Supply Department, the Public Works Department, and the Lands Department?—No; I do not quite see that. There was no Department called on to assist, as far as I know. The work was carried out by the Mines Department, and debited to the various Departments afterwards.

866. Exactly; that is it, practically—the Mines Department really expended money that was afterwards debited to the different Departments, and, of course, was not shown on this balance-sheet?—No; some of it would not appear in the balance-sheet, because the balance-sheet purports to be the expenditure in connexion with the mine—mine expenditure pure and simple, and the expenditure that was properly debitable to the various Departments does not appear there, which is a record of expenditure on account of the mine.

867. Then it may possibly happen that expenditure took place that was debited to the other Departments that might be challenged as properly belonging to emergency work?—I scarcely think so, because it was gone into very closely.

868. *By the Hon. R. B. Rees.*—There was a big drain cut alongside No. 3 shaft to prevent the shaft being flooded. What Department was that debited to? Would it be debited to the Public Works Department, or the Water Supply Department?—Not to the Water Supply Department. That I could not answer right off. In all probability it would be debited to the mine.

869. It was a question of draining the land upon which these mines are situated. That is a case in

point. Would the cost of it be debited to the Mines Department or to the Public Works Department?—Was it in connexion with the Powlett River, that is, was it the snagging of the river, in order to allow the drainage to go down?

870. No; the big drain running from the side of the hill down on to the flats there, and necessary in order to drain the line on which the shafts were sunk?—I cannot answer that right off. I would require to look that up.

871. That is the sort of thing that would be chargeable to the Public Works Department instead of the mine?—Yes, if it was the expenditure in connexion with snagging the river.

872. *By the Chairman.*—On the 30th of June, when this balance-sheet was struck, were there any sundry debtors for coal sold?—That balance-sheet, although made up to the 30th of June, was not made up on the 30th of June. We are allowed to charge accounts to the end of July, including items properly chargeable to that previous year. A man may have an account for a certain amount against the Department, and he has not rendered it before. It has come in during July, and we are allowed to charge it up to the June previous, as it is properly chargeable to that period. It would be the same in the making up of the balance-sheet, and though made up to July, all the outstanding accounts would be taken into consideration. Practically, there were very few of those outstanding accounts at the time.

873. Then this balance-sheet accurately stated the expenditure for the mine up to that period, the 30th of June?—As far as it could be estimated at the period it was made up, it was fairly right.

874. This matter of the sundry debtors for coal, would it be adjusted in the same way—"Coal paid for during July, or after the 30th of June," would it be credited back within the 30th of June?—No; that would come into the year in which it was received.

875. Then you are not aware as to whether there were any cases of coal that were raised that had not been paid for?—Very little, if any.

876. What is meant by the answer relating to "freight" in the return to the Legislative Council—"journal entries had not passed through at the 30th of June"?—The journal entry is really a transfer from one vote to another, and it had not passed through on the 30th of June, at the time that was made up. A journal entry merely transfers from one to the other. Take, for instance, the Railway Department in the matter of coal. They pay, not by cash, but by journal entry; no money passes, just a transfer from one to another. That shows what is meant by the journal entry there.

877. *By the Hon. J. McWhae.*—Would that journal entry apply to railway freight?—That would mean that the account had not been received from the Railway Department in time to allow the journal entry to go through the Treasury within the financial year.

878. *By the Chairman.*—Have you a copy of the balance-sheet with you?—No.

879. *By the Hon. J. McWhae.*—You did not bring one?—No; your letter did not refer to the balance-sheet.

880. *By the Chairman.*—Take the profit and loss account shown on the balance-sheet. The total amount debited to that account is £46,694 16s. 4d.?—Yes.

881. Against that item there has been credited the proceeds of coal sold, £22,249 3s. 3d.?—Yes.

882. And miscellaneous receipts, £284 19s.?—Yes.

883. Mining timber and stores on hand, £2,327, leaving a shortage of £21,833 14s. 1d., which

shortage has been transferred to "Emergency Account," and the profit and loss account closed. Is the emergency account also closed?—Yes.

884. Or has the balance of £21,833 been transferred to a "suspense" expenditure account?—That has been closed. As a matter of fact, we look on it as an item to be made up some time later on, although we do not show it in the books.

885. *By the Hon. J. McWhae.*—If your present officers disappear, will other officers know that in some mysterious way that account is to come back into the books?—No instruction has ever been issued to take this as a debit. It is looked on as having been wiped out.

886. How is it to be made up?—We look on it, say, if we made a profit of £5,000 this year, we would take that as £5,000 off that £21,000.

887. Who is "we"?—Mr. Broome and his staff.

888. If Mr. Broome disappeared and another manager came he might be in ignorance of the fact that there has been £21,000 odd to be made up—there is nothing to show that?—I do not think it will sink into oblivion for a time. But that is the point Mr. Broome, the Secretary, and I discussed, and we look on it in that way, although it may not be shown as an item to be made up.

889. You look on it as an honest debt to be paid when you can afford it?—Yes.

890. *By the Chairman.*—But it is a debt you have no record of. You have no account opened debiting the mine with this amount to be made up?—No.

891. *By the Hon. J. McWhae.*—Which you think ought to be made up?—I believe we all think that. We shall all be glad when the profits enable us to wipe it off.

892. *By the Chairman.*—Mr. Stanley Hunter said there was an inner circle that directed this coal mine and that he was not a member of it—were you a member of the "inner circle"?—That is the first I have heard of the "inner circle." I do not know that I was ever a member of it. If real hard work was concerned with it I am certainly a member of it. I do not know what he refers to.

893. When he got to what he could not explain as to why the price of coal was reduced from 8s. to 6s., or any important matter determined on, he, as the acting manager of the mine, said he was not consulted—that the "inner circle" determined things?—I only go on the instructions of the Minister.

894. Anyhow, you were not one of the "inner circle"?—No.

895. According to the return furnished to the Legislative Council £1,124 was paid to certain State officials who were engaged at the mine—is that item debited to the profit and loss account?—Not for last year. Nothing is debited for any officers other than the ones altogether engaged.

896. Is not that an account that ought to go to this "Suspense" account to be recouped in some way, if you are going to get a fair estimate of what this emergency work cost down there?—I do not think so, because the officers were officers who would have been engaged and paid apart from that. As a matter of fact, those engaged worked a great deal of overtime in connexion with this work. I myself worked a great deal of overtime, and most of the officers assisting the mine were officers of my branch, and I can assure you that they worked a great deal of overtime, and I do not think the mine should be debited with that for this emergency opening work when you take into consideration all the facts connected with it.

897. *By the Hon. J. McWhae.*—I see by this return laid before the Legislative Council that D. C. McKenzie, Inspector of Mines, assisting in management wholly, got £276. Is that a fair charge. That ought to be debited to the mine, ought it not?—On the same principle?

898. “Stanley Hunter, Inspector of Boring, management almost wholly, £333,” and all his time is devoted to that mine, surely the mine should bear that. The boring work was for the mine. “George Falloon, clerk, Field clerk, wholly,” got £100. Should not the mine bear the brunt of that?—I might point out that we paid another man who took Falloon’s place here, so that is not properly debited to the mine.

899. *By the Chairman.*—The man who took his place was not debited to the mine, either. You say you paid a man to take his place—his money was not debited to the mine?—Yes, it was.

900. *By the Hon. J. McWhae.*—“J. W. Henry, clerk, paymaster, &c., £235” ?—He was occupied only for a portion of his time.

901. Still his services were worth something to the mine. He was there two days a week?—No; two and a-half days a fortnight.

902. He is an important officer. His salary does not seem to be very high considering the work?—No.

903. “J. A. Evans, clerk, clerical duties at head office, quarter time, £100.” If this was a private company they would have to pay for all those. “J. A. Day, clerk, head office, quarter time, £80” ?—He did quite unimportant work.

904. It is all work and it ought to be paid for?—I see your point.

905. *By the Chairman.*—The statement has been made that coal could be supplied to the public at the very low price of 14s. a ton, and if the Mines Department and other Departments are going to pay charges that should be properly charged to the mine, you see it makes the estimate entirely an erroneous one as to what that coal actually costs. Would not the statement be an erroneous one as to the cost of coal if those items were not debited to the account?—In the first place, I know nothing of that statement about 14s. per ton being the price at which coal could be delivered.

906. *By the Hon. J. McWhae.*—Do you think those charges ought to be charged to the coal mine?—We will do so this year. We shall, as far as possible, charge to the coal mine any officer’s time engaged thereon. But in connexion with the emergency work we took the view that the officers in the Department might well give a little of their time towards helping the thing along.

907. Very properly, but their salaries should go to the work they are carrying on. That £1,124 should certainly be charged to the mine?—

908. *By the Chairman.*—Can you say how this item of £36,741 3s. 4d. in the profit and loss account was expended. Was it wages?—Wages would form the greater part of it.

909. Can you dissect it in any way?—Yes. I have a statement here showing the total expenditure on the emergency work, £46,274. We kept the records here, and, as far as we possibly could, dissected the totals. They are—Wages, £36,741; travelling, £169; cartage, £618; stores, £1,624; mine timber, £1,696; oils, £465; rope, £122; freight on coal, £833; tools, £801; sundries, £148; lamps, &c., £586; carbide, £107; fireplaces, £46; trucks and baskets, £321; ambulance, £60; explosives, £507; tents, £893; stationery, £165; hose, £127; sanitary,

£52; camp equipment, £184; making a total expenditure of £46,265.

910. *By the Hon. J. McWhae.*—Is that emergency work?—Yes.

911. You said “Lamps.” How much will you charge for those?—£586.

912. Are they no good after the emergency work is over, or are they still being used in the mine?—That I could not say. I take it that some of them may be used still.

913. I should think they would be. You say there “Mining Timber”—How much?—£1,696.

914. The balance-sheet of the State coal mine, Victoria, printed in the *Argus* of the 24th November, says, “Mine timber, £2,315 7s., a discrepancy of £623?—There are other items included there in connexion with mining timber.

915. You have only given £1,696. This gives £2,315 for timber, but there is on the other side a contra for mining timber on hand?—Yes; we took that off and debited it to the mine.

916. *By the Chairman.*—Those items of wages you have no possible explanation as to what was expended. Was there any check on it. Mr. Hunter informed us that he knew every man that was on the mine, and knew what he was doing, and he practically kept in his head, or some where, the account, and sent it on to you and you paid?—Yes; or we paid the wages down there through the paymaster.

917. Did you not have any proper pay sheets?—Certainly.

918. Sent in by gangers, or bosses, or somebody?—Yes; the system was that our paymaster went down there and paid the wages on the ground there, as he does still. The wages sheets were made up there, certified to by Mr. Hunter on the ground, and paid.

919. *By the Hon. J. McWhae.*—Do you not classify those wages—so much for capital, and so much for working expenses?—That would be for Mr. Hunter to do. We asked him at various times to get that done. It was done at the time the balance-sheet was made up.

920. That does not show there?—When it was made up, capital was taken from it. The expenditure in connexion with the mine at the time of making up the balance-sheet showed a much larger amount than £46,000. A number of big amounts were culled out and charged to capital.

921. You said £36,741 for wages. How was that made up under those headings?—

922. *By the Chairman.*—There must have been a lot of surface work, the hewing coal, and superintendence under various headings. You must have classified that somehow. Can you give that?—No. If we took up the wages and classified them under “Surface Hands,” with all the various works that were going on with surface hands, and the work going on below we would require a great many columns, and a number of additional clerks to do that.

923. *By the Hon. J. McWhae.*—There would not be so many different headings?—Oh, yes.

924. *By the Chairman.*—You said there was work ultimately debited to the Mines Department—how could you arrive at the proper estimate, if you do not classify those amounts paid out for wages?—At the time the balance-sheet was made up the whole of the vouchers, that is, for wages, were taken down to the mine and were there analyzed, all that was chargeable in connexion with the Public Works. For instance, the snagging of the Powlett River, and works for other Departments were taken out. Then the claims were taken out

in connexion with the hewing of the coal, or other works that the men were engaged on, and they were classified as between capital and expenditure.

925. *By the Hon. J. McWhae.*—Then the work we asked for has been done?—Yes.

926. Then we want the results of that. You said it would take a staff of clerks to do it?—What I understand you to want is the breaking up of the £36,000 odd.

927. It has been charged to the mine. We want to know the items?—Say, there was one wage-sheet there. That would be taken out in full, and put down in sheets, and charged to the mine, township, or whatever it was.

928. Could we get those details?—Mr. McIver, who made up the balance-sheet could explain that. He is in the Lands Department.

929. *By the Hon. R. B. Rees.*—Then a clerk in the Lands Department makes up the balance-sheet in the mines?—No. Permit me to explain. Although I am accountant of the Mines Department, I am not accountant of the State Coal Mine. I did the work in connexion with that, because the advances were going through our Department, and our Department was supervising it; but the local work I have never done. They have not yet appointed an accountant. But at the time the balance-sheet was required to be made up I could not go there and stay for three weeks, and you are asking as to details that have never been before me. The services of Mr. McIver, a qualified accountant in the Lands Department were requisitioned for, and placed at the disposal of Mr. McBride. He went to Powlett, and was there for two or three weeks. The whole of the vouchers in connexion with the expenditure were sent down, and he and Mr. Falloon, who was stationed at the mine, went into the whole of things and made the allocation.

930. *By the Chairman.*—The Lands Department paid Mr. McIver. That was not charged to the mine?—No; but it was only a small thing.

931. According to the return furnished to the Legislative Council, that expenditure to the 30th June was as follows:—On the State mine, including houses, £82,601; then on boring within the area reserved for State mine (estimated), £10,000; on Wonthaggi township, £7,800; on drainage works, £1,028; brickworks, £23; total, £101,452. Now, can you say what additional amount has been expended since under those headings?—From the 1st July to date—that is made up to the 30th June?

932. Yes; State mine, including houses, &c. What have you spent on that since?—That is the capital charge you are speaking of.

933. Total expenditure?—Shall I give the capital apart from working expenses and expenditure on capital from the 1st July to 31st October, 1910. It amounts to £35,273; of that, wages represent £5,258; building material, £3,462; cottages, £11,029; machinery, £9,351; general mine equipment, £6,174.

934. Have you any other account?—The expenditure on working expenses from 1st July to 31st October, the book charges. They would be more than that only the accounts are not charged. That amounts to £33,772.

935. *By the Hon. J. McWhae.*—So that you spent on those three items since the 30th June, wages representing £27,015; mining timber, £3,749. Is that since the 1st July?—Yes. General expenses, which we classify further on, £3,008.

936. *By the Chairman.*—In the item of general expenses, is anything charged for those officials'

services whom we referred to before?—No; it will be adjusted before the end of the financial year next June.

937. *By the Hon. R. B. Rees.*—You have devoted a good deal of your time to this since the opening of the mine?—Yes.

938. Has any of your salary been debited to the mine?—None. I might say that a very great amount of the time devoted to that has been in my own time.

939. You do not get any overtime wages?—No; I do not look for it either.

940. *By the Chairman.*—“On boring.” Have you any details of expenditure as to that?—That will be included. There are certain boring expenses debitable and charged to the mine. That is included in the item of wages.

941. You cannot tell how much has been spent on boring?—I could, if I had time. The amount spent on boring from 1st July to 31st October. Do you mean the amount debitable to the mine alone?

942. The whole of it?—There is certain boring going on down there that is not chargeable to the mine. It is improving other parts; it is not chargeable or debitable to the mines.

The Hon. J. McWhae.—You might give it all. We would like to know how much is being spent altogether on boring.

943. *By the Hon. R. B. Rees.*—Boring has been done on the private leases around Dalyston. Is that charged by your Department to the private mines—at Daly's mine, for instance?—Yes.

944. The cost of boring?—Yes; that has been charged to Daly in that particular one you refer to.

945. Is the cost of boring at Jumbunna and Outtrim and other places charged to the mines?—There have been many cases where the Department has paid half the cost of boring, both in gold and coal mines.

946. *By the Hon. J. McWhae.*—Those established companies do their own boring?—Yes. Most of them. At present the Department is not doing any boring for them.

947. *By the Chairman.*—What has been spent on the Wonthaggi township since 30th June?—I could get that for you. The amount that is being expended on the Wonthaggi township now is in connexion with the making of footpaths and streets; some tree-planting, pumping water, and the sanitary expenses.

948. *By the Hon. R. B. Rees.*—Is all that to be recouped by this 9d. a week rate?—As far as possible, that is the rate struck pending the place being made a municipality.

949. *By the Chairman.*—What legal authority have you for striking the rate?—That is not within my province. I know nothing about that.

950. This £7,800 on the Wonthaggi township mentioned in this item. There must be a much larger amount than that spent on the waterworks there?—The waterworks are not included in that at all. There is nothing for waterworks. Whatever amounts the Water Supply Commission has expended would not appear there. I do not know that they have spent anything up to the 30th June; but it could be easily ascertained by getting the amounts paid on all contracts. They do not go through our Department.

951. This £7,800, did that go through your Department?—Yes.

952. That was spent principally on the laying out of streets?—Yes; laying out the streets and scrub cutting.

953. On drainage work, £1,028. Has that reference to this big drain that we were inquiring

about?—That is in connexion with the snagging of the Powlett River. I asked whether our previous question had reference to that.

The Hon. R. B. Rees.—That drain does not go anywhere near the Powlett River.

954. *By the Chairman.*—That £1,028 is in the return furnished to the Legislative Council?—That would be chiefly in connexion with snagging the Powlett River.

955. Would not that be with reference to this drain that we referred to. There had to be a big drain cut to prevent that place being under water, as it happens it was during the winter?—I do not think so. I think this is chiefly in connexion with the snagging carried out by the Public Works Department.

956. Then, in that case, it would not be charged to the mine?—No; it was not charged to the mine.

957. The mine could not have been carried on at all without those works, because the shaft would have been under water, so it seems as if that was a proper charge against the mine?—I do not know what the works were for.

958. *By the Hon. J. McWhae.*—If that had been a private mine they would have to drain it to keep the mine safe?—I follow your view, but I do not know that that drain had anything to do with the mine beyond providing fresh water. Mr. Hunter could give you that information.

959. *By the Chairman.*—What have you spent on the brickworks since then?—Not much. I have not the exact figures here, but I will fetch that.

960. *By the Hon. J. McWhae.*—How many acres are there in this State mine?—I cannot say.

961. If that were a private coal-mine, they would have to pay 2s. 6d. lease rent. What charge do the State reckon for that item in estimating what they can produce coal at, with all charges?—I cannot give that.

962. *By the Chairman.*—There is nothing charged in the statement of the lease rent that would be paid by a public company for the area?—No.

963. There was some mention of the State charging royalty on the coal in connexion with some of these areas prospected by bores. What are those?—I could not say; that does not come under my notice.

964. There has been nothing debited in the balance-sheet for royalty to the State?—No.

965. *By the Hon. J. McWhae.*—Or for lease rent for the land?—No.

966. *By the Chairman.*—Can you give an estimate as to what would be the lease rent, suppose this area was held under lease by a private company?—Yes, I will get that.

967. You said you did not prepare this balance-sheet to the 30th June—who did?—Mr. McIver.

968. He allocated the expenditure under the different headings therein mentioned?—With the assistance of Mr. Broome, who accepted the amount. The amount was taken out as between capital and labour, and Mr. Broome accepted that as properly chargeable for departmental work in connexion with the amount.

969. You mean that it was a sort of haphazard calculation?—No, I think not; I did not say that.

970. How was it arrived at—did Mr. Broome say: "Well, now, looking at the mine as I see it, I can reckon that a fair charge for the work that has been done would be so much. Write off all the balance as 'emergency' "?—Oh, no, not at all. The amount, as I explained before, was taken out—the amount considered to be chargeable to capital—as far as possible the amount chargeable

to maintenance, when those amounts were arrived at. That is after the amounts for brick works and township purposes had been excised, before Mr. Broome was asked if he accepted this amount as properly chargeable to capital, and after going into them further, he did accept them, or he may have modified them. I cannot say whether he did that or accepted them as they were given. So far from being haphazard, it was nothing of the sort. It was gone into most minutely. I showed that when I stated that all the vouchers showing the expenditure from its inception were taken down to the mine.

970A. You said all the expenditure incurred prior to the 30th June was in the balance-sheet?—As far as we knew it at the time.

971. You do not remember any accounts that have been paid since the 30th June that were not included in that?—No; I could not call any to mind beyond the few township accounts that are straggling in, one after the other, causing confusion, chargeable to township, seeing there is very little money provided for township this year; but I do not know of any that will be properly charged to last year. I will not say there were not any, there were so many accounts dealt with; but, so far as I know, there were not.

972. What would be the nature of the straggling accounts that are coming in irregularly?—Take one—for the supply of the windmill. I think you know the individual; it was in connexion with the pumping of water for the township purposes. Accounts like that come forward, and we are upset in our calculation by accounts coming forward months after.

973. In connexion with some of those accounts it was stated that machinery was supplied on the mine, and that the people who supplied it were unable to get their money for five or six months afterwards?—I know there were some cases where delay took place, and I did the very best that I possibly could to facilitate the passage of the accounts. Whatever delay there was took place at the mine when there was a rush in connexion with the work, when everything was bustling and hurried. It would not take place in a well-ordered office like we have at the head office, but it has been reduced to a minimum, as far as I know.

974. You have not known of accounts having been delayed because the orders for the goods did not go through the proper channels, or anything like that?—I cannot call any cases to mind, but there may have been cases like that. You see, supposing an account came to me to be passed, unless I had the order attached, showing who ordered the goods, I would not pass it, because I would require to have the order to show to whom to present it for certificate. Every account that comes into the Department is supposed to have the order attached, so that we know to whom to present the account. There may have been some delays.

975. And you endeavoured to safeguard the expenditure in every way possible in those particulars?—Every way.

976. Were there any items of expenditure that were ultimately passed that appeared to you not to be sufficiently vouched for?—They would not go through till I was satisfied that things were right. I would not allow them to go on.

977. The Auditor-General gives a very qualified certificate to your balance-sheet. He says, "Audited and found correct, with the exception that the records of the earlier work were not sufficient to prove the accuracy of the Emergency Account, which has consequently been accepted on the certificate of the general manager." Had you to

accept a sort of general certificate in connexion with accounts like that?—Are you referring to the balance-sheet itself?

978. There must have been something to cause Mr. Bruford to make that qualification?—I could not say what induced Mr. Bruford to give that qualified certificate. As I said before, as far as the head office is concerned, everything was done that could possibly be done to facilitate the passage of accounts and keep them in order. Whatever was done locally I am not responsible for.

979. From Mr. Bruford's certificate and what you have said to us, it would appear that accuracy at the mine—I do not say in your office—was not a main feature of the work?—If it was not the main feature, I believe it was a prominent feature. I believe every care was taken to keep things correctly.

980. If any of those accounts that were unpaid on the 30th June had been incurred in connexion with the work of the mine previous to the 30th June, they ought properly to have been debited to the profit and loss account, and carried forward as being amounts unpaid when the balance-sheet was struck?—If they were paid for out of the provision of this year, would not that be against the mine? If they came in sufficiently early to be chargeable to last year they would have swelled that account, and the fact of their being in late and causing them to be charged against this year would be against the interests of the mine, I should think.

981. This mine, as far as the capital account is concerned, is being financed under debentures?—I could not say that definitely, because we look to the Treasury for the moneys. While I have a certain knowledge of that, I could not speak about the Treasury matters.

982. The Honorable the Treasurer stated that?—No doubt it was right, then.

983. In this balance-sheet was there any provision made for interest accrued but not paid on those debentures which financed the capital account of the mine?—The interest would not be paid on the 30th June. I do not think there was anything like that. I do not think that was provided for. There is no mention of it.

984. Would not that be a proper charge against the mine?—Yes, it will be taken into consideration this year, undoubtedly, the interest on capital and depreciation also.

985. There was nothing charged against the mine for interest up to that time?—I believe not.

986. *By the Hon. R. B. Rees.*—If those accounts are kept in such a way that many of the accounts charged some time before the 30th June next are added, how is it possible for the manager to state before us that he had already made a profit during the last two or three months, a small profit, on the working of the mine?—Because, I believe, when he makes up any statement like that, that he takes into consideration the amount of interest on the capital expended.

987. Your evidence is that many of the charges that we say are properly chargeable to the mine have not yet been debited to the mine, but will be before the 30th June next?—Yes.

988. I want to know how is it possible for the general manager to come here and say, not having those data before him, that he has already made a small profit on the working of the mine during the last two or three months?—He has his costs-sheets before him of the expenditure, and after he adds the interest he can tell what he is making.

989. Does he know the amounts to be charged for your services up to June next?—I do not know that there will be any charged.

990. I asked were your services charged to this mine, and you said no. You are typical of a large number of others. Is it possible for the general manager to know the value of that work?—You speak of the other charges adding to that?

991. Yes?—I cannot answer that.

992. I repeat it again. The strength of your evidence is that there are a lot of charges that have not been debited to this mine so far, but will be on the next balance-sheet on the 30th of June next. On the strength of that I want to know how is it possible for the general manager to come here and say that he had made a small profit on this mine during the last two months, when he does not know the additional charges that you have mentioned that will be put on the mine up to the 30th June next?—He knows he will be debited with any charges that may be decided by the Department to put in, but, of course, he does not know the exact accounts, but I cannot answer, of course, for him.

993. *By the Chairman.*—As to the £10,000 spent for boring, has any portion of that been included in this balance-sheet as against the mine—is that included in the profit and loss account in this £46,694 16s. 4d.?—You mean whether the cost of the boring is included in the amount made up of emergency and expenditure. Yes, there would be certain boring done in the mine included in that.

994. *By the Hon. J. McWhae.*—I would like to know that definitely. I do not think that has been included. Will you note that and let us know how much of that £10,000 appears in this account?—May I see the item of £10,000 that you refer to?

995. [*Showing the return furnished to the Legislative Council*]—In the return laid before the Legislative Council the amount of £10,000 is referred to.

996. Boring was commenced in what is now the State Mine Reserve in 1883. From that date till the 30th June, 1910, the estimated cost is £10,000?—That is not charged in that. No, that £10,000 does not appear. There may have been part of that in the "Emergency," but I will find out exactly, how much. There may have been some of that boring included in that during the life of the emergency work.

997. In connexion with the Wonthaggi township the balance-sheet shows £7,797—clearing, forming, metalling, and channels, road-ways—how has its balance been dealt with—is there any of that in the profit and loss emergency account?—No, none of that.

998. Does the balance-sheet include any expenditure incurred for "Emergency Construction" of railway?—No, the £10,000 does not include that.

999. In the supplementary estimates £10,000 was provided for this purpose. As to which the Treasurer said—"We had to regrade the line and re-arrange the route because the construction was first to get coal for the railway service. Now, from Woolamai to Powlett the line is purely for the State mine?—Yes.

1000. Should not that or a portion of it be included in this emergency account? Was not it an expenditure that was absolutely in connexion with the mine?—The emergency account included the expenditure only, and nothing of those amounts.

1001. Have those been charged to the capital account of the mine?—No.

1002. Has it not been charged anywhere?—No. Does it not state it so on the statement that was

sent to you—that it does not include the £10,000 in connexion with emergency work. I was under the impression it did.

1003. No, I do not think it does?—It does on a return that we supplied to the Honorable Mr. Baillieu, the Minister of Public Works, in reply to certain questions asked in the House.

1004. Anyhow, there is no doubt that a good deal of that expenditure practically belonged to the State mine whether for emergency or capital account. It must have done so, and if it is not charged to the emergency account and written off, it should be charged to the capital account and charged to the mine?—Yes, where it is charged, but these things are matters of policy.

1005. All we want to find out is what is in and what is out. Does the balance-sheet include any expenditure incurred on "Drainage," and on snagging of the Powlett River?—I am not too certain about the drainage. I have already taken a note of that; but it does not include the amount spent on snagging the Powlett River.

1006. You do not know whether there was £976 spent during the "rush" period on drainage and snagging?—A good part of that was spent shortly after operations were commenced.

1007. *By the Hon. R. B. Rees.*—That is the snagging account?—Yes; that is included in the supplementary estimates of the Public Works, and we were relieved of that; it is not in that balance-sheet.

1008. *By the Chairman.*—Was not that in the nature of emergency work. If there had been no State coal mine I suppose there would have been none of that expenditure down there?—Of course, there are so many things attached to that that might be considered happened through the mine. I do not think it would be good policy to load up the mine with all those things. I should say a lot of things would be put to "Suspense" account.

1009. *By the Hon. J. McWhae.*—If it was a private corporation the money would have to be found?—But surely not debited to the mine.

1010. It is a commercial undertaking?—

1011. *By the Chairman.*—You told us that you thought this £22,000 was not to be eliminated and forgotten altogether—that it would be brought forward in the dim future when large profits are made?—We hope it will be in the near future.

1012. The question is—should not all those items have been entered up to some suspense account, so as to enable you to deal accurately with what this mine has cost?—It is always ascertainable what the cost is.

1013. *By the Hon. R. B. Rees.*—Does it benefit the Powlett mine there to have that snagging done in the Powlett River?—I should think it benefits the township.

1014. The Powlett River is a good bit away from there. Would not it benefit the private mine at Dalyston—what did it cost you to have the river snagged?—£1,028.

1015. Do they pay you a rental for royalty?—I expect that we own all lease rents. I do not know about the royalty; I do not know anything of it. It would be a matter for the leasing branch.

1016. Would this expenditure for the snagging be recouped from the royalties, or the lease rents?—I do not think it would enter into it at all.

1017. *By the Chairman.*—Will you follow this—Your balance-sheet this year shows £21,883 as written off in the emergency account. In the balance-sheet there had been other items of £10,000 for boring work not charged. The £7,797 for road making, not charged, and the £10,000 for

emergency work of railway work, also not charged?—As to the first £10,000 I said I would look into that and see how much was included in the £47,000. The account from November last to the time the balance-sheet was made what amounts was expended on boring if probably charged.

1018. It says, "In the return furnished to the Legislative Council boring was commenced in what is now the State mine reserve in 1883. From that date till the 30th of June, 1910. The estimated cost is £10,000?"—The probabilities are that from November last till the mine was opened the boring was included; but from 1883 to November last year it was certainly not included.

1019. Then there is £976 for drainage also. This additional amount totals £28,773. The only item you do not admit as to that is a fair amount of that £10,000, if there is not any of that £10,000 to be included. Then £21,833, plus £28,773, makes a total of £50,606, the amount actually written off or lost in the operations in connexion with that area, and in connexion with the State mine up to the 30th June, 1910?—I think not. If you are going to take the township in, then you must take the lease rents in connexion with the township. The township could certainly have nothing to do with the mine. It would have to be treated separately, because we get large revenues from the land, and it will be a big paying concern.

1020. Then the amount must be reduced by £8,000. That will make it £42,000?—Certainly.

1021. You have said that Mr. Broome practically determined what items should be charged to the emergency account, and what to the capital account?—I said he was consulted after the accounts were made up and he acquiesced in the amounts.

1022. You said Mr. McIver made up the accounts and Mr. Broome checked them, and the amounts agreed on by them both are what appear in the balance-sheet?—Yes.

1023. Who determines now what portion of the expenditure shall be capitalized and what portion charged to the working account?—The general manager, Mr. Broome.

1024. And his statement is accepted by the Department?—Yes.

1025. And it would be quite possible for him to have at one time a real good half-year and at another a very bad one under those conditions?—You mean there might be a large capital expenditure this year, and very little the next half-year.

1026. A mine is a wasting asset, and if you charge capital eventually when that disappears, how are you going to get a refund?—I cannot answer for what the policy will be. The general manager is there to carry out certain things. That is one of his functions. He decides what is debitable to capital and what to working account.

1027. *By the Hon. J. McWhae.*—So far as you have had no instructions to credit anything from the profits made, in reduction of this capital expenditure?—No.

1028. In the general manager's report, he stated that—"Having regard to the extreme urgency of the position it was absolutely necessary that the coal should be produced with as little delay as possible, and there can be little doubt in the mind of any unbiased person that the results achieved fully justify the increased outlay of nearly £22,000, caused by the emergency works." We have practically made that up to £42,000, so if the results justified the loss of £22,000, do you think the results were justifiable if that has to be made up to £42,000?—In the first place, what

you are quoting is not my statement, it is the statement of the general manager. I suggest it would be better to put the question to him.

1029. This report also states—"3,526 tons of coal were despatched to the relief of the Railway Department during the strike"?—That is right.

1030. So if those items had to be written off or not taken into the working account, the cost of this 3,526 tons to the State or country was £42,606. Was it not?—If it were decided to add all those amounts which you have suggested.

1031. That is pretty dear coal, is it not. As to what was actually the working cost of that mine, say the fortnight previous to Mr. Broome taking over the management, we have not been able to get a statement from Mr. Hunter or from Mr. Broome as to what it actually cost per ton to put it into the trucks at that period or since?—I am sorry I cannot assist you there.

1032. Mr. Broome said when the mine was thoroughly equipped he expected to be able to put coal into the trucks at a price, but he did not inform us what price it was actually costing at the present time. Could you give that?—I could not give it. I only treat with generalities, expenditure in general, breaking it up in the way I have shown; but as I have explained, the details of the mine are not given to me.

1033. If the Minister asked you for a definite statement, how would you answer it?—He would not put that question to me. He would put it to the general manager.

1034. *By the Hon. J. McWhae.*—Surely the officers in charge of all the outside accounts cover everything?—That is done down at the mine. There is a staff under the superintendence of the general manager, and he could answer questions like that. I do not profess to keep those details.

1035. *By the Chairman.*—But it is evident from the investigations of the Committee that they either cannot or will not answer those questions. Are the Committee to assume that it is impossible for this question to be answered. That nobody, neither the general manager nor the accountant in the Accountants' Branch can give the actual cost of that coal when it is put into the trucks at any particular stated period?—I am unable to say.

1036. *By the Hon. J. McWhae.*—There is an abstract from an ordinary or "common or garden" variety of private mine—[*handing paper to the witness.*] You will see down on the bottom right-hand corner what the whole of those different items summarized up amount to as to the cost per ton for the coal raised—9s. 5.63d., the total cost per truck, and so on. It summarizes all the items?—I quite follow it, but I did not keep a statement like that.

1037. *By the Chairman.*—You have not seen a statement like that as to this State mine during the whole of the time you have been connected with it?—No.

1038. *By the Hon. J. McWhae.*—Have you seen a statement like that when you have been down there?—I could not say it was like that exactly.

1039. Then there are statements furnishing those details?—I cannot say they are the same, but they keep certain details there that are not kept at the head office, because all the cost of working is kept down there. I deal only with generalities in the expenditure. I am quite unable to answer that question.

1040. Who would be the one we should apply to for those details?—I should think Mr. Broome, the general manager.

1041. *By the Chairman.*—You are the financial head of this Department and of this mine, and

if we asked you for those particulars, do you not think it would be your duty to obtain them?—If you put it that way, I will place your request before the Minister, who will probably take steps to have them obtained, but for me to give you the information, I could not do that, for the simple reason that I have not got it. I do not keep the details.

1042. Will you take a note of those that we ask for—the details of the working costs of this mine at two periods—the period previous to Mr. Broome taking the mine over, and the present period. In fact, it would be interesting also to have a statement at the time when Mr. Broome abolished the daily wage system and introduced the present hewing rate or piece-work system?—*[The witness made a note of the questions.]*

1043. I think you said that you kept accounts as to the sale of coal to the Railway Department?—Yes.

1044. And to the public—the slack coal?—Yes.

1045. Do you know anything in connexion with tenders for slack coal that were made to the Department for large quantities of coal at 8s. a ton which were subsequently reduced to 6s. a ton?—No. I do not keep particulars of contracts. Might I explain it in this way: The accounts are all kept down at the mine. They are prepared at the mine, and are sent out from there with an intimation to the customers that payment is to be made to the Accountant of the Mines Department. The certificates then are sent to me, so that I possess a duplicate of the account sent out, and know what I have to expect, and I get payments accordingly. At the mine office the accounts are treated as paid as soon as they are sent out. The onus of collecting them devolves on me, but as to the sending out, that does not come within my province at all. I do not know anything about it. I do not know who are the senders. I know merely that so much coal has been supplied, say to the Melbourne City Council as one customer, and I look to that body for a cheque for the amount.

1046. *By the Hon. J. McWhae.*—You are practically legal manager of the State coal mine, and it is your duty to get those very large moneys for the sale of the coal?—That is my duty.

1047. Is there any charge on the State coal mine for your services in collecting that money?—No.

1048. For any ordinary company that would cost a great deal. It would cost a private company 3s. a ton, and it costs the State coal mine in New Zealand 5s. 4d. a ton—the work of the depôts, distributing and collecting?—After all, the greater part of the work is the preparation and sending out the accounts.

1049. After the coal reaches a centre like Melbourne, there is a certain amount of distribution goes on—account collecting, depôts, and that sort of thing. That costs New Zealand 5s. 4d. a ton, and any private company here 3s. a ton. You are evidently doing that for nothing for the State coal mine of Victoria?—

1050. *By the Chairman.*—Suppose you started to sell this coal to the public, as has been desired, could you possibly do it without the same costs as a private company, and the Government of New Zealand incur in connexion with that work—office expenses and oversight of the distribution of the coal, and so on?—I think Mr. McWhae has an exaggerated idea of my duties in connexion with the mine. I merely receive the moneys and keep the accounts, but I still think the bulk of the work consists of making the accounts up and sending them out. So far as regards your question, I should

say that if it were decided to sell coal to the public, and the work were to be done in our office, we would require a larger staff.

1051. *By the Hon. J. McWhae.*—You are selling 140,000 tons of slack to the public with contracts up to December, 1911. That would cost a private company 3s. a ton, and you are not charging anything?—Does not your account include everything from the time the coal is put on the trucks?

1052. *By the Chairman.*—No; after it reaches the centre, say Melbourne, to distribute the coal and sell it, and collect the money for the accounts, Mr. Stanley Hunter surely would be chargeable naturally against that account?—Yes; it will be done. It has not been up to the present.

1053. In connexion with those sales of the mine coal to the Metropolitan Board of Works. Were those sales effected by the Railway Department or the Mines Department?—By the Railway Department.

1054. You simply charged them the price that has been stated, and if they sold them at an advance they made a profit on your coal?—Yes.

1055. You do not know of any coal other than slack coal that has been sold to the public?—No; not since the railways commenced running. During the emergency period there was a little sold; for instance, to the Women's Hospital, and various cases like that; also to the shipping companies to carry the coal up to Melbourne. That was all absolutely, except the Board of Health for the Sanatorium at Greenvale, and one or two things like that.

1056. Have you had any complaints from the Railway Department with reference to the coal not being up to their standard?—That does not come within my province.

1057. Have there been any claims to reduce the price, or to refund, or to do anything like that?—That would not come to me.

The witness withdrew.

Adjourned.

PARLIAMENT HOUSE, MELBOURNE.
WEDNESDAY, 30TH NOVEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the chair;

The Hon. J. G. Aikman,

The Hon. T. Luxton,

The Hon. J. McWhae,

The Hon. R. B. Rees.

Daniel Campbell Mackenzie, mine manager of the State Coal Mine, called and examined.

1058. *By the Chairman.*—Have you been mine manager of the State Coal Mine from the commencement?—Yes.

1059. What previous position did you hold in the Mines Department?—I was inspector of mines for West Gippsland for two years previous to taking up my present position.

1060. What experience did you have previous to that?—Five years with the Gippsland Coal Mining Company at Outtrim. My experience prior to that was obtained in Scotland and in England. I was for about six years in one of the largest collieries in Lanarkshire.

1061. *By the Hon. J. McWhae.*—How old were you when you came to Australia?—Just coming on twenty-four years of age.

1062. *By the Chairman.*—Then, I understand your experience of coal-mining commenced pretty young?—Yes.

1063. Were you a student at a mining school?—Yes. I attended the Hamilton Technical Mining School. I worked in the mine during the day, and attended the school at night. I hold a first class British certificate as colliery manager. I also hold the Victorian certificate, after examination, for first class colliery manager. I graduated in alluvial and quartz mining under the Victorian Act as well.

1064. Do you accept responsibility practically for all the work done at the State Coal Mine before Mr. Broome took charge?—Not altogether. Mr. Stanley Hunter was partly responsible.

1065. Mr. Stanley Hunter told us he was acting manager, and you were mine manager?—That is so.

1066. Did you take instructions from Mr. Hunter, or did you simply consult together?—We consulted together. Our commission from the Government was to get coal as quickly as possible, and as much as possible, without regard to cost. That was made clear at the start.

1067. *By the Hon. R. B. Rees.*—You are a certificated colliery manager. Did you take your instructions from an uncertificated colliery manager?—No; we consulted together. I did not take responsibility for expenditure. Mr. Hunter undertook the signing of the necessary documents.

1068. *By the Chairman.*—If you had started to open the mine in the ordinary way, would you have proceeded very differently to what you did under the circumstances?—Very differently.

1069. In that case would there have been any necessity to have written off, in round figures, £22,000 that the Government say was written off up to the 30th June?—I was not aware that it had been written off.

1070. The accountant to the Department told the Committee that it was written off?—The difference is this: We were sent down to do what was then called emergency mining, at a time when there was a serious strike in New South Wales. That strike might have lasted three months longer than it did. In that case, I do not think there would have been any need to write off £22,000, because in February, when the railway came into the field, there were 12,000 tons of coal at grass, and we were then in a position to put out 350 to 400 tons daily. If that strike had lasted until April, in my opinion, we would have been the saviours of the country, instead of being criticised like we are. We worked exceptionally hard during that period, and under most difficult conditions. Mining with baskets is getting a bit back, and there were no other possible means at that time.

1071. How much more does it cost to mine with baskets than with skips?—It is hard to say right off. At the start, when the roadways were short, it did not mean so much; but as the roadways got longer, instead of bringing out eight skips of coal averaging 12 cwt. each., we had baskets coming with 2 cwt. each. It meant innumerable difficulties, and the cost of haulage was great.

1072.—You were in shallow coal and easy to get at?—We opened the seam up methodically, so that if it ever became a proper mine, the work we had done would be of some value—we did not root out the coal all round the shaft, and take it up in baskets.

1073. Mr. Hunter told the Committee that if it had not been for the necessity of immediately getting coal, he would not have put the main shaft down in its present position at all; he would have gone to the very northern end of the ground reserved for the coal-mining area?—That is a matter of opinion.

1074. *By the Hon. J. McWhae.*—Would you have done that?—Doubtless, on the information we

now have, the best possible position for No. 3 shaft would be where No. 8 is. However, the difficulty can be overcome quite easily. It will suit that area quite well where it is now by putting in a haulage rope.

1075. *By the Hon. R. B. Rees.*—Mr. Hunter told us that if he knew as much as he knows now, he would have started the main shaft somewhere towards the Powlett River, on Daly's lease. Would you have done that?—No. From what I know of the coal-field now, it is cut up into a series of terraces or levels of varying depths. Each area is distinct from the other, and the best proposal, in my opinion, is to sink shafts on each area independent of each other, and mine in each particular portion.

1076. *By the Hon. J. McWhae.*—I see there are three bores, Nos. 98, 34, and 93 within 10 chains of each other. One bore is 314 feet deep, another 277, and another 138. How many shafts would you put down to work those three areas?—Two shafts, both sunk to the deepest level, and connected there for ventilation purposes. One shaft will control the deep area. The other shaft will control both the other areas, so there will be three areas controlled by two shafts. It is proposed to put the shafts there for that reason.

1077. Would it cost about £3,000 or £4,000 for shafts?—Yes.—[*Witness was here handed Exhibit "F," and asked to mark the thick coal area. Having done so, the Exhibit was handed back to the Chairman.*]

1078. *By the Chairman.*—When the Railways Standing Committee came to Powlett, did you express a rather strong opinion as to the way in which the mine was being opened up?—I was credited with doing so. The first I knew of it was when I saw the statement in the newspapers.

1079. You were reported to have said that no sane man would call this mining?—I was, but I did not say so.

1080. It was the report of the Railways Standing Committee to the Powlett field?—I recollect the occasion when the Committee came to the field, and they questioned me with regard to the mine. It was unofficial and informal. When I gave my evidence at Inverloch, no questions like that were asked.

1081. *By the Hon. J. McWhae.*—On page 2707 of *Hansard*, 2nd December, 1909, the following is reported:—

Mr. Mackenzie, the Government Engineer, who is managing the mine, under the supervision of Mr. Stanley Hunter, boring engineer of the Mines Department, freely admits that the present methods are not above criticism. "No sane man would call this mining," he candidly admitted to the members of the Railways Standing Committee, who visited the coal-field on Saturday. "It is emergency work. The Government wanted the coal rapidly, and it is getting it—at a cost."

Is that correct?—Exactly. They were referring particularly to the baskets coming up the shaft, not to the mining management, as that was carried forward, as it always has been since.

1082. *By the Chairman.*—Have you since altered the basket method?—Yes. The quoted remarks refer to the baskets, and nothing else.

1083. Was not the basket method continued some considerable time after the railway was run into Powlett, and after the reasons for emergency work had ceased?—Yes, it had to be. I did not know that coal-mining there would be carried on after the strike ceased. No authority was given for underground skips. Until it was an assured fact that mining would be continued, we were forced to carry on with baskets.

1084. *By the Hon. R. B. Rees.*—Were you not in a position to stop mining after the rush?—No.

We had pledged ourselves to get a certain output at the end of the year. The Railways Commissioners had to enter into contracts with New South Wales coal people, or we had to supply the coal.

1085. They did enter into the contracts?—I do not know why they did. They did not think I could carry out the promise of output. I suppose they thought it was rather big.

1086. *By the Chairman.*—When you were opening the mine up and driving headings, did you deem it wise to timber the drives fairly closely?—Yes.

1087. At about what distance apart were the timber sets erected in the main drives?—From 2 feet, in some instances, up to 5 feet, depending entirely on the nature of the roof.

1088. Why was this necessary?—South of the shafts we were only 30 feet from the surface, and the roof was very soft with no binding. So I decided to keep 18 inches or a foot of coal in that area, and timber, because the coal formed a better binding immediately under the roof, and because the liability to accidents in emergency mining would be increased, and I did not want to take any risks.

1089. What was the depth of the seam when you first worked it?—From 30 feet, in the southern portion of the shaft, to 50 feet in the northern portion.

1090. What thickness of coal did you work?—We worked 6 feet out of 7 ft. 6 in.

1091. What do you consider each set of timber cost on the average in the drives you put in before the railway reached the mine?—I do not think that is a fair question to ask me. I think the proper quarter to get the cost is from the general manager.

1092. You were mining manager in charge of those drives?—Exactly. An adjustment has to be made after mining costs are taken off.

1093. What did a set of timber cost before the railway reached the mine?—The cost of timber and labour now is 4s. 4d. a set for a 10-foot set.

1094. What does each leg cost?—A leg costs about 8d., and, say, 1s. for bar for 9 and 10 foot sets.

1095. Were the sets you were putting in to keep up the top?—Yes. The roads were only driven 10 feet wide.

1096. What was the heaviest set you put in to keep up the 30-foot ground?—We only put in that sort of set. The timber would be about 9 by 6, and the legs 8 by 7.

1097. Did your quotation include the cost of timber and putting in?—Yes, so far as I can make out now. We have schedule rates for putting timber in and the timber costs so much.

1098. What was the schedule rate?—Two shillings at present.

1099. Was the cost 2s. for putting in and 2s. 4d. for timber?—Yes.

1100. What distance in feet did you drive before the railway arrived at the mine, say, to end of February?—7,000 feet.

1101. Was all that driven in coal?—Yes.

1102. What was the size of those drives in coal?—All the winding drives were 10 feet wide. The main drives would be from 12 to 15 feet wide.

1103. *By the Hon. J. McWhae.*—What would be the size of the 7 feet drives?—From 6 feet up to 8 feet.

1104. Could you take it 10 feet by 6 feet?—It would not be fair to take it 10 feet by 6 feet. Ten feet by 7 feet would be easier. We only had a portion on the south side that we worked 6 feet,

1105. *By the Chairman.*—As a mining man of experience what would you say would be a fair "yardage rate" to pay for driving a heading 10 by 7 all in coal?—The yardage rate of 4s. a yard we are paying now is a fair yardage rate, with tonnage added.

1106. What would that work out at for, say, 7,000 feet of drives all in coal—driving only?—At 4s. a yard it would be £450. I did not know you wanted this evidence, and I have not had an opportunity of checking my figures. Either Mr. Broome, the general manager, or Mr. Hunter, should be examined on those figures.

1107. Mr. Hunter said he knew nothing at all about it, that he had nothing to do with this matter, and that it was a matter of settlement between yourself and some representative from the accountant's branch?—Not myself. Until Mr. Broome took charge the thing went on as with Mr. Hunter and myself.

1108. You told us that you timbered every 2 feet or so. Suppose you allowed a set of timber every yard, what would the total cost of timber erected come to?—There are other things to be taken into account. Without going into those figures carefully I am not prepared to say. It would be unsatisfactory, and only guessing at the cost.

1109. *By the Hon. J. McWhae.*—Allowing a set of timber per yard what would that amount to in 7,000 feet at 4s. 6d. a set?—£472. There is another item to be added to that. These timbers were slabbed from one side to another, and the soft ground closely slabbed.

1110. Why was that?—Supposing a set were put up every 3 feet, and the ground was not strong enough to stand between, it is cheaper to lace them with slabs than to put another set in between, so that the whole roof is protected.

1111. Have you always to do that in the bad ground?—Very little of that, 7,000 was not like that.

1112. Would you take the cost of a drive of timber at £1,000?—I think it would be more than that. You have not taken into account special timbering in drives leading away from the shafts. Only a short portion of the drives is included in the big timber. Say, 200 to 300 feet would be expensively timbered drives.

1113. What would 200 or 300 feet of heavy timbering cost?—Would it be possible to give me these questions, and let me work them out in my own way?

1114. *By the Hon. J. G. Aikman.*—You knew you were going to be examined on these matters?—But this is referring to emergency mining.

1115. *By the Hon. J. McWhae.*—It is only an ordinary drive and had to be made safe with timber. Would you put in a risky drive in an emergency?—Certainly not. I said 200 to 300 feet, but that is only an approximation.

1116. Well, say, 300 feet?—I make it £1,250.

1117. *By the Chairman.*—Would the driving and timbering, apart from the cost of wheeling out the coal, amount to about £1,250?—I am not prepared to say that that is all.

1118. Where could the discrepancy be?—That is what I want to find out. To what date is that 7,000 feet?

1119. To the end of February?—Emergency mining did not cease at the end of February. The line opened on the 28th February.

1120. *By the Hon. R. B. Rees.*—On the 28th February you ceased mining. The Railway Department refused to take your coal, so there could be no emergency mining?—It was emergency mining until we got rid of the baskets.

1121. *By the Chairman.*—There is no doubt about the 7,000 feet, we have taken those figures from the official papers, so if there is any discrepancy there must be some miscalculation in the cost. What would be the cost before the railway reached the mine?—I suppose the cost of bringing the timber in by bullock waggon would be double.

1122. *By the Hon. J. McWhae.*—Taking the cost of timber at 4s. 4d., what would you raise it to?—At least double, say, 9s.

1123. *By the Chairman.*—That makes the estimate £1,700?—I have been taken at a disadvantage. If I had known you wanted details, and the necessary figures, I could have brought them. Our position was to get the coal out, and particularly to keep the mine safe. We did not want an accident, and we never had a serious accident during that period.

1124. On the figures you have given us we have arrived at £1,700. What tonnage of coal should you get out of a drive 7,000 feet long, 10 by 7, all in coal?—Roughly, about 19,000 tons.

1125. *By the Hon. J. McWhae.*—At 8s. 6d. a ton, how much is that worth?—£8,575.

1126. *By the Chairman.*—We have the cost of 7,000 feet of drives at £1,700, and against that cost the coal is valued at £8,575, the net result being that the coal from the drives actually pays for the driving and timbering, and about £6,875 to the good?—But there is the sinking of the shaft, pumping, material, hewing cost, &c.

1127. *By the Hon. J. McWhae.*—The whole of the cost of these drives and shafts is debited to capital, and no credit taken for the coal, so that also has to be added to the emergency work, or another £6,000 odd?—No.

1128. Did you not sell the coal?—Yes.

1129. Well, you must have got the money for it?—But there is the freight to Inverlock, and sea freight to Melbourne. If there were only two things to be taken into consideration it would be easy to settle the matter, but I could point to expenditure after expenditure that cropped up during that period that had to be met. For example, we had to have a camp for the men, as they had no place to stay.

1130. *By the Hon. J. McWhae.*—We quite agree with you, but so far the Mines Department has not shown us that this coal is a valuable asset?—I have simply made the calculations requested and that is all.

Committee adjourned until 2.30 p.m.

1131. *By the Chairman.*—You are working the seams at present on what is known as the bord and pillar system?—Yes.

1132. What is the size of the bords you are working?—Fifteen feet wide.

1133. What size pillars do you put in?—Twenty-one yards square.

1134. If you were working on the long wall system would you have a long face of coal, with bords at least 16 yards wide?—It is not practicable to work with long wall system where we are working now.

1135. *By the Hon. J. McWhae.*—If you were working on the long wall system would they be that width?—They would be that at least.

1136. *By the Chairman.*—It was represented to us that if the long wall system were worked the coal could be worked more cheaply, and all the coal could be brought out, whereas at present there would be considerable percentage of loss. We understand the seam of coal does not lie all in one level?—That is so.

1137. Are portions about 30 feet, portions 50 feet, and portions at greater depths?—Yes.

1138. What area do you reckon there is that lies less than 50 feet below the surface?—No. 3 shaft controls 30 to 80 feet, including Nos. 7 and 8, 180 acres.

1139. Could you give the 30 feet and 50 feet depths separately?—No, not without some trouble.

1140. Could you give us the area at 80 feet, and below 80 feet?—No, not without some considerable trouble. It would mean a considerable amount of computation to work out the 80 feet and 50 feet depths.

1141. Can you work the whole of your area at 80 feet from No. 3 shaft?—Yes.

1142. *By the Hon. J. McWhae.*—What is the area to 80 feet, Nos. 3, 7, and 8 shafts?—One hundred and eighty acres.

1143. What are the next shafts?—Nos. 5 and 6, 230 acres; depth from 130 to 160 feet.

1144. What other shafts have you?—No. 11, in course of being sunk now; area 162 acres; that ground is 90 feet. Nos. 9 and 10 shafts, 568 acres; depth, 138 feet to 304 feet.

1145. *By the Chairman.*—What number of pillars to the acre do you form?—About 100.

1146. *By the Hon. J. McWhae.*—You said 30 to 80 feet contained 180 acres, Nos. 3, 7, and 8 shafts. What would you estimate the area down to 50 feet?—Roughly, one-third, or less than 60 acres.—[*Witness here consulted plan, and indicated amount of acreage between 50 and 80 feet.*]—There are 54 acres at 50 feet, and 26.4 acres without coal at all.

1147. *By the Chairman.*—About what tonnage, on an average, would be in one of the pillars—100 to the acre—about 8 feet high?—The average size of the pillars is 20 yards square.

1148. How many tons of coal would be in the 21 yards square?—Roughly, about 1,600 tons to the pillar.

1149. Is it not customary among mining men to work bords about 16 yards wide?—It all depends on local conditions how the coal seam is worked. There are no hard and fast rules laid down.

1150. Why do you work yours only 12 or 15 feet?—Because the conditions have to be taken into account. There is only some 80 feet of covering over the coal. It would not be safe to go wider.

1151. Mr. Broome tells us that from 20 per cent. to 25 per cent. of the seam is always lost in bord and pillar work (Question 425). What is your opinion about that?—I estimate that on the south side, where we have a tender roof, and only 30 to 50 feet from the surface, we lose 20 to 25 per cent. of our coal—total extraction.

1152. *By the Hon. J. McWhae.*—Why should your loss be less than in the Newcastle area, where it is 33 per cent., with 5 feet and 7 feet coal?—The Newcastle loss is only estimated, and why should it be invariable at 33 per cent.?

1153. If the loss in Newcastle is one-third, why should you not lose as much?—I believe I can get a 75 per cent. extraction by studying the conditions, and from my experience of pillar work. Do the Newcastle records say what is the full height of the seam?

1154. The quantity of coal is estimated at 4,917,000 tons, but a loss of one-third brings it down to 3,278,000 tons—[*Professor David's report on Newcastle coal-field.*]—Why should you only lose one-quarter?—I believe that is all I shall lose.

1155. Do you think the coal is badly mined at Newcastle?—I am not prepared to say it is badly mined. Other conditions have to be taken into account. Portions of the Newcastle seam were worked

under the sea, and a special amount left in by Act of Parliament, also areas left under valuable properties.

1156. None of the areas to which I am referring were worked under the sea?—I do not know exactly where the areas are, except that they are in the Newcastle field. This one-third waste is merely a calculation on the liberal side, in my opinion.

1157. It must be based on actualities?—I think it is a liberal estimate made by Professor David.

1158. *By the Hon. R. B. Rees.*—What is the loss in the Victorian coal mines from your experience?—Where there is a clean area of coal, and a fair roof, they can get a total extraction. I have taken it out myself from roof to floor.

1159. *By the Chairman.*—You estimate the loss at 25 per cent.?—Yes, only in the area where there is a soft roof, and the seam is near the surface. I am prepared to say that where there is a good roof we can get an average of 90 per cent. total extraction.

1160. *By the Hon. J. McWhae.*—Up to this 50 feet there is a 25 per cent. loss?—Yes.

1161. *By the Chairman.*—On being asked (Question 425), "What proportion do you reckon you will lose in working with those allowances?" Mr. Broome said—

My calculation is from 20 to 25 per cent. If we work long wall I think we shall eventually get a smaller percentage of loss. At present, in the working of bord and pillar, I estimate the loss from 20 to 25 per cent.; working long wall we shall probably reduce that a little.

Do you say the long wall working is not practicable?—It will be practicable in a certain portion of the field, where the seam is under 8 feet thick or banded.

1162. Allowing 100 pillars to the acre, and 1,600 tons to each pillar, what tonnage of coal would you say was represented in the pillars and area where the coal is less than 50 feet from the surface?—I did not build up my calculation on 100 pillars to the acre; that is only an approximation.

1163. *By the Hon. J. McWhae.*—How much do you make it, seeing that you have given us 100 pillars to the acre, and 1,600 tons to the pillar, in 54 acres?—864,000 tons.

1164. Mr. Broome says he will not be able to take out all these pillars of coal. Do you agree with that?—No; he did not say he would not be able to take all the pillars out. That is a matter for experiment. It all depends how the ground behaves.

1165. Speaking generally of the No. 3 shaft, and the 54 acres shallow working with 30 feet cover, could the pillars be taken out there?—We will be able to take some out.

1166. Mr. Broome was asked (Question 434), "Could you take 50 per cent. of the pillars out?" and he replied, "I think more than that"?—That is merely a matter of experiment. In my opinion, we could take half out at least at the present time, and possibly more.

1167. In addition to the loss of 20 to 25 per cent., practically there is a loss of half of the 864,000 tons, or 432,000 tons, if you get half the pillars out; but Mr. Broome says you cannot get any of them out?—I say that in all the ground from 30 to 50 feet, he should be able to get any amount of the pillars out—most of them, in fact.

1168. Then you disagree with Mr. Broome. Mr. Broome says it is better to sink sufficient shafts than work from one central shaft. What is your opinion?—I think it is better, taking the local conditions into consideration.

1169. Mr. Broome also said that the cost of sinking was £2 a foot, and £4 for the larger shafts. Do you agree with that?—Yes.

1170. How much a foot for the larger shafts? About another £1 a foot. As a matter of fact, for the deepest shaft sunk the contract price is £4 15s. 6d.

1171. How many shafts had you down by 30th June?—Eight, Nos. 1, 2, 3, 4, 5, 6, 7, and 8.

1172. What did the eight shafts aggregate in depth?—No. 1 shaft is 50 feet; No. 2, 54 feet; No. 3, 60 feet; No. 4, 32 feet; No. 5, 134 feet; No. 6, 165 feet; No. 7, 50 feet; No. 8, 84 feet.

1173. What would they average?—A fair average would be £4 a foot, but the cost of the timber has to be added.

1174. What would the cost be for timber per foot?—About 22s., roughly.

1175. Say, £3,200. In the balance-sheet £11,883 is down for shaft sinking and development. What was the balance above £3,200 expended on?—Winding machinery and boilers, underground drainage, equipment of shafts, and mining plant generally.

1176. Should not all the drives in the coal more than pay for the cost of construction?—Not necessarily.

1177. Then you disagree with Mr. Broome?—I do not know to what drives you are referring. I thought you meant the developmental drives. We call them either narrow places or bords. When you say all the drives, I do not know what you mean. For example, the putting in of a stone drive is neglected.

1178. Why have development works been charged to the expenditure of £11,883?—I had nothing to do with that; that matter was arranged by Mr. Broome.

1179. You have £8,683 for winding machinery, &c., yet you charge it up to capital?—I did not charge it. I had nothing to do with it.

1180. About what tonnage of mixed coal are you putting out daily?—We are averaging just a ton or two over 1,300 tons a day.

1181. Is it not on that output that the Minister bases his calculations on, and on which he estimated a profit of £12,000 a year, selling coal at 9s. large, and 6s. slack?—I could not say, but I think not.

1182. *By the Hon. J. McWhae.*—Why do you think not?—I think it was a larger output than that he mentioned.

1183. What makes you think so?—I was ordered to develop the mine to 2,500 tons a day by the end of the year.

1184. *By the Chairman.*—That makes £25,000 that the Treasurer estimates will be derived from State coal during the next twelve months, from June to June. Mr. Broome tells us that 10s. for large and 6s. for slack only covers the getting price. Do you concur in that?—If Mr. Broome says so, I do.

1185. *By the Hon. J. McWhae.*—Have not you worked it out?—I only know the mining costs; certain adjustments in Melbourne I know nothing about.

1186. *By the Chairman.*—We were referring to mining costs, and a production of 1,300 tons a day. When we examined the accountant we asked him for a costs sheet and the cost of winning coal there, and he said he knew nothing about it. Do you know anything about the costs sheets in connexion with the running of the mine?—I only know our daily mining costs sheets.

1187. Do you not provide a costs sheet as is done by private mining companies?—I think ours compares fairly with the one shown,

1188. You have such a sheet?—Yes, and we also have what no private company has, a daily costs sheet.

1189. What were the costs as shown on the costs sheets just before Mr. Broome took charge, and one of the recent ones?—We have only had them since Mr. Broome took charge. There were no regular accounts kept during the emergency mining period and until Mr. Broome took charge.

1190. That is a definite statement?—So far as I know the accounts were kept in the Mines Department.

1191. The accountant says he did nothing but pass the cheques for accounts initialed by Mr. Hunter, and that he kept no accounts, and that the accounts were kept at the mines?—We kept the usual journal entry of accounts. So far as an abstract of wages and costs is concerned, we did nothing of that at all. Those are in existence now.

1192. Do you make those papers up?—No, we have an officer at the mine who makes them up. We have also a fortnightly statement made up in Melbourne. Mr. Broome has an office in Melbourne, he gets a daily return, and then a fortnightly cost is made up from them.

1193. It is a curious thing the Mines Department and the accountant know nothing about it?—Mr. Broome told the Committee at the mine that he made a daily statement, and also a fortnightly one. You recollect it took about four hours of a man's time. I cannot give you the costs; Mr. Broome has them.

1194. By application to him, I presume we can get them?—Possibly, but so far as I am concerned I cannot possibly get you them.

1195. Has it not been necessary to increase the price for large screened coal to 11s. 6d., and to 7s. for slack coal?—Yes. The rate was put up owing to the restricted output of 1,300 tons a day.

1196. What very large saving can you make by increasing your output from 1,300 to 2,000 tons daily, so as to make such a difference as 1s. a ton?—With 1,300 tons a day output we are running three shifts. We could do the same tonnage with two shifts, and knock off the third one. In other words, we could deal with the same amount of coal as we are dealing with now in two shifts; we have the men there. There are 132 men lying off every day in their turn.

1197. *By the Hon. J. McWhae.*—You would not save expenses down below?—The same men and winding staff on two shifts would handle the extra amount of coal.

1198. What about the engine-drivers and timbering?—The boilers have to be kept heated, and could not be allowed to get cold every night. Are not the engine-drivers, bracemen, &c., kept fully employed?—Necessarily the engines are not going full capacity. Provided the Railway Department could supply us with trucks, we could do the output we are raising to-day with two shifts.

1199. Were you not trying to get extra shafts?—That was to get 2,000 tons a day.

1200. When you have that shaft, you will want two more sets of engine-drivers?—Yes.

1201. Where does this wonderful economy come in?—There would be a saving of 3d. a ton on the hewing rate on every shift. If the night shift is knocked off the tonnage cost is reduced 3d. a ton on the other shifts left. In that case the miners only get 2s. 9d. a ton instead of 3s. That is the arrangement made with them. The rate is 2s. 9d., with 3d. added for working night shift. The men are all taking their turns at night shift.

1202. Do you think the men will agree to the reduction?—Yes; as a matter of fact, they anticipate a reduction of 3d. a ton. They reckon it is worth the extra 3d. to work night shift, and they would prefer to do two shifts, or even one.

1203. *By the Chairman.*—Does that apply to every ton?—Yes, every ton that comes out of the mine. Exactly the same thing applies in all collieries.

1203A. We do not understand why they get more coal out during the day shift?—A man only gets a day shift once in three weeks. There are six men in a party, two in each shift. There are always some of the party in night shift. There are six men in a party of three shifts, supposing there were only four men in a party of two shifts. Those four men can get more coal *pro rata* than if six men were working.

1204. Have you had experience in other mines of loading coal in railway trucks?—Yes.

1205. Did the Railway Department insist on the coal being screened to the same extent as the companies you were previously associated with?—Yes. They have been continuously at us about our coal.

1206. *By the Hon. J. McWhae.*—Did you give them the same screened coal as you did when you were at Outtrim?—We gave the coal just as carefully screened as when at Outtrim.

1207. *By the Chairman.*—What method does the Railway Department adopt for inspecting the coal?—The Railway Department has a "coal-viewer" stationed at the mine.

1208. Does he challenge the screening at the mine?—Yes.

1209. Does he ever condemn any trucks of coal after their having left the mine?—Yes, he has done so.

1210. What was the result?—In that case the coal can be taken at run-of-mine price. Now it is somewhere about 9s. 6d.

1211. *By the Hon. J. McWhae.*—Has he condemned a good few trucks?—He has condemned a few. While screening wet coal at the same time as dry coal we had a good deal of trouble. Since we have had a separate screen for wet coal, there has not been the same difficulty.

1212. *By the Hon. R. B. Rees.*—Was the separate screen working last Friday?—There were two screens working, I believe.

1213. *By the Chairman.*—Did not the public companies when screening the coal have to take the skip of coal to two or three tips, instead of discharging it, as a matter of fact, on to the screen at once?—I believe they did when the coal-viewer was there.

1214. Were you doing that?—No.

1215. What is the pitch of the coal screen?—I have forgotten it for the time being, although I made the pitch out.

1216. *By the Hon. J. McWhae.*—If you were going to build another screen, what pitch would you recommend?—I think the angle is 38 degrees.

1217. Is not that an unusually steep grade for a screen?—We have two gradients, that is the grade for wet coal. Wet coal will not slide as easily over a screen as dry, and the screen has to be made a bit steeper and longer, so as to get most of the slack out, and baffle doors have to be put on it. Our present dry coal screen is set at the Outtrim angle, but I have forgotten what it exactly is.

1218. *By the Chairman.*—What percentage of slack coal does the coal sent to the railways as "screened" carry?—I could not say; I do not think there is any.

1219. When we were there you were not taking 20 per cent. out of it?—Perhaps we had not 20 per cent. to take out. Any number of trucks come up with not 10 per cent.

1220. What percentage of slack does the coal make in the main now?—From 30 to 40 per cent.; it is getting less every fortnight.

1221. *By the Hon. J. McWhae.*—Does the balance of the slack go into the screened coal?—No slack goes in at all.

1222. *By the Chairman.*—Mr. Broome says the coal carries from 40 to 45 per cent. of slack, and the railway people say 60 per cent. Taking Mr. Broome's estimate, you say only 30 to 40 per cent., which means 10 per cent. going into the screened coal?—It does not follow necessarily that 10 per cent. is going into the screened coal. The conditions are improving.

1223. *By the Hon. J. McWhae.*—Have they improved since Friday last?—You may have seen a skip or two imperfectly screened. Hundreds go in with nothing but lump coal.

1224. *By the Hon. R. B. Rees.*—I never saw the screen take more than 10 per cent. of slack out of it?—Then how do you account for our return of 30 and 40 per cent., which represents a certain percentage of slack screened to large coal.

1225. How long has the shaking movable screen been out of use?—It has been out of use about four months.

1226. Was it ever in use?—Yes, it was in use for some time.

1227. Since then you have been sending coal over the present screen?—Yes.

1228. Will you say that you are taking out 40 per cent. of slack now, and selling to the public?—We have been taking out from 30 to 42 per cent. of slack.

1229. *By the Hon. J. McWhae.*—Even with a 38 degrees graded screen?—Yes, but we cannot get that amount of slack out now.

1230. Is it not to be inferred that the slack is going into the trucks?—The screen has not been altered, and does that not show that less slack is being made in the mine itself?

1231. *By the Hon. R. B. Rees.*—How much slack do you say is sent away from the mine in proportion to your screened coal during the last two months?—I would take out from 32 to 38 per cent., as near as I can make out, without going into the figures.

1232. The rest would consist of 68 per cent. screened coal?—From 68 per cent. to something else.

1233. *By the Chairman.*—Do you assert that coal would be sufficiently well screened for householders?—Yes.

1234. Do you think householders would accept more slack in their coal from you than they would from private suppliers?—I do not know how much they take from public companies now. I have been a member of the public who has bought household coal from local mines, and our sample is as good as that.

1235. You know how an ordinary purchaser of coal deals with such things. Do you think he would take more slack off you?—I do not think he would take more off us than off a private company, but I do not say he would get more off us.

1236. Taking 11s. 6d. per ton at the mine for screened coal, what would that coal cost in Melbourne with railway freight added?—I suppose about 3s. 6½d. per ton more.

1237. Would not that coal have to be unloaded and rescreened when it came into Melbourne to make

it good household coal?—No. I would supply the screened coal we send out from the mine to the public.

1238. If this coal were supplied to the public there would have to be incidental charges to a depôt, and handling and delivering?—Yes, I suppose so.

1239. Have you any idea that such charges amount in New Zealand to 5s. 4d. a ton?—I have heard so, but I did not know such was the case.

1240. Since the men have been working on a tonnage rate have you allowed anything to any of them in addition to that rate as "consideration"?—Yes.

1241. What was that consideration?—Wet work consideration, and we did give them a consideration for laying rails, but we have stopped that now. Also for overcoming small local faults.

1242. Anything for removing bands or splint?—Nothing.

1243. *By the Hon. J. McWhae.*—We saw the men taking out splint?—They do that for nothing when there is a little splint. They usually have an excellent place.

1244. *By the Chairman.*—It appears that a man was taking out splint coal after it had gone over the screen?—Yes, a man and a boy.

1245. Have you any idea what that consideration amounted to per man?—There is very little of it. If a man is working in an extraordinary wet place he gets an allowance of 1s. a shift; if the place is only dripping he is allowed 10d. a shift.

1246. Would the proportion of wet places amount to 10 or 20 per cent.?—I suppose it varies between 10 and 15 per cent.

1247. *By the Hon. J. McWhae.*—If the coal we saw sent to the railway came to the depôts in Melbourne and had to be rescreened, what would it cost per ton to make it fit for the household?—All I can say is you must have seen an extraordinary bad sample when you were at the mine.

1248. It was the usual sample running for four months over those screens, and I am certain it was not anything like fit for the household?—I think differently.

1249. But if it had to be rescreened, what would it cost to rehandle it in Melbourne and separate the bad stuff out of it?—It would cost 1s. 6d. a ton.

1250. How much would the bagging of all the good coal cost?—It would be as easy to screen it and bag it as not to bag it. That would be included in the 1s. 6d.

1251. Have you ever screened coal at 1s. 6d. a ton?—I believe the Railway Department has done so.

1252. But the Railway Department did not bag it?—No, they threw it on the ground in a heap. Why bag it?

1253. How could it be supplied to householders unless bagged?—To screen it and bag it should not cost more than 1s. 6d.

1254. We estimate the cost at 5s. a ton from your old company?—I do not think it ever cost 5s. a ton to rescreen it. The 5s. may include discharge into railway yard, and carting to yard.

1255. If you screened the coal you would have to do the same as a private company, and you could not do it any cheaper than they could?—I have not gone into the question of how cheap it could be done.

1256. Do you think you could do it for less than 5s.?—I am sure I could. A lot depends on what is included in the 5s. I do not know how the 5s. is made up, whether it includes carting, or what, and I do not know the distance, or the contract rate,

1257. If you were working for a private firm would you not have to get a depôt near the place?—Yes.

1258. If it were accessible, what do you think it would cost you for this extra handling?—Eliminating carting and discharge, the charge should be about 1s. 6d. I cannot see more than 2s. 2d. in it.

1259. About how much would be the cartage?—I do not know what that could be done for.

1260. *By the Chairman.*—Taking the charge of 2s. 2d. for what other people pay 5s., do you think the prospects are very promising of coal being sold in Melbourne at 14s. a ton from the State mine?—I do not say it can be done.

1261. You have 15s. 1d. costs on the trucks in Melbourne, and 2s. 2d. for bagging and rescreening?—I hardly think the coal could be sold at a profit at 14s., if it has to be bagged and rescreened.

1262. Have there been any "wants" or areas denuded wholly or partially of coal disclosed by working, or by bores?—Only one area.

1263. Can you tell us whether there are other denuded areas besides the 26 acres?—No.

1264. Have your workings proved the trial bores?—Only in the area to which I am referring. [*Area indicated on map.*]

1265. Does not such "wants" lessen the tonnage obtainable from a given area?—Not very considerably.

1266. Does the 26 acres make a considerable, or only an inconsiderable, difference?—That area certainly would lessen the tonnage, but it has not been taken into consideration in making the estimate.

1267. Has the special screening apparatus which you installed been worked?—It was worked.

1268. Did it work satisfactorily?—The principle of the screen was all right, but we found that the slack used to accumulate on the end portion of the screen to such an extent that the drive used to break; it was no fault of the screen. It is the most difficult slack to get over a shoot I have experienced. The finer portions seem to glue up together like little balls; but in order to get over the difficulty it is only a matter of making certain alterations to the mechanical drive. Otherwise it was a very good screen.

1269. Do you know what that screen cost?—I cannot say offhand.

1270. *By the Hon. J. McWhae.*—Is there any way of arriving at the tonnage of coal from the bores?—Yes, that is the only way.

1271. Taking bores like the following:—No. 1, 4 ft. 9 in.; No. 2, 3 ft. 2 in., and 2 ft. 9 in., 5 or 6 feet between; No. 4, 4 ft. 8 in.; No. 5, 1 ft. 3 in., in a fault; No. 6, 4 ft. 5 in.; No. 7, 3 ft. 6 in.; No. 8, 3 feet; No. 9, 3 ft. 3 in.; No. 10, 1 ft. 10 in.; and then seams 1 ft. 6 in., 1 ft. 7 in., 4 ft. 6 in., 4 ft. 10 in., 4 feet, 4 ft. 3 in., 4 ft. 6 in., 3 ft. 3 in., 3 feet, 3 ft. 6 in., 2 ft. 6 in., 3 ft. 6 in., and 4 ft. 9 in. What would be the average thickness of that seam?—I make it 3 ft. 6 in. [*Indicating area on Exhibit "A."*]

1272. There is a stratum of country south, beginning at No. 38 bore (page 165 of the *Annual Report of the Secretary to the Minister for the Year 1909*), and including Nos. 40, 41, 44, 45, and 49. What would be the average thickness of that seam [*Exhibit "F"*]?—I make it 3 feet.

1273. Would you say that is a better area than the one you previously averaged?—It is not so good.

1274. Regarding bore No. 47, to the north, showing coal 2 inches; mudstone, 1 ft. 5 in.; and splint coal, 1 ft. 4 in. Is splint coal of commercial value?—Yes.

1275. What is the difference in the value of splint coal and ordinary coal?—Splint coal is mined very extensively in the Old Country, and is used for blast furnace purposes.

1276. It is not ordinary householders' coal?—It is used as householders' coal.

1277. What are the peculiar characteristics of splint coal to make it so valuable?—I have never found a carbonaceous splint in the middle of good coal like this.

1278. Coming now to No. 43 bore, away south, showing 2 ft. 6 in. of inferior coal?—The fact of it being shown inferior coal 2 ft. 6 in. shows it is quite removable, if not all inferior.

1279. Regarding No. 36, adjacent to No. 43, which only shows 1 ft. 3 in. of coal. Do you consider that any good?—No.

1280. *By the Hon. R. B. Rees.*—Considering No. 36 is no good, and adjacent to No. 43, do you still say No. 43 is removable?—Yes, because, in my opinion, there may be a fault running through there, and both these bores have got near it, but have not struck it. It is a fair thing to deduce that they came near it.

1281. *By the Hon. J. McWhae.*—There is half a mile between?—The fault runs parallel to that line of bores.

1282. *By the Hon. R. B. Rees.*—Your answer is that both bores may in each case have gone near a fault?—Yes. There is a possibility of a line of fault running between Nos. 22 and 37 bores.

1283. *By the Hon. J. McWhae.*—Coming now to Nos. 33, 3 ft. 2 in. of coal; 45, 3 ft. 6 in. of very broken coal; 42, 1 ft. 10 in.; and 46, in silurian country. What would be the average thickness of that coal—Mr. Hunter made it 3 ft. 4 in.?—The possibilities are it will be more.

1284. Taking this long western line, over a mile and a-half, the thick coal stops here—[*indicating position on wall map*]?—It is not fair to assume that the thick coal stops there.

1285. Regarding No. 24 bore, 6 ft. 5 in. of coal (page 162 of *Report of Secretary to the Minister*). What do you think is the thickness of that seam of coal—Mr. Broome says 3 ft. 6 in.?—I think it is better than that. They can all be worked.

1286. The next bore is No. 29, showing 4 inches of mudstone. Does not that mudstone take a little value off?—It is only a "band."

1287. Would you give the men any consideration for screening that coal?—No. I would throw it back into the gob.

1288. Regarding bores Nos. 31, 158 feet, and 32, coal 6 ft. 1 in. with bands of pug and carbonaceous matter?—You get those bands in all these seams. They are all taken as solid coal, and can be worked as solid coal.

1289. Coming now to the next bore, No. 34, 7 ft. 6 in. coal, with bands of mudstone?—That seam is all right.

(Committee adjourned until 7.30 p.m.)

1290. *By the Hon. J. McWhae.*—Regarding the ground running north from the thick area [*Exhibit "A," page 160, No. 18*], which contains no coal, and looking at No. 14, next bore?—There is a seam 3 ft. 10 in. there, 4 inches of coal, 10 inches of mudstone, and 46 inches of coal.

1291. What have you to the left of No. 13 bore, within the Hicksbury area?—Three feet.

1291A. *By the Hon. T. Luxton.*—Did you make your calculation on the quantity of coal in each bore as being solid, because it makes a wonderful difference if 5 feet is reported, and that 5 feet is in three

different places or in one solid block?—I have looked at the records and the blue-book, and, in my opinion, the whole could be taken out.

1292. Even if there are 20 feet between?—No, two seams of workable thickness.

1293. *By the Hon. J. McWhae.*—Accepting your estimate of 3 feet thickness, and coming to No. 11 bore, 495 feet, the one good bore in this section of 100 acres—49 inches of coal, 9 inches of mudstone, 21 inches of coal, 16 inches of carbonaceous shale, and 21 inches of coal?—That is an excellent long wall proposition.

1294. Could you take it as 4 ft. 1 in.?—I say the whole of that 7 ft. 5 in. is workable coal.

1295. It is not a solid seam?—It is just as good as a solid seam. It is taken as a solid seam anywhere you like to go.

1296. I have taken you over all that area—[*indicating area on Exhibit "F"*]?—and that is the only real good bore in it, which is right away out to the north. Why take a mile and a-half of ground between 7 ft. 5 in. and 4 ft. 1 in., it is certainly not a thick area?—I have taken that area at 4 ft. 6 in.

1297. In taking a 4 ft. 6 in. average you are putting a high estimate on it?—No.

1298. Is it not a very strong thing to say that you have 4 ft. 6 in. of coal in that area of 2 miles on the evidence you have?—We have bored still further north, showing 7 ft. 7 in. of clean coal, on Daly's lease.

1299. I cannot follow you there. At bore No. 58 you say there is 5 feet of coal, but you do not take a strip of 2 miles, but put a little strip round it, and say it is payable coal?—We are still boring there, and have proved a good seam of coal, which is increasing in thickness. That helps our calculation, as we have that to fall back upon; we have not taken it into consideration at all.

1300. Messrs. Dunn and Broome have not given us any good coal to the left of there; here and there there is a 5-ft. seam?—Which is likely to continue. I have excised that area, and have proved a fault going through it. I expected a fault, and I got a drill to bore on the area to the west, and found a thicker seam of coal.

1301. Could the Committee approve of including in the thick area some 2 miles or more, on the strength of that big bore?—I think they ought to. The chances are it will get thick on the other side.

1302. You ought not to deceive yourselves?—I do not think we are. Any company would do the same as I have done in this calculation.

1303. Would you measure off on the map the area we know contains thick coal, and calculate how much it is?—Average 4 ft. 6 in., area 1,719 acres. I would like you to check those figures.

1304. I say it is erroneous to take that thickness?—I do not think so. I have put forward certain theories, so far as the western ground is concerned, and by boring I have justified my theories.

1305. How many acres would you take of the area marked out by Mr. Dunn—[*Exhibit "F"*]?—Six hundred and twenty-three acres.

1306. What would be the average thickness?—Six feet six inches.

1307. What is the specific gravity of this coal. Would 1.24 be anything like it?—According to last year's test it is 1.28. There would be 129.6 tons per inch per acre.

1308. How much does that come to in 600 acres?—Five million five hundred and ninety-eight thousand tons.

1309. Taking 20 per cent. off that, which amount all the authorities say cannot be taken out, what is the total tonnage?—I would not say that

20 per cent. should be taken off. I consider that a 90 per cent. extraction can be obtained in that area.

1310. The authorities in Newcastle say 33 per cent. has to be taken off?—I do not believe that was put down as a correct estimate.

1311. But you can hardly dispute Professor David's figures?—He does not say it is exactly that amount; he puts "one-third" in italics. I have seen all the coal taken out in many mines.

1312. Is it not extraordinary that they estimate 33 per cent. in Newcastle, Mr. Broome 20 to 25 per cent., and now you say it can all be taken out?—There is a reason for Professor David's estimate. I am quite positive about that. I have seen New South Wales coal seams.

1313. *By the Hon. T. Luxton.*—What would be a fair amount to take off?—I would take off 12½ to 15 per cent.

1314. Fifteen per cent. is 10 per cent. less than Mr. Broome?—Mr. Broome qualified his statement; he said in certain districts he could take it all out.

1315. *By the Hon. J. McWhae.*—Mr. Broome and yourself acknowledged that you were not able to take out a lot of the pillars in the thick area?—It may have to be cut down one-quarter; nobody can tell just yet.

1316. The estimate is that there are 54 acres where the ground is from 30 to 50 feet deep. There are 100 pillars to the acre, and each pillar contains 1,600 tons of coal. The question is, how many of those pillars can be taken out. Mr. Broome says none could be taken, while you say half could be taken out, leaving the other half to be taken into the calculation?—Included in that 54 acres there is 50-ft. ground. The estimate refers to the 30-ft. ground, only 10 per cent. of our present workings.

1317. What would you estimate the balance of the coal outside the thick area?—I have 19,000,000 tons, and I am quite prepared to say where I got it from. I have not been allowed to produce the statement to-day which I was brought down to Melbourne to produce. If I had known I would have been called upon to give certain evidence I would have been able to give it in better form. You have asked me to make certain calculations according to your lines, and I have made them.

1318. *By the Chairman.*—Would you give the areas and the amounts of coal as you have made them out?—I make allotment 26A, 294 acres, coal 72 inches thick, acre inches (*i.e.*, acres multiplied by inches) 21,168. Taking the specific gravity of Powlett coal at 1.28, the amount of coal runs out at 2,738,000 tons. East side of allotment 26, 216 acres, thickness of coal 66 inches, 14,256 acre inches, and 1,837,000 tons of coal. South of allotment 26, 360 acres, thickness of coal 44 inches, 17,280 acre inches, 2,235,000 tons of coal. South of allotment 26A, 30 acres, thickness of coal 60 inches, 1,800 acre inches, 233,000 tons of coal. South of allotment 26A again, 80 acres, thickness of coal 36 inches, 372,000 tons of coal. In my opinion better results can be got there. In allotments 31 and 31A, I consider the thickness of coal to be 4 ft. 6 in.—[*indicating area on Exhibit A.*]

1319. Would you mark the area on the map you have taken into your calculation, and have it ready for the Committee to-morrow morning?—Yes.

Committee adjourned until 10 a.m. next day.

THURSDAY, 1ST DECEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the Chair;

The Hon. A. Hicks,

The Hon. R. B. Rees.

Daniel Campbell Mackenzie, further examined.

1320 *By the Chairman.*—Have you the area marked on the plan which is included in your estimate?—Yes.—[*Area pointed out in Exhibit F, and it was agreed to call the allotments 1, 2, 3, 4, 5, 6, and 7.*]

1321. How many acres are comprised in the above-mentioned areas, Nos. 1 to 7; what is the thickness of the coal; and how many tons does each area contain?—No. 1, 294 acres, thickness of seam 72 inches, 2,738,000 tons of coal; No. 2 area (east side of allotment 26), 216 acres, thickness of seam 66 inches, 1,837,000 tons of coal; No. 3 area (south of allotment 26), 360 acres, thickness of seam 48 inches, 2,235,000 tons of coal; No. 4 area (south of allotment 26A), 30 acres, thickness of seam 60 inches, 233,000 tons of coal; No. 5 area (still south of allotment 26A), 80 acres, thickness of seam 36 inches, 372,000 tons of coal; No. 6 area (portion of allotments 31 and 31A), 162 acres, thickness of seam 54 inches, 1,132,000 tons of coal; No. 7 area (north of allotment 26 and 26A on Powlett River), 1,719 acres, thickness of seam 54 inches, 12,006,000 tons of coal.

1322. Was the area marked No. 6 the one that Mr. McWhae was referring to?—Yes; he went through the others carefully last night, and stopped at No. 56 bore, 5 ft. 6 in. of coal. He did not understand how I got an average of 4 ft. 6 in. I may mention that during the last two or three months we bored there, and found coal of a certain thickness, which I have indicated in pencil—[*Exhibit F.*] We have records of those bores in the Mines Department.

1323. *By the Hon. R. B. Rees.*—Do you say that those records show a workable seam of coal averaging 4 ft. 6 in. in thickness?—Yes; that is on allotments 31 and 31A, a portion of each. We know there is an average of 54 inches there now; that is quite definite.

1324. *By the Chairman.*—Does the central area to which we have been referring consist of Nos. 1, 2, 4, and 6?—Yes, that is my thickest area.

1325. That thick area, according to your figures, contains 5,940,000 tons of coal, or slightly under 6,000,000 tons. You see in the large area you are taking a good deal on trust. Is No. 7 area, which you average as containing 4 ft. 6 in. of coal, a reserve of 12,000,000 tons?—That is so.

1326. Have any more bores been put down in that area, other than those shown on the map?—I believe two or three bores have been put down since—[*indicating area on Exhibit F.*]

1327. Mr. Dunn, in drawing his coal area on the plan, for some reason or other, stuck close to these bores, as if, on the other side, there was some extraordinary displacement of the country, and he was afraid to include it?—There is 4 ft. 6 in. here—[*indicating on Exhibit F.*]—and 4 ft. elsewhere, which I have not included in my calculation.

1328. At what depth does this coal run?—Two hundred and fifty to three hundred feet.

1329. Here is a bore—[*indicating on plan.*]—1 ft. 9 in. at 255 feet, 4 ft. 2 in. at 268 feet. What would you take that seam at?—Four feet two inches, and exclude the 1 ft. 9 in.

1330. Here is another 3 ft. 8 in. at 209 feet, and 1 ft. 8 in. at 214 feet?—We take in each 3 ft. 8 in.

1331. Take another, 7 feet at 495 feet?—We take 7 feet.

1332. What do you take bore No. 43, with broken seam 2 ft. 6 in. and 1 ft. 1 in. at 169 feet?—At 2 ft. 6 in.

1333. Have you a list of the bores that you took down to arrive at your average?—No, not with me.

1334. What could you work out of No. 11 bore, 7 ft. 5 in.?—We take the whole 7 ft. 5 in.

1335. *By the Hon. R. B. Rees.*—How do you get 7 ft. 5 in.—[*quoted description from page 179 of Report, 1909*]—That class of coal is worked all the world over. It is a long wall proposition.

1336. Is not a seam like that an expensive seam to work?—It is not very much more expensive than if it were all solid.

1337. What would you say would be the difference in working that seam and the seam 6 feet or 7 feet thick that you are working now?—It would be pretty hard to say; it would all depend on the arrangement one could make with the men who are hewing it. In my opinion, it should not cost much more.

1338. Assuming the hewing rate and selling price are as at present, and all the charges as at present, could you work it at a profit?—Yes, at the present hewing rate.

1339. Would the men work the seam in No. 11 bore at present hewing rates?—I do not think they would.

1340. *By the Chairman.*—Bore No. 47—[*Report of Secretary to Minister, 1909, page 167*]—shows 2 ft. 4 in. of splint coal. Is splint coal of that thickness of any value?—If it is splint coal it is of value; if carbonaceous matter it is not. I have taken it as splint coal in my calculation.

1341. *By the Hon. R. B. Rees.*—Can the seam indicated in bore 47 be worked at a profit at present prices?—Yes.

1342. What thickness of coal would you take, 2 ft. 4 in. or 3 ft. 4 in.?—I would take 3 ft. 4 in. for that.

1343. *By the Chairman.*—Regarding No. 13 bore—[*page 180, Report, 1909*]—could these two be worked together?—Yes; it is 3 feet.

1344. What about No. 16, solid coal 6 ft. 6 in., sandstone top and mudstone bottom?—That is very good.

1345. What do you take No. 14 at?—3 ft. 10 in.

1346. What do you take No. 43 at?—At 2 ft. 6 in.

1347. Would that be workable at all?—There is probably just a "localism" there. I would expect to get thick coal over to the west or east.

1348. Coming to No. 36, is that workable?—Not workable.

1349. Do you take that bore in in striking an average?—Yes.

1350. Now we come to bore 72. Is that included?—That bore is included in another area. There are three or four bores along the division line.—[*Indicating on Exhibit F.*]

1351. Regarding No. 24 bore?—Without taking these thick bores the average is 54 inches.

1352. That gives an average of 4 ft. 8 in.?—We have put in 4 ft. 6 in. I think we have reasonable hopes of getting a thicker seam than shown. Considering that that line of big bores runs through the heart of that country the chances are we might be able to prove a seam of coal equal in thickness to that in allotments 26 and 26A. The area north of the Powlett River is a most likely area. Then, again, there is a thick area of coal in Daly's lease—7 feet of clean coal. Therefore, the pos-

sibilities of the Powlett basin northwards are very promising.

1353. This calculation represents the theoretical quantity of coal there?—Exactly.

1354. What would be the actual winnable quantity of coal to come out of that—you say you can work it with a 15 per cent. loss?—When I said 15 per cent. loss I was taking in the thick seam with sandstone roof. In making an estimate for the whole field allowances have to be made, as faults might be met with. Professor David said a third was a fair thing for Newcastle. I would say 25 per cent. for the whole field would be a fair thing.

1355. *By the Hon. R. B. Rees.*—That would give us 15,000,000 tons of winnable coal?—Roughly; it is all a matter of computation.

1356. *By the Chairman.*—Mr. Broome says 45 per cent. of that would be slack?—I would not be prepared to say it was as high as that. I think you could take it generally throughout the field at 40 per cent. At the same time I think it would be wise to draw attention to the western portion of allotment 26—[*Marked with blue line on Exhibit F.*].

1357. I think we may take it on your figures that there would be 9,000,000 tons of screened coal, although you have reason to think there would be more within the area?—That is so; that is coal that can actually go into the railway trucks, making an allowance for loss in working and extracting slack.

1358. *By the Hon. R. B. Rees.*—Have you received any complaints from the Railway Department as to the character of the coal supplied—the quantity of slack in it, and the quantity of carbonaceous shale or mudstone?—Occasionally, I have. I might say I have received more at Outtrim. A report has come from the Railway Department that a few pieces of carbonaceous matter has been found.

1359. *By the Chairman.*—With reference to decreasing the working cost. I think you told us that if you increased the output to 2,000 tons from the present 1,300 tons you would very largely decrease your costs?—I did not say we could very largely do it. What I meant to say was that by keeping six shifts fully employed there would have been a considerable saving in cost in that way. If the mine were working up to its fullest capacity of 2,000 tons or over per day, on three shifts, we would also effect a saving in cost due to everybody about the mine being fully employed, as the larger output could be handled without much increase in certain fixed charges.

1360. You said also that if you could take this coal out in one shift instead of three you could make a substantial saving?—We would expect to.

1361. Could you possibly handle 2,000 tons a day with one shift?—Not now, but it is possible to make arrangements during the course of a certain period to have sufficient developments in the mines to run all the coal out in one shift. That is what we are trying to do now. It is all a matter of pit room, nothing else.

1362. I understood you to say the men were lying off and losing a good deal of time at present?—That is so.

1363. Under your present arrangement could you get out 1,300 tons of coal a day in one shift?—We could do it in two.

1364. Are you still working three shifts?—Yes. We approached the Railway Department to see if we could be supplied with 120 trucks daily over the sixteen hours. If the Railway Department could have done so we could have arranged our work at the mines, and instead of working three shifts we would have worked two, and effected a saving on the tonnage rate as well as for fixed charges.

1365. You are satisfied there is no hope of getting any trucks until after March next?—That is so.

1366. Then it is on account of the lack of railway trucks that you are compelled to work three shifts to maintain your present output?—Yes.

1367. *By the Hon. R. B. Rees.*—Could it be done without duplicating the railway?—Yes, I think it could.

1368. Could the haulage be done on a single line?—Our requirements should be satisfied. It all depends on what output may be expected to come from Daly's mine and other mines along the line. If the permanent line were finished to enable the Railways Commissioners to put heavier engines on, I have no doubt they could accomplish the haulage from the mine. If they can do what they get now with "double-headers" they could do it easier with a heavier line and larger engines. It will take to the end of the year to finish the permanent section, and we shall not be able to get rolling-stock until March.

1369. *By the Hon. A. Hicks.*—Mr. Broome told us the other day that the miners were getting 16s. a shift, while the engine-drivers were only getting 10s. a day, and that the miners got £3 15s. for working four days a week, and the engine-drivers £3 for working six days a week. Do you not anticipate that you will have to give the engine-drivers more?—They might ask for it, but I do not think they will get it, because it is not a matter of what the miners are making. Take the Outtrim and Jumbunna Companies; during many years some of the miners got 15s., and the average for the whole of the miners was 12s., while the engine-drivers only got 10s. a day. The average engine-driver's wages is £2 10s.; our engine-drivers are getting £3, and in some cases £3 15s.

1370. Still there is a movement to get more?—I think there is, but I do not want to make a definite statement.

1371. Are the wheelers all on contract in New South Wales?—Yes, largely.

1372. You told us when we were down at Powlett that the wheelers averaged 10s. a day?—I suppose they will average between 9s. and 10s.

1373. Is that by contract per ton?—Yes.

1374. Do you pay more or less on the average than is paid to wheelers in other coal countries?—In New South Wales, I believe the wheelers' shift rate is over 9s. At Maitland, I think it is 9s. 1d., if they work on the shift. In Newcastle, I think it is 7s. 6d. It is not unusual for them to make more than 10s. a day on contract.

1375. The one difficulty about coal miners is that the work is not continuous on most fields, there is a great deal of broken time?—Taking the New South Wales coal-fields, that is so. There should be no occasion for loss of time in a concern like the State coal mine, where they worked every day up to a certain period. The miners got as much as they liked until the slackness of trucks came.

1376. We have seen certain statements in the press that certain men employed at Powlett at a certain mine strongly objected to any other men working except those that are there at present?—They approached the general manager and myself, and said that it was unreasonable, and that new men should not be engaged until the men employed there were employed five or six days a week. The general manager gave his consent, and no more new men were put on. We thought it only a fair thing.

1377. Can you tell us anything about the brick works?—No. They are, I believe, under the supervision of Mr. Broome. We have a brick-works manager on the field. The brick works are run

under the Public Works Department. I occasionally go over there, in accordance with the regulations, but I do not take any active managerial part in the works.

1378. Do you know anything about the original allocation of the site for the brick works, and the partial putting up of the plant, and the subsequent removal of it?—No.

1379. You cannot tell us whether the material was found to be better where the works were removed to, or whether it is a better site?—No, I do not understand it at all; I had nothing to do with it.

1380. Was it a fact that the works were put on one site, and then removed to another?—No. I believe the machinery only was dumped there.

1381. *By the Hon. R. B. Rees.*—Are you still inspector of mines, and have to look after the machinery?—No, I am on leave of absence, without pay, for twelve months, and I have an Order in Council allowing me to engage in private work.

1382. Are your wages charged to the coal mine?—Yes, I believe my wages throughout the emergency period were charged to the State mine while I was in charge.

1383. *By the Hon. A. Hicks.*—Do you get all your bricks from the brick works?—Not yet. We are using them in connexion with boilers and other works about the surface.

1384. Where do you get your other bricks from?—From Melbourne, I believe.

1385. *By the Chairman.*—If you desire to make any statement to the Committee, you are quite at liberty to do so, as I do not wish you to say you have not had an opportunity to say what you desire?—I think I have had a fair, honest deal. There is only one thing in connexion with Mr. McWhae's examination yesterday that I would like to refer to. He mentioned some 7,000 feet of driving, and he calculated the cost at so much for timbering and so much for yardage, which, added on to the cost of the driving, would represent the cost of the coal. That is a mistake. The tonnage rate has not been included in the calculation at all. The calculation going through as now would make it appear wrong.

1386. You were asked what the drive cost per foot, and your reply was assumed to be the total cost?—There was a question leading up to that which referred to the yardage in the drives, and I said 4s. a yard for 10-ft. drive. Then 7,000 feet was reckoned at 4s. a yard. I was asked to make a calculation, which I did. I am not responsible for that portion of the evidence, because I simply worked out a calculation which, possibly, any schoolboy could work out.

1387. The question was, "As a mining manager of experience, what would you say would be a fair 'yardage rate' to pay for driving 10 by 7, all in coal?"—I answered that we paid 4s. a yard on face.

1388. Can you say what it actually cost for driving these headings?—Our schedule rates are now 2s. 9d. a ton, 3d. extra for working three shifts, and 4s. a yard for driving 10 feet wide.

1389. *By the Hon. R. B. Rees.*—They were on day work then?—It is very hard to get at the cost. I would have to work out the average per man from the amount each man put out.

1390. *By the Chairman.*—You were asked what would be a fair average, and you said 4s., and now you say there is an additional charge. What would be the actual cost of driving those headings?—I am not prepared to say, without going into the averages the men produced during that period. They were paid at 10s. a shift, and there was no

record taken of any individual man's average. We had no weighbridge, and no means of weighing the coal. Therefore, I cannot answer the question anything like accurately without going into these averages, which would take some little time.

1391. Can you say what the coal cost to put into the trucks before Mr. Broome took over the management?—No, not just now. It may be possible to get it.

1392. A question was asked in the Upper House regarding certain details of expenditure for the fortnight prior to Mr. Broome taking over the management, and as to the cost of the coal put into the trucks. That question was not replied to. I presume it was not replied to for the reason you have just stated, that you could not give it?—It may be possible to get the cost, within a reasonable amount, by going through all the records of the coal produced during a certain fortnight, and the number of men working on the coal during that fortnight, and so striking an average per man.

1393. Have you any of those documents in your possession now?—I believe I could get the records at the mine.

1394. Will you take the fortnight previous to Mr. Broome taking charge, and let us know the cost per ton of putting the coal into the trucks during that fortnight?—Yes, if I can.

1395. *By the Hon. R. B. Rees.*—Just before Mr. Broome took charge were the facilities comparable to the facilities you have now?—No. Since then I have been mining manager. Before Mr. Broome came, we had already let contracts for the ponies which were coming to hand. We had not a pony in the pit, and we had to break in forty or fifty green ponies, which meant a considerable amount of worry.

1396. *By the Chairman.*—Do you know anything of the cost of the proposed electric power station?—No. I believe tenders have been called for a fairly large flexible plant, which would give power to the whole field generally, and light the town, and work an electric tram from the mine down to the township. Mr. Broome has been working that out himself.

1397. Do you anticipate electric haulage in place of ponies down below?—In a good few instances we do; for instance, for bringing coal from No. 8 to No. 3, instead of along the surface, as at present. An electric motor could be placed there to haul the coal. Where at all suitable, we would put a motor in. The motor could be used for pumping, and underground drainage. A wire could be led from the power plant, and a pump fixed up anywhere it was desired to work.

1398. *By the Hon. R. B. Rees.*—I presume that a large portion of that equipment of No. 3 shaft would be of no further use?—A lot of it is portable, and could be used again. It is not uncommon in gold-mining to shift a set of poppet-head gear. The bins could also be used, although they would not be so portable as a steel set.

1399. Do you intend having bins again?—They may be necessary for this reason: Supposing the railway people were unable for one day in the six to supply the necessary number of trucks, we could keep our men working, as they might be able to supply enough trucks for screened coal. In that case we could go on working the mine, and using hoppers for storing the slack, and keep the trucks for screened coal. That was the idea.

1400. With the present equipment, could you possibly use those hoppers at No. 3 shaft?—Yes. We are making certain alterations to the original screen, which will make it all right. The two

screens we have in now are only temporary. One will be used constantly with wet coal. The wet coal was the difficulty with the first one.

1401. The cost of the equipment on No. 3 shaft is not money lost?—No. To say it was would be absurd.

1402. *By the Chairman.*—How many years of work have you in No. 3 shaft, before you leave the shaft?—We estimate it should last six years at 1,000 tons daily.

1403. Regarding the area divided up into 40-acre blocks, and reckoning it out on that basis, was something said about that?—That was wrong. I was asked to produce a plan with 40-acre blocks upon it. I based my calculations on the mine allotments. The mine plan was divided up into forty chain squares. Mr. Broome, in his calculations, divided his area up into small squares, and took the average for each square. To neutralize any chance of error, he took forty or fifty squares separately, and added them together.

The witness withdrew.

George Henry Sutton, Chief Storekeeper, Victorian Railways, called and examined.

1404. *By the Chairman.*—What position do you occupy in the Victorian Railway Department?—Chief storekeeper.

1405. I suppose you have had all to do with this Powlett coal?—As chief storekeeper, I have had to receive the coal from the mine.

1406. Can you give us the quantities of screened and slack coal that you have received from the State coal mine?—The quantity of screened coal received from December, 1909, to 31st October, 1910, was 46,076 tons; slack coal, 145 tons; and "run-of-mine" coal, 64,408 tons; making a total of 110,629 tons. Owing to an error on the part of the despatching officer of the Mines Department the 145 tons of slack coal was sent on by mistake, and, on arrival at the destinations on the railways, it was accepted in order not to inconvenience the Mines Department. We distributed the slack amongst our coal and used it. That is how it came about that the slack coal was taken.

1407. Was that at the Melbourne depôt or distant depôts?—The coal was sent from Wonthaggi to different destinations on the railways, but I have not the destinations here—[*Exhibit "G" handed in.*]

1408. What check do you have on the quality of the coal that has been sent in by the Government mine to the Railway Department?—As a check on the quality we have a departmental coal-viewer at Wonthaggi. He is an experienced man, and was previously at Newcastle. He observes the coal as it comes from the mine, and reports to me from time to time as to its quality. I might say that this viewer, when he was operating under the contracts of the Department, had the right to reject coal, and the coal after delivery at Melbourne was subject to rejection on arrival, but I am a little anticipating the next question. We have not actually rejected coal from the State mine, but the coal-viewer has drawn attention to it when not satisfactory, and we have then communicated with the Mines Department, and have asked that the screening and other matters that required attention should be given attention. This method of dealing with the coal has up to now been adopted, because it has been recognised by the Railway Department that the mine was in its initial stage, and only being opened up, and that the screening and cleaning appliances had not been fully perfected. Under those circumstances, and

having regard to the fact that the Railway Department had no formal contract with the Mines Department, under which a standard would be adopted, we did not absolutely reject any of the coal. We now consider that a time has come when a standard should be adopted, and that our viewer at Wonthaggi should have the right to reject coal which, in his judgment, is not of proper quality for use by our Department. We are at present in communication with the Mines Department, with a view to having it definitely laid down as to what shall be the basis of supply.

1409. Then the statement that the privately-owned mines make that the inspection of their coal was more rigid than the inspection of the State mine coal, up to the present, would be a correct statement?—Yes, I think it would.

1410. Was the private mine coal supplied under contract?—Yes, subject to the inspection I have already indicated.

1411. *By the Hon. R. B. Rees.*—Do you have a man to inspect the coal at the private mines?—We have a viewer at Korumburra, similar to the man at Wonthaggi, and he inspects the coal there, and, if necessary, rejects it.

1412. *By the Chairman.*—Does he inspect the coal in the screen, and reject it in the trucks afterwards if he thinks it advisable?—Yes. I would like to say that rejections have not been extensive at Korumburra.

1413. *By the Hon. R. B. Rees.*—The fact of his being there would prevent that?—Of course the fact that the coal is subject to inspection tends to insure that coal of a proper quality will be submitted.

1414. *By the Chairman.*—Were they not allowed a margin of 10 per cent. of slack at the private mines at first?—I am not aware of any such margin being laid down in my time as chief storekeeper.

1415. At present there is no such margin laid down?—The margin is the judgment of the officer of the Department inspecting.

1416. *By the Hon. A. Hicks.*—Has the coal from the State coal mine given you satisfaction?—Not entirely. We have had to ask the Mines Department from time to time, and are still asking, that the provisions for screening and cleaning should be amended.

1417. *By the Chairman.*—You say you have not rejected any coal. Have you not caused the mine to reduce the price of the "run-of-mine" coal?—I do not recollect any case of the kind.

1418. I think we can gather from your remarks that the coal, as has been stated, and I think admitted by the management to contain much more slack probably than any other Victorian coal you were getting?—The coal we have been receiving from Powlett has contained more slack than the New South Wales coal we have been obtaining under our current contract, and more slack than we have been receiving from the Austral mine at Korumburra, but we have considered that that was in a measure owing to the screening appliances not having been perfected.

1419. *By the Hon. A. Hicks.*—The fact remains that it contained more slack?—Yes.

1420. *By the Chairman.*—You have been acting in sympathy with the State mine, and you have, perhaps, taken from them coal that you would not have taken under your contracts with other people?—The Commissioners have adopted a sympathetic attitude, undoubtedly.

1421. Have you had any complains of there being too much slack in this "run-of-mine" or screened coal that you have been getting from the State mine?—The complaints come from the

rolling-stock branch, which will be represented here by Mr. Shannon. Complaints have also come from the viewer. He has drawn attention to the fact that the coal requires more thorough screening, and, as I have said, this has been brought under the notice of the Mines Department.

1422. What amount of coal was sold by the Railway Department from the State mine, Wonthaggi, and the respective prices that have been paid for it?—The amounts are as follow:—We sold 136 tons of screened coal altogether, 106 tons of which were supplied to the Metropolitan Gas Company for test purposes, and 30 tons to Mr. H. V. McKay, of the Sunshine Harvester Company, also for test purposes. It should be explained that we did not supply screened coal unless it was represented that the coal was desired for test purposes, with a view to future business. As regards slack coal as such, we have sold none. As I explained, we only get a very small quantity. As regards "run-of-mine" coal, we have sold 9,379 tons at prices varying according to place of delivery; the price including freight. Some of that coal was sold for delivery to Bendigo, Ballarat, Geelong, and Port Melbourne. The reason for these sales of "run-of-mine" coal being made by the Department was that the State mine, pending the installation of the screens, and getting the screens in thorough working order, desired to find a market for some "run-of-mine" coal to facilitate working, and our Department took from the Mines Department quantities of "run-of-mine" coal beyond what it could use to advantage. The conditions are limited under which we can use "run-of-mine" coal; we can only use that quality of coal on certain trains, and at certain times of the year it becomes specially undesirable to use coal with much slack, owing to the liability of sparks causing fires. It therefore became desirable before the hot weather set in to get rid of any undue quantity of "run-of-mine" coal that the Railway Department held, and we sold it to the public and manufacturers, as is shown by Exhibit "H."

1423. Did you have a definite basis of price for this coal?—The basis in every case was what we were required to pay the Mines Department, plus freight and expenses.

1424. Did you pay 9s. 6d. for "run-of-mine" coal?—We have been paying 9s. and 8s. 9d. for "run-of-mine" coal, and 10s. 6d. for screened coal.

1425. Can you tell us what you charged for freight on the "run-of-mine" coal?—The freights, of course, varied very much. They varied from 3s. 7½d. to Melbourne to 8s. 5½d. to Bendigo.

1426. I presume that the only variation was the extra freight?—Broadly speaking, that would be so, but the price varied a little according to the time we sold the coal; and our view as to whether it was desirable to sell the coal at the time. The figure we charged may have varied according to the desirability of the sale from our point of view.

1427. *By the Hon. R. B. Rees.*—What was the freight to Bendigo?—8s. 5½d.

1428. It is said you sold some to the Metropolitan Board of Works at 15s.—large parcels—which would cost 8s. 9d., plus 3s. 7½d.?—We supplied it at Spotswood; and the freight to that place would be 4s. 1½d. There are office charges, inspection charges, and handling charges.

1429. Apparently, it cost 12s. 10½d., and you add the margin for other charges?—Yes; but it ought not to be understood that the margin was profit—it would not be.

1430. *By the Chairman.*—How do you reckon this coal compares as regards cost for railways

purposes as against Newcastle coal; is the railway benefitting by using the State coal, or the reverse?—I think that you are getting direct evidence of that from another witness. I think Mr. Shannon will deal with that. I believe I am right in saying that.

1431. He would be able to say as to the extra rise of 1s. a ton in the price?—Mr. Shannon is here.

Mr. Shannon.—The heating value, but not the monetary. I can give the percentage value.

1432-3. *By the Chairman.*—We want the monetary point of view—take the difference—you were paying 19s. 6d. for screened coal from the State mine. Mr. Tait made a comparison before the Railways Standing Committee, and that was based on the 10s. 6d. rate; and, at that time, I think he worked it out that the Department was at a disadvantage of 1s. a ton in comparison with Newcastle?—Yes, about that on basis of delivery at North Melbourne.

1434. Have you any contracts with Newcastle where the figures have been altered?—Comparing the value per ton of Newcastle and Wonthaggi, we have had certain estimates made, and they show to this effect—New South Wales coal, allowing for freight to certain country and suburban stages, 16s. 6.8d. per ton, that is the best New South Wales coal; using Wonthaggi screened coal, at 10s. 6d. per ton at the mine, the cost at the stages would be 17s. 10.4d. That is taking into account 15 per cent. additional coal to give a result equal to the New South Wales coal; and also allowing for the freight at $\frac{1}{2}$ d. per ton per mile necessary to convey the coal to the suburban and country stages. The excess average cost per ton for Wonthaggi coal—New South Wales standard—would, therefore be 1s. 3.6d. I may say that we have also worked out an estimate on the basis of the coal all being delivered at North Melbourne coal stage, 16s. 5d. per ton being the cost of New South Wales coal; using Wonthaggi screened coal, all delivered at North Melbourne coal stage, 17s. 4.7d.—the excess cost for the Wonthaggi coal being 11.7d. Those figures are on the basis of the charge for Wonthaggi coal which existed before the recent proposed increase. The increase adds a little more than 1s.; because of the increase in the quantity of Wonthaggi coal we require to take to equal the New South Wales standard. I can give you the figures if you would like to have them. Assuming that 1s. a ton increased price is charged by the Mines Department—this is still under discussion—but assuming that the increase of 1s. will be given effect to on the screened coal, the position would be—Using New South Wales coal and allowing for freight to certain country and suburban stages where required for use, 16s. 6.8d.; using Wonthaggi screened coal, and allowing 15 per cent. additional coal to give the same result and for freight to suburban and country stages where required for use, 19s. 0.2d.; excess average cost per ton for Wonthaggi coal, 2s. 5.4d. Taking the coal again on the same basis—delivered at North Melbourne coal stage—using the New South Wales coal, all delivered at that stage, 16s. 5d. per ton; and using Wonthaggi coal, all delivered there, and allowing 15 per cent. additional for difference in quality, 18s. 6.5d.; excess cost per ton, 2s. 1.5d.

1435. What is your annual requirement of coal at present?—We will want, it is approximately estimated, about 394,000 tons of screened coal from the State mine during the thirteen months ending 31st December, 1911.

1436. *By the Hon. R. B. Rees.*—What is the total requirement?—We estimate that for the thirteen months ending 31st December, 1911, there will be required a quantity of coal of the New South Wales standard of 417,000 tons.

1437. That is the total consumption of the railways?—Yes; that we would require for the thirteen months on the basis of the estimated traffic train mileage. That may vary. If, for instance, there were a slump in the harvest, it would vary; but making an estimate to the best of our ability for the thirteen months ahead, that is what we consider will be required. But 417,000 tons is not the quantity of coal that we estimate we will require from the State mine during the thirteen months ending 31st December, 1911; we have obligations to take coal from other Victorian mines. The obligation, so far as Victorian mines, excepting the Austral mine, are concerned, will terminate on the 31st of December—this month. The only contract then will be with Mr. Peter Hudson, of the Austral mine, Korumburra, and that runs till 31st December, 1911—the Department being under obligation to take 35,000 tons of coal per annum from Mr. Hudson. Then we also have an obligation to take during the present month 10,000 tons of coal from New South Wales in completion of the contract that we have with the mine-owners there. Beyond that we have an over-plus of coal on hand. That is to say, the Commissioners desire, for the purposes of safety, to hold a stock of 75,000 tons of coal, whereas a much larger tonnage is now on hand.

1438. That would still be on the stages in December next year?—We desire to hold 75,000 tons as a safeguard, in the event of strikes, or other emergencies; but we have over 100,000 tons now, and it is desired to reduce this quantity to 75,000 tons, because it is too heavy; and to that extent we will not want coal from the State Coal Mine. Taking those different considerations into account and allowing for the increased quantity of Wonthaggi coal estimated to be required to equal the best New South Wales coals, the quantity we estimate that we will require from the State mine during the thirteen months in question is 394,000 tons—assuming that we take screened coal only. The Department would, however, be prepared to take in certain months of the year—the months in which there would not be a risk from fire arising from sparks—run-of-mine coal to the extent of 65,000 tons; and, assuming we do take 65,000 tons of un-screened, in conjunction with the screened, coals, our requirements to 31st December, 1911, would be, say, 398,000 tons—that is, 4,000 tons more than if we took screened coal only.

1439. *By the Chairman.*—That would practically cause a loss to the railways of from £40,000 to £45,000 compared with Newcastle coal?—I have not worked that out.

1440. *By the Hon. A. Hicks.*—I see the prices have varied very much during five or six years; it has been stated at 1s. or 2s. a ton at a time. On what year have you based your estimate—do you take so many years?—The present New South Wales contract.

1441. Is that higher than it has been, or lower?—The contract we are speaking of is higher than certain contracts we have had for previous periods. The contract prior to the one we are now getting New South Wales coal under was for the three years ending December, 1909, and under that contract the price of the coal was 14s. 1d. delivered at Melbourne—14s. 4d. delivered at Geelong, in the trucks. The price under present contract, corresponding with the one last mentioned, is 15s. 5d.,

delivered at Melbourne or Geelong; and, in addition, I might mention that we let two contracts during the present year for special quantities of coal from New South Wales—fixed quantities instead of quantities ordered from time to time, and we paid 16s. 2d. per ton under the last of these contracts, and 15s. 5d. per ton under the first.

1442. The price of New South Wales coal is higher now than some years ago?—Yes.

1443. And on that you base your calculation for the State coal?—The approximate costs of Wonthaggi coal given by me are contrasted with New South Wales coal received under present contract at 15s. 5d. per ton.

1444. *By the Chairman.*—You have no statement showing the price of coal during the last six years?—I gave you the price of New South Wales coal during the three years ending 31st December, 1909. I could give it for an earlier period, if desired.

1445. At what price Newcastle coal has been supplied, and probably could be supplied again?—The price that was paid for Newcastle coal during the two years ending 31st December, 1906—that is, the period next preceding the period ending 31st December, 1909—varied from 10s. 5d. to 11s. 11d. I might mention, in connexion with that, that probably it cannot be accepted as a fair index of the value of coal to-day. At that time things were bad in Newcastle. The mines were looking for business, and prices were admittedly very low indeed; so that, while I have given you an answer to the question you have asked, I do not think it is fair to assume that that could be taken as a price at which similar coal could be purchased to-day.

1446. *By the Hon. R. B. Rees.*—Is it a fact that the mines are almost overreaching themselves to-day, owing to the prices, and would it be fair to assume that prices would go down?—There are varying statements as to the condition of the coal trade at Newcastle.

1447. Can you give us the price as to what over-sea coal can be landed at. I understand that Indian and Japanese coal was used during the strike?—Yes; but we paid at strike rates, of course.

1448. Still it would be a relative comparison as to what it could be landed at here fairly?—I am rather doubtful of that. It was known we were under strike conditions, and we paid prices that would not be a fair index of prices under ordinary conditions, and we would be sorry to pay those prices now.

1449. It has been said that Wonthaggi saved the situation, and broke the strike?—I do not know that I can give you the full particulars; but from 1st January, 1910, to 31st May, about 82,000 tons of imported coals were received.

1450. Of this year?—During the strike—at a cost of nearly £117,000; and the average price was about 27s. 6d. a ton.

1451. *By the Chairman.*—With reference to the price of coal from the other mines—what is it from the Austral?—Thirteen shillings per ton.

1452. What is that for?—In trucks at the mine.

1453. What does it work out at—coming into Melbourne?—I have not got that.

1454. How does it compare with your 19s. or 18s. 6d. for Wonthaggi?—To make a true comparison as between Austral coal and the figures I have given you for Newcastle and Wonthaggi coals is not a mere matter of adding the freight. It would have to be gone into carefully to enable me to arrive at a comparison. It would depend on the cost at the stages taking comparative steaming value into account, and is not the sort of calculation one can make off-hand.

1455. Could you send it to the secretary?—Yes.

1456. *By the Hon. R. B. Rees.*—The railway went to Wonthaggi in the latter part of February or March, can you tell me the date you got the first consignment of coal by rail from Wonthaggi—roughly?—About the middle of March.

1457. Was there any great deficiency of coal in the railways just then which would necessitate panic mining or emergency mining at Wonthaggi?—During the time the strike was going on there is no doubt that the Railway Department was very pleased that efforts were being made to open up the State mine; because at times the position was sufficiently serious. We were largely dependent on over-sea coal, and the boats might go to the bottom; and, in that case, the Department would have been rather "up against it." In that aspect, the Department was pleased that every effort was being made to develop the State mine.

1458. There is £10,000 charged or written off the emergency work that really was supposed to have cost more than it should have cost, and the question is whether the State mine should be debited with that £10,000, or the railways?—That is a question I would not like to speak on.

1459. Can you give the proportion of screened and slack coal that is now being carried on the railways from Wonthaggi?—I cannot give you the tonnages, but during the last few months the quantity of slack that is being taken out of the coal supplied to the Department has averaged about 33 per cent.

1460. From our observation at Wonthaggi on Friday, it appeared to us that there was not more than probably 10 per cent. of slack being taken out of the coal, and I want a statement as to how much screened coal and slack was brought away from Wonthaggi?—I think I have something that might interest you in regard to that. I have here figures in respect of September, October, and November. In September, we got 14,580 tons of screened coal, 7,250 tons of slack coal, or a total of 21,830 tons; and the percentage of slack was 33 per cent. For October we got 16,180 tons of screened, and 9,080 tons of slack, or a total of 25,260 tons; and the percentage of slack was 36 per cent. In November we got 19,200 tons of screened, and 8,860 tons of slack, or a total of 28,060, and the percentage of slack was 32 per cent., the average of slack for the three months being, say, 33 per cent. That is slack sold by the Mines Department and delivered to the Railways Department to convey to destinations. [*Return marked Exhibit "1."*]

1461. *By the Hon. A. Hicks.*—We were told the other day that the Minister thought 147,000 tons might be delivered next year—does that go through your hands? Can any screened coal be delivered and you not know of it?—I might explain that, although I am not directly concerned, as storekeeper, in the quantity of slack that may be sold by the Mines Department, I am indirectly concerned, for this reason, that I want to know how much slack is being taken out of the coal delivered to the railways. I therefore get a wire from my viewer as to the daily quantities of screened and unscreened and slack coal; and it is the result of those wires put together that I am giving you now.

1462. That is really an account of the coal that has come from that mine during three months?—Those figures are the result of wires I have received. They may not be absolutely correct, but they are taken from the wires of the viewer, and should be practically correct.

1463. *By the Chairman.*—Has there been any difficulty about the storage, or about its catching

fire, or its not being able to be stored?—In the early stage of development of the mine, some Wonthaggi coal did heat while lying on a wet place at the mine; but the evidence we have so far is that it is not specially dangerous in that regard.

1464. Was not there a fire at Bendigo in the case of some Wonthaggi coal?—It was reported that some coal stored on the stage was showing some signs of heating; but it never came to anything serious.

1465. Are any special precautions taken in the way of putting pipes into the slack?—We do not stack the coal above a certain height. There is no real disadvantage in that, because the coal is only stacked to a height that is reasonable for working purposes.

1466. If you want a reserve of 70,000 tons, and the Wonthaggi coal is dangerous, would not you keep it at Wonthaggi?—Our storage supply is kept chiefly at North Melbourne. It lies on the ground, and not on the stages. We have about 60,000 tons of New South Wales coal now on the ground at North Melbourne.

1467. Is it the case, as mentioned by some of your engine-drivers, that you do not store or stack this Wonthaggi coal on the ground owing to its friability and deterioration on being exposed to the weather—is that a fact?—So far as the weathering of the Wonthaggi coal is concerned, we have really no evidence to guide us, because the coal has not been in existence as stored coal for a time sufficiently long to enable us to judge. We want to get reliable data as to the extent to which coals, including Wonthaggi, deteriorate under storage; and to do that, a special enclosure has been erected at West Melbourne, and different classes of coal have been put there, under uniform conditions, with the idea of making tests subsequently as to the effect of the weather, and generally as to the effect that lying on the ground in the open has on different classes of coal. They have not been lying long enough yet to enable anything definite to be said.

1468. Have you seen a statement with reference to American railway companies storing coal under water?—I have not heard of that in regard to the American railway companies, but in connexion with the Admiralty in England, I understand it is done with regard to their coal. I think I read of that in a magazine.

1469. I understand the New York Central Company have large basins or receptacles, where the coal is stored and then covered with water?—Our experience, and the authorities we have been able to consult lead us to the conclusion that coal while deteriorating in a certain measure during the first few months of exposure, does not do so to any marked extent after that. It seems to remain practically uniform after the first few months.

1470. To what extent does the recent proposed increase in price of Wonthaggi coal affect the Railway Department?—I might put in a statement with regard to that.—[*Reading and handing in the same (marked Exhibit "J"), as follows*]:—

VICTORIAN RAILWAYS.

The increases in prices for screened and "run of mine" coal, of which the Railways received notice from the Mines Department early last month, would, if adopted, have the effect of increasing the rate for screened coal from 10s. 6d. to 11s. 6d. per ton, and for "run-of-mine" coal, from 8s. 9d. to 9s. 6d. per ton.

It is roughly estimated that about 330,000 tons of screened coal, and, say, 65,000 tons of "run-of-mine" coal will be required from the State mine for use by the

Railways during the thirteen months ending 31st December, 1911, and the proposed increases above-mentioned would have the effect of increasing the cost to the Railways as follows:—

	Rate per Ton.	Amount.	Proposed increased rate per ton.	Amount.	Increased cost to Railways.	
					Per Ton.	Amount
		£		£		£
Screened coal, 330,000 tons	10/6	173,250	11/6	189,750	1/-	16,500
Run-of-Mine coal, 65,000 tons ...	8/9	28,437	9/6	30,875	9d.	2,438
		201,687		220,625		18,938

It should be stated that, among other things, the matter of the price to be paid by the Railways for coal supplied by the State mine is now receiving consideration by the two Departments in question.

The witness withdrew.

William Montgomery Shannon, examined.

1471. *By the Chairman.*—What are you?—I am assistant to the Chief Mechanical Engineer, in the Rolling Stock Branch, Victorian Railways.

1472. The matter of the relative value of coal comes particularly under your notice?—Yes. I might state that in connexion with the questions submitted to me, I have prepared a statement. This—[*handing in the same*]—is the statement; and these—[*handing in documents*]—are some accompanying tables or tests. The small sheet is a summary of the information contained in the larger sheet.

1473. *By the Hon. R. B. Rees.*—Is that as to the calorific value?—Those are practical and laboratory tests. About two-thirds of the coal we are now using is Powlett, and it is being used on all services—suburban passenger, country passenger, and mixed goods.

1474. *By the Hon. A. Hicks.*—And express?—Yes.

1475. *By the Hon. R. B. Rees.*—And the other one-third is?—One-third is New South Wales coal. During the past eighteen months we have made a series of comparative tests to ascertain the heating values of Powlett and other coals, and those have been carried out on "A2" and "AA" class locomotives—the "A2" running the Sydney express between Melbourne and Benalla, and the "AA" a Bendigo passenger train—and also on "DDE" class locomotives employed on the Box Hill and Sandringham-Essendon suburban services. Those tests were started really before the inception of the Powlett River coal, and before the mine cropped up. The strike occurred, and we included English, Welsh, Indian, and Japanese; and then the Powlett came along, and we included that in the tests; so they are very complete tests. With respect to the Powlett River coal, the first coal we obtained from Powlett came to the Department by boat, *via* Inverloch, and that coal was tested on those runs. That was the first of the Powlett coals tested. Then, afterwards, when the railway line was completed, that heap of coal which was stacked at Powlett was forwarded to Melbourne. We afterwards began to get run-of-mine coal, and that was representative of the average coal from the mine. When that run-of-mine

coal came to hand, we arranged to test it—so there was really two series of tests—that which came *via* Inverloch, and the run-of-mine coal.

1476. That is what we want really—the present coal?—The lot we tested, I think we got 120 tons. That was forwarded by Mr. Broome as representing the average coal as we got it from the mine. Since then we have found that the coal we are now receiving is approximately of the same quality. It all varies, and some of it received recently was found to contain some dirt bands out of the numerous shafts.

1477. How does that compare with Newcastle?—When we got it at North Melbourne from Mr. Broome, it was all put on the North Melbourne stage, and it was screened, to ascertain the amount of slack. We screened it over bars placed at an angle of about 50 degrees, and spaced three-quarters of an inch apart; and we found on screening that the run-of-mine coal contained 66 per cent. of slack. That was obtained in about April. The samples were then tested on a “DDE” class of engine, and on testing it on the engines—including an “A2” class locomotive, on the Sydney express running between Melbourne and Benalla—we tested absolutely screened run-of-mine coal. Then we added 25 per cent. of its own slack, and on such services as we could test we tested at 66 per cent. slack, and got the three different results with the varying qualities. Those tabulated statements give full details of those tests; and the summary, I think, contains the information the Committee required as to values. It was tested on the Box Hill and on the Sandringham-Brighton-Essendon lines, and also on the Sydney express and Bendigo trains. Those relative values show that it gave a slightly better result in regard to the first lot by steamer from Inverloch, as against the average run-of-mine coal.

1478. The surface coal was better than that down below?—I would hardly say that. It may have been possibly owing to the fact that the coal they sent us round by Inverloch had been stacked on the ground, and they would send the lump coal *via* Inverloch. It was slightly better than that we are getting now. I think it was cleaner, and the way it was then coming any moisture that was in the coal evaporated. It was longer on the journey, and, consequently, there would be less moisture in a ton of the coal. That would be one reason. The Powlett River coal is soft and friable, and necessarily produces a large amount of slack, which is increased by handling and exposure. It is lower in volatile matter than the New South Wales coals, and therefore makes less smoke; it is comparatively freer from ash, and so far, forms little or no clinker in combustion in the locomotives; but, on the other hand, it makes more sparks—particularly with the slack.

1479. *By the Chairman.*—Did you find there was any great danger from sparks last year during February, March, and April?—No; we did not use it on the country lines then. It came first in small quantities, but after it came in large quantities. For use on the suburban and branch lines, and some goods and passenger services, the coal should not contain more than 25 per cent. of slack. We could get along with that 25 per cent. on goods and certain passenger trains; but on the fast passenger trains, such as the Sydney express, we found we had to have it thoroughly screened. We get that done with the best coal; and even with the Newcastle for those trains it is thoroughly screened.

1480. *By the Hon. R. B. Rees.*—You say that 66 per cent. of slack is taken out of the run-of-mine coal?—Yes; that run-of-mine coal may be

used on some of the least important goods trains and on switching services. We can burn a certain amount of that coal there. As regards, however, the results of the tests, and our experience of the coal since—taking the average of New South Wales coals as value 100 per cent., the Powlett run-of-mine unscreened for switching and some goods purposes, would be 80 per cent. Run-of-mine, with not more than 25 per cent. of slack, would give us a percentage value of 85 per cent.; and that could be used on suburban and branch lines and important goods trains. The Powlett run-of-mine, after being thoroughly screened, and providing it does not contain more than, say, 6 per cent. or 8 per cent. of slack, could be used on express, fast passenger, and fast mixed trains, would give us 85 per cent. also.

1481. That is 85 per cent. as compared with 100 per cent. of Newcastle coal?—Yes; of the best Maitland and Newcastle coals.

1482. *By the Chairman.*—Will you continue your statement?—I might tell you that these are locomotive tests, but the slack coal has been tested in the Brighton tramway electric power house by Mr. Stone, and I have a copy of his report here, for the information of the Committee. The summary of his conclusions are—increased fuel consumption when Powlett coal was used, say, 16 per cent. Approximately he confirms the value obtained for locomotive purposes. We have also tried the coal in the Newport Workshops. I have not percentage values to give, but I can tell for what purposes it can be used.

1483. What do you use it for?—At Newport Workshops we use the run-of-mine coal in the stationary boilers for steam-making purposes, and we can use it in certain furnaces, such as the spring furnaces, tyre furnaces, &c. The “nut” coal can be used for blacksmiths’ purposes, but for forge work (*i.e.*, for knocking down iron under the steam hammer) screened Powlett coal can be used; they prefer to have half Newcastle and half Powlett coal for forge purposes.

1484. *By the Hon. R. B. Rees.*—You cannot use Powlett slack for general blacksmith’s work?—Powlett “nut” coal.

1485. They are not making “nut” coal there, their screen did not work?—Well, they use “nut” Newcastle coal the same way.

1486. *By the Hon. A. Hicks.*—If practicable, they prefer Newcastle?—No, they can use Powlett “nut” coal.—[*Exhibit “K” handed in.*]

1487. *By the Chairman.*—We asked Mr. Sutton whether there was any difficulty in storing this Powlett coal, and whether there was more danger of spontaneous combustion than with other coal?—When the coal was first mined at the Powlett it was put into a heap, and some trouble was experienced on account of the coal heating. Afterwards we had some little trouble at Bendigo. The coal was stacked, and one of the heaps on the stage was about 18 feet high. Temperatures were taken, and it was found that the coal heated up in the centre. Providing it is stacked 10 or 12 feet high it is all right.

1488. Have you had occasion to draw the storekeeper’s attention to the fact that you were getting too much slack in the screened coal from the Powlett?—Yes. There is a fair percentage of slack in the screened coal we get from the State mine—rather more than we want for some purposes.

1489. Would there be more slack in the Powlett coal than the coal you get from Jumbunna or Outtrim?—Yes. I think they have very good screens at Jumbunna and Outtrim; but I am not altogether

sure whether the screens at the Powlett are altogether satisfactory, even to themselves. I know that we are gradually getting less slack.

1490. Mr. Sutton told us that the other coal was supplied under a contract that had special reference to the slack, but there was not any definite contract for the Powlett coal?—So far as I know, there is not any definite quantity of slack specified.

1491. As regards the cost, if you were getting 10 or 15 per cent. more slack in the screened coal from the Powlett mine than you were getting in the coal from the companies' mines, the Powlett coal would be dearer to you?—Yes; the more slack the lower the efficiency for locomotive purposes.

1492. *By the Hon. R. B. Rees.*—You told us that you screened run-of-mine coal, and found 66 per cent. of slack in it. Have you ever screened any of the screened coal supplied to you from the Powlett?—Yes, we have made a test of an occasional truck now and again.

1493. How much slack did you find?—We found some trucks, perhaps, a little over 30 per cent., and some trucks nearly up to 40 per cent. of slack. I suppose, on an average, we would find about 32 to 35 per cent. of slack in the screened coal sold to us. That is what we find on the stages, and after handling and transit from the mine.

1494. Have you made any comparison between the Powlett coal and the Newcastle coal, as regards slack, as delivered on the coal stages?—Only from what I might see from my general observations.

1495. What is the comparison?—The storekeeper would know exactly what amount of slack could be expected. As a general rule, there might be 15 or 20 per cent. of slack in Newcastle coal when on the stages. That might be due to tipping up into the boat, re-handling on the stages, &c.

1496. Have you anything further to add with regard to the Powlett coal?—In the tabulated statement of comparisons of coals, the calorific value of the coal is taken from laboratory tests, and is a measure of the heat which the coal contains. Its practical value would be obtained from the amount of water that the coal would evaporate per pound. Such a test eliminates all outside conditions, such as variations in weather, &c.

1497. Can you tell me the relative value of this slack coal as compared with the general run of wood used for steaming purposes in Bendigo, taking wood at 8s. a ton, and the coal at 7s. a ton?—I think the calorific power of the wood would vary according to the kind of wood. I think a ton of good coal is equal to two and a-half or three tons of wood in heating value.

1498. With slack coal it would be necessary to have mechanical stokers for stationary boilers?—Yes. [*Tabulated statements (3) marked Exhibit "L."*]

The witness withdrew.

The Committee adjourned sine die.

WEDNESDAY, 7TH DECEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the chair;
The Hon. A. Hicks, | The Hon. R. B. Rees.

William McIver examined.

1499. *By the Chairman.*—What are you?—Accountant to the Closer Settlement Board.

1500. We understand that your services were requisitioned in connexion with the adjustment of the emergency account of the coal mine?—Yes.

1501. You went down to the coal mine?—Yes,

1502. What was the nature of your work down there?—When I went down the first time it was to classify the expenditure as far as it had gone, as between capital and revenue expenditure, and to design a complete set of books and accounts, to put the mine books in a proper position as regards future operations.

1503. When you went down what did you find the state of the documents placed before you?—I found the expenditure up to that period had been kept, but not classified as between capital and revenue.

1504. You say it was kept?—Yes; they had records of the expenditure, and what the expenditure was for, but it was not posted to ledgers or classified.

1505. How did you proceed to dissect it?—I commenced from the beginning and went carefully through their records of expenditure, took out analysis sheets of every item of account, as far as the materials purchased, the timber obtained, and matters of that kind were concerned, and I wired up to the Department to send me down their vouchers in connexion with the wages, in order that I might ascertain exactly, or as nearly as possible, why the wages were paid, and for what purposes, and allocate them as between capital and revenue as nearly as it was possible to do at that particular juncture.

1506. *By the Hon. R. B. Rees.*—When was that?—The first time I commenced to allocate was about the 3rd of May, this year.

1507. The only source of revenue was the coal sold?—There are a few miscellaneous sources of revenue, but very slight. There were some few items for tent sites, and things of that kind.

1508. *By the Chairman.*—When you got these pay-sheets, was there anything to distinguish the items?—In most cases they could be distinguished, in some cases it would be a very difficult matter, in this way, that a man might be working on the mine, and it would be rather difficult from the information on some of the vouchers to determine whether he was working on a revenue item or on capital work; but, broadly speaking, the information was fairly full.

1509. How were the pay-sheets made out?—Some of them were on the ordinary regulation vouchers, the L2 form.

1510. *By the Hon. R. B. Rees.*—That does not give any information as to how a man has worked?—Excepting that it might be he was down as coal getting, or he might be down on drain work, or boring, or he might be there as carpentering or building.

1511. *By the Chairman.*—How were those sheets certified to?—They were all properly certified by the officers appointed under the regulations; by Mr. Hunter, I think, and the Secretary for Mines.

1512. Were there any sheets certified by gangers or bosses of shifts?—No, no account would go through unless it was properly certified by a responsible officer; accounts may have been initialed and sent in as correct by them.

1513. Each man's claim for wages was put through on the L2 form, like any other claim on the Treasury?—Yes, that was at the beginning, when I went down first, that was about the 3rd of May. I went down on the 27th April, and came back on the 3rd of May.

1514. Having classified this expenditure as well as you could, you decided to make out a balance-sheet?—I went down again to bring the classification up to date, up to the 30th June. I went down on the 3rd of October, but I had been down on the 1st July for a few days to instruct the officer as

to the keeping of the books, the forms that I had designed, the fortnightly cost-sheets, the time cards, and the cards of the workmen, where they were to distinguish between capital and revenue work.

1515. Practically up to the 1st of July there was nothing like that done at the mine?—The full system was not installed.

1516. There were no cost-sheets that would enable any one there to state definitely what it was costing them to put coal on the trucks?—I do not know by what method the officer responsible for that arrived at the cost, but the work that came under my notice did not include that.

1517. Mr. Hunter told us he did not keep any accounts whatever; he simply certified to documents and sent them on?—Yes, as far as I know, the officers at the mine did not keep any cost-sheets.

1518. *By the Hon. R. B. Rees.*—What officers were responsible for keeping those account-sheets?—The officer that would be responsible; that would be a matter for the general manager to determine.

1519. You mention officers responsible for keeping the accounts?—I think the accountant of the Mines Department was the officer responsible for keeping the accounts up to that date.

1520. We have it from him that he kept no accounts, so there was nobody keeping accounts up to that date?—Somebody would have to keep accounts of the expenditure, but they were not classified.

1521. Vouchers were filled in by Mr. Hunter, and they were paid on those vouchers?—Yes.

1522. No detailed accounts were kept up to your visit?—The usual system of bookkeeping for a mine was not installed until my visit.

1523. *By the Chairman.*—When you started to dissect this and get it into shape, did you get any special instructions as to how you were to make this balance-sheet out?—No, I was allowed discretion to do what was right, as far as I could ascertain, to justly apportion this expenditure, and I did so, and explained my apportionment to the general manager. I went over every item with him, in order that he might challenge any division that I had made, and in one or two items he did challenge, and showed me that it might be varied a little; but there was practically no difference between my allocation and what we finally agreed on.

1524. *By the Hon. R. B. Rees.*—What was the date of that?—I cannot give the exact day. It was on one of the occasions I was down at the mine; it would be in October. The previous time I was down in May. I went through up to that period with him. There were two periods in which I classified expenditure.

1525. The general manager took charge there on the 23rd of March, and you had this conference on the 3rd of May as to this allocation?—Yes, that would be about the date; about the 3rd of May I finished up.

1526. Then he was as much a stranger to the position up to his appointment as you were?—Yes, he would be a stranger as far as the earlier expenditure was concerned.

1527. All the records you had were the L2 forms?—And the record that Mr. Shea kept in the head office; he kept an account of the accounts that went through.

1528. That was merely what he collected from the L2 forms?—Yes.

1529. The only records that you had were the records that you could gather from the L2 forms?—Yes, and the records kept by Mr. Shea.

1530. *By the Chairman.*—This balance-sheet that was published in the *Argus* is the one you made out?—Yes. The Auditor-General's certificate is attached to that.

1531. That certificate is a very qualified certificate?—Yes, I noticed that. I hardly understand what he means by accuracy; there could be no doubt as to the expenditure being accounted for. I presume he means the allocation between capital and revenue, otherwise he had the vouchers in his own office, as to the total amount of expenditure, which were duly audited by him.

1532. You want us to understand that in making out this balance-sheet, and settling what was emergency account and what was capital account, you endeavoured to do it on the basis from the documents that you had there, and it was not done by the manager of the mine valuing what he saw was there as being worth an equivalent amount to capital account, and then writing off the balance?—I asked specifically that everything on the mine be valued as from the 30th June, and I understood that was done, even the timber in the forest that was cut, was specially valued as at the 30th June.

1533. *By the Hon. R. B. Rees.*—That was done on your order?—I presume it would have been done anyway; but I took the precaution to mention that it should be done, and I know that instructions were issued to the men in the forest to count up their cut timber and all materials on hand. I had the assistance of the officers down at the mine, for instance, there was Mr. Falloon, who had charge of the office at the mine from the beginning, and in nearly every case where the information was not very clear the officers at the mine were able to indicate to me where the materials had gone.

1534. Were those records submitted to you verbally, or proper authenticated records in writing?—I only had the verbal explanations and my own observation.

1535. The stock taking, or inventory, as on the 30th June, was given to you by the general manager verbally?—Yes, he quoted from documents that he had in his possession.

1536. They were not submitted to you as properly drawn up documents?—They were drawn up documents, and I believe a proper inventory was made; but they had the amounts apportioned as to what material came to hand that was not paid for on the 30th June, and what material was not paid for on that date.

1537. You are the accredited officer to fix up this entanglement in the accounts of the State mine; did you accept the verbal statement of the general manager as to the accounts?—I took his records and inserted them in the books. I saw the documents in his possession.

1538. Did you have those documents authenticated, or was it merely the general manager's statement?—I took the general manager's statement and recorded it in the books.

1539. You do not know what the contents of the documents were?—Not all the contents.

1540. *By the Chairman.*—Did not the Mines Department practically direct and expend money on account of ever so many other Departments at that time?—Yes.

1541. How did you dissect that?—I took note of every voucher that was for township work or snagging the Powlett River, or in connexion with the brick works, or the State Rivers and Water Commission for the reservoir—they had nothing to do with the mine account.

1542. Can you give us a list of all those totals at that particular time, that were not included in this balance-sheet of the 30th June?—I took an analysis of every item that did not belong to the mine. I may say that in connexion with the final adjustment I got the general manager's certificate as to the state of affairs.

1543. Was not a good deal of it really done on that certificate without documents that could actually be identified?—I think all the documents could be identified with the items. I think all the documents could be produced.

1544. Can you give a list of the totals that you allotted to the other Departments when you made out this balance-sheet on the 30th June?—The finance statement of the Treasurer shows the amount that was actually expended.

1545. Did you not have any document of your own to show how those items were separated from the mass of expenditure?—Yes, but there were some that they did not put through with the mine records; they picked them out in the Mines Department. I picked out all that were in the books amongst the mines accounts, but they had not all gone in. I allocated £965 6s. 4d. for the snagging of the Powlett River, and £6,689 6s. 5d. for the township. Those are only rough sheets; as the books were there, I did not keep a fair record myself.

1546. *By the Hon. R. B. Rees.*—Were not the fair records drawn from those sheets?—Yes, those that were done by the Mines Department would be inserted in a book, but I did not insert them in those rough sheets; they are an analysis of what were altogether in the Mines record of expenditure.

1547. Then would they be transferred to the books of the Mines Department different to the way they appear in your sheets?—The Mines Department put them in themselves, and sent them along to the Treasurer charged to the township; they were known to be for the township, and it was probably known at that time that the township was not going to continue under the mine.

1548. You prepared certain sheets allotting certain expenditure under different headings, which you call rough sheets; these are the sheets you now produce. Then the accounts off these rough sheets are transferred to the books of the Mines Department—what possible variation can there be between what is stated in your rough sheets, you being a responsible accountant, and what is entered in the books of the Mines Department?—I am not accountant of the Mines Department. My rough sheets do not show all the expenditure. My rough sheets show the part that was entered in among the Mines records, which I picked out.

1549. What other entries could there be?—There were direct entries under township accounts that were known to be charged to the township they were entered here in town, and passed through the Treasury.

1550. Who certified to their correctness?—I cannot say, probably a Public Works officer may have done so, or the Secretary for Mines.

1551. There were two sets of accounts apparently kept; somebody in Melbourne paid accounts not certified to, and no records kept in Wonthaggi, and then another lot were kept in Wonthaggi, certified to there, and not kept in Melbourne?—In the earlier period, up to the first time I went down, as far as I know they were all kept together; that is, up as far as my analysis, other than for the mine, goes.

1552. These rough sheets come to what period?—Right up to the 30th June; but certain accounts have been passed at the head office that are not in these rough sheets.

1553. Then there were two sets of accounts, one at the head office, and another at Wonthaggi?—They were not all at Wonthaggi, they did not have them all together, as the township expenditure was becoming heavy.

1554. If they were all at the head office, why should you go down to Wonthaggi to sift them?—To get the necessary information to classify them.

I would not undertake to classify them in Melbourne without knowing something more definite about them.

1555. Do you mean by the set of accounts, that merely the L2 forms, the total amount of money expenditure was kept in Melbourne—was there any other account kept in Melbourne?—The method they have in the Mines Department is to keep sheets which are headed in different ways; different votes are under certain headings, as to how the vote is expended. In the earlier stages all these accounts were put in under the Mines expenditure, but there was a note alongside them that they were township in most cases; in other cases, if not all, the vouchers disclosed that they were township or snagging, but the Mines Department also had an account of some that were purely township. I had no occasion to analyze them, it was clear they had done that themselves.

1556. They had done that out of the L2 forms?—Yes, I presume so; but I was not concerned with that part of it.

1557. You say the evidence given by Mr. Shea is incorrect?—No, I would not say that.

1558. He told us that no accounts were kept at the Mines Department?—I do not see how he could say that. I know there were accounts kept, I had possession of the sheets.

1559. *By the Chairman.*—He says, "We kept a record of all expenditure and entered all the accounts as they went through."—They did dissect some of the township accounts themselves.

1560. *By the Hon. R. B. Rees.*—We have two sums—£965 snagging, and £6,689 township—up to the 30th June?—That is as far as my sheet goes. My sheets do not show all, as far as the township was concerned; I took no further responsibility in regard to the township or snagging.

1561. *By the Chairman.*—What did you eliminate of the expenditure that came under your notice outside the balance-sheet of the 30th June?—£6,689 for township, and £965 6s. 4d. for snagging.

1562. In your details about snagging, is there anything in connexion with the big drain that was cut to drain the flat and prevent the shafts from being flooded?—We would have nothing to do with the snagging. It is snagging pure and simple, as far as my records go. Some of the surface work was put out as being township, in connexion with the roads, and so on. Some of the surface work was allowed to stand against the mine, because they had to make various drains to get water away, and they had to clear away scrub, put down bores to prove the particular parts about the mine; but there is not a great deal of surface work, as far as I remember—about £1,000 was the surface work connected with the mine, that was charged to the mine.

1563. Are these the only sums that you can find?—There was a small sum for brick works, but that is in a book I could produce. The Mines book is not in my possession. I am giving you what I have in my possession at present.

1564. *By the Hon. R. B. Rees.*—You have only the two items, snagging and township?—That would be all.

1565. *By the Chairman.*—You did not spend any money for the Water Supply Department?—The Mines Department, although the work was done by the Mines officials down there, did not charge the Water Commission for their services; there was a sort of reciprocal arrangement between the Departments; the mine officials did a lot of work for the Public Works and Lands Departments, and the State Rivers, and in return the officials at the head office did some work for the mines; altogether the work done was not very great.

1566. *By the Chairman.*—We want to know the expenditure that went through the Mines Department that was charged up to the other Departments?—The Treasurer's financial statement would show that. We could give you the exact figures that went through from our own books.

1567. *By the Hon. R. B. Rees.*—The only amount that we have to deduct from the total expenditure mentioned in the balance-sheet of the 30th June is about £7,000?—That is not mentioned in the balance-sheet at all.

1568. *By the Chairman.*—Looking into the balance-sheet, you say "Liabilities and assets"; you debited yourselves with liabilities, $3\frac{1}{2}$ per cent. stock, £36,000, and with liabilities for the mine timber, £2,327; how do you arrive at those liabilities?—The £36,000 was for inscribed stock, but we did not spend it all, it was inscribed on the 30th June, but there is unexpended of that £93 14s. 11d.

1569. You put down as assets on the other side. colliery, freehold land, and buildings, &c., £7,932 7s. 1d.; how did you arrive at that?—The land in the first place cost £3,672 9s. 4d.; the rest is the amount allotted to the buildings; the details of that cost are made up from the documents I have.

1570. You say miners' cottages, £8,000, was that the actual sum?—Yes, that was the amount actually paid at that particular time; it was paid in various amounts.

1571. Machinery and rails, &c., £8,021—that was taken from the actual documents?—Yes.

1572. Take the item shaft sinking and development, £11,883 2s. 7d.; that was also taken from the documents—or was it arrived at from the estimate made by Mr. Broome?—It was arrived at by the classification which I made, and which he acquiesced in, that shaft sinking and development is practically all wages; that is, wages for clearing the surface, sinking the shafts, and a portion of the wages for driving the main headings. It contains none of the timbering; all the timber that went down is charged against revenue. If I had charged them both to that, it would have been over the value of the shafts of the mine; it would have over-capitalized the mine.

1573. You practically wrote off as emergency expenditure what had actually been incurred in those shafts?—Yes, some of it.

1574. Horses, harness, &c., £31 6s.?—That was an amount they had paid for a horse and harness.

1575. They must have had a lot more than that—they had sixty horses when we were there?—They had not paid for them, they were arranging for the purchase of them.

1576. How were they getting their stuff out of the mine before that?—They were taking them along on rails laid down underneath, the trucks were pushed by boys and men.

1577. Stores, timber, &c., on hand, paid for out of emergency vote, £2,327—you have the exact amount on the other side to balance that?—Yes, I considered the mine really owed the Consolidated Revenue that money; they had the stores on hand, and they had no right to keep it permanently out of emergency; they should establish a liability and pay for those stores. They had no right to carry those stores forward from the emergency period to their proper trading period.

1578. In the profit and loss account, you debit £36,741 for wages. We understood you to say that this shaft sinking and development was practically all wages?—It was. Those other wages are purely coal-getting wages.

1579. You say, mine timber, £2,350; that all went into the mine, baskets, ropes, &c., £571. Ac-

ording to your sheets, you had nothing left out of that?—The baskets were discarded, they were putting in the iron trucks. The baskets were perfectly useless; they had been used taking up coal, and they were in a damaged condition.

1580. Then there is £370 for salaries—whose salaries were those?—As far as I can remember, that is part of the salaries of the general manager and some of the officers. It was charged against their salaries vote, and I considered that it ought to come back into the mine; it really belonged to the mine, part of it is the general manager's salary and underground manager's salary. Speaking from memory, there is portion of the temporary officer's salary there, but I am not now quite sure. In this item, wages, the pay of a lot of the clerks about the mine for taking weights, and keeping time, is included.

1581. You have no way of showing what were the top expenses of the men there?—No, that was not distinguished.

1582. That is, what it was costing for supervision. That is, men who were not actually hewing coal or working on coal. There must have been managers, underground managers, shaft bosses, weighmen, storekeepers, and all sorts of men. I mean the cost of supervision, as opposed to the actual cost of the men who were doing the work?—The general manager was taking it out on the cost-sheets towards the end of the period; the sheets were specially prepared for that.

1583. The cost-sheets, as you organized and arranged them, would show definitely what it was costing per ton to get the coal out?—Yes, absolutely. I designed the sheets for that purpose.

1584. *By the Hon. R. B. Rees.*—Did you design the daily cost-sheets?—Yes. I consulted the general manager as to his general method.

1585. *By the Hon. A. Hicks.*—Have you the top expenses distinguished from the other?—Yes, all the expenditure is classified under the different headings. It has classification of the surface work, and there is another classification of the underground work, as to the particular jobs the men were on.

1586. Were all the bills paid up to the end of June?—There may have been some materials ordered, and possibly delivered; but we did not take any account of it, as, if we took it as a liability, we would have to take the cost as an asset on the other side; we took what was actually paid for.

1587. There might have been thousands of pounds worth there, and not paid for?—They took a list of those.

1588. *By the Chairman.*—How did you arrive at the amount received for the sale of coal?—I had those figures supplied to me by the accountant of the Mines Department.

1589. *By the Hon. R. B. Rees.*—You prepared this balance-sheet that was presented to Parliament?—Yes.

1590. You arrived at the emergency account, net loss written off, £21,833, as the difference in the profit and loss statement?—That is the amount of capital cost; there was £36,000 in round figures for inscribed stock, and the £46,274; emergency capital voted, in round figures £82,000, was the capital of the mine.

1591. The difference between that capital and what remained as capital was loss?—Yes, except what was repaid to the Treasury, the capital suffered a loss of £21,833.

1592. That was the amount remaining on the estimate of the manager?—This was the amount I brought out, in which the manager concurred.

1593. The whole valuations of the work as capital were made by the manager?—Yes, but I have taken the actual cost. He has the valuations in his own possession, and those valuations he compared with what I took out as the actual cost; whether his figures are the same as mine I do not know.

1594. Was the amount of capital then at the mine, that you credited as capital remaining, determined by you or by the general manager. You would not say there are the shafts and drives underneath, they have cost so much; the general manager wrote off a certain amount?—No, I took the actual cost of all the items which I considered to be capital. There is a principle involved here, that whenever expenditure was incurred, and no asset remained, the amount was put to emergency, because at that particular time my instructions were to bring out what was fair.

1595. Can you find an item where money has been expended and no asset remains?—Yes, I can give several where, under ordinary circumstances, it might be capital.

1596. Money was expended, and nothing remained as an asset for it?—The baskets were one thing, the trucks for baskets is another, miners' lamps is another.

1597. Baskets would be purely for emergency work, because trucks were brought in to replace them, and they were thrown on the scrap heap?—Yes.

1598. That item is £571. Then there is camp equipment, £1,236?—That is written off, all except £200.

1599. The camp equipment is still there?—It is only second-hand, the tents were very much damaged.

1600. What is another big item?—Take the item of mine timber for temporary staging. Under ordinary circumstances, the probabilities are that would have been a capital charge, but we wrote that off; the staging had gone, it was no use.

1601. How much is that?—There are several of those, they would amount to £200 or £300.

1602. What is another item?—There are items such as nails and axes, wire ropes, and things of that kind. When they put in a fresh engine, I understand they have to substitute different ropes.

1603. They are there?—They did not produce them; the explanation was they were worn out and replaced, they were not in use; they may have been somewhere about in the stores, but they were not in use.

1604. Have you there an item for iron rails to connect Inverloch with Wonthaggi?—I do not think I have got that item at all.

1605. I am informed that tons of rails were purchased, and probably delivered, to make a tramway to Inverloch?—They did not come into these accounts.

1606. We have got now only £1,871—give us a few items to make up that £21,833 that was written off?—The items are very numerous, but very small. There is tubes, £51. That was in connexion with some of their earlier arrangements; the tubes were replaced.

1607. They bought second-hand engines that were no good, and had to replace the tubes?—I could not say. Tools, under ordinary circumstances, would be capital; they would depreciate, but the surface tools that were used for clearing, and while the miners were working on day wages, would, when they came on to the contract system, be practically valueless; they were worn out and broken.

1608. In six months?—They were no use, they were no value to the mine.

1609. There must have been a lot of shovels—were they no use afterwards?—There may have been some of the shovels.

1610. *By the Hon. A. Hicks.*—What was the amount written off for tools?—£800. That went into the stores; but there were some remaining, there was an amount remaining on the stores which included tools. There was £800 remaining for stores generally, but a large portion of that was written off for tools. The value of the tools in hand was not very great, there were some tools in the store which were regarded as useful.

1611. Was there anything written off the machinery that was bought by way of depreciation?—No, the asbestos and stuff for the oil engines that they had first was written off in the emergency.

1612. At the No. 3 shaft they had a wonderful engine. Was anything written off for that?—Nothing.

1613. *By the Hon. R. B. Rees.*—How was this £21,000 made up. We have only got about £2,000 out of the £21,000?—There was £46,000 provided for emergencies; £36,000 was spent in wages.

1614. Can you say you have written off £25,000 for wages?—The other items make, altogether, £46,000; we only received from coal £22,000. There is a shrinkage in the capital there.

1615. You have struck a balance-sheet, and you have said £21,833 has disappeared mysteriously?—It has not disappeared, but we have spent more than we have received.

1616. What have you spent it on?—We have not spent that £21,000 at all. Our receipts are short of expenditure by £21,000.

1617. You have spent £46,694?—Yes, and we received back from coal, £22,249. We have carried forward a liability of £2,000 for stores, and we have received £284 for other things about the mine, and we are £21,000 short; therefore, our receipts are short of our expenditure by that amount. So we could not give any detail of the £21,000, except that we are short. It is a loss really; the receipts did not meet the expenditure by £21,000.

1618. Would it be fair for us to put down that you can account for £3,000 of loss on certain items, and £18,000, the difference, would be for wages?—Out of the £46,000, we spent £36,000 for wages, the balance we spent on those various items. On our receipts we got £22,000, which was paid into the Treasury, and reduced the capital charge by that amount. Then we received from miscellaneous sources £284, and we reduced the capital by that amount. Then we carried forward a liability of £2,000 for stores on hand; then there is £21,833 which must either be carried forward as a loss, or written off the capital. Here it is written off the capital.

1619. £46,694 was not the total amount spent up to the 30th June?—No, that was the total amount spent on revenue items; the other £36,000 was spent on capital items out of loan money.

1620. *By the Chairman.*—Although you have entered in the liabilities inscribed stock, there was nothing charged to the mine for accrued interest, although the mine had been running fully six months?—It had been running, but the bulk of the expenditure came in the last few months. A lot of those larger accounts were paid in the latter part of the period. This stock was inscribed on the 30th June, there were special circumstances, and no interest was charged.

1621. We want, if possible, to get at what would be a fair price for coal, charging all the expenses that must be charged against the mine, supposing it were a private undertaking. We find there was no lease rent charged to the mine?—That is so.

1622. There was nothing charged for interest on capital, or for a number of officers who devoted a lot of time to the mine?—There are reasons for some of those things. The work the officers did was more than repaid to the Government by the work the officers at the mine did for the other Departments. It might easily be taken as a set-off. The officers at the mine used to go out to the reservoir, and also look after the snagging of the Powell, and supervize the township men, and, I think, did more work for the other Departments than the Departments' officers did for them. The Governor in Council set apart this land, and there would be no ground rent charged.

1623. It is proposed that coal should be supplied to the public. If it is sold in competition with private mines, it is only a fair thing that the charges private mines have to meet should be debited against this enterprise, and it must either work on such lines as would leave a balance of profit, or, if there is a loss, the loss should be shown?—It cost about £44,000 to produce that £22,000 worth of coal that was sold; the expenditure on profit and loss, less the value of the stores carried forward, would be about £44,000, and the receipts from coal were £22,000.

1624. *By the Hon. A. Hicks.*—It costs about £2 a ton?—Somewhere about that for what they sold up to that time.

1625. *By the Chairman.*—That includes coal that went to Melbourne then?—Yes; carted by bullock teams, and sold to the Railway Department at 32s. a ton.

The witness withdrew.

Adjourned.

WEDNESDAY, 14TH DECEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the chair;

The Hon. R. B. Rees,

The Hon. J. McWhae,

The Hon. A. Hicks.

William Francis Fitzpatrick, examined.

1626. *By the Chairman.*—You are the Chairman of the Railways Commissioners?—By courtesy, at present.

1627. Have you anything special that you would like to put before this Select Committee as to this coal mine, and the determination of the Government and of Parliament that it shall be handed over to the management of the Railways Commissioners when the mine is established?—I did not come here with anything specially prepared to place before the Committee. Of course I have, and my colleague, Mr. Norman, has, certain views in connexion with the proposal to hand over the State mine to the Commissioners. We are puzzled to understand why the Legislative Council insisted upon making that provision, for we thought, and we still think, that the Mining Department is the proper organization to control a mining enterprise. The Commissioners have no knowledge of mining, and are quite ignorant on the subject. The Mining Department is certainly the proper authority to control an enterprise of this character. Even if the Commissioners do take over the mine, they will have to be guided very largely in some of their operations, such as exploration, and things like that, by the Mining Department. If, however, the Government does carry out the expressed desire of the Legislative Council, and hands over the coal mine to the Commissioners, of course the Commissioners will

loyally do their best to work it and make a success of it. That is about all that the Commissioners can say on that aspect of the case.

1628. How do you view the position as to the railways being practically compulsory purchasers of this State coal, if other coal coming into competition with it can be obtained at lower rates. In New Zealand, where they have a State coal mine, the Railways Commissioners only purchase from the State coal mine if they can do so at an equal advantage with what they could obtain coal elsewhere?—In anticipation that I would be asked that question, I ran out a little bit of a statement, which, for greater accuracy, I will hand in. [*Reading same, as follows:—*] “I understand that the Committee desires to have my views regarding the matter of the prices charged the railways for coal supplied from the State mine and, in this connexion, evidence has already been supplied by the Chief Mechanical Engineer of the Victorian Railways to the Chairman of Commissioners (Mr. Tait), for the purposes of evidence given by him before the Railways Standing Committee on the 22nd July last, and this estimate showed that the approximate position as between Wonthaggi coal and the coal supplied from New South Wales under current contract was as follows:—

	Average cost per ton (N.S.W. standard). s. d.
Using New South Wales coal and allowing for freight to certain suburban and country stages where required for use	16 6.8
Using Wonthaggi screened coal, allowing 15 per cent. additional coal to give result equal to New South Wales standard, also allowing for freight to certain suburban and country stages where required for use	17 10.4
Excess average cost per ton for Wonthaggi coal (New South Wales standard)	1 3.6
Using New South Wales coal, all delivered at North Melbourne coal stage	16 5.0
Using Wonthaggi screened coal, all delivered at North Melbourne coal stage, allowing 15 per cent. additional coal to give result equal to New South Wales standard	17 4.7
Excess cost per ton for Wonthaggi coal (New South Wales standard)	0 11.7

Adopting a similar basis, but allowing for the recent increase of 1s. per ton in the price for Wonthaggi screened coal, the comparison would be as follows:—

	Average cost per ton (N.S.W. standard). s. d.
Using New South Wales coal and allowing for freight to certain suburban and country stages where required for use	16 6.8
Using Wonthaggi screened coal, allowing 15 per cent. additional coal to give result equal to New South Wales standard, also allowing for freight to certain suburban and country stages where required for use	19 0.2
Excess average cost per ton for Wonthaggi coal (New South Wales standard)	2 5.4
Using New South Wales coal, all delivered at North Melbourne coal stage	16 5.0
Using Wonthaggi coal, all delivered at North Melbourne coal stage, allowing 15 per cent. additional coal to give result equal to New South Wales standard	18 6.5
Excess cost per ton for Wonthaggi coal (New South Wales standard)	2 1.5

The coal which it is estimated will be required from the State mine during the year ending 31st December, 1911 (373,000 tons), would, on the above basis, mean an increased cost of £45,692, allowing for freight to certain suburban and country stages where required for use, or £39,631, assuming all the coal to be delivered at North Melbourne. It will, of course, be recognised that this increased cost for coal is a serious consideration to the Commissioners, who, however, clearly understand from

the general manager, State coal mines, that the present high prices for Wonthaggi coal are temporary, and that a reduction in cost may be looked for in the near future. The general manager has further expressed the confident opinion that, at no very distant date, when the mines have been further developed and properly equipped with labour-saving appliances, the coals from the State mine will be supplied of improved quality, and at rates comparing favorably with those at which the best New South Wales coals are obtainable in the open market." I would further say that the 1s. that has been recently added to the cost by the Mining Department is understood by the Commissioners to apply only for November and December, and was required to help them out. Of course, the Commissioners have realized from the beginning that the Mining Department has put itself to a great deal of additional expense by rushing operations down at the mine, so as to open out a seam of coal as quickly as possible, and make it available for the Commissioners with the utmost expedition at the time when it was thought that it would be necessary for the Commissioners to use it. I may remark that we were faced with nothing short of a national question by the outbreak of the coal strike at Newcastle. The Commissioners had, fortunately, anticipated trouble there, and they had been making provision for a long time previous, and were lucky enough to have about from 50,000 to 60,000 tons of coal in reserve when the strike happened, and felt quite secure at the beginning with such a reserve; but from information they had obtained they very soon realized that the struggle was going to be of a protracted nature, and they then made arrangements to obtain coal from England and the East; but they, of course, did not imagine—who did—that the struggle would continue as long as it did. Nobody could imagine that; there was no apparent reason why it should, so at that stage in our operations it became a matter of the very greatest importance to us that the coal should be developed at Wonthaggi, and we impressed that fact on the Mining Department, and the Mining Department, from the Minister down, certainly displayed an amount of energy and vim in connexion with the whole thing that greatly impressed the Commissioners. We were behind the scenes, and very anxious, and we were extremely pleased to find that such energy and ability were displayed on all sides in the Mining Department. Therefore, we encouraged the Mining Department to make all the efforts they could. We welcomed the addition of this source of supply to the Commissioners. We did so heartily, and to that extent we are responsible, undoubtedly. We feel, and have felt all along, responsible in the way just mentioned for the great additional expenditure that was incurred by the Mines Department. Fortunately, the coal was not needed, but it did look, at one time, as if it would be our very salvation, for it would have been most disastrous if the railways had been stopped for want of coal. So that you will see the position the Commissioners occupy now is that they feel that they are bound in honour to bear more than the usual charge in this connexion, because they have been in with the Mines Department, and have encouraged that Department, and much of the coal that was supplied at the beginning was obtained at a considerably enhanced cost. From that date to this, the Commissioners felt, in paying the contribution they were asked for, which, up to recently, was 1s. 3d. per ton, that it was only a fair thing.

1629. *By the Hon. J. McWhae.*—Should the railways take over this mine they will, of course, be guided by the amount of coal in reserve, and

the amount of coal available. The railways are there for all time—five, ten, fifteen, twenty years. Therefore, it will appeal to their wisdom—I mean looking far into the future—desirable to conserve this great national asset, if it proves to be only of a limited capacity?—That is so.

1630. So, in taking it over, you will have to take all due precautions to find out the amount of available coal for the railways?—If we have to take it over—when we are satisfied about that—the very first thing we will do is to find out the cost at which the coal is being obtained, and as far as practicable, the quantity we have inherited.

1631. Even if you do not take it over—taking the national interests—that is a matter that will have to be gone into closely by whoever has the management of this mine?—Quite so.

1632. *By the Chairman.*—You say that you will investigate the cost. That will be information acquired, because this Committee have been unable to get an estimate of the cost from anybody up to the present time—any definite particulars. We have had estimates, but have had no definite particulars. We all understand the emergency period, and the necessity for doing something. This emergency period appears to have been very unduly prolonged. Do you think the Railway Department is bound to keep subsidizing this mine indefinitely?—No; I do not think the Railway Department should be asked to do anything of that character. I think they are bound, as I have said, to support the coal mine, and with a reasonable subsidy at present. I think also that the establishment of such a prime industry as coal mining in the State is of the utmost importance to the Railway Department, but I cannot, at this moment, suggest what sum should be contributed in the way of a subsidy to establish it and encourage it. As a matter of fact, the Railway Department has been subsidizing the local mines for the last dozen years. They have been granting in the rates paid for the coal a certain subsidy to the local mines.

1633. *By the Hon. J. McWhae.*—It has been a very wise policy?—Yes, we think so; and we think, on the principle that one's waistcoat is nearer than one's coat, we are bound certainly to do so in connexion with the Government and the State.

1634. As a matter of policy for the future, you still consider that should be done, and that the New Zealand principle of the Railways Commissioners dealing with the State mine as a policy is not a proper one?—I would not like to say that. I would prefer, as Chairman of the Railways Commissioners, not to have to pay anything, naturally; but I cannot deny that it would be a reasonable thing, if it became necessary, to go on paying a certain subsidy, with the view of establishing this coal mine, so that we would have one more source of supply. It is a very important matter, I think, not only for the Railways Commissioners, but, I should say, for the commercial life of the State. I would like to add, of course, that we hope that in a very short time there will be no subsidy required. We believe that the mine will produce coal at such a rate as to render it no longer necessary to get any assistance—as I said, at a rate that will compare favorably with New South Wales.

1635. With the large seams we have?—Yes; why not?

1636. And everything in favour of the mine in the direction of cheap coal?—Yes, why should we not?

1637. *By the Chairman.*—The experience of the Department in the past has been that Newcastle coal has been supplied at very much lower prices than your present contracts?—We have had prices very low, owing to peculiar circumstances at New-

castle. Some years ago, for a short time—but without having gone into the question so as to speak with accuracy as to our average price—I should say the price we are paying now is about the price we might ordinarily expect to pay. Taking the average of the long period it is probably not much above it, anyhow.

1638. *By the Hon. R. B. Rees.*—I understand this is the highest you have ever paid for Newcastle coal?—No. I paid more when Acting Commissioner.

1639. Under large contracts?—

The Hon. J. McWhae.—Before the contracts were established they paid 5s. a ton more.

The Chairman.—I think Mr. Tait produced the comparative prices.

The Witness.—I am not speaking of the price we have been paying for the Newcastle coal on a recent contract for a comparatively small fixed quantity, but on the price we have been paying under the ordinary periodical contract. That is what I had in my mind. The recent contract is only for a partial supply. It was entered into at a time when there was a good deal of coal required generally.

1640. *By the Hon. R. B. Rees.*—Therefore, the present price is the highest you have paid for a considerable time?—Yes, the highest under a periodical contract; although I paid higher when I was Acting Commissioner for a pretty big parcel.

1641. Is the present price the price you mentioned in the comparison—16s. 6d.?—Yes, including freight to certain suburban and country stages.

1642. Therefore, you are losing 1s. 3d. a ton on the Powlett coal, as compared with the present price of Newcastle?—Yes.

1643. *By the Hon. J. McWhae.*—More than that—2s. 5d.?—Yes, taking into account the recent temporary increase in price.

1644. *By the Hon. R. B. Rees.*—You are paying the 1s. rise?—Yes.

1645. Is there any likelihood of Newcastle coal in that case being reduced to you if you were calling for tenders now?—I really could not say. We hear conflicting accounts as to the state of affairs at Newcastle, and I would not like to say that we could get it for less. I am not in possession of sufficient knowledge to warrant me saying that.

1646. Could not you give an opinion from your general knowledge of the position?—Honestly, I could not—not my own opinion. You could question the railway storekeeper, who is more gifted than I in that direction.

1647. Would it be a fair comparison to draw, considering this is the highest price you have paid in recent years for Newcastle coal, to assume that now there is a slump in the export of Newcastle coal that that coal could be obtained cheaper?—I think it would be a natural thing to expect it.

1648. Therefore, it would be fair for us to assume that, in open competition, you will be subsidizing the Powlett mine considerably above the sum you mentioned—the £45,000—in the coming year?—That is assuming that we have to continue to do so; but, of course, as I pointed out, our opinion is that it will not last very long. For instance, the additional 1s. that we are paying is, we understand, only to the end of the present month, so that you see that brings us to the old figure.

1649. Is the additional 1s. put on by the manager or the Government?—By the Mines Department.

1650. Is it merely put on from caprice, or put on as necessary in order to make this mine pay?—We understood it was required to make both ends meet; but that is all we know.

1651. As a business man, is there any likelihood of that 1s. being taken off unless there is a reduction in the hewing rate and in the general expenses of the mine?—I really could not say. I would recommend you to examine the Minister of Mines on that point.

1652. You are making a statement that we have not had before—that there is a likelihood of a reduction?—Well, I am giving you my recollection of what took place between the Railways Commissioners and the Minister of Mines when the increase was discussed.

1653. The Minister of Mines has made so many statements—

1654. *By the Chairman.*—Mr. Sutton, protecting the interests of the Department, said, although it was proposed to charge this extra 1s., it was not sure that the Department would pay that extra 1s.?—We agreed to pay it to the end of this month.

1655. The investigations of this Committee have led it to the opinion that the amount of coal available there has been very much over-estimated, and that the probable amount of coal available under the present conditions of mining of payable coal, and which are the most favorable conditions that the mine can ever hope to have, will limit the life of the mine very much. As soon as they get out of sight of a certain area they will get into very difficult country and small seams and conditions that will render the mining much dearer than at present. Now, if the life of this mine at 1,300 tons a day—which will not supply the requirements of your Department, because 40 per cent. of that is slack, allowing the output at that—298 working days, and 40 per cent. of the production being slack, leaves 232,440 tons for the Department now working the mine. Under that aspect, these deposits of coal will be worked out in twelve or thirteen years?—I am sorry to hear that.

1656. On the other hand, if an output of 2,000 tons a day, which the manager, Mr. Broome, hopes for, and also to reduce his cost, and do what you hope for, reduce the price to you—there would then only be 307,000 tons available for you in a year of screened coal, and that would work this area out in eight or nine years. That being the case, as a matter of policy—seeing that the railways have to go on for ever, and the coal mine is a transitory operation, would it be better to work this mine out absolutely in a short period—cut it out, sell it to the public as well as the Department—or to open it up thoroughly, so that at any emergency period you could take out everything you required to meet the difficulty elsewhere; to work it so that it would be worked profitably for the coal that the Department take, but hold for reserve for the Railway Department and spread it over twenty or thirty years?—I should say the best thing to do would be to work the mine for what it will produce for the use of the railways and the Government Departments of the State as long as it will hold out, but for nothing else. That is, assuming that its life is limited, as you say.

1657. As Chairman of Commissioners of Railways, what is your opinion of the sale—practically the retail sale—to the public being undertaken by your Department—is that an advisable thing to do?—If we take it over, of course we will have to sell the slack; and, assuming that there is only the limited quantity that you say, we would possibly not have to sell any of the screened at all; we would retain it all. But, assuming that you prognostications are wrong, and that it is found that there is a large quantity of coal there, that would be another matter.

1658. *By the Hon. J. McWhae.*—Payable coal?—Yes.

1659. You do not want dear coal?—No. And good management is, of course, desirable for the purpose of reducing the price of the coal to the railways and to the Government. In this connexion, we might be forced to sell some of it—I dare say we would be forced into that position, although the Commissioners do not contemplate anything of the kind with satisfaction, because, of course, Government Departments do not like to do trading of this character, although some of them have to do it. For instance, the Agricultural Department has to do a certain amount of arrangement in the matter of freezing, and so on; but if the resources of the mine were very much greater than are imagined, we know, as business men, that its development, up to a certain stage, would be economically advisable. Up to a certain point, all the coal taken out of it would be won at a lower rate, and I dare say that would pay with us; but I do not, at the present moment, look on the prospect of being required to sell coal to the public with any complacency, to say the least.

1660. With the laudable desire of the Commissioners to assist the development of this mine and put the coal on the market, you have practically facilitated the use of this coal by anybody who wanted a truck of coal to try it—he could obtain it from you during the whole period?—We have had more run-of-mine coal than we could use, and, therefore, while we were taking the run-of-mine coal, we were not averse to parting with a certain quantity to the Metropolitan Board of Works, and we did allow small quantities for test purposes to others; but I think that is about all. A return of that has been furnished to your Committee.

1661. During this period almost anybody could obtain a truck of coal to try it?—Very few did, as a matter of fact. Some people wanted to get screened coal, but we sold only one or two small quantities for test purposes.

1662. As to the quality of the coal, and the conditions under which you took coal from the public companies, Mr. Sutton told us that you got no definite contract as to quality with the State mine, although you had in connexion with the other public companies, and it appeared that the State mine was allowed to leave a lot more slack in their coal than you would take from the public mines. Would it not be advisable to maintain the same standard in that matter?—Yes, I think so. Of course, we have had a coal viewer there, the same as we have had at Korumburra, and he has exercised a certain amount of check upon the deliveries; but there was a time when we could not get anything else but run of mine coal.

1663. *By the Hon. R. B. Rees.*—You are getting very little else now?—We are getting most of it screened now. I can give the figures.

1664. *By the Chairman.*—Mr. Sutton told us that the screened coal contained 20 per cent. of slack. You would not take any coal from a public company that contained that amount of slack?—Of course, that coal ought to be subjected to as rigid a view as any other, and the reason we have not been doing so is because the mine has not yet been fitted up with screening and cleaning appliances that are, and have been for so many years, in operation at other mines from which our coal supplies have been derived. But I may say this, that there was a time when we had to look on the deliveries of the coal from the other Victorian mines with a very sympathetic eye. I have had to take and put a heap of that coal on my desk, when I was acting sole Commissioner, so that I might show

members of Parliament, when they came in, that I was not the hard-hearted individual that was alleged, when there were streaks of silicate in it.

1665. *By the Chairman.*—In this comparison of prices that you gave us, that estimate was made, I understand, from Mr. Sutton's evidence, after the different coals had been submitted to screening, and was a very accurate adjustment of value. If from this mine the screened coal is being sent in with 20 or 25 per cent. of slack in it, of course, naturally, the estimate would not be absolutely reliable, would it?—I should state that we are arranging to subject the coal from the coal mine to the same scrutiny as that from the other Victorian mines.

1666. Mr. Shannon produced to us a very elaborate and very complete comparison over a large number of coals. It was very carefully estimated, and your estimate of 15 per cent. is based on that comparison. Now, we notice that the Mines Department is endeavouring, by the analysis of their chemist, to show that their coal is within 10 per cent. of the best Newcastle coal, instead of your comparison of 15 per cent?—Well, our calculations that were given to you by Mr. Shannon covered a considerable period, and very many tests, on express, passenger, and goods trains, over a prolonged period, and they are accurate. The test referred to, made by the Mining Department, appears to have been taken from tests made to determine the approximate value of briquettes as contrasted with Wonthaggi screened coal and Maitland screened coal ran one trip with each of these fuels, and then only as far as Seymour, and, from what I can learn, they only test as far as Seymour. They, therefore, cannot be said to be reliable as a basis for comparative value, because you could make a test to-day, and get a given result; but to-morrow, with the same train, you might get quite a difference of 2 or 3 per cent., because of the conditions being different. But our tests are made over a considerable period, a great number of trains, and are accurate. A test with briquettes gives one result, but you might make a test with hand-picked, beautifully screened coal; but our tests were the ordinary commercial test.

1667. As to the carriage of coal, Mr. Tait, in his evidence, said that the Department, with a view of encouraging the coal mining, had practically reduced their prices for hauling from the coal district down to practically an irreducible minimum—that it did not leave the Department any margin of profit in hauling coal. Is that still your opinion?—The facts are that, as near as we can estimate, the cost of hauling coal, say, from Wonthaggi, is about .485d. per ton per mile. Now, of course, we are not in business to haul coal for the cost of doing it. We must get some proportion of the interest that has to be paid, and we make the rate six-tenths of a penny a mile, of which the State pays one-tenth; so that the actual charge to the public is $\frac{1}{2}$ d. a ton a mile. Now, that six-tenths—that is, three-fifths—of a penny allows the Department about .485d., which is almost $\frac{1}{2}$ d., towards paying something towards the interest, but the public do not pay more than $\frac{1}{2}$ d., which is practically the actual cost.

1668. *By the Hon. R. B. Rees.*—Therefore, you are losing slightly as a business concern on the carriage of coal?—I should say, as a practical man, we are losing on it really, because one may make up all one's little statements of everything, and they do not cover everything.

1669. You are losing slightly on the carriage of coal. How does that compare with another great industry, the carriage of wheat. You are charging more for the carriage of wheat?—Yes. I might

mention that this rate is to Melbourne only for coal. From Melbourne, they go out the same as any other freightage.

1670. *By the Hon. A. Hicks.*—You carry the slack to the country districts at the same rate as you bring it to Melbourne?—I could not say that.

1671. All contracts in the country have been at $\frac{1}{2}$ d. per ton per mile?—It may work out that way.

1672. *By the Chairman.*—That concession was made to assist the State mine with its slack?—I do not happen to remember that.

1673. *By the Hon. R. B. Rees.*—Then the users of the railways in the country have to subsidize the railways in the carriage of coal, because the carriage of coal does not pay from the State mine?—

The Hon. J. McWhae.—I do not think that is a fair way of putting it.

The Witness.—I cannot answer that statement.

1674. *By the Hon. R. B. Rees.*—You say you lose on the carriage of coal from Powlett slightly?—Probably we are not making anything out of it.

1675. Well, the railways are paying very handsomely just now?—Yes.

1676. And the users of the railways, other than the coal producers, are making up the difference?—As a matter of fact, we carry manure for the farmers in the country—at a very low figure indeed, say, a couple of hundred miles. It comes out less than $\frac{1}{2}$ d.—less than the cost, and the rest of the community have to bear that charge.

The Chairman.—I do not think we desire to discuss the question of wheat carriage rates.

The Hon. R. B. Rees.—I have been met with this objection—that the Railway Department is making a profit on the carriage of this coal. Therefore, the slight loss they are making, as compared with Newcastle, which is water-borne coal, is made up on the carriage of the coal from Wonthaggi, and I press it to show that the carriage of coal does not pay. I think that is quite fair, Mr. Chairman.

The Chairman.—I thought you were getting information about the carriage of wheat.

1677. *By the Chairman.*—I suppose you include even the charges for pensions?—I think that practically everything is taken into account.

1678. There is nothing left out. I have an idea that Mr. Tait informed the Railways Standing Committee that they did not take into consideration some items that ought to have been taken into consideration?—Quite likely, because the number of items that go to make up the railway rate is so innumerable that you are almost certain to miss something; but I should say, roughly speaking, that $\frac{1}{2}$ d. is quite correct.

1679. We have seen it stated that one reason why the New South Wales railways produce good results is that they have a very great mineral traffic. If you develop a great mineral traffic like that, are there any possibilities of economy?—Yes—given a sufficient traffic there—justifying the regrading of the line all the way, putting heavier rails in, massive locomotives, and bigger trucks, then you can carry the coal at less cost.

1680. Then, as a matter of policy, it is not a good thing for the Department to encourage mineral traffic?—It is not a good thing for the Department—for any railway—to encourage that kind of traffic. It does not matter what minerals, because they generally carry such traffic so low as to be just above working expenses. They do that because they get it back in other ways.

1681. In putting sidings into the private mines—the private mine-owners have to pay for those?—Yes, usually.

1682. As to the State mine, the railways, I understand, were at the expense of all those sidings that were put in?—That is so.

1683. Have you the estimate of what those sidings cost?—I could not tell you. They are not all in yet.

1684. Could any approximate estimate be furnished to the Committee to enable them to find out exactly?—Mr. Kernot might give you an approximation of the cost. I will ask him to let you have it. Of course, I should like to say that when the whole of the sidings have been put in we propose to furnish an account for that proportion of the cost which we think should be paid by the Mines Department.

1685. Generally speaking, you think that if an enterprise like this is gone into by the State, either under your control or the State Departments, it should be worked on business lines, and all charges debited?—Yes; it should stand on its own bottom.

1686. A large number of officers have been engaged in connexion with this mine—doing very good work, no question about that, but their salaries have been charged to their ordinary Departments, and the mine, though reported to make a great loss, has not been charged with a number of assets that should have been charged?—

1687. *By the Hon. R. B. Rees.*—Has the Gippsland coal had an effect on the price of coal to your Department?—That is a very much debated question, and it is an extremely difficult one to answer. The advocates of the Victorian mines would say that since the mines have been initiated in this State the price of Newcastle coal has come down, and that this decrease is to be attributed, therefore, to the Victorian mines. But you can argue the other side; you can bring arguments to show that although the price came down during some periods it has also gone up in others, and the argument about the thing is endless. But, personally, looking at it as a practical man associated with the thing from the beginning, I would say that the existence of the mines in this State has tended to bring down the cost of Newcastle coal.

1688. Following on that, if this mine is retained by the Mines Department, and your Department is allowed freedom to obtain coal from any source, would you think that this mine will have the effect of keeping down the price of coal to you in the open market?—Yes, I should say so, but it is hard to prove anything like that. But we know that competition plays its part, and assuredly it would in this case.

1689. Therefore, you, as the manager of the railways, and desirous of getting your supplies in the cheapest market, would prefer to have the freedom to purchase where you please?—Naturally. I mean as we have a great responsibility upon our shoulders in endeavouring to work the Railways on a payable commercial basis, and we would like to be able to get our stores in the cheapest way.

1690. Will you feel it incumbent on you to take the whole of your supplies of coal from this mine, if it is part and parcel of your Department, managed by you?—Certainly, excepting that we may require some coal for reserve storage purposes. Wonthaggi coal does not weather well. With that exception, we would probably take all our coal from the State mine.

1691. So, for the 350,000 tons of coal you would be practically compelled to take that amount from your own mine?—Yes.

1692. And, upon your own showing, you would be losing on that transaction a sum, roughly speaking, of £50,000 a year on the present prices?—If we have to continue to pay the present prices for

every ton of that coal; but, as I said before, that is a thing we dismiss from our minds entirely, because we feel that in a very short time there will be such a reduction in the prices as practically to compare favorably with Newcastle. Not being familiar with all the items that go to make up the charges, I can only give that as an opinion, based on the authority of conversations with Mr. Broome.

1693. The statement is contingent on a lot of other things?—Yes.

1694. *By the Hon. A. Hicks.*—Still, you are hoping to have the coal cheaper by-and-by?—Certainly, and I would be a very singular man if I did not hope, naturally.

1695. *By the Chairman.*—Are you aware that the investigations into coal in Victoria—and this mine is no different—show that the quality of the coal, as it is got from a deeper depth, deteriorates, as compared with coal from the shallower areas?—I am not sufficiently acquainted with the subject to say.

1696. That has been put to us as a fact. Consequently, in your estimate of comparisons, you may have to take it into consideration. You are having the best coal now, and as it goes deeper the coal may not be of as good quality?—I am not aware that it is so. We have been using Outtrim and Jumbunna coals for many years, and I assume that in getting out the coal to-day they are deeper than they were ten years ago, and the quality is just as good. I have a recollection of hearing Mr. Broome, and other gentlemen connected with the Mining Department, say that they considered the coal would improve as they went deeper. So I would be very sorry indeed to hear it was going to deteriorate, and it would not be in accord with our experience.

1697. Mr. Sutton said that the coal tested that came *via* Inverloch by boat was superior to the coal coming now from the mine?—It may be obtained from different shafts or places. I should say you would draw the inference that better coal will be obtained from greater depths from the experience of other collieries.

1698. We got evidence from them, and that is what supports the statement?—I am sorry to hear it.

The witness withdrew.

Archibald Campbell Wallace, further examined.

1699. *By the Chairman.*—I understand you desire to place something before the Committee. Will you take the plan referred to in Question 304 of Mr. Broome's evidence? He has gone over it, and marked out the area in black pencil, and Mr. McKenzie has marked it in red pencil. You can say what you wish in reference to it?—[*Examining plan, Exhibit "N."*]—The red pencil markings are the areas that Mr. McKenzie drew out in giving his evidence, I understand, and I have prepared a statement criticising those various areas.

1700. *By the Hon. J. McWhae.*—Have you the bigger plan?—That has not got those areas on it.

1701. *By the Hon. R. B. Rees.*—You are criticising Mr. McKenzie's area?—Yes. I am going to divide it into different coloured areas. [*Plan marked Exhibit "N1."*] Taking the red area, No. 1, it was said to contain 294 acres, averaging 6 feet in thickness of coal, or 2,738,000 tons in all; this area, really 320 acres, has been reduced by the fact that "close boring" and workings have revealed barren ground over 26 acres immediately south of No. 3 shaft. I maintain that further "close boring" will reveal another barren area of greater or less extent in the vicinity of No. 21 bore, in the northern portion of

the red area. My reason for this is that the bores Nos. 25, 60, and 59, show a steady rise in the seam towards the surface at No. 21 bore, which got "no coal," and its detailed section makes no mention of this bore having crossed a fault, the reasonable deduction is that it was put down about the edge of an outcrop. Bores No. 23, on the west side of the red area, and No. 33, on the north-east corner, do not show 6-ft. seams. I think it reasonable, therefore, to knock off twenty acres for probable barren ground round bore No. 21, and another twenty acres for the low and banded seams in bores Nos. 33 and 23, reducing the clean 6-ft. coal in No. 1 area to 254 acres, which may contain 2,100,000 tons of coal. No. 2 area, coloured yellow, includes the line of bores showing bands of stone in the seam. Mr. McKenzie takes in a liberal slice of ground to the west of this line of bores, whereas Mr. Dunn, in indicating his profitable area, hugged them close. His reason for doing this is, apparently, another line of unsuccessful bores still further west, not shown on the plan, but mentioned by Mr. McKenzie. In connexion with these banded seams, I entirely dissent from the view that they can be worked anything like as profitably as the clean 6-ft. seams; and in this connexion I would ask your consideration of the comparative sections attached. [*Marked Exhibit "O."*] These are drawn to scale of 1 inch to 1 foot, and show the coal and bands of stone in several bores. No. 3, Kirrack, was admitted by Mr. Broome to be unworkable, though it contains 4 ft. 8 in. of coal. Where, then, is the great difference which would make Nos. 24, 23, 12, and 39 workable and profitable propositions, and No. 3, Kirrack, unworkable? To my mind, not only will these bands of stone add largely to the cost of working, but they will seriously affect the quality of the slack coal and its selling value; and if the State mine cannot dispose of the large percentage of slack at fair rates, how can they continue to work profitably? The extraordinary discrepancies in levels of coal in the south part of this area (see bores Nos. 98, 34, 93, 94, 35, &c.), together with the bands of stone, seem to me to prohibit its inclusion in the profitable areas of the State mine. Mr. McKenzie calls this area 216 acres, averaging 5 ft. 6 in. of coal, or 1,837,000 tons.

1702. *By the Hon. J. McWhae.*—What do you call it?—I would not include it in the same category at all as the No. 1 area.

1703. Is it payable?—I do not regard it as payable at the present rate of coal and wages.

1704. *By the Chairman.*—That should be eliminated?—Yes.

1705. *By the Hon. J. McWhae.*—It is difficult and expensive to work?—Yes; and probably the quality of the article will be very much inferior. No. 3 area, coloured brown, I also object to regard as a profitable proposition under State mine wages and selling prices. I would ask your careful examination of the bore records, Nos. 38, 39, 41, 45, and 49; the seams appear to me most variable in structure, thickness, quality, and levels. Mr. Broome excluded a great part of this area; Mr. McKenzie allows no less than 360 acres, 4 feet thick, or 2,350,000 tons.

1706. *By the Hon. R. B. Rees.*—There are 360 acres there?—Yes.

1707. No. 3 would not be workable?—Yes.

1708. *By the Hon. J. McWhae.*—Why not workable with 4-ft. coal—is it soft coal?—Very soft coal of that thickness we cannot work at Jumbunna—the percentage of slack is so great. There are plenty of areas there so soft we cannot take it out. At 50 or 60 per cent, we cannot take it out.

1709. What about the 5 ft. 2 in.?—There is mudstone in the middle; and I do not consider it can be worked at a profit. That is No. 39. I do not think it could be profitably worked.

1710. *By the Hon. R. B. Rees.*—That is in the centre of No. 3 area?—Yes.

1711. *By the Hon. J. McWhae.*—There are 3 ft. 4 in. in another bore—No. 41?—That No. 41—that is in shallow ground, and I presume the coal will be of the same quality; and if it is soft and friable, the percentage of slack would be very much larger.

1712. Do you think it will be soft?—It seems to be so at that depth—it is soft and friable.

1713. There is no satisfactory bore in the whole of that area?—I do not consider they are. The two more southerly bores are very much worse. There is no rock surface over it. No. 49—that is shown in the report for the year 1909, in regard to those bores. No. 45 has only 2 ft. 4 in. of coal, then there is 1 foot of mudstone, and another 8 inches of coal. I do not consider that is a workable seam.

1714. *By the Hon. R. B. Rees.*—What about No. 49, below that again—3 ft. and 1 ft. of coal?—As to No. 49, it is not workable. The strata immediately overlying it is fine drift, and there is another 1 foot of coal. I am quite certain that seam will never be worked. There is no rock roof; the ground above it is sandy clay—9 feet—and drift above that.

1715. As to that No. 3 area, you do not give them any coal there?—It is not such as can be profitably worked.

1716. As to No. 4, the green patch below the No. 1—30 acres?—With 5 feet of coal—233,000 tons—I will allow that.

1717. *By the Hon. J. McWhae.*—Then as to No. 5 area—the little blue patch down below—[*indicating on plan*]—I cut that out altogether, as did Mr. Broome. Mr. McKenzie calls it 80 acres, averaging 3 feet, or 372,000 tons. There are two bores in it, Nos. 40 and 44. The first got 2 ft. 6 in. of faulted coal, the second is marked 3 ft. 7 in. on the plan; but this does not exist in the bore records. There are sundry little bands at widely different depths. The thickest coal seam is 1 ft. 6 in., and the seams are broken by bands of mudstone. That is in bore No. 44. One band of mudstone is 21 feet thick. No. 6 area, coloured indigo, Mr. McKenzie says contains 162 acres of coal, averaging 4 ft 6 in., or 1,132,000 tons of coal. In the southern portion of this area there are a large number of later bores which got no coal. To the north the seam is thin, and shows much diversity in levels of coal; along the centre bores, Nos. 84, 87, and 88, show from 3 feet to 5 feet at widely different levels. I consider this No. 6 area a most doubtful one, and, personally, would not like to assess it at more than 100 acres of 4-ft. coal, or 600,000 tons in all.

1718. *By the Hon. R. B. Rees.*—That is, therefore, reduced by one-half nearly?—Yes.

1719. You are doubtful about it?—I think it is a doubtful area. They may get patches. I would give them 100 acres, with coal 4 feet thick. No. 7 area, to the north, coloured violet, is put down at the huge amount of 1,794 acres, averaging 4 ft. 6 in. of coal, or 12,000,000 tons, practically three-fifths of the total amount, 20,000,000 tons, estimated by State mine officials. I entirely disagree with Mr. McKenzie's method of arriving at an average of 4 ft. 6 in. of coal over this great area, to get which he must extend his boundary right up to the Powlett River on the north, with such poor bores as Nos. 12, 9, 7, and 34 governing it.

1720. *By the Hon. J. McWhae.*—That is the northern area?—Yes.

1721. As to the 400 acres on the north—how much do you give them for that?—I do not consider the Jumbunna Company could make it payable. No. 12 bore says 3 ft. 2 in. of coal on the plan; but it is inferior coal, and very much banded.

1722. *By the Chairman.*—They said there were good bores that were obtained at the Daly's mine, and the opening out of that mine had proved the coal was there according to the boring; and they anticipated getting that same good coal which had been proved at Daly's?—There are four bores right along the north side of No. 7 area, and they certainly do not indicate it.

1723. What do you consider the Daly's bores have got?—I will deal with that further on. All these bores, *i.e.*, Nos. 12, 9, 7, and 34, in my opinion, show ground worthless, so far as the production of cheap coal is concerned, and I cut off 400 acres on the north of No. 7 area. The coal in No. 47 is described as splint coal. Our customers will not have it, and the railways specially mentioned it as something they would not take. The next bore, No. 43, is referred to in the records as inferior coal—2 ft. 6 in. We cannot sell inferior coal, and never had a sale for it. The next bore, No. 36, in the middle of the area, is 1 ft. 3 in. of coal. Similarly the line of bores, Nos. 47, 43, and 36, show ground equally worthless. "Splint" coal and "inferior" coal are specially objected to by our customers, and we have no sale for it; therefore, I write off 300 acres on east side of No. 7 area. I do not consider there is any workable coal in it. It is barren ground for all practical purposes.

1724. *By the Hon. R. B. Rees.*—That is not given in Mr. McKenzie's estimate?—It is included in the 4 ft. 6 in. He averages 4 ft. 6 in. over the whole of that area. On the west side of this area we have only two bores, No. 13, with 3 feet of coal, containing a band of stone, and No. 14, with 3 ft. 10 in. of workable coal; these bores govern practically 450 acres, all of which I place in an entirely different category to the 6-ft. seam in the red area. In working seams like these, the Jumbunna Company has only been able to exist by charging high prices for its screened coal, while paying a lower rate of wages than those obtaining at the State mine. I do not see how the State could work it, and sell at the prices they speak of.

1725. *By the Hon. J. McWhae.*—Is it payable coal?—A small company could work it with high prices.

1726. Not at the railway prices?—No, certainly not. No. 11 bore stands alone in an area of 200 acres. It shows extraordinary discrepancies in levels of seams, the coal being 455 feet deeper than No. 53 coal; the Government plan says 7 ft. 6 in. of coal, but this seam is very seriously banded, and this, together with its depth of coal, would prevent me from including it in the thick, profitable area.

1727. What does that indicate?—I regard No. 11 as an area by itself of 200 acres. It is no better than the westerly bores; and, as to the last two, it is about on a par with the Jumbunna and Outtrim. They say there is 7 ft. 6 in. of coal; but if I were working it I would only work on the upper portion of it. That difference in level is a serious matter. Whether they will sink a separate shaft or not, I do not know; but, anyhow, it will mean a big expense. On the south of No. 7 area, No. 18 bore got no coal; as no faulting is mentioned in the drill records, I write off 40 acres for it. Out of the 1,794 acres in No. 7 area there now remain some 400 acres, depending on four bores, Nos. 19, 15 (with 170 feet differ-

ence in levels of coal), and Nos. 16 and 53. I think I would be taking a sanguine view if I said that a clean, unbroken seam of coal 6 feet in thickness, extended over the whole of this 400 acres. The discrepancies in the levels of the four bores are considerable, they are all in the line of the thickest coal proved to the south, and there is no proof that this thick coal extends over even half-a-mile in width (see line of bores Nos. 24 to 33). Taking it, however, at 400 acres, averaging 6 feet thick, we get about 3,600,000 tons on Mr. McKenzie's basis of 1,500 tons per foot acre. To this amount I add 2,100,000 tons from No. 1 area, 233,000 tons from No. 4 area, 600,000 tons from No. 6 area, giving a total of 6,533,000 tons. Mr. McKenzie admitted that 25 per cent. must be deducted for losses in faults and in working. I am inclined to adopt 50 per cent., judging by our Jumbunna experience; taking Professor David's 33 per cent. reduction, it leaves 4,363,000 tons of this cheap, easily-extracted, coal available. If this contains 50 per cent. of slack, it follows that only half the above quantity will be screened coal. I desire to impress on the Commission the significance of the barren area south of No. 3 shaft. It is entirely in accordance with the experience at Jumbunna and Outtrim mines, viz., that when the seam attains an abnormal thickness of, say, 6 feet, sooner or later the compensating area of thin coal or barren ground is met with; and, in my opinion, the area to the south of the shafts is the first of many barren or thin areas. I entirely dissent from Mr. McKenzie's explanation of bad results in drill bores being due to faults; my experience is rather that proximity to faults increases the thickness of the seam, except at the actual line of break, and it would be rather too remarkable a coincidence that so many bores should strike these narrow lines, unless the faults existed in such numbers as would render the field unworkable. I maintain that the main north and south fault already proved at the State mine is responsible for the 9-ft. seams recorded in a narrow strip right through No. 1 area and part of No. 7 area, as in No. 1 area this extra thickness is only found in close proximity to this fault, or other east and west faults. The plan which appeared in one of the daily papers mentions 112 feet of displacement running north and south. [Plan marked Exhibit "P."] I maintain that that fault is responsible for the 9-ft. seams, as shown on the big plan. On the centre line of bores they appear to me to be in close proximity to the fault. The fault line would be running at an angle inclining a little west of north and east of south to—[indicating on large plan]. In the No. 3 shaft we have the coal at 50 feet, and in No. 27 bore the coal has gone to 152 feet. That sudden fall in the levels is due to the proved fault which they mention in the newspaper publication. There are three other approximately east and west faults, which they are working round at the present time.

1728. Could you show the new bore which has just gone down on 6 feet of coal?—I understand that is $1\frac{1}{4}$ miles north-west of No. 3 shaft. There are a number of bores which have proved unsuccessful, and if they bore long enough they will get more probably in that area. There are any amount of places where we can bore and get 6 feet of coal. I have allowed 6 feet for this area—[indicating No. 1 area on plan]—and 5 feet to the north of the workings, the area of 8-ft. and 9-ft. coal seems to be limited to patches in the vicinity of those faults.

1729. *By the Chairman.*—This new bore you do not regard as an important addition to the already

proved coal area?—Not unless it is followed by a succession of other thick coal bores. If it were followed by eight or ten thick coal bores, I should say it was; but, in itself, I do not consider it is of importance, in view of the fact that they put in a number of bores which got thin coal—especially on the west side.

1730. As to those seams—what would be the actual monetary saving with electric coal cutters per ton, as compared with the methods they have been adopting?—It is a matter that depends a great deal on the conditions that obtain. We tried coal cutters at Jumbunna, and did not effect a saving. We are introducing another type now, and hoping it will effect a saving, but it will depend on whether we get unbroken areas. It seems proved that they will not be a success in broken coals. They are successful in hard coals and unbroken country—where they can be worked on a system which will pay. The "Champion" cutters were tried at Jumbunna and thrown out. We are in hopes we will get an unbroken area, which will enable us to make an improvement with one of the most recent coal cutters; but there is a great deal of doubt about it.

1731. *By the Hon. R. B. Rees.*—Are those cutters cheaper than the electrical as proposed at Powlett?—It is a question of motive power.

1732. *By the Hon. J. McWhae.*—You are getting an electric coal cutter?—Yes.

1733. Do you hope to get a suitable area?—Yes; although we have not got it yet.

1734. *By the Hon. R. B. Rees.*—I suppose the coal cutters are more effective where you have very hard holing and a very strong slag in between the coal before you draw it out?—Yes; or where the coal itself is very hard. If it is soft, as is the case of a good deal of the Powlett, I think they can tear it out in the ordinary way. I do not see where the benefit is going to come in there for coal cutters.

1735. As to the expenditure of £100,000 on account of capital account and of equipping the mine, can you say anything as to that?—I would not care to express an opinion.

1736. What would be likely to be the nature of an expenditure or cost of £100,000 more than they have there at present?—I could not tell you. I do not see what is going to cost £100,000 in legitimate capital expenditure. I have not been there for some considerable time. I could not tell you specially what they are going to spend it on.

1737. One heavy item of expenditure will be the electric power station?—A fairly complete electric power station would not cost that. If they are going to sink a number of shafts into the different areas, that would soon run into a few thousands.

The witness withdrew.

Adjourned.

THURSDAY, 15TH DECEMBER, 1910.

Members present:

The Hon. R. H. S. ABBOTT, in the Chair;

The Hon. R. B. Rees,

The Hon. J. McWhae.

George Herbert Broome, further examined.

1738. *By the Chairman.*—I understand you have got some information about the costs of the coal mine?—Yes, I have some information which was asked for in your letter of the 7th December. I have a number of figures here to give the Committee to-day, and I will try to give them as precisely

and expeditiously as possible. I would like to get through them in order, and then answer any questions you would like to put to me. In the first place, I do not propose to again give my evidence as to the quantity of coal; but I would like to correct a statement I made in giving evidence previously. I said in South Wales we took out 1,300 tons of coal to the foot acre. I should have said 1,500 tons. I was surveyor in 1887 to the Hills Plymouth Company, South Wales, and my duties there included taking the area of coal worked, and also the tonnage working longwall, and it amounted to 1,500 tons, and not 1,300 tons, as stated. I made a mistake.

1739. What was the size of the seam?—About from 6 feet to 8 feet in thickness.

1740. Were there many breaks?—There were no breaks or faulting.

1741. That was the reason for working longwall?—It was good country.

1742. What was the specific gravity of the coal?—It would be 1.3, instead of 1.28 at Powlett, we got practically the theoretical yield. I have carefully compared the geological plan with the boring records, and I find that the bands in the seam are local only, and that the banding of the coal only alters my estimate to a very slight extent. I still estimate about 20,000,000 tons of coal in the area we were discussing when I was here last. But there is one thing which makes me inclined to increase the estimate for that area. In several places where we have been able to ascertain the actual thickness of the coal after boring, as, for example, at the face of the eastern level from No. 8 shaft, which face the Committee visited, the bore at the face of this drive showed only 5 ft. 6 in. of coal. The drive showed 6 ft. 6 in.—right adjacent to the bore. The same thing occurred at No. 5. The bore at No. 5 showed 5 ft. 6 in. When we struck the coal in the shaft, we got about 7 feet of coal. From the evidence we have, it seems in every case the bore shows a lesser thickness than actually exists.

1743. *By the Hon. J. McWhae.*—Is it the same in all bores in other parts?—Yes; it is a feature of boring, especially if the coal is not very hard, or even if it is hard, and if there is not a very marked difference between the coal and the overlying rock. The borers have nothing to tell them unless they are watching carefully, until they see the black water coming up; and in most cases they have bored a foot into the coal before they have taken the depth.

1744. You do not think it is reliable for values?—I think it gives less values. That has been the case with us. I think allowance should be made for that over the 1,200 acres, which would increase the estimate of coal.

1745. Would that also apply to Jumbunna and Coal Creek—the same ruling?—I could not say definitely on that; but it certainly has applied in our shallow seams.

1746. How much coal can we expect to get—of screened coal?—I am going to increase the estimate for this. We reckoned it was 20,000,000 tons in the area—[indicating]—and I think we may take it at 24,000,000. Since I was here last, we have struck coal three-quarters of a mile west of this bore, and the coal there is 6 feet in thickness—the upper seam; and it is underlaid by another seam of 2 ft. 6 in., and they are still in coal measures. I had a wire from my manager down there asking if I could arrange for the Glennon bore, now 159 feet in depth, to be continued, as they expected developments. He added that he would continue boring until they had heard from me. They struck

6 feet first, then a band of 18 inches, and another band of 3 feet, and then another 2 ft. 6 in. of coal.

1747. Was there any splint?—Six inches of splint coal.

1748. That would be 5 ft. 6 in. of good, hard coal?—Yes; I fully expect that the seams will run into one another, the same as in other localities; and I will be very much surprised if we do not get 8 feet or 9 feet thickness of coal. That is $1\frac{1}{4}$ miles from No. 3 shaft.

1749. *By the Chairman.*—Is that not one of a series of bores put down very lately?—This is the remotest bore. There was one bore struck 5 feet of coal, and another bore about 2 feet of coal. The last bore very much improves the position. I feel confident now that we shall get a fairly good area right through the north-west portion as shown on the large plan on the wall. I consider now that 44,000,000 tons for the State reserve is not an exaggerated estimate. At all events, it dissipates the idea that the thick coal may be confined to an area in the centre of the field. Now, as to the cost-sheets. In your communication of the 7th December, you asked for—(a) daily and fortnightly costs for hewing rates. I am sorry to say I am unable to give you the cost-sheets for the period preceding the introduction of the hewing rates. The mine was idle from about the 10th June till the 13th July, when we had the fan installed, and started straight away on the hewing rates. We had not been mining coal for six weeks; and up till June we were not keeping regular cost-sheets. I got them out in a rough-and-ready way, and I was rather frightened at them. The total coal mined up till the 30th June was 41,374 tons; and in our emergency account in the balance-sheet we show £22,249 was received for the coal. The total amount of the emergency account was £46,694. If we deduct from that amount of £46,694 the sum of £2,327, for which we had an asset of stores on hand, it leaves a balance of £44,367. Dividing that by the tonnage, we get the cost for the whole of the period up till June of 21s. 4.3d. per ton. We received for that coal £22,249. That amount divided by the tonnage—41,274 tons—gives 10s. 9.4d. per ton receipts. The difference between receipts and the total emergency account shows £21,833. It has before been explained why the cost of the emergency mining was excessive, and also that there were various other works done which were really not coal getting—such as erection of camp, roads to Inverloch, looking after the camp, sanitation, and that sort of thing, which has been charged against coal in that first period. That is partly the reason that the cost of coal is so high for that period. Another reason was that the methods were primitive—using baskets instead of the usual method of skips. Your next request (b) was for the daily and fortnightly cost-sheets under hewing rate conditions. The total cost of the coal for the first fortnight under hewing rate conditions—allowing interest and depreciation—was 10s. 7.14d. per ton. The costs of that fortnight were high, because roads in the mine were new, the ponies were new, the skips were stiff running, the truckers were new to the skips, and, consequently, the miners were unable to get in all the skips they could fill, and we had to allow the miners for shortage of skips. Our output was small for that fortnight, and that was another reason for the costs for that fortnight being high. From then to the present the costs have been getting less. The next request was in regard to the last fortnight in November—that is, the fortnight ending 30th Novem-

ber. For that period, for everything, including interest and depreciation, our costs were 7s. 2.6d. per ton. The costs at the present time are 7s. 2d. per ton. I am quite agreeable for the Committee to examine the sheets minutely; but I do not wish the whole of the costs-sheet to be published in the papers, as it would be detrimental, for business reasons, to the mine. We are now working under better conditions—working three shifts, and allowing an extra 3d. for the third shift.

1750. Is that 3d. allowed on all the coal that comes out?—Yes; it is a disadvantage to the men to work three shifts. Four men will do better than six, and two will do even better, because they are following themselves at the face. Where there are two men in a place, they leave it ready for coal getting. If there are six, they often clean up the coal from a place, and the following men may have to undercut and work for two hours without getting any coal out. Some men work into one another's hands better than others. All men are more or less greedy, and do not look far enough ahead. We have the mine, so far, only partially equipped. In twelve months' time I hope to have electrical equipment, with a central generating plant, and to have various labour-saving appliances, such as coal cutters, and other appliances for handling the

coal on top. At present our surface handling costs 5d. per ton. That should cost about 1d. per ton only. So that in twelve or eighteen months' time we shall be producing coal, I have no doubt, for 6s. per ton. I have prepared also a combined cost-sheet for the Committee for the whole period from the 30th June to the 30th November of this financial year. The combined cost-sheet shows that the coal for this period has cost 8s. 2.8d. per ton. That is allowing £4,000 for interest, depreciation, and other charges. I will show later how it is made up. Our average selling price for this same period has been 9s. 2d. Our profits for this period are £5,802. There is no question about these profits, because I have left a very ample margin to cover all possible charges.

1751. You do not think it necessary to allow £1,000 for lease rent, as in the case of a public company?—No; being a State mine, we have not to pay that.

1752. *By the Hon. J. McWhae.*—Do you not think that is a fair charge—the country will get the benefit?—The country will get very much more. They will get a free mine. It will not take many years for that mine to be a free gift to the country. Now, as to the interest and depreciation charges. Those are shown in the following statement:—

ESTIMATED INTEREST AND DEPRECIATION CHARGES.

FINANCIAL YEAR ENDING 30TH JUNE, 1911.

	£	£	£
Capital Account, 30th June, 1910	35,906		
Less Miners' Cottages	8,000		
		27,906	27,906
Capital Expenditure from 30th June, 1910, to 31st October, 1910 ..	35,273		
Less Miners' Cottages	11,029		
		24,244	
Estimated Capital Expenditure from 31st October, 1910, to 30th June, 1911	50,000	50,000	
		74,244	
Take 6 months' Interest only on £74,244 = $\frac{74244}{2}$ =			37,122
			65,028
Twelve months' Interest, £65,000 at 3½d per cent. =	2,275		
Twelve months' Depreciation, £65,000 at 8 per cent.	5,200		
		7,475	
Slack Coal Sales Department, not allowed elsewhere	800	800	
Contingencies	1,725	1,725	
Allowance made in Cost Sheets for Interest and Depreciation, 25 fortnights at £400 = £10,000			10,000

The figures of the capital account are taken from the balance-sheet, which includes miners' cottages, machinery, rails, shaft sinking and development, and office furniture. I have deducted from that the cost of miners' cottages. I understand the cottages go to the Lands Department; and, in any case, the cottages are paying a good interest, and that can be left out of the mine interest charges. I am estimating the depreciation at 8 per cent.—8 per cent. is rather higher than the usual colliery depreciation. At the end of the year the depreciation will be ascertained by taking the cost of each building and the cost of various articles of plant, boilers, machinery, cages, ropes, &c., and they will be depreciated by estimating their actual life; e.g., if the life is estimated at twenty years, we will allow one-twentieth, or 5 per cent., for depreciation.

1753. *By the Hon. J. McWhae.*—We allow 20 per cent. in mining, based on a five years purchase?—I have had a quarter of a century's experience in coal mining, and the depreciation has generally panned out at about 7 per cent. So that in taking 8 per cent., we are, in my opinion, on the high side.

1754. How do you arrive at the figure of £800 in regard to the slack coal sales department?—I have not the details of that; but we are taking the various salaries we are paying in the department.

1755. That is the Melbourne depôt?—Yes, they run out at £800 a year for this year. In regard to contingencies, that is, for any little help we receive from the Mines Department, which at present is a very small matter indeed, as we are doing the whole of our bookkeeping at the mine practically. I am allowing £400 per fortnight, which, for twenty-five fortnights, comes to £10,000.

1756. What is that for?—Allowance for interest and depreciation.

1757. That includes wear and tear, and so on?—Yes.

1758. And the carrying on of the distributing department in Melbourne?—Distributing with us is a very small matter. The railways take all the coal, and there is no trouble with that at all, and the slack coal is being sold by the truck load only. If we were distributing to householders a ton at a time, it would be a very different matter. There is no need to provide for any interest on our working or revenue account, because our monthly

receipts are usually in excess of our expenditure. I stated, when I was here before, that I estimated that at the beginning of the financial year our cost of production would be 8s. per ton. I considered that a conservative estimate at the time; and as we are now producing at 7s. a ton, and as that will be very much reduced before the end of the year, I was quite right in considering it conservative. It was made up as follows:—

Estimated cost of production of coal at the State Coal Mines, Powlett River, for Financial Year ending 30th June, 1911.

	s.	d.
Coal hewing	3	0
Narrow work, &c.	0	5
Hauling, trucking, onsetting, &c.	1	0
Timbering, road repairs, &c.	1	0
Drainage and ventilation	0	4
Under-managers, deputies, &c.	0	2
Winding	0	3
Tipping, screening, and loading	0	5
Yard works, tool sharpening, lighting surface tramways, &c.	0	4
Supervision, clericals, coal sales, &c.	0	4
Interest, depreciation, &c.	0	9
	8	0

1759. *By the Hon. R. B. Rees.*—That was your former estimate?—Yes. The figures which I gave to the Treasurer, and which, I think, he has in his papers, were as follows:—I estimated that the output from the mine would be 600,000 tons. The receipts I estimated at 8s. 9d. per ton, which gave £262,500. The cost of mining the coal I took at 8s., as per this detailed estimate I have handed you, and that came to £240,000. To that I added the salary of the general manager, £1,000, and £475 for the sub-manager. Those figures showed an estimated profit of £21,025 on the year. I have had to amend those figures, because the output has been less up to the present than anticipated; and is likely to be rather less up to the end of the financial year. That is if we supply railway requirements only. Now, I estimate the output for the year at 440,000 tons. That is for the financial year ending 30th June. I have estimated the average selling price at 9s. per ton, which is also conservative, seeing that up to the present we have been getting an average of 9s. 2d. a ton; and at present, owing to the extra 1s. a ton to the railways, we are getting a bigger average. The financial position is now shown in the following figures:—

STATE COAL MINES, WONTHAGGI.

FINANCIAL YEAR 1910-11.

Particulars.	Loan Funds.	Estimated Receipts.	Estimated Expenditure.	Estimated Profits.
	£	£	£	£
Output of Coal—				
440,000 tons at 9s. per ton .. ..	..	198,000	..	..
*Cost of Mining Coal—				
440,000 tons at 8s. per ton .. ..	..	..	176,000	..
Salary of General Manager .. ..	..	..	1,000	..
Salary of Mine Manager .. ..	..	..	475	..
Surplus Receipts over Expenditure .. ..	..	..	..	20,525
Loan Funds required for Capital Expenditure	75,000	..	..	..

* Including Depreciation and Interest Charges.

1760. *By the Chairman.*—This £75,000 will be for the year, and not in excess of the sums you have told us about?—That is for the year.

1761. It is referred to in the capital account—£35,906?—Yes; this expenditure is in excess of that. This is expenditure for this year.

1762. *By the Hon. J. McWhae.*—It includes the £50,000?—Yes; I make it £74,000 odd there.

1763. This is £25,000 on to that?—No; this £75,000 corresponds with my estimate of £74,244. There is no additional amount to that.

1764. It includes last year?—No. The expenditure up till the end of October was £24,244, and I anticipate a further expenditure to the 30th June of £50,000, making in all £74,244 for the present

financial year. I put it down in round figures £75,000. That is what I am asking the Treasurer for.

1765. *By the Chairman.*—You are estimating that the whole of your capital expenditure up to the end of the financial year will be £74,000, including what you have debited in the balance-sheet?—The expenditure for this financial year will be £75,000; but you must add the total capital of £27,906 spent in last financial year. That is the £35,906 less the £8,000 for the cottages. That will give a total capitalization at the end of this financial year of about £102,000. I want also to give you Mr. Bayly's list of tests: They are copied from a report of Mr. Bayly to the Minister. They are as follow:—

STATEMENT OF RESULTS OF LOCOMOTIVE TESTS.

Details.	Test No. 1.	Test No. 2.	Test No. 3.	Test No. 4.
Date	25th October, 1910	26th October, 1910	27th October, 1910	28th October, 1910
Locality	Box Hill to Melbourne	Melbourne to Seymour	Melbourne to Seymour	Melbourne to Seymour
Distance (total)	29½ miles	61½ miles	61½ miles	61½ miles
Engine	DE 712	A ₂ 760	A ₂ 760	A ₂ 760
Engine weight	68 tons	109 tons	109 tons	109 tons
Train weight	162 „	304 „	302 „	313 „
Total	230 „	413 „	411 „	422 „
Total ton miles	6,875	25,296	25,174	25,847
Coal used	2,570 lbs.	4,376 lbs.	4,114 lbs.	3,848 lbs.

STATEMENT OF RESULTS OF LOCOMOTIVE TESTS—continued.

Details.	Test No. 1.	Test No. 2.	Test No. 3.	Test No. 4.
Water evaporated	17,350 lbs.	30,650 lbs.	30,600 lbs.	31,500 lbs.
Feed water temperature average ..	71° F.	61° F.	60° F.	60° F.
Steam pressure average	161 lbs.	195 lbs.	195 lbs.	195 lbs.
Evaporation per lb. coal used—				
(a) Actual	6·75 "	7·00 "	7·44 "	8·18 "
(b) From and at 212° F.	8·07 "	8·48 "	9·02 "	9·92 "
Clinker and Ash—				
(a) Smoke box	52 lbs. = 1·9%	138 lbs. = 3·0%	114 lbs. = 2·7%	155 lbs. = 3·9%
(b) Fire box	263 " = 9·7 "	498 " = 11·0 "	461 " = 10·7 "	374 " = 9·3 "
Total	315 " = 11·6 "	636 " = 14·0 "	575 " = 13·4 "	529 " = 13·2 "
Coal consumed—				
Lbs. per train mile	87·1 lbs.	71·4 lbs.	67·16 lbs.	62·8 lbs.
Lbs. per ton mile	0·538 "	0·23 "	0·22 "	0·20 "
Lbs., including engine	0·378 "	0·173 "	0·163 "	0·148 "
Engine crew	Polglase and Mum- mery	Watson and Mum- mery	Watson and Mum- mery	Watson and Mum- mery
Weather	Fine	Fine	Fine	Fine

ANALYSIS OF COALS USED ON LOCOMOTIVE TESTS.

Run.	Coal Used.	Water.	Volatile H. Carbon.	Fixed Carbon.	Ash.	Total.
		per cent.	per cent.	per cent.	per cent.	per cent.
10.1, Box Hill ..	Powlett briquettes	5·37	31·94	52·17	10·52	100·00
10.2, Seymour ..	Powlett briquettes	5·16	32·92	52·55	9·37	100·00
10.3, Seymour ..	Powlett screened	4·87	30·89	55·52	8·72	100·00
10.4, Seymour ..	Maitland screened (Aberdare Mine)	2·24	38·58	55·38	3·80	100·00

REMARKS.

No. 1. Medium length, smoky flame, non-cooking but slightly fritted, brown ash, infusible.

No. 2. Medium length, smoky flame, non-cooking but slightly fritted, brown ash, infusible.

No. 3. Medium length, smoky flame, firm coke, powdery surface, light-brown ash, infusible.

No. 4. Long smoky flame, firm coke, better than 3, light-brown ash, infusible.

Taking the evaporation results by percentage the figures are:—

	Per cent.
Maitland	100
Powlett screened	90·9
Powlett slack, briquetted	85·5

In considering these, the analysis of the fuels should be strongly borne in mind. Thus, the Maitland is an exceptionally good sample, being much lower in ash than an average sample. It is characteristically low in moisture.

The Powlett screened is rather lower in moisture than the average, but the ash is high. The coal contained a considerable amount of inferior quality. The railways claim that our coal is 15 per cent. less than the efficiency of Maitland coal, which is their standard. But those are tests which were taken on an average sample of Powlett screened coal some time back and compared with a test of Maitland coal.

1766. *By the Hon. R. B. Rees.*—An average sample?—Possibly; but I am not sure that the railways got all Maitland coal; and, according to their own tests, some of the Newcastle show inferior to Powlett. In no case has the calorific value of Powlett been 15 per cent. less than Maitland coal. The usual percentage is 9 per cent.

1767. That is a laboratory test?—Yes; but the Maitland calorific value is also a laboratory test; but the efficiencies of the coal in actual consumption should compare in proportion with the laboratory test. For instance, if the laboratory test is as 90:100, then, if you are burning the coal under suitable and equally good conditions, the results obtained should be as 90:100. If the laboratory results are not borne out, then the fault is in burning the coal. It is a mechanical one of either the

fire-box, fire-bars, or draught. In Mr. Bayly's experiments he has found by substituting suitable bars with small air spaces, so that the total air space was large, he got infinitely better results than with wide bars with wider spaces.

1768. The Chief Commissioner told us that your tests were not carried out under service conditions; but he said there was 15 per cent. difference under ordinary service conditions?—If they burnt it in a fire-box built to burn Newcastle coal, the results would be bad. If they are getting 15 per cent. less than Newcastle, then I say there is something wrong in their method of burning the coal.

1769. You could not get that percentage in the actual running?—I am speaking of tests on locomotives under ordinary service conditions.

1770. I am speaking of tests on trains?—The railways, in making tests, did not always go about it in a manner calculated to give good results. I would like to read a paragraph with regard to some brown coal tests which were made in 1893. It is taken from the Departmental Blue Book, and appears in a memorandum to the Coal Tests Board, dated 26th March, 1895. It is as follows:—
"The trials were made to see how far it was possible to utilize brown coal as a fuel for the locomotive hauling of full loads over the Victorian lines without special appliances or alteration to the fire grate. Every effort was made in the shop to have the engine in perfect order, and on the road every conceivable method was tried to burn the fuel to an advantage, because it is a well-known fact that if this fuel could be consumed on the ordinary locomotive it would be a great boon to Victoria, and this fact was never lost sight of during the trial, and every one tried their utmost to make it a success; and it is with extreme regret that I have to inform you that in every respect the trial was a disappointment. The failure of the brown coal as a fuel for the locomotive was full and complete,

Its commercial value is absolutely nil." That was burning the brown coal under extraordinary conditions in a fire-box constructed to burn bituminous coal. It was a most ridiculous proceeding.

1771. Would you advocate the Victorian Railway Department to alter their fire-boxes to burn Powlett coal, and alter them back again to burn some other coal, if Powlett was a failure?—Powlett is not likely to fail for some time.

1772. What about a strike?—I would not guarantee you would not have a strike, but the likelihood is less in a State mine than in a privately-owned mine. As to the cost of coal to the Railway Department, the railways make a comparison of the price of New South Wales coal, as compared with Powlett under different conditions. They work it out on a 15 per cent. basis. In the first case, with all New South Wales coal, all delivered at North Melbourne coal stages at the current rate, and allowing 1s. for hauling and inspecting, they make the total cost of New South Wales coal at North Melbourne 16s. 5d. a ton. Using Powlett coal at North Melbourne, and allowing for 115 tons, instead of 100 tons of New South Wales, they make the average cost 17s. 4d. per ton. That was, of course, before the increase of 1s. a ton was made. Taking the railway figures, but taking the efficiency at 91 per cent., instead of 85 per cent., it reduces their figure to 16s. 5.8d. for Powlett; making Powlett, at 91 per cent. efficiency, practically the same. In considering the cost of Newcastle coal landed, I might point out that the railways pay no wharfage. Private buyers pay 1s. If the railways had to pay wharfage, then their coal, on those figures, would be 1s. more than Powlett.

1773. You are making a comparison without the 1s. increase?—Yes; the 1s. added to that would make a difference of about 1s. 1d. It would make a difference on the 91 per cent. basis of about 1s. a ton. But the extra 1s. that we are charging the railways we shall be able to take off before long. I look upon it in this way—The railways were not taking the coal that we expected this year, and as our output was being restricted, our cost of opera-

tions were more, and I had practically made a promise, and estimated that our profits this year would just about wipe off last year's deficiency; and as the railways had benefited by using Powlett coal, and as the expenditure was largely incurred on account of the railways, I thought it fair that the railways should recoup the mine for that loss.

1774. Are you aware that the railways are likely to bring a claim against your Department for the cost of the siding at Powlett?—We shall be prepared to meet it. In fact, the mine is going to be a particularly good thing for the railways. When we are producing coal at 6s. a ton, and selling slack to the public at 7s. a ton, we shall be able to sell to the railways practically at cost price. If the railways were getting coal at Powlett at 6s., we need not fear competition from New South Wales, because New South Wales cannot touch us at that price. I consider that the mine will have to be run as a commercial concern, and supply coal at a price that will defy any class of competition; and the mine can do it, and will do it. I am not speaking without the book, and I think I shall be able to make good, if I am allowed to live so long, and am fortunate enough to retain the management of the mine. You also asked for a detailed statement—I think it was Mr. Rees who wanted the information—of the freehold land and buildings which we show in our balance-sheet capital account. You also wanted to know what amount had been spent on No. 3 shaft. [*Statement containing information handed in.*] The cost of buildings at the shafts are set out in detail there, as well as other work, such as poppet heads, and other buildings at the mine; and correspond with the figures in the balance-sheet. Then I was asked also for details of the machinery and rails account.

1775. *By the Hon. R. B. Rees.*—Is allowance made as to the No. 3 shaft for the cost of screens?—They come in the machinery and rails account. That is for buildings and freehold land. The details for the machinery account are as follow:—

STATE COAL MINES.
MACHINERY ACCOUNT, 30TH JUNE, 1910.

	£	s.	d.	£	s.	d.
No. 3 Shaft—						
Winding Engines	1,012	17	11			
Boilers, Steam Piping, &c... ..	570	10	9			
Screening Plant	732	10	0			
Shaft Equipment	507	11	2			
Sundry Plant.. .. .	364	15	1			
				3,188	4	11
No. 3 Shaft—						
Winding Engines	868	1	11			
Wire Rope	20	5	6			
				888	7	5
No. 6 Shaft—						
Foundations for Engine	100	0	0			
				100	0	0
Nos. 7 and 8 Shafts—						
Foundations and Earthworks	171	0	0			
				171	0	0
Ventilating Plant	700	18	9			
				700	18	9
Sinking Plant	191	1	3			
				191	1	3
Tubs	396	10	0			
				396	10	0
Blacksmiths' Fittings	83	11	10			
				83	11	10
Rails	962	18	2			
				962	18	2
Pumps and Iron	725	16	8			
				725	16	8
Sundry Plant (movable)	612	18	11			
				612	18	11
				8,021	7	11

The screening plant was written down by £600, as some of the plant was too small. The shaft sinking and development account seems to be exercising the mind of the Committee a bit, and I hope I shall be able to clear the matter up by giving the details. Some very curious figures have been given in regard to the shaft sinking and driving. When Mr. McKenzie was here, he was asked to make a lot of rapid calculations, and if some of the results he arrived at were a little wide of the mark, I think the figures I am now going to submit may help to clear the matter up. I have gone carefully into the costs.

1776. Mr. McKenzie gave us the contract price?—There is the question of the supervision and material, and the extra allowances for the engine-drivers. When they meet with water, a shaft is

sometimes stuck up for several days; and it is necessary and fair to make the men some allowance for the extra water they have to contend with. It has also to be borne in mind that when a witness is before a Committee giving evidence, on being asked to make a calculation, he sometimes becomes nervous or flurried, and is apt to make a ridiculous statement, which he may afterwards regret. I also made an approximate estimate of the cost of sinking shafts at from £2 to £4 per foot. I had in my mind labour only; but in going into the thing carefully, and taking what records I could get, I find the cost of Nos. 1, 2, 3, and 4 shafts would be £3 per foot. They were shallow shafts, and although they were sunk under urgent conditions, as far as I can make out, the cost was not excessive. The following are the figures for the shaft sinking and development account:—

STATE COAL MINES.

SHAFT SINKING AND DEVELOPMENT ACCOUNT, 30TH JUNE, 1910.

	£	s.	d.	£	s.	d.
Sinking Nos. 1, 2, 3, and 4 Shafts, 13 feet x 5 feet, 269 feet at £3	807	0	0			
Slant Drive to Surface at No. 3, 250 feet at £2	500	0	0			
" " " No. 5 Shaft, 145 feet at £9	1,305	0	0			
" " " Nos. 7 and 8 Shafts, 14 feet 6 inches x 5 feet 6 inches, 154 feet at £7	1,078	0	0			
" " " No. 6 Shaft, 60 feet at £7	420	0	0			
Surface Drains and Dams	1,119	0	0	4,110	0	0
Clearing Ground	450	0	0	1,119	0	0
Boring	770	0	0	450	0	0
Mine Development	5,434	2	7	770	0	0
				5,434	2	7
				11,883	2	7

1777. What is included in the expenditure for drives?—That is for drives and putting in the permanent road laying, and sidings in the mine—making the bottom and laybys. The total is shown in the balance-sheet.

1778. Did you not get about £8,805 worth of coal—do you not admit that?—I admit nothing. You can come back at me again. The cost of driving per yard I have taken up to the 30th June, instead of February. The size of the drive outside the timber would be about 12 feet by 7 feet. That is, approximately, nine and a third tons to the yard. For the period ending 30th June, before the heaving rate was introduced, the average tonnage per miner was one and one-third tons of coal per shift. The number of shifts per yard is therefore nine and a third divided by one and a third, or seven shifts per yard. Miners were getting 10s. per shift, therefore, the coal alone cost £3 10s. The trucking was costing about 2s. 6d. per ton with baskets. That runs into £1 2s. 6d. at nine tons.

1779. Did not the drives practically pay for themselves by the coal that was got?—I think there was some evidence given that shafts and drives should not have been charged to development. I have never heard of shafts being charged to working expenses.

1780. Let us have the drives alone?—The on-setting and winding cost 4d. a ton—that is 3s.; loading, &c., 1s., would come to 9s.; supervision—clerical, &c.—1s., would be 9s. The total cost per yard would thus be about £5 18s. I am not speaking of the drives up till February, which would probably cost more than this. I am speaking of the cost to June.

1781. That would be £5 18s. per yard, and nine tons per yard?—Yes; the yardage up to June was 9,600; so, on that basis, the total cost of those

drives was £40,120—£5,434 of that amount of wages was charged to development, leaving £34,686 to be charged to the emergency account. The total charges in the emergency account are £36,741. If you deduct this £34,686 from that, you will see there is a balance of £2,055, which would about cover the camp equipment and camps in position. So that the coal got is small in comparison with the cost of driving. Out of that £40,000 only £5,000 is charged to development. Those early drives were heavily timbered, and laybys and pass-bys were made, and tracks, and points, and crossings, were put in for the permanent haulage.

1782. All in coal?—But they were doing special opening up work. It is quite a usual and proper thing to charge that special work, which is going to be of permanent utility to the mine, as is done here to capital. Out of £40,000 spent on wages, we only charge a little over £5,000 to capital. It would not have been an unfair thing to have charged some of that heavy timbering to capital, but that timbering has gone into the emergency account.

1783. Is it fair for me to conclude that 14s. a ton was the cost of getting the coal out of those drives?—I have already shown you that the total cost, taking the emergency work into account, runs to over £1 a ton.

1784. But for the drives only?—A large quantity was brought out under emergency conditions—with baskets.

1785. The baskets were done away with immediately you went there?—No, a long time after I went there. Even for a little while after the skips were there. I am mining it now at 7s. 2d.; but, mind you, the men are on piece work.

1786. They are earning 15s. a day, as against 10s. a day?—They are getting nearer 16s. The

mine is looking well, and we are able to work the places wider, and are not using the timber we were formerly. I think the members of the Committee were well pleased with what they saw when they visited the mine. I also think that the State of Victoria is to be congratulated on the possession of such an asset as the State Coal Mine. When we are producing the coal at 6s. a ton, the dream of the Minister of Mines to sell coal to the public for 14s. a ton in Melbourne may yet be realized.

1787. *By the Chairman.*—You have increased your estimate to 24,000,000 tons on the result of one bore?—That bore is an exceedingly important one. It opens up a large possibility. I have not increased it. I stated that I thought 20,000,000 tons was a fair and reasonable estimate for the 2,700 acres; and outside that area there was another 20,000,000 tons. I think you will find that in my evidence. If it is not in my evidence, I must have been so nervous and excited that I left out the 20,000,000 tons; but I fancy it is there. So that I have not increased my estimate at all, but have claimed another 4,000,000 tons for the additional foot. I think it has already been mentioned what the mine is doing for Victorian manufacturers—saving £30,000 on their coal bill for the present year.

1788. How can you reckon that?—I mean on next year's contracts.

1789. That is an estimate?—We know what we are charging them, and what they are saving per ton. The Melbourne Corporation are saving 4s. to 5s. per ton.

1790. You are speaking of the slack coal?—It is 6s. a ton under contract all round.

1791. *By the Hon. R. B. Rees.*—Can you produce it for that?—No; but the slack coal has to be sold. It is almost always sold for less than it costs to produce. You make your profits almost invariably on screened coal; and to produce screened coal you cannot help having slack, and have to sell it for what you can get.

1792. You could get 8s., and reduced it to 6s. under contract?—We called for tenders, and the tenders we received were mostly at 6s. We started to make some slack, and it began to become a glut. We did not know what to do with it, and a slack coal salesman was appointed to go round and try to sell the slack. The tenderers make their own prices, and it was decided that the slack at that time should be offered at the same price that the majority of the tenderers announced—6s. Mr. Hunter pushed the sale, and our difficulties disappeared.

1793. *By the Chairman.*—Mr. Hunter said he could get 8s. just as easily as 6s.?—I do not know about that. It did not appear to be so when the slack was accumulating at the mines, and the tenders were not coming in for it. We thought the slack was going to be a glut. I very much doubt, in deference to Mr. Hunter's opinion, that we should have been able to have sold it at 8s. at the start.

1794. In reference to the question of the available coal, will you look at your previous evidence at questions 303 and 304—[*reading the same*]. How does that compare with your estimate now?—I had in my mind that the 20,000,000 tons was the actually proved coal; but I did not for a moment think that that was all the coal that was there. I do not contend now that there is another 20,000,000 tons proved by this bore. What I stated previously in my report on the Powlett area was:—"Of the Powlett area reserved for the State coal mines—about 11 square miles—a portion thereof, 5 miles in extent," has been proved by boring to contain about 20,000,000 tons of good, workable coal over 3 feet

in thickness. The remainder of the 11 square miles has yet to be proved. But there is no reason to doubt the extension of the coal seam of good, workable thickness through portion of this area. Another area in the district, the Kirrack basin—about 35 square miles in extent—is also being bored for coal by the Government, and results to date show that a coal seam averaging about 3 feet in thickness extends over a portion of this area."

1795. Why do you now say there are 44,000,000 tons of coal?—I said I thought 44,000,000 tons would be a conservative estimate for the quantity of coal likely to be found within that area. I do not claim that it is proved coal. I considered that within that area there would be about 20,000,000 tons actually proven. It is not fair to think that the coal is all thick, nor to think that it is thin coal; but this bore proves there is an area of thick coal outside this 20,000,000 ton area.

1796. There is 1½ miles between the No. 3 shaft and this bore. Are there no thin seams proved, or is there not a thin area intervening between that shaft and the bore?—Yes, we have a bore between the two. There is a bore with 5 feet of coal in it.

1797. When you were giving evidence before, you marked a map in black lead pencil, and measured an area that you said was 3 miles by 2 miles [*Exhibit "N"*], and in answer to question 312, as to how you arrived at 20,000,000 tons, you say—[*reading evidence*]. Now you say that the boring is unreliable, and that you are reckoning now another foot of coal over that area?—I do not say it was unreliable. I say we usually get more coal than the bores showed.

1798. You say now the estimate should be increased by at least 1 foot more coal for that whole area, and that this one bore that you have proved coal in causes you to think there is another 20,000,000 tons of coal in that area. Do you think that is a reasonable statement?—I think so. There is a big area there not bored, and that bore tends to show that there is an extension of thick coal towards the Powlett River; and I think it is quite reasonable to suppose there will be as much more coal proved. Of course, with regard to the additional 20,000,000 tons, I do not say it is actually proven. I cannot claim it is proven on the strength of one bore; but I am firmly of the opinion that we may reasonably expect in the whole of this area to find another 20,000,000 tons. That is simply an estimate. In respect of the coal in the area really proved, I think that there is quite 20,000,000 tons; and if we allow another foot for the bores, it gives another 4,000,000 tons.

1799. Are you aware that on that map, when you marked that area of what you said was 5 square miles of coal, you took in one-half of Daly's lease, in addition to your own coal area?—I marked it roughly. I was not aware of it. I did not make my calculations on the area I took in. I marked an approximate area only.

1800. This is the area which is to be judged by the bores?—The area I marked was not the exact area on which I based my calculations, which were carefully taken out.

1801. It was the area coinciding with the special area marked out by Mr. Dunn. Mr. McKenzie gave us an estimate on an area marked in red, and he said there was some misunderstanding about the blocks, and estimated according to the areas?—The estimate that was taken out in the 40-acre blocks was made in Melbourne. Mr. McKenzie had not seen that. He produced a plan which he thought got as near to your requirements as possible.

1802. Nos. 1, 2, 3, 4, 5, and 6 are marked on the plan, and his estimate for the whole proved thick area of coal came out of that?—He made it a little over 20,000,000 tons.

1803. His estimate for the portion where you are working now with a good seam and shafts was 5,940,000 tons, and to make up the 20,000,000 tons he took in 12,000,000 tons for an area on which there were just a few bores from the top block to Daly's lease of 1,719 acres?—In estimating quantities of coal, you very rarely—in fact, I have never known the bores to be as closely spaced as they are round our shafts. Those bores were not put down for the purpose of finding coal, which we knew was there, but for locating the sites of shafts. The estimate of the coal is made, generally speaking, in coal-bearing land, with fewer bores or less closely-bored than in this area Mr. McKenzie has referred to.

1804. *By the Hon. R. B. Rees.*—Mr. Wallace estimates 6,000,000 tons on the same area?—He is rather a bad estimator, I should think. Probably Mr. Wallace does not want to see it there.

1805. May I ask how you make the statement of 44,000,000 tons in that area—how much would you say would be available?—I did not say that 44,000,000 tons were actually proved, as I have already explained.

1806. How do you make up the estimate of 44,000,000 tons in that area?—Simply I think it is reasonable to suppose there will be another 20,000,000 tons found outside the original area.

1807. Twenty million tons was your original evidence—how much would be available to the public or the railways, eliminating the slack, of screened coal?—I could only make a guess of what the slack is going to be in the future. I have already stated that I expected we should lose in working 20 to 25 per cent.

1808. Say one-fourth?—I think that was my statement.

1809. That would be 15,000,000 tons of run of mine coal?—Yes.

1810. How much screened coal would you get out of that?—We are getting at present about 35 per cent. of slack.

1811. The railways say they are not going to take your coal as screened?—I think as we get into deeper ground we shall get harder coal, with less slack than at present. I think 35 per cent. would be rather on the high side. The coal, as far as we can gather from boring, is harder in the deeper ground. Although we are running about 35 per cent. at present, I think that would be a high percentage for the whole of the field. We might get 30 per cent.

1812. There is a big discrepancy between your estimate and that of Mr. Wallace?—Yes; Mr. Wallace appears to me to be wrong; and if he is wrong, I cannot help it.

1813. *By the Chairman.*—This is Mr. Wallace's map—[handing same to the witness]. He also says in his evidence that there are great differences in the levels of the coal, as shown in the different bores, and that there are a number of faults?—It is not claimed that the coal is free from faults. It has repeatedly been stated in evidence that we know there are a number of faults in the field. We know that it is not level-bedded all through.

1814. We have had a great many different estimates. When Mr. Dunn marked his area on which he made his estimate, he struck the western line of bores, as if there were a precipice?—He did not take in all that he should have. He must have had in his mind that the other area was going to be thin coal. The reason for the elimination is that the coal in one portion has been faulted up to the sur-

face and denuded. In most cases where we find a want of coal, it is because it has been an up-throw, and that has thrown the coal to the surface, and it has been washed off and denuded; but we are less likely to get denuded ground in the western portion, because it is deeper, and in the early geological times the coal would not be brought to the surface.

1815. Would you not say that more boring was necessary to prove your estimates—the working may show something very different?—The estimate I made is simply for 20,000,000 tons plus 4,000,000 tons; but, in my opinion, another 20,000,000 tons should exist, although there are insufficient bores to actually prove it.

1816. And not to warrant the statement?—Oh, yes, to warrant the statement; but it is not actually proved. But there is every reason to believe there will be another 20,000,000 tons of good coal found there. I do not mean to convey the idea that another 20,000,000 tons is actually in sight and proved, but on the evidence I have it is only reasonable to suppose that it is there. I am simply expressing my opinion on the area that has not been bored.

The witness withdrew.

Adjourned.

Taken at Wentlaggi.

FRIDAY, 25TH NOVEMBER, 1910.

Members Present:

The Hon. R. H. S. ABBOTT, in the Chair;

The Hon. T. Luxton,

The Hon. J. McWhae,

The Hon. R. B. Rees.

DEPUTATION FROM THE PROGRESS ASSOCIATION TO
THE COMMITTEE.

Mr. Downward, M.L.A., said the Minister of Mines had made a calculation, and he found he could let the miners own the leaseholds on the basis of freeholds, and yet not pay any more rent. The Government were favorable as to the miners and residential people, but they were not favorable to bringing in the business people on those terms.

Mr. Wilson said Mr. Downward had not voiced quite correctly their feelings—that was not the primary object of the deputation; they would like to have the freeholds, but that was not the object of coming here to-day; they wished to answer any questions.

By the Hon. the Chairman.—The position of the Committee was this: When the Committee was appointed by the Legislative Council all the holdings, both miners', residential and business, were leasehold. Since the matter was debated in the House, exception was taken to the method in which the Government was dealing with the people in this portion of the State, compared with the way Crown lands were dealt with in other parts. It appeared that an injustice might be done to the people in connexion with the leaseholds, the Government taking a large annual income, and practically taking the whole of their properties. The Committee understood that considerable dissatisfaction existed as to what was supposed to be the promises of the Government in connexion with the leaseholds, and they desired, in the interests of the leaseholders, to ascertain really the position. The Government had taken up the position of making it possible for miners at

Wonthaggi, and holders of residential sites, to become freeholders, and that seemed to leave the business people in a position that was not fair to them or as advantageous as they might desire. The Committee would report to that effect. If the leaseholders preferred that their leaseholds should be converted into freeholds, the Committee were prepared to hear anything the deputation had to say.

Mr. Wilson said the business people would prefer freehold to leasehold. The leasehold conditions were not satisfactory to a man from a financial point of view. The business people in the town had no means of raising money on their tenure, whereas, if they had a freehold, they could do it, and they certainly preferred freehold. They were not altogether dissatisfied with the present conditions. The business people came knowing the price they were to pay, and it was their own doing; and, while they wished for freehold, they had no right to complain; they were not led into it blindfolded. He thought, generally speaking, the business people would prefer the freehold under certain conditions, at the end of, say, the thirty-three years.

The Hon. the Chairman said, as a matter of fact, they had only twenty-one years.

Mr. Wilson said that was the length of time given, and permission would be asked of Parliament to extend it to thirty-three years; but none of the leaseholders would pay the rent for that period if they could get the freehold. The business of the town was not as good as it would be if the men were working full time, and an increased number of men employed. People, on the whole, were not disappointed. The daily papers had a lot to say about the field that was not altogether gospel, and, although there were a few complainers, they did not voice the feelings of the whole of the people. At present he did not know that any of the leaseholders were sorry they came to the field; they were looking forward to the time when the coal-field would be extended, and coal sold to the public; and they hoped to see a largely increased output, and an increased employment of miners. They were holding on to what was a little hard, in hopes of a better future.

The Hon. the Chairman said, as far as the Committee was concerned, they were pleased to find there seemed to be general satisfaction with the prospects. If the Committee could assist in any way they would be prepared to do it, but if the people were satisfied the Committee could only express their satisfaction to find that all the leaseholders were perfectly satisfied with the Government terms.

Mr. Wilson said most of the people had come believing there would be a large settlement, and they expected the Government would be faithful to the promises they had given them—they promised that in March a Bill would be introduced for the sale of coal to the public, and that was a satisfaction to the leaseholders.

The Hon. R. B. Rees.—Are you expressing satisfaction at the promise that coal is to be supplied to the public when the public Departments are not one-half supplied with coal now? If the conditions of the present law are carried out, the output of the field will be more than doubled. Do you base your satisfaction on a sound foundation, or merely on a political foundation?

Mr. Wilson said they admitted that the public Departments would have to be supplied first. Even to-day, with the present complement of hands, it could be done, but the Railway Department could not cope with the difficulty; and at present they were hoping that a move would be made, so that the demand could be met and the public supplied. They wanted the Committee to understand that they would prefer the freeholds, but they would not like to see freeholds given to one person and not to an-

other. Supposing freeholds were given for residential and mining allotments, there would be nothing to prevent the business men going into those freeholds and starting business there—that would have to be guarded against.

The Hon. the Chairman.—Have you formed any idea what a freehold would cost you—are you prepared to pay the capitalized amount of the rental?

Mr. Wilson.—We have no power to come at the value in that way.

Mr. La Roche said they would be satisfied if, even at the end of thirty-three years, they became owners; but at the end of that time it fell into the hands of the Government, and they would prefer the freehold. They were satisfied with what the Government had done for them up to now, but if they were going to give the freehold to other holders they should get the same advantage.

Mr. Bloustein said they had no reason to be dissatisfied if they had the coal supplied to the public and the Departments, but they wanted the building clause struck out. There was nothing for any business man to cavil at if the coal was supplied. The town was depending wholly on the men who produced the coal, but the building clause was a severe strain on the business people of the town.

The Hon. the Chairman.—You seem to base your ideas of prosperity on the employment of a very large number of men. When the mines are equipped, as they are going to be, the chances are the coal will be won without the employment of any more men than are there at present, through the introduction of machinery.

Mr. Bloustein said that even then there would be a large number of men employed. The mine at present was only in its infancy; in twelve months there ought to be three times the number of people employed. The Government had not misled people in any way; if the Minister of Mines had had his way things would have been further advanced, and there would have been no need for this Committee.

The Hon. the Chairman.—The balance-sheet did not look too good for the first six months.

Mr. Bloustein said they had put their capital in, and they had not got any interest yet; but they were satisfied to look on if the mine was allowed to be developed on board lines; but if it was to be restricted to a small output, it would be no good to anybody. Experienced miners told them there were unlimited quantities of coal there. They did not want one-half of the town freehold and one-half leasehold.

The Hon. the Chairman.—That is going to be done.

Mr. Bloustein said they would object to that. They did not want a piebald town; they wanted it all on the one scale. If it was going to be leasehold, let it be leasehold.

Mr. Corcoran said that every man starting business on the leasehold blocks had to spend some capital on his business, and on a temporary building. He had to remove that within three years, and put up a brick building, costing about £300 or £400, and that had to be given back to the State in twenty-one years without any consideration. If it was not made a freehold, he predicted that this township would be empty before five years—that is, if they gave freeholds in one portion and not in another.

The Hon. the Chairman.—Instead of putting up permanent improvements in brick, you will abandon your holdings, and put up permanent buildings on the freeholds.

Mr. Corcoran said that was exactly the position. They were asking the people to become a municipality and pay rates on top of the rents, which was a most unjust thing. If they kept on the rents they might maintain the place. If there was a vote

taken in this town there would be 80 per cent. in favour of the freeholds.

Mr. Bressler said the general feeling was that unless the mine was fully equipped, and the coal supplied to the public, neither the freeholds nor the leaseholds would be any use to them. The whole thing rested on the one thing—that the coal should be supplied to the public.

The Hon. the Chairman.—Are you aware what the consumption of coal is if the mine were able to supply the requirements of the public?

Mr. Bressler said they only knew that if the mine was equipped, and the coal was supplied to the public, it was more than likely there would be more men employed. They would have a better population and more money would be circulated. Unless that was done, any one could have his block; it would not be worth anything to him. The town would never be any better unless the output of coal was greater than it was now.

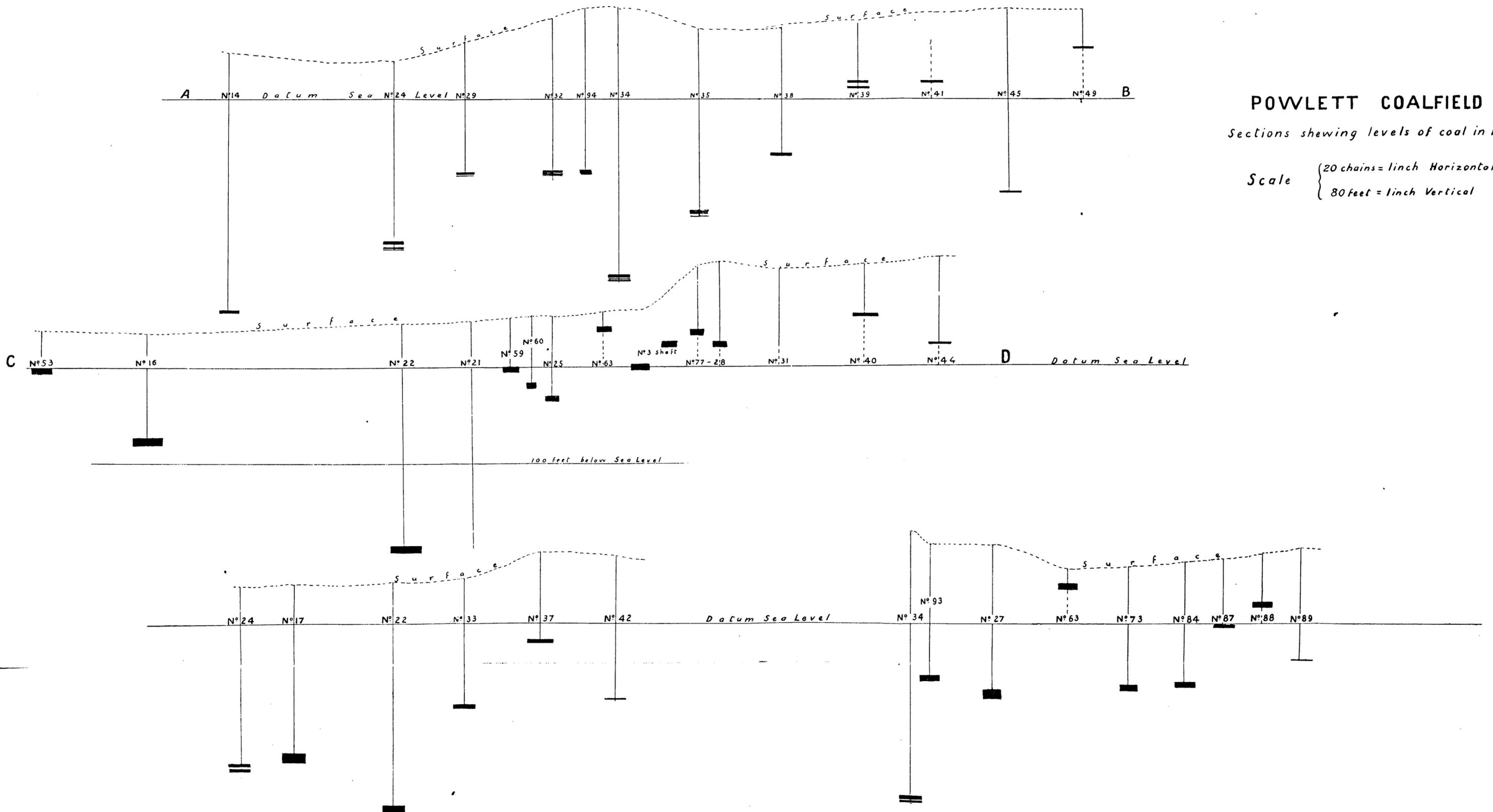
The deputation then withdrew.

This is the plan marked Exhibit "E" referred to in the evidence of A. C. Wallace, given before the Select Committee on the State Coal Mine on the 23rd day of November, 1910.

H. H. PEARSON,
Clerk of Committees, &c.

POWLETT COALFIELD
Sections shewing levels of coal in bores

Scale { 20 chains = 1 inch Horizontal
80 feet = 1 inch Vertical



VIC. MINUTES OF THE PROCEEDINGS OF THE LEG. COUNCIL SESS. 1910.